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THE
CALCUTTA MONTHLY JOURNAL.
 ASIATIC NEWS.

1838.

VICTORIA BALL.

The long expected and much talked of VICTORIA BALL, was at length consummated last night. It had been for months in agitation, at one time laid on the shelf and like to expire, at another revived and newly invigorated, once we almost feared that it was doomed to be one of those many anticipated events which never advance further than the cradle; but now it has actually been perfected in the womb of time, has existed, and is departed—gone, gone to the sepulchre of the past. All the bustle, and turmoil and excitement is now over, the vestiture-makers will have a little breathing time, the curious nothing further to enquire about—the mystery-lovers nothing to conceal, but the gossips plenty to talk about. A pageant of this elaborate nature has generally a fortnight's moral existence,—it exists a week in prospect and a week in retrospect. It has now become something to talk about.

Never in our recollection has the City-of-Palaces been more full of youthful beauty than it is at the present moment. Bright eyes and rosy cheeks, and pale ones too, which, to us, at least, are still more fascinating ("pale with high and passionate thoughts," as J. K. L. expresses it in somewhat the same strain as that in which Shakespeare speaks of a cheek, "sicklied o'er with the pale cast of thought") and light forms full of grace and elegance, and sweet voices now abound every where. There was a time, when we eschewed society, and looked upon a Fancy Ball as nothing better than a "vanity fair;" but we honestly confess that we have been utterly unable to resist the fascinations of *this season*. Our social propensities have been called into action to a degree altogether unprecedented in a life, which has not been a very bad one. Who can remain at home when a —, and a * * *, and a —, and * * * exercise their irresistible witchery in the mazes of the graceful dance? Not we—not we!—when we look around upon the throng of graceful, undulating forms which flit about like young Sylphides, the buoyance of our by-gone days, again invigorates our frames, and we fancy ourselves in reality young again, ever exclaiming in the words of a poet, "Oh, we do not very often cite as an authority,

There's not a joy the world can give
 Like that it takes away.

Oh! indeed, when we look upon these fairy forms, we almost imagine that we have fallen into the hands of Medusa, who has cast us into her magic cauldron and made us young again. We have been before the public long enough to have been often cut up without the assistance of the sorceress.

But we must speak of the Town Hall. When we first entered it, we found ourselves in a very bower of roses, and we thought of Oberon and Titania, and the ladies of the "Midsummer's Night's Dream," though this, in truth, is mid-winter,—and we looked around for little Puck and his folies, and before very long we discovered him in the shape of a two-penny; and we thought of the "bower of roses by a mill-creeper's streams," and of the nightingale who last sang the pretty song to us. When we arrived in the ball room, we were quite bewildered; we knew not whether we were in Greece, or Switzerland, or the Highlands of Scotland, or Fairy-land, or whether we were taking a part in a *tableau vivant*, representing an apotheosis of Walter Scott, such a diversity of mimic garbs were there present, so many costumes of different nations were making up the motley throng. We wish we could do justice to the assembled multitude, and give a correct account of the fancy dresses; but as we have been often told by one whose dicta, are gospel to us, he who does his best

Does well, does nobly, angels could no more,
 we herewith begin our attempt.

Miss M. A. Ross and Mrs. Gordon, attired as Scotch ladies, are the first in order, to whom we must allude. Doctor Johnson said, that the only fine prospect which a Scotchman ever sees is the high-road which takes him to London; but the Lexicographer would not have said this, if he had seen such sweet Highland lassies in Scotland as we saw last night at the Town Hall. Towards the latter part of the evening a highland reel was danced in excellent style by the two Misses Ross, Dr. Stewart, Mr. Edwards, &c. The two gentlemen whom we have mentioned, were dressed in a corresponding costume, and admirably attired they were. Miss Erskine, as *Mary Avenel*, looked the lovely high-born damsel to perfection; but we should have thought from her grace and elegance that she had spent all her days in the "Court of Felicitiana," and not in the rustic neighbourhood of the Scottish Monastery. The two Misses Goulby, in Polish costumes, looked, as they ever do, very pretty and fascinating. Mrs. Parker was splendidly attired as Anne of Austria, and Mr. Parker, in one of the finest dresses in the room, supported the part of the Duke of Buckingham. Miss Trower was a pretty little Swiss peasant. Mrs. Pierce Taylor, and Miss Shaw were tastefully attired, as we think, but we may be wrong in the costumes of the Tyrol, and Mr. Taylor looked as though he had just stepped out of one of Lewis's pictures. Mr. Bayley was very correctly attired as the Master of Ravenswood; Mr. Henry Palmer as Sir Giles Overdone; Mr. William Palmer as Rienzi, and Mr. Stocport as Angelo Colonna. Mr. Larpent, in a sumptuous

dress, assumed the character of Charles the Second. Mr Kay, as Sir Piercie Shafton, dressed as Mysie Happer, described him (see Walter Scott's *Monastery*) talked Euphuism most vigorously; but his courtly pace was so what retarded by a very inappropriate limp; we suppose that this was occasioned by the *duello* with Halbert Glendinning. Mr. Wm. Bracken was admirably dressed in an Albanian costume and looked the character exceedingly well; and Mr. Wyllie, as an Austrian Officer, struck us as a capital personation. Mr. Cecil Trower was beautifully dressed in a Greek costume. Captain Colley, as Meg Merrilies excited our admiration; and a gentleman, whom he could not identify by reason of his huge proboscis, looked Punctinello to perfection. Robinson Crusoe, accompanied by a new Zealand chief, in the absence of his man Friday, were regarded with much attention and well sustained their characters. We observed Sir Callaghan O' Biallaghan amidst the assembled multitude and "a flaxen headed Ploughboy, who whistled o'er the sea," looking his character to admiration. Besides this there were a variety of Turkish, Greek, Swiss, and old English costumes, which we have no space to particularize, but we must not forget to mention one character, which was the *chef d'œuvre* of the night.

A very facetious gentleman, whose identity we were unable to decide upon, went about in the uniform of a two-penny postman, with a large leather bag and *dak-wallah's* bell, distributing letters to the fair fathers assembled. We were able to exert our influence so successfully, that we contrived to peruse a few of these epistles and, as far as our memory, which is fortunately one of the best, will permit us, we now present our readers with a transcript of them. The following was received by Miss Ross.

Scorn not our revels, Lady, for to-night
 Full many a gentle bosom with calm joy
 Is beating, as the joyous music swells
 And the gay dance progresses. Scorn not us
 Because we are arrayed in antic garbs,
 And for a little while have cast aside
 Our natural manners, striving to appear
 That which we are not; do not say that we
 Have ta'en our passage in "the ship of fools"
 Nor call us silly children; in thy good,
 Believe me, sometimes to unbend and cast
 The armour of our dignity aside
 Wherein we walk so stately—oh! 'tis good,
 Good for our hearts that we should sometimes fix
 Our thoughts on trifles which amuse the herd,
 And though we may be fit for loftier things
 Still sympathize with those gay souls who spend
 Day after days in unoffending sports,
 And feel no nobler yearnings; we can hold
 No commune with the multitude, nor give
 Our kindly, social sympathies full scope
 For action, if we move not with the throng,
 But hold ourselves apart and from afar
 Contemplate, with a grave, observant eye,
 Scenes, which we scorn to mix in—Thou art wise,
 And higher things engross thee than the dance,
 The masque, the revel, and the mimic show,
 But scorn not us poor Mountebanks, who strive
 Ourselves and others to amuse, deck'd out
 In garbs of quaint device.—One wisest man
 Fell of philosophy has written thus:
 "The dignity of life is not impaired
 By aught that innocently satisfies
 The humbler cravings of the heart; and he
 Is a still happier man who, for those heights
 Of speculation not unfit, descends
 And such benign affections cultivates
 Amongst the inferior kinds."—

Lady 'tis true.

The next is an Acrostic, and therefore it would be needless to say to whom it is addressed.

M any an eye beams brightly here to night,
 A nd many a face is radiant with delight,
 R oses and lilies here together vie,
 Y outh every where throws round its witchery
 A nd yet there is not one, whom I can see—
 N o, no, not one, with look more full of glee,
 N or with a sweeter smile than I can trace,
 E ngraven on thy fair and speaking face.

R are is such kindness, and later still
 O n the high summit of a towering hill,
 S uch bounteous verdure, such sweet flowers to see—
 S o plentiful is pride, so rare humility.

To Miss Erskine the following Acrostic was delivered; we particularly admire the bathos at the end, and if the poet's request was complied with, we are sure that he was better paid for his bardship than any Poet Laureate on record.

A nd are the scenes still fraught with heart-felt joy?
 M ethinks thou must be weary of them now—
 E ver the sweetest things are first to cloy—
 L ove, only love, excepted. On thy brow
 I mpressed, the character of thought I trace
 A nd nobler yearnings speak from out thy face.

E xcitement quickly palls - the sower here
 R eaps nothing but disgust and weariness,
 S atisfy and pain. A higher sphere,
 K ind and good Lady, waits thee—let thy soul,
 I n the gilt chains of pleasures stern controul
 N o longer fettered, dare a looser flight,
 E nter the heaven of thought and—

Dance with me to-night.

Miss Shakespeare's hallowed name seems to have originated the following elegant but well deserved compliment.

"Lovely as Shakespeare's women," is a phrase
 Like to become a proverb in these days;
 For not another pen like his can trace
 In such sweet tints the purity, the grace,
 The tenderness, the power of woman's mind,—
 Woman, the good, the gentle, the self. A,
 The unselfish sweetener of man's bitter life,
 Which else had been one long, long scene of strife
 And wretchedness—and guilt;—oh! none can
 doubt this,
 As Otway says, "We had been brutes without thee."
 Thou art a true Shakespearean maid; thy name
 And nature too, at once the fact proclaim.
 But which art thou most like of all the throng
 Of sainted maidens canonized in song?
 Juliet the young, the loving Tuscan maid,
 Or Perdita, a violet in the shade,
 Blooming almost unseen, or that sweet child
 Of nature, young Miranda, in the wild
 And desert island with her aged sire,
 Or Beatrice with a wit like fire
 Brilliant but scorching, or like sweet Anne Page?
 Or Portia, with the strangest Heritage
 E'er Father left his child? or her, who died,
 A marie maiden, and a suicide
 In youth's bright spring, Ophelia? or the kind,
 Devoted child, who nursed her poor, old, blind
 And sorrow-stricken sire? Of these sweet creatures
 Which dost thou most resemble in the features
 Of thy fair face and thy pure virgin soul?
 Not one, not one, but all combined in one great who

Miss Frower, who was attired as a Swiss Peasant girl, was exhorted in an acrostic to betake herself home again to her Swiss cottage. We doubt not but that the writer alluded to a certain building of that description at Trarahur, which makes us think that he must be a Barrackporean.

L eaving thy pleasant home
O n the green hill's mossy side,
U nwisely thou hast come,
I n strange land to abide,
S halt thou not oft repent, my gentle Swiss,
A journey made to such a land as this?

T hou wilt, I'm sure thou wilt,
R epent what thou hast done,
O h! think of thy own clime,
W ith its mild, unscorching sun,
E mblem of thine own mud, my gentle Swiss—
R est thee awhile and ponder well on this.

Miss Oakes received an appropriate acrostic, with a "most lame and impotent conclusion." The writer has alluded in a compliment to her worthy sire, which we echo with all our hearts.

I f thou hast ever, in our own dear isle,
S traying all carelessly, ere chanced to view
A flower gentle as the first young smile
B eaming Aurora flings upon the dew—
E r'st thou hast seen it, thou hast loved it well—
L ady—thine emblem, Lily of the Vale,
L ike thee 'tis simple, elegant, and pure,
A s snow new-fallen on the moonlit moor.

O aks spread protecting branches o'er its head,
A nd fostering guard it with their parent shade;
K indred thine own—not more regardful, maid,
E ver to soothe thy griefs—and yet so the folks
S urely will think I've only sung—a Hoax.

The next we had the pleasure of perusing, was a short scroll from some visionary young man to Mrs. H. Alexander.

E xceeding sweet, a vision of the night
L ulls my o'er troubled soul with calm delight;—
I see a mother and a sporting child,
Z ephyr ne'er wore look of joy so wild
A s that much loved and chirped infant wears,
B uoyant he frolics round, nor thinks, nor cares,
E 'n now that lady smiling thinks upon
T hose infant antics;—thou art such a one,
H e is thine own, thy firstborn, only son.

A nd then too comes a little fairy face
L eaping in broken accents, while she stays
E yeing her brother's frolics, as he plays—
X anthe ne'er smiled so clammy, joyfully,
A s thy young daughter in her infant glee;
N or Tethys, Queen of Ocean, neeth the wave
D ecked with the richest gems her kingdoms gave
E 'er shone more bright, fair lady, now than thee—
R eproach me not—this is not flattery.

There were also some neat verses addressed to a fair Katherine.

K illarney's lake ne'er richer beauties gave
A gain reflected in its lucent wave,
T han thine, fair Eastern Queen, for oft to me
H ast thou appeared as some bright fantasy,
E xulting in thy loveliness, and state,
R obed as Zenobia, though as her not great
I n battle's throng to join:—that soft black eye
N ow speaks of that pure happiness to be,
E xceeding lovely, loved exceedingly.

But in spite of all that we have said, though there were hosts of beautiful faces and gay, sumptuous dresses at the Victoria Ball, it lacked animation. People were contented to dress, and thought nothing of sustaining their parts, with the solitary exception of the two-penny post-man, to whose feats we have already alluded. If in this hasty sketch we have omitted to notice any, whom we ought to have registered more particularly, we must plead the lateness of the hour, and the attendant hurry, as an excuse. However, we have done our best and we have only now to add that we hope very soon to be present at another *Victoria Ball*.

The Hall was crowded—not less than 600 persons were present. The decorations were of a light and elegant character, well suited to the occasion, and did much credit to the taste of the Stewards and the artists who carried their arrangements into effect.—*Bengal Hurkaru, January 16.*

THEATRICALS.

OTHELLO.

I have read with much interest the articles in the papers on the subject of *Othello*. A discussion of the same nature, occurred a year or two ago between the Editor of the *Bengal Hurkaru* and myself. That gentleman seemed willing at first to adopt the criticism of Coleridge; but he subsequently, with an editorial candour extremely rare, acknowledged, that on more mature consideration he was inclined to return to the general opinion that Shakespeare intended to illustrate the nature of the passion of jealousy in the character and conduct of the Moor. I partly agree with the opinions expressed in an article on this subject in the last number of the *Literary Gazette*, and especially do I second that portion of the argument which opposes a preceding writer's notion, (very ingeniously maintained, however,) that Shakespeare intended *Iago*, and not *Othello*, to be the leading illustration of the ill effects of giving too easy admittance to that "green-eyed monster, which mocks the meat it feeds on." I have expressed similar

opinions in the *Literary Leaves* in an article on the play. I differ, however, on the material point, from the writer in the last number of this journal. He has, I think, greatly and unjustly lowered the character of *Othello* by representing him as a man naturally jealous. It seems to me that Shakespeare did not intend to give this tone to the mind of *Othello*, and that it was not his chief object to show how jealous disposition is ready to seize without original or just cause of suspicion upon trifles light as air, as confirmations strong as proofs of holy writ; but to exhibit the effect of the hideous vice on men of strong passions and fiery minds. When the poison of jealousy has once fairly entered the heart, the most trivial circumstances tend to strengthen and confirm its influence; but with such a man as *Othello*, the misery is not at first self-inflicted. The Moor was the very reverse of a suspicious character, which is always a mean one. In the words of Dr. Johnson, and boundless in his confidence. Even *Iago*, who "knew all qualities with such a learned spirit of human dealing," repeatedly acknow-

ledges the generous trustfulness and high character of the man whom he hates.

The Moor shows that I endure him not,—
Is of a constant, loving, noble nature;
And I dare think he'll prove to Desdemona
A most dear husband.

And it is from a due consideration of the Moor's "free and open nature," that *Iago* is induced to depend for the purposes of his revenge upon the effect of such subtle insinuations as *Othello*, believing him to be honest, was compelled to credit.

The Moor is of a free and open nature,
That thinks men honest, that but seem to be so;
And will as easily be led by the nose,
As asses are.

Othello had too much fire in his soul to suffer him to play the mean and dilatory and patient part of a man naturally suspicious, who is always lying in wait for opportunities to discover his own misery and dishonour, and who treasures up long and greedily the minute evidences that feed his hateful passion. "Think'st thou," he exclaims—

Think'st thou I'd make a life of jealousy,
To follow still the changes of the moon
With fresh suspicions? No; to be once in doubt,
Is once to be resolved.

When he is sent by the Senate on the expedition to Cyprus, with what perfect confidence he places his young and lovely wife in the charge of *Iago*; and when *Brabantio* says

Look to her, Moor; have a quick eye to see;
She has deceived her father, and may thee.

What is his answer?

My life upon her faith!

And to show, out of his own mouth, how little he was inclined to insist upon a strict surveillance of his wife, or to build his fears of her fidelity on trifles, let us quote part of his speech to *Iago* even after that artful villain had poured the first drops of bitterness into *Othello's* cup. It is not the language of a man originally disposed to be mistrustful.

'Tis not to make me jealous,
To say—my wife is fair, feeds well, loves company,
Is free of speech, sings, plays and dances well;
Where virtue is, these are more virtuous;
Nor from mine own weak merits will I draw
The smallest fear, or doubt of her revolt;
For she had eyes, and chose me; no, *Iago*;
I'll see before I doubt: when I doubt, prove;
And, on the proof, there is no more but this,—
Away at once with love, or jealousy.

When a man is naturally disposed to indulge the passion of jealousy, never does he exhibit it more strongly than when he is first working his way into the affections of his mistress; and *Othello* from being a mere soldier, "rude in speech and little blessed with the set phrase of peace," and having a complexion and cast of features that he was quite conscious were not generally attractive to the Venetian ladies, might have been excused some little anxiety respecting the possible triumph of his rivals. Her father never supposed for a moment that his reception of *Othello's* visits would lead to so strange a match, and, when the event actually occurred he was so perplexed and bewildered, that he could only attribute it to supernatural arts.

She is abused, stolen from me, and corrupted
By spells and medicines bought of mountebanks;
For nature so preposterously to err,
Being not deficient, blind or lame of sense,
Sans witchcraft could not.

And even the pert *Emilia* could not help expressing her surprize that *Desdemona* had forsaken so many noble matches on his account. In her generous passion at the

suspicious of the Moor in one of the latter scenes of the play, she boldly tells him to his face, that *Desdemona* was "but too fond of her most filthy bargain." Yet, notwithstanding *Othello's* manifest disadvantages as a lover and a lady's man, of which he was so fully conscious, *Desdemona* never seems to have discovered in him, until the poison infused by *Iago* had worked its effect, the slightest indication of jealousy. Even after the scene of the handkerchief, when *Emilia* asks if this man is not jealous, *Desdemona* answers with an exclamation that she "never saw thus before." In a preceding part of the same scene the following dialogue occurs.

Des.—Where should I love that handkerchief, *Emilia*?
Emil.—I know not, Madam.

Des.—Believe me, I had rather have lost my purse.
Full of cruzadoes. And but my noble Moor
Is true of mind, and made of no such baseness
As jealous creatures are, it were enough
To put him to ill thinking.

Emil.—Is he not jealous?

Des.—Who, he? I think the sun, where he was born
Drew all such humours from him.

I repeat my opinion, that *Othello* was not naturally jealous, but on the contrary of a most trustful and generous disposition, and that *Shakespeare* seems to have intended to show, how rapid and terrible are the effects of jealousy when it has once taken possession of a fiery and impassioned heart. His object, it appears, was not to display the petty and nerve-rusting suspicions of a little mind, of a jealous, key-hole-peeping, Paul Pry, but to exhibit a fearful picture of the tempest and desolation, and delirium into which its sudden admission may throw the noblest natures.

We have no right, whatever, to regard *Othello* in the light of a feeble-minded dupe. If he had not been affected by the evidence so artfully brought forward by *Iago*, whom he looked upon as a zealous and disinterested friend, and whose good faith had never been suspected by himself or others, whose honesty in fact was proverbial, we might have fairly censured him for his blind and overweening confidence in his wife's constancy or his own power over her affections. He would in that case have almost deserved his dishonour. We ought not to forget that we are behind the scene, and know more than the unhappy *Othello* himself the true characters and designs of the same circumstances as the Moor could have been proof against the consummate skill of such a master in devilish arts as the fiend *Iago*. We sympathize with *Othello's* amazement when the light breaks in upon him and he discovers how completely he has been deluded and destroyed by his powerful circumvention. When *Iago* is brought before him, he looks to see if the is cloven-footed.

Othello—I look down towards his feet; but that's a fable:
If that thou be'st a devil, I cannot kill thee.

I could easily multiply extracts in support of my opinion; but perhaps the reader might grow tired of the subject. I shall give but one more brief quotation and conclude. It is *Othello's* character from his own mouth, and I think it a true one.

—I pray you, in your letters,
Speak of me as I am; nothing extenuate,
Nor set down ought in malice; then must you speak
Of one, who loved not wisely, but too well;
Of one, NOT EARLY JEALOUS, BUT BEING WROUGHT,
PERPLEXED IN THE EXTREME.

I ought to apologize for the length of this article on a subject that has already occupied so large a space in the columns of the *Literary Gazette*; but it is difficult to A check oneself in a discussion in which *Shakespeare* is the theme.

D. L. R.,

[Bengal Herald, January 7.

RIENZI.

Miss Mitford's Tragedy of *Rienzi*, was performed on Friday evening for the benefit of Mrs. Leach. The play had never before been performed, and we think, had been little read in Calcutta. It is nevertheless one of the best Dramas that has been produced in these latter days, when the cry is echoed from north to south and from east to west, that the sun of dramatic literature in England, has been obscured, never again to put forth its beams. They who only know Miss Mitford by her *country stories*, and think of her as the placid, subdued writer of those sweet rustic domesticities which find their way into the hearts of all dwellers in the country and of very many town-bred folk, will marvel at the vigour both of conception and of diction, which we meet with every where in the Tragedy of *Rienzi*. The play is full of energy, each character forcibly sustained and full of individuality, the interest unbroken, and many of the situations eminently dramatic. We doubt not but that most of our readers have perused Mr. Bulwer's admirable Romance, built up on the same historical basis. Miss Mitford was first in the field; but neither of the two authors, in portraying the character of *Rienzi*, have adhered very faithfully to recorded facts. It was Sir Walter Raleigh, we think, who on hearing a tumult beneath his chamber windows, despatched some of his domestics to learn the cause of it, and when they returned, one giving him one and another another account of the affray, he exclaimed, "Ah! indeed, if I find it so difficult to learn the true facts of incidents which happen at my own threshold, how little reliance must I place in the records of events, which occurred centuries ago." It is indeed the rarest of accidents to meet with an impartial historian. Bulwer accuses Gibbon of having unnecessarily blackened the character of the last of the tribunes, and we think that we might accuse Mr. Bulwer of having unduly exalted it. But this is a peculiar characteristic of many of Bulwer's writings to make us sympathize with those who are more worthy of our execration and abhorrence—witness the novels of *Paul Clifford* and *Eugene Aram* and the character of Sir Reginald Glanvillar in *Pelham*. None, but a bigoted Tory, could rise from the perusal of Bulwer's *Rienzi* without a warm, perhaps an enthusiastic admiration of the noble character therein portrayed; but we are sorry to say that the *Rienzi* of the Romance is far different from the *Rienzi* of History. The contemporary biographer, who has generally received the credit of rare impartiality, inspires not the reader with that belief in the virtue and nobility of the Tribune which the author of *Eugene Aram* instils into our minds. We see nothing in Mr. Bulwer's Romance of the obese and bloated wine-bibbing debauchee. We see humbly as a hero and martyr, as pure in his private and in his public relations. The Romance writer describes him too, as a man of gentle feeling, which assuredly he was not—first he was, even to a Brutus-like justice, and endowed with a lofty and towering, but not a refined, intellect. Some leaven of the "sordid hostelry," which was his birth-place, clung to him throughout his career. Unselfish we cannot believe him to have been; he loved the people because he was one of them; he hated the aristocracy because they had insulted him. The memory of these insults was ever ranking in his soul and goading him on to action. Revenge was his guiding principle. It was not pity, it was not justice, it was not the love of liberty; it was revenge which stimulated his dormant energies, and stirred up those resolves in his mind, which led to the great revolution of which he was eventually the victim.—"Yes"—he says in the language of Miss Mitford's Tragedy,

Yes, I've trod thy halls,
Scorned and derided midst their ribald crew,

A licensed jester, save the rap and bella;
I have borne this—and I have borne the death,
The unavenged path of a dear brother.
I seemed—I was, a base, ignoble slave.
What am I—peace I say—what am I now?
Head of this great republic, chief of Rome;
In all but name her sovereign.

Even Bulwer, in spite of his admiration for the Tribune and all that he has said about patriotism, confesses in the very first chapter of his Romance, that it was revenge which first incited *Rienzi* to action. When the spear of the ruthless Colonna passed through the body of Cola's brother, loud were the cries of Cola for justice. "See ye, Sirs, he was but too gentle; and they will not give us justice because his murderer was a noble and a Colonna. And this gold too, gold for a brother's blood! Will they not," and the young man's eyes glared like fire—"will they not give us justice? I will show!" So saying he bent his head over the corpse; his lips muttered as with some prayer or invocation, and then rising, his face was as pale as the dead beside him; but it was no longer pale with grief!

"From that bloody clay and that inward prayer Cola di *Rienzi* rose a new being. With his young brother died his own youth. But for that event the future Liberator of Rome might have been but a dreamer, a scholar, a poet—the peaceful rival of Petrarch, a man of thoughts not deeds. But from that time all his faculties, energies, fancies, veins, became concentrated to a single point, and patriotism, before a vision, leapt into the life and vigour of a passion, lastingly kindled, stubbornly hardened, and awfully consecrated—by revenge."

This is historical, and both the Dramatist and the Romance writer have availed themselves of this pathetic incident in Cola *Rienzi*'s life, making such frequent allusion to it in their respective works, that the Tribune seems to think far more of revenging his brother's blood than of liberating his fallen fellow-countrymen. The latter consideration appears more like an afterthought—a means—a sort of appendage to his plan of revenge. It was his scheme to crush the aristocracy; by crushing the aristocracy he consummated his revenge and at the same time he liberated the people. "Accade," writes the contemporary historian, "che uno suo fratello ucciso, e non ne fu fatta vendetta di sua morte: non lo potè a jutare; pensò lungo mano ridurre 'l sangue di suo frate; pensò lungo mano dirizzare la catteda di Roma mulo guidata." Miss Mitford, in the second act of her Tragedy, wherein *Rienzi* addresses the multitude thus beautifully in the person of the Liberator, alludes to this exciting cause—

—I that speak to ye—

I had a brother once, a gracious boy
Full of all gentleness, of calmest hope—
Of sweet and quiet joy—oh! how I loved
That gracious boy!—younger by fifteen years,
Brother at once and son! In one short hour
The pretty, harmless boy was slain! I saw
The corpse, the mangled corpse, and when I cried
For vengeance—rouse ye Romans! rouse ye slaves!
Have ye brave sons? look in the next fierce brawl
To see them die. Have ye fair daughters? look
To see them live, torn from your arms, dishonoured,
Dishonoured—and if ye dare call for justice—
Be answered by the lash.

The sudden breaking off from the narrative of his wrongs to the vehement outburst of "rouse ye Romans, rouse ye slaves" is peculiarly fine, and at the same

time highly tragic. He had gone through, with controlled feelings, the history of his brother's death, but when he came to that part of the narrative, where he was about to tell of the insults he himself received, when he called aloud for "justice," his indignation arrived at an excess which he has no longer power to moderate; he cannot tell of the cutting words which were spoken, and the contemptuous acts were done unto him, by the proud nobles; the memory of these things lashes his soul into a whirlpool of uncontrollable passion, and he breaks into a wild cry for vengeance—vengeance upon the oppressors. If we have mistaken the true meaning of this passage, Miss Mitford and our readers must forgive us.

They who only know *Rienzi* in Mr. Bulwer's Romance, and have delighted (as who has not?) in the stirring scenes of that touching story, will marvel at seeing so little in the drama, with which they have been previously acquainted. They will miss *Nina* (what hosts of pleasant memories that name awakens in our mind)—they will miss *Nina* altogether, and they will see *Adrian Colonna* under the title of *Angelo Colonna*, but oh! not half so angelic as the *Colonna* in Bulwer's Romance. And *Irene*, the sister of *Rienzi*, they will not see in the play; but in her place is *Claudia*, *Rienzi's* daughter, and the bride of *Angelo Colonna*. Mr. Bulwer, in the prefaces to his Romance, pays this fine tribute to the genius of Miss Mitford, "I cannot conclude without rendering the tribute of my humble praise and homage to the versatile and gifted author of the beautiful tragedy of *Rienzi*. Considering that our hero be the same, considering that we had the same materials from which to clothe our several stories, I trust that I shall be found to have little, if at all, trespassed upon ground previously occupied. With the single exception of a love intrigue between a relative of *Rienzi* and one of the antagonist party, which makes the plot of Miss Mitford's Tragedy, and is little more than an episode in my romance, having slight effect on the conduct and none on the fate of the hero, I am not aware of any resemblance between the two works. And even the incident I could easily have removed, had I deemed it the least advisable. But where there is so much it were an honour to imitate; it would be almost a discredit had *Nothing* that resembled." And if we consider the difficulties, under which the dramatist labours, but which the novelist has not to encounter, we should find it difficult to determine between the respective merits of the Tragedy and the Romance of *Rienzi*. The very nature of a romance gives a wide scope to the writer for illustrating the times, in which he lays the scene of his story, but a dramatist can scarcely be descriptive, and not at all discursive, and must confine himself to one particular epoch, unless he violates the omnes most flagitiously. The career of *Rienzi* is better described in the Novel, but we doubt whether we can say the same of the character.

Thus far had we written, with the exception of a few introductory words, before witnessing the performance of *Rienzi* on Friday night. We have spoken at some length of the play; it now becomes our duty to speak of the players. We are truly sorry that we cannot do this in terms of very flattering eulogium. We love to praise far better than to censure, and *Judex damnatur cum nocens absolvitur* assuredly is not our motto; but praise becomes of little value, it is forthcoming upon every occasion, and we should be right glad to see a bolder tone of criticism introduced into our Indian literature. Nothing checks the advance of intellectual improvement so much as indiscriminate praise. We shall never see really good acting upon the Calcutta stage until gentlemen are told when they play badly, especially, gentlemen who can play better if they please, but whom too much praise has rendered careless—careless from over-confidence. It is not enough that an actor should know

the words of his part, he must comprehend, fully comprehend, the individuality of the character he attempts to embody; and this demands study, without which, be the natural talents of the actor what they may, he is sure to be precipitated into a failure. We do not infer that the favorite amateur who represented *Rienzi* on Friday night did not understand the character of the hero; we think that he understood it very well and that he was throughout the Tragedy the very *Rienzi* which we have depicted at the commencement of this article; but he was not Miss Mitford's *Rienzi*. He may have studied, and we doubt not but that he did, the character of *Rienzi* as portrayed in the pages of Gibbon and the co-temporary historians, but we can hardly think that he studied Miss Mitford's Tragedy, with any great degree of attention. We have no great objection to his preferring the authority of the historian to that of the dramatist, especially as in doing so his opinion coincides most entirely with our own, nor should we object to his calling in his historical knowledge to aid him in his stage representations, if the words that he is called upon to speak in the Tragedy could possibly have proceeded from the historical *Rienzi*—from the *Rienzi* as performed the other night. The words spoken, and the manner of speaking them, were in almost every instance utterly at discord. We saw two *Rienzi's* throughout the drama instead of one individual character. Young did not act this part in the least degree like Mr. —, and Young was its original personator; indeed, we believe it was written for him. We were disappointed; or we had studied the play and there were sundry favorite passages which we had marked, anxiously looking forward to their delivery with a vague impression of how they ought to be delivered, partly derived from our own knowledge of the subject, and partly from our recollection of Charles Young; but we missed almost all these points. For example, in the passage to which we have alluded above in terms of especial commendation, when *Rienzi* is telling the history of his wrongs and breaks off abruptly from his narrative into an energetic appeal to his fellow citizens to bear themselves from their slavish indolence, Mr. —, instead of pausing in the middle of the line and changing entirely the tones of his voice from the broken accents of sorrow awakened by the memory of the brother's death to the loud outburst of fiery indignation and revengeful craving at the thoughts of the injuries they had put upon him, ran on with the line as though there had been no stop at all, no sudden breaking off, no sentence unfinished, no change of feeling, delivering the latter portion of the line precisely in the same voice in which he commenced it—

— And when I cried

For vengeance—Rouse ye Romans! Rouse ye slaves!
became

And when I cried,

'For vengeance, rouse ye Romans, rouse ye slaves,

as though the whole line had been a portion of the same sentence.

The scene with *Claudia* (Mrs. Leach) after the condemnation of *Angelo Colonna*, was far the best in the whole Tragedy; indeed a portion of it was admirably played. We did see a handkerchief or two uplifted seemingly to wipe away a tear; indeed, we acknowledge, that though old play-goers ourselves, and upon all occasions as worldly and callous-hearted as most people, we felt certain creepings of the flesh which told us that our feelings were moved to rather an unwonted degree. If the whole tragedy had been acted as well as this scene, we should have thought *Rienzi* a much better performance than *Othello*, as we now pronounce it to have been worse. We do not allude to the character of the hero, but to the entire representation of the play.

We need say nothing of the Messrs. Ryckman; they played as they always do, deliciously; but of the Farce we must say a few words. It was well, though somewhat overacted, but it went off heavily enough—it not only wearied, but in some instances it disgusted us. With all submission to the gentlemen who have the management of these things, we think it would be as well if they had passed their pens across sundry and divers passages of the farce, which in our opinion, and we are not very squeamish, were exceedingly indelicate and low. It should be remembered at these assemblages, in a crowded night, as it was on Friday, a great portion of the ladies of Calcutta are gathered together within the walls of the Chowringhee Theatre; it should likewise be remembered that here we have no "gods" to whose vicious appetites unwholesome food is to be administered, and therefore we do not see any occasion for preserving these indecencies of an earlier age in the stage representations of the present day, at least let them be abandoned in Calcutta, where

an audience consists almost exclusively of a country well-born and educated, and we should hope therefore refined. If may be said, that "to the pure all things are pure," but this is no excuse whatever for imbecility. We do not suppose that the *double-entendres* of last night were understood by half the people present; but we think it would have been far better if they had been, as Shakespeare says, "reformed altogether."

At the conclusion of the performances, Mrs. Leach delivered a valedictory address, written, we believe, by Capt. McNaughten. We have not seen it, but as far as we could judge from hearing it delivered, it was exceedingly well-written and appropriate; as good and as little commonplace as it is possible to make these addresses got up for an especial occasion, where the subject of all others is the most hackneyed and the least poetical. It was spoken with much feeling and expression. The house was crowded throughout.—*Herald, January 14.*

MRS. LEACH'S FAREWELL.

Mrs. Leach took her Farewell Benefit last night to the fullest house we ever remember to have seen at the Chowringhee Theatre. Exclusive of the admirable selections she had made, the simple and much to be lamented circumstance of her last appearance was ample incentive for so full an assemblage. The house was literally crammed and more than once were apprehensions entertained by the denizens below of the unceremonious descent, per smash, of the Gods above. Those, however few, that were not present on this very interesting occasion, have to regret the richest treat ever afforded to the bistrionic world of India.

Although we have had the pleasure of seeing Master Walter in a great variety of characters, we never saw him in finer feather and more at home than he was last night. The maintenance throughout of the fiery spirit and majestic deportment of the ambitious and the noble Tribune, his seditious address to the rabble, his subsequent defiance of their defection, his natural tenderness at the anguish of his daughter, &c., &c., were of themselves sufficient to stamp him an actor of the highest class, and evinced a strict study of the very arduous part he had undertaken. This is but a cursory notice of one of the perfectest pieces of acting we ever witnessed on the boards of our Diury, and we can only repeat our consolatory comment to the absentees that they lost, that which we would not have lost for twenty catarrhs and all the untellable tin' of Cæsus!

Mrs. Leach, the elfin spirit, who by the magic of her matchless attractions and the tender appeal of her last appearance, summoned this marvellous congregation of Calcuttites, was as usual, an fait throughout and more than once elicited the most rapturous and deserved applause, particularly in the graphic scene of Angelo Colonna's execution and her fall which, by the same token, we observed very nearly *capsized* her papa, albeit against all the scientific rules of gravitation, which, we have read in sundry abstruse Encyclopædias, maintain that the lighter body is hauled down by the heavier! But let that pass.

What Ursini meant by making a sort of absurd *badinage* of a serious part, by uttering words in a comic strain that were evidently intended to be tragic, is to us utterly incomprehensible. It is a mistaken notion to imagine, that such travesties tell, and if he would take our humble advice he would perform altogether that system of ill-conceived pleasantry.

The elder Ryckman's Non Piu Mesta, was played quite a la Nicholson. It struck us by the by (having handled a Rudall and Rose in our day) that his flute was a singularly small one, counter-balanced peradventure by the *handy* longitude of his digits which was equally conspicuous, his style of playing being, what Tom Hunter would call, *high actioned!* The *Suonila Tromba* of his son was decidedly the best specimen of piano forte playing we ever heard. The exquisite maintenance of the air through the prestissimo variations and the astonishing velocity with which he rattles his fingers, which are also happily *Brobbia-gian!* over the keys, is perfectly wonderful. The last rose of summer and the duet with the basso-bassoon were also perfect chefs d'œuvres. How proud must the one feel at the rapidly culminating talent of his son. We venture to predict that he may confidently rely on his soon attaining the very apex of his calling.

*Tu docturum hederas præmia frontium
Diiis miscent superis.*

Love a la mode was very creditably *done* by all therein engaged.

Sir Archy was very good in his keen sarcasms although his Scotch, we thought, was far from *genuine*. Sir Callaghan O'Bralleghan labored slightly under the same disadvantage, but with that exception (and it is no easy matter, we beg to assure our readers en passant, for your John Bull to come the Tipperary) got through his part in right good style. Master Modus (as was his wont, in days of yore, when last we saw him) made a very happy (improvisatore) allusion to the heartless apathy which has of late been shamefully evinced on the subject of the Wellington testimonial.

The Beau Mordicai of "a debutant," was a very successful performance indeed. With such an inauguration he may, we calculate (as Janathan would say) safely rely on his future Thespic prosperity. Squire Groom was but so so and strutted the boards backwards and forwards too often and too much after the fashion of a clown at Astley's for our taste. His Roscian *Pegaseus* has a deuced hard mouth and requires to be awfully *hard* held in some of his dramatic handicaps! Mrs. Leach's Charlotte (although a character by no means calculated for the display of *sock and bustin* genius, if our readers will allow us the masculine adjective) was in her usual style of excellence.

We come, ~~to~~ to the painful portion of this our hasty critique, in our indulgent readers will deign to club it.

Algré the immense crowd, the strictest-silence was preserved (even by those Bantian blockheads who delight at times in disturbing others and making themselves assiduously conspicuous by their rude, untimely laughter and their *imaginary* wit) when Mrs. Leach came forward to falter her valedictory address which couched in the most apposite and touching terms, was delivered with the intensest pathos. There was no acting there, but the pure ebullition of the tenderest emotions of the heart, kindled by that relentless corroding and, alas! inevitable word FAREWELL.

MRS LEACH'S FAREWELL ADDRESS.

Though oft-times here, with anxious, faltering heart,
I've stood before you, in an acted part;
While yet the mind (by alter kindness nerv'd)
Still fear'd the censure which it know deserv'd,
And e'er, beneath your kindness, grown secure,
I banish'd doubt, and felt hope's visions sure:
Yet never, even in the earliest hours,
Of my young trials in these Thespian bowers,
Have I a task so hard and mournful known,
As this—where all the affliction is my own.
(Not, like the mimic'd grief, alas! to cease,
When the fall'n curtain ends the fictitious piece)
As this, to speak that severing word of pain,
Which breaks a charm I ne'er can know again.
In you I've found, through many a happy year,
The fostering guardians of my stage career;
The patrons warm and constant in my cause,
Forbearing blame, but lavish of applause;
Whose cheering smiles each humble effort paid,
And cast each fault (of many!) in the shade.

Can I, then, hence, with light, ungrateful breast,
Unutter'd thanks, and feelings all repress'd,
Depart? from these our own dear Drury's walls,
Where to the last your praise upon me falls?
Oh, no!—oh, no! though cold and faint appear,
The words which bear my anguish to your ear;
Not therefore less my sadden'd heart o'flows,
Not therefore less will memory fond repose
On your long-granted kindness, which has cast
Its blessing o'er me, ev'n unto the last.
Where'er I drag this health-deserted frame,
Unchang'd by clime, my heart shall rest the same;
Shall nurse the gratitude so feebly told,
Which time shall not impair, nor age make cold;
And yield, if on me e'er grief's blight descend,
The whisper'd solace,—“there you still have friends.”
That spell shall sweetly every fear allay,
Shall check despondence, when it else might sway;
To scenes of joy (and such may be in store)
From warm remembrance, and one rapture more;
Hope's precious balm to fate's dark hour supply,
Or chase the tear from sorrow's trembling eye.
But wherefore, lingering, in your presence keep,
With woe fraught breast, and struggling not to weep?
Why check the word which must at last be spoken?
Cling to the link which must to night be broken!
O! generous friends!—Oh! patrons, firm and dear!
Deem not my words, though feeble, insincere.
The heart o'erburden'd finds all language fail,
And feelings still o'er eloquence prevail.
But you, with lenient judgment to the last,
Will not pronounce me thankless for the past;
Nor turn, with harsh suspicion on your brow,
From the spoil'd child of your indulgence now;
Whose lips and tears, heart-prompted, weakly tell,
The bitter pang with which she sighs—Farewell!

[*Oriental Observer, January 18.*]

SUICIDES IN CENTRAL INDIA.

We have been favoured by Major Sleeman, with a record kept by his orders of the number of suicides committed in the district under his charge, in the years 1831 and 35. The reports which were continually brought to him of the repeated acts of self-destruction, made him naturally anxious to discover the cause of the unusual frequency of this practice, and he directed the native officers to ascertain and place on record, whenever it could be discovered, the reason by which these victims had been actuated. It is singular to observe on how slight occasions many of these acts of suicide have been perpetrated; sometimes for an attack of dysentery, at other times, for a pain in the intestines, and sometimes, through grief for bereavement. It is also worthy of notice, that out of forty cases that are thus reported, thirty were women.

England was for many years considered to be distinguished above other countries, for the number of suicides committed in it, and this was attributed to the gloom of our climate. But those statistical researches which have given the present age so peculiar a character, have served to dispel this idea; and it is now ascertained that the number of suicides in France, where the climate is so much more propitious and cheerful than in England, is greater in proportion to the population. But a farther corroboration of the fact, that climate has little to do with such acts, is found in the report we now publish, which, in a climate, directly the reverse of England, gives us forty suicides in a population of two hun-

dred and fifty thousand. Suicide is not the result of climate but of morals.—*Friend of India.*

SUICIDES IN SAUGOR.

Persons who destroyed themselves in the district of Saugor for the year 1834, as reported by the police. The district contains about three hundred thousand souls.

1st. Ram Chand, Lodhee. On the 1st January, 1834, hung himself in consequence of a severe pain in the belly.

2nd. Himmut Gond. On the 6th January, in consequence of hunger, hung himself.

3rd. Gopaul Shopkeeper, 5th March, Poisoned himself with Dutoora, in consequence of a dispute with his wife.

4th. Kesur, female, ditto, 15th April. Hung herself, in consequence of much suffering from stranguary.

5th. Chimna, Guala, 30th April. Hung herself in a state of insanity.

6th. Wife of Kommar, Lódhee, 3d May. Drowned herself in the river, in consequence of a severe pain in the belly.

7th. the mother of Hirooa, Chumar, 4th June, Poisoned herself with the root of the Kenere tree, in consequence of a dispute with her son.

8th. Phondee, Kormee, 10th June. He stabbed himself with a sword and died, in consequence of pain in his arm, which had been broken in a fall from a wall.

9th. Mohun, Brahman, 21st July. He shot himself with a ball from a matchlock, in consequence of much suffering from inflammation of the bowels.

10th. Aman, Brahman. On the 2d August, hung himself, in consequence of a dispute with his wife.

11th. Tejea, a female, Lodhee, 5th August. Hung herself, in consequence of suffering from the inflammation of the bowels.

12th. Bichoo his wife and daughter, Weaver, 12th August. These three persons all threw themselves into a well and killed themselves, in consequence of ophthalmia and fever from which they suffered a good deal.

13th. The mother of Kurhara, Barber, 21st August. Threw herself into a well and killed herself in consequence of grief for the death of her son Kurhara.

14th. Jykeea, a female Kormee, 25th August. She threw herself into a well and destroyed herself, in a fit of insanity.

15th. Khengoo, female, Gardener, 28th August. She threw herself into a well and destroyed herself, in consequence of a dispute with the second wife of her husband.

16th. Choteea, female Brahman, 28th August. Threw herself into a well and killed herself, from pain in sickness.

17. Kumeea, female, Cotwar, 28th August. Threw herself into a well and killed herself, in a state of insanity.

18. Name not written, Chumar, 27th August; Threw herself into a well and killed herself, from the want of food or the means of providing it.

19th. Luchmun, Lodhee, 1st September. Threw himself into a well and killed himself from severe rheumatic pains.

20th. Buhoo, female, Shopkeeper, 12th September. Threw herself into a well and destroyed herself in consequence of the importunity of her creditors.

21st. Khuroog, female, Shopkeeper, 27th September. Threw herself into a well and killed herself, in consequence of severe suffering in sickness.

22nd. Oojealee, female, Chumar, 30th September. Threw herself into a well and killed herself, in consequence of a dispute with her husband.

23d. Anoop, female, Oil-vender, 3d October. Threw herself into a well and killed herself, in consequence of great suffering from sores from which she could not keep the worms.

24th. Heera, female, Shopkeeper, 7th October. She threw herself into a well and killed herself, in consequence of shame at some abusive language her husband had used toward her.

25th. Wife of Petaub, Rajpoot, 13th October. Threw herself into a well and killed herself, in consequence of sufferings in child-birth.

26th. Pratheera Jhangee, 20th October. Hung himself from the want of food, or the means of providing it.

27th. Makeea, female, Oil-vender, 20th October. Threw herself into a well and killed herself, in consequence of a dispute with some members of her family.

28th. Kulloo, Lodhee, 27th October. Hung himself in consequence of great suffering from a large boil into which the worms had got.

29th. Kumea, female, Shopkeeper, 13th November. Threw herself into a well and killed herself, from sufferings in sickness.

30th. Hun-ee, and her son, Lodhee, 13th November. They both hung themselves in consequence of sufferings in sickness. It is not clear from the report, whether the son killed himself or was killed by his mother.

31st. Ram Sing, Lodhee, 18th November. Killed himself with a ball from a matchlock, in consequence of sufferings in sickness.

Report of suicides in the District of Central India, which took place during the year 1856. The population of the District is about two hundred and thirty or three hundred thousand.

1st. Foola, a native woman of the Sonar cast, hung herself in the town of Khimlassa, 10th January, on account of a severe pain for which she could find no remedy.

2d. Surropee, a native woman of the Rajpoot cast, hung herself on the 11th January, in the town of Karapore, on account of a dispute with the mother of her husband.

3d. Gonda, a native woman, a shopkeeper, threw herself into a well and killed herself on the 12th January, in the village of Narhut, on account of a severe pain in her stomach.

4th. Mandon, a native woman of the Sonar cast, threw herself into a well and killed herself on the 20th January; cause not discovered.

5th. The wife of Kurheree, a gardner, on the 16th February, threw herself into a well and killed herself on account of long suffering from severe dysentery.

6th. The wife of Malaree, a shop-keeper, on the 28th February, threw herself into a well and killed herself because she had been expelled from her cast on suspicion of adultery, in the town of Malhore.

7th. Magoo, a female shop-keeper, on the 2d of March, threw herself into a well and killed herself in the town of Banooka—the cause could not be discovered.

8th. Sojun Sing Thakur, a Rajpoot, on the 7th of March hung himself, from affliction caused by the death of his son.

9th. Sheranee, a female of the Rajpoot cast on the 13th March hung herself in the town of Saugor, from affliction caused by the death of her only son.

10th. Morundee, a female of the Brahman cast, on the 22d March hung herself in Saugor, from grief at the death of her son.

11th. Beea, a female of the Brahman cast, on the 26th March, on account of the pains which followed the birth of a daughter, threw herself down a well and killed herself. Town of Saugor.

12th. In the town of Saugor, on the 2d of April, a traveller threw himself into a well and killed himself—the cause could not be discovered.

13th. Amutoo, a female of the Chmar cast, on the 15th of April, first threw her infant into a well, and then jumped in after it; the child was taken out alive, but she was dead. She had stolen some things from Dome, barber, and they were found in her house, and she could not survive the disgrace of being detected.

14th. Ram Sing, a Chumar, on the 20th April, cut his throat with a seah hook, on account of a severe pain in the eyes, which no one could cure.

15th. Kesur, a female of the gardener cast, on the 23d April, threw herself into a well and was killed—the cause not discovered.

16th. On the 4th May, Nunhee, Bahoo, a female of the Rajpoot cast, shot herself with a matchlock, in consequence of much suffering from an obstinate disease. Town of Khimlassa.

17th. On the 26th May, in the town of Saugor, Jeera, a native woman of the gardener cast, threw herself into a well and killed herself, on account of pain in the stomach.

18th. On the 3d June, Puncheda, a female of the Brahman cast, at Narhut, threw herself into a well, and killed herself—no cause ascertained.

19th. On the 18th July, Omedee, a female of the Gosaen cast, threw herself into a well in a fit of madness, and died.

20th. The mother of Dureau, Lodhee, on the 27th July, threw herself into a well, from having nothing to eat, and suffering from disease, and died.

21st. On the 28th July, at Gumbereen, Suroopa, a female of the Coyt cast, threw herself into a well, on account of a severe pain in the stomach, and died.

22nd. On the 4th August, Kesur, a female of the Rajpoot cast, threw herself into a well in a fit of madness, and died. Town of Korar.

23rd. On the 5th of August, the wife of Buljoo, Lodhee, threw herself into a well, on account of suffering from worms in her nose, and died.

24th. On the 23rd. of August, Nowloo, the wife of a barber, threw herself into a well, in the town of Khimlassa, on account of a severe pain in the stomach, with which she had been afflicted for five months.

25th. On the 23rd of August, in the town of Saugor, a Moosulman threw himself into a well and killed himself, on account of his sufferings from disease.

26th. On the 25th August, Bhow Sing, Chumar, of Jysingnugur, first put his daughter, Bhageea, to death, and then cut his own throat, because she rejected, with indignation, his dishonourable proposals.

27th. On the 21st August, Gunesb, a Rajpoot, threw himself into a well and killed himself, because he had been accused of adultery by Kishan Sing.

28th. On the 4th September, Nunbee, a female of the Brahman cast, threw herself into a well and killed herself, on account of a severe pain in the stomach.

29th. On the 7th September, Sirdar, a Rajpoot, hung himself, on account of a severe pain in his eyes.

30th. On the 15th September, in the village of Banda, Jusoda, the wife of a barber, threw herself into a well and killed herself, on account of suffering from dysentery.

31st. On the 30th of September, Futteb, a guala, hung himself, from grief at the death of his wife and two daughters, who had all three died within the space of three or four days, in the town of Malthore.

32nd. On the 30th September, in the same town Bindees, the wife of a gardener, threw herself into a

well and killed herself, on account of a dispute with the wife of Kishun, gardener, about grinding some flour.

33rd. On the 30th September, in the town of Saugor, Dursoo, a potter, threw himself into a well and killed himself, on account of severe pain in the belly.

34th. On the 24th October, in the town of Malthone, Kohman, a Brahman, jumped into the river and drowned himself, on account of leprosy, which had broken out on him.

35th. On the 28th of October, in the same town, the wife of Pemeer, Lodhee, hung herself, on account of severe suffering from asthma.

36th. On the 31st October, in the same town, Motee, a Brahman, loaded his gun and shot himself, in a fit of madness.

37th. On the 18th November, in the town of Khimlassa, melrajoo, the wife of a gardener, jumped into a well and killed herself, on account of a quarrel between her husband and Ram Sing, a farmer.

38th. On the 23rd November, Poncea, a female of the Cowherd cast, hung herself, on account of a severe pain in the stomach.

39th. On the 30th of November, in the Purgunnah of Khimlassa, Gomanoo, the wife of a brazier, jumped into a well and killed herself, from grief at the death of her son.

40th. On the 14th December, in the town of Kurapore, Melrajoo, a female of the Brahman cast, jumped into a well and killed herself, on account of a severe pain in the eyes.

While in charge of the Saugor District, in the year 1831, I ordered all police officers in reporting cases of suicide, to mention the motives for self-destruction as far as they could be ascertained. The above report is for the year 1835, the only one by me. W. H. S.

[Ibid.]

CIVIL SERVICE ANNUITY FUND.

Draft Memorial laid before the Meeting on the 1st of January, 1836.

TO THE HON'BLE THE COURT OF DIRECTORS.

Sheweth—That the despatch of your Hon'ble Court addressed to the Governor-General in Council, and dated 3d May last, has been laid before the subscribers to the Civil Service Annuity Fund, at their annual meeting, having been communicated by the Government to the Managers of the Fund for that especial purpose, and thus has been printed and circulated to the Service.

That in this despatch your Hon'ble Court has declared your approval and confirmation of the rules passed by the Service to give effect to the measures of indulgence towards the Service sanctioned by the orders of your Hon'ble Court, dated 27th May, 1835; but your Hon'ble Court repeat the injunction that the rules so passed shall not be extended beyond three years without your further special sanction.

Your memorialists, on the part of the whole body of the Civil Servants, subscribers to the fund, whom they represent, beg to offer to your Hon'ble Court their humble thanks for the consideration manifested for the interests and wishes of your Servants in these orders.

Through the effect of the provision made for permitting the retirement of Servants on their completing one-quarter only instead of one half of the value of the annuities, no less than fifty of your senior Civil Servants will be enabled to retire in independence, the majority of whom

must otherwise have spent the remainder of their days in India, some through loss of fortune, from disastrous commercial failures, others through disappointment and tardy promotion in their career of service, and many, it need not be concealed, through early improvidence and debts contracted under temptations that no longer exist.

Your Hon'ble Court has benefited directly from these retirements in the immediate relief they have given to the finances of this presidency; for a large proportion of the Servants who have so relinquished or are about to relinquish office, have been in the receipt of personal allowances and augmented salaries not continued to their successors; and, in many instances, a saving of the entire salary has been effected by abolition of the office on the vacancy occurring. Moreover, through the liberal provision thus afforded, your Hon'ble Court has been relieved from the claim which your Commercial Servants of this presidency, whose career had been confined to that department so as to unfit them for high offices in other lines of service, must indubitably have possessed of your liberality, consequent on the abrupt discontinuance of your trade in India. But the most important benefit of all has resulted, from the means and the inducement afforded by this more liberal provision to meritorious Servants wean out by their unrelenting exertions to relinquish important official situations, the duties of which they were from infirmity no longer able to perform.

The large number of retirements occasioned by these measures, has not, however, had the effect that might

have been anticipated in accelerating the promotion of Junior Servants; owing to the number of situations abolished, or filled by persons from other professions. To the working branches of the Service, therefore, there has yet been little gain in present position, and if the rule for completing only a quarter of the value of the annuity on retirement, is to cease altogether at the end of the third year, there will be none in future prospect, from the measures of relief devised by your Hon'ble Court.

Your memorialists being thoroughly convinced that the rule in question may safely be continued with advantage to the fund and without imposing new burthens on the finances of your Hon'ble Court, and feeling strongly the inevitable consequences that will follow from its sudden cessation are emboldened again to urge upon your Hon'ble Court their humble request that the present order for the rule to cease after it shall have been applied to the annuities of 1836, may be re-considered.

Your memorialists would submit that the effect of fixing a date for the cessation of the rule, has already been felt injuriously: Junior Servants whose due period of service and residence has just been completed, have hurried forward their applications and have retired without the excuse of failing health, and before their accumulation of means was properly advanced upon a calculation that the annuity at a quarter value now is the same thing as one taken two years hence under the condition of completing the half value. Thus the extra inducement offered within the period fixed producing anticipated applications from Junior Servants, the whole number of annuities is likely to be prematurely taken, and several Seniors will be deprived of their just provision, when in ordinary course the period of their retirement shall arrive. The regular current of promotion, which, while all are confident of obtaining the retiring provision when their turn shall come, flows evenly with contentment to all, threatens to become unnecessarily deranged, and the advantage conceded instead of being a fairly earned and certain provision, will be the prize of hasty eagerness, and a source of contentious jealousy and envious feeling.

If your Hon'ble Court had graciously permitted the rule to stand until stopped by a vote of the Service, the annuities granted on improved terms, instead of being seized with greedy avidity so as to create a deficiency to meet the applications, which your memorialists at present see reason to apprehend, would have remained for distribution amongst your Servants in the order of their being ready for retirement, and the measure would have been much more extensively beneficial without injury or loss of any kind to your Hon'ble Court.

Your memorialists solicit attention to the following brief reference to the principle on which the Annuity Fund was established as affording incontrovertible proof of the ability of the Fund to provide its annuities on the terms of quarter payment.

Your Hon'ble Court is aware that the prospective estimate, upon which the assurance of the stability of the Fund is founded, assumes an annual subscription from the Service of about three lakhs and a quarter (the real average has exceeded three lakhs and a half,) and a like sum being reckoned as donation from your Hon'ble Court, the sum of six lakhs and a half of sicca rupees was thus annually to be provided; but in order to furnish nine annuities per annum, an income somewhat exceeding nine lakhs was necessary, the calculation was therefore so made, that through fines to the extent of half the value of the annuities, a capital in shape of unappropriated balance should be provided in the early years of the institution, from the interest of which at six per cent., added to a permanent sum of about one lakh from fines, the remaining sum of two lakhs and a half of sicca rupees per annum should be secured at the end of the 25th year.

In the first ten years of the Fund, the expenditure for the purchase of annuities, instead of being 2 lakhs per annum, was less than half the amount owing to the paucity of retirements. Consequently the accumulation, instead of arising from fines, and proceeding in the manner estimated, was a net saving out of the income from subscription and donation, and on the first May, 1836, it amounted to the enormous sum of Co. Rs. 74,02,874, or Sa. Rs. 69,40,195, exclusive entirely of the values set apart yearly as equivalent to the annuities furnished.

Your Hon'ble Court, upon representation of this condition of the Fund, and of the unfortunate circumstances which had combined to prevent the due retirement of your Bengal Servants, allowed annuities to be granted for three years on the terms of quarter payment. But with due foresight, and in order to secure the stability of the Fund, it was ordered, that before making this appropriation out of the inordinately large balance that had accumulated, one-third of the value of over-due annuities, together with any that might remain unclaimed at the end of the three years, should at once be added to the capital of the Fund, the interest of which was required to make good the annual income of future years.

Through the operation of this order the sum of Co.'s Rs. 39,81,301, or Sa. Rs. 36,69,969 only out of the above stated large accumulated balance was set apart to provide annuities on the new terms, leaving Co.'s Rs. 34,21,573, or Sa. Rs. 32,70,226 still available as a permanent capital yielding interest in addition to the other sources of income.

According to the accounts laid upon the table on the 1st

Balance as per account,	} 56,75,082	January 1836, this balance
Deduct remainder of the appropriated		on the 1st May 1837, was
35,81,301	}	increased to 44,60,763 Co's
		Rs. or 41,81,255 Sa. Rs.
		from which six lakhs being
		deducted to supply the additional
		six annuities of present year, there still
		remains Sa. Rs. 35,00,000,

yielding interest in the perpetuity. At six per cent. this reserve will give 2,10,000, sicca rupees to be added to the subscriptions a donation yielding between six lakhs and a half or seven lakhs. The Fund, has thus an assumed income from its present sources of very nearly nine lakhs, and as the balance is still increasing the income will very shortly exceed that amount.

This being premised, it must be obvious to your Hon'ble Court, that the question as to the ability of the Fund to continue the rule sanctioned for three years, under which a reduced number of annuities are granted on the condition of completing payment of one quarter of the value must resolve itself purely into a question, whether an income amounting at present to very nearly nine lakhs of Rupees, and expected shortly to exceed that amount, is equal to the providing of the number of annuities on such terms.

But nine lakhs of sicca rupees is the full average value of nine annuities, which might be purchased with the sum, without the Fund's demanding any further payment from retiring Servants. The rule for completing half the value was adopted, first in order to admit Senior Servants from the date of the Fund's being established, and that their payments might from the required capital, and secondly, for equalization of the benefit yielded by the Fund, and in order to provide a perpetual source of income, then deemed indispensable to secure annuities in sufficient number. If, however, the interest of the capital of the Fund yields a sufficiency of income to provide the full amount required, the fines may be dispensed with as a source of income, and a lower amount than one half may safely be assumed as the amount to be made good by the retiring Servants. The question therefore of the Fund's ability to continue furnishing even nine annuities on the quarter payment

terms, resolves itself into a simple calculation, whether the refunds of the fortunate Servants whose subscriptions exceed the value of the fines, are likely to equal, fall short, or exceed the fines to be required from others to make good that proportion.

Fine Rs. 135,592-10-2
 Refund, 18,060-13-5
 1,17,532 0 0

The result of the experimental rule to the present date has shown an excess of fines above refunds amounting to 1,17,532 Co's. Rs.

But your memorialists are not prepared to draw from this circumstance the conclusion, that the subscriptions of retiring members will ordinarily fall short of that proportion, more especially when the Fund shall have been of that duration, that servants will ordinarily have subscribers for the whole period of their service. Although therefore your memorialists are convinced that the Fund may safely grant annuities to the extent of its fixed income on the terms of requiring no further payment in the way of fine from retiring Servants, and the necessity of making good, a quarter value may fitly and advantageously be applied as a limit only to the benefit any Servant may take from the Fund, the refund of excess subscriptions above that proportion ought not to stand as part of any permanent rule of the institution.

If indeed your Hon'ble Court determine to restrict the number of annuities permanently to six per annum or two-thirds of the original number, the values of the remaining three may be applied to the refund of excess subscriptions; but if the whole income be applied to granting annuities, there will be no source from which to supply this outlay.

Your memorialists therefore beg submissively to solicit from your Hon'ble Court, not that the rule as passed by the Service may be allowed to stand, under which only six annuities can be granted annually on the terms of quarter payment with refund of excess of subscriptions, but that you will permit the Fund to grant annuities not exceeding nine in number to the extent of the annual fixed income of the Fund from subscriptions, your donation, and interest on the fixed capital, under the condition of requiring retiring Servants to make good to the extent of a quarter of the value of their annuities; but receiving no refund of any excess in the amount of their subscriptions, in case these should at the time of retirement with interest exceed the annuities taken.

And your memorialists will ever pray.—*Calcutta Courier, Jan. 3.*

STEAM MEMORIAL, &c

The following draft of a memorial to the Board of Control intended to be proposed at the public meeting on Thursday morning next, is published for general information:—

THE RESPECTFUL MEMORIAL, &c.

SIR,—That your memorialists, under date 5th March, one thousand, eight hundred and thirty-six, addressed a memorial to your Right Hon'ble Board, praying that certain resolutions of the Select Committee of the Commons, which sat in July, 1834, recommending the immediate establishment of a Steam Communication with India by the Red Sea, might be forthwith fully acted upon; and that steps might be immediately taken in conjunction with the Hon'ble the Court of Directors of the East India Company, to establish a regular Steam Communication between the principal India Ports and the Red Sea.

That your memorialists very gratefully acknowledge the consideration and attention of your Right Hon'ble Board, in having in a letter, dated the 17th October, 1836, through your Secretary, to the address of the Hon'ble Sir Edward Ryan, Chief Justice of Fort William in Bengal, who signed the memorial on their behalf, acknowledged the receipt of the memorial, and declared that the subject should receive that consideration to which its great importance and the high respectability of the parties subscribing it were fairly entitled.

That since the date of the above memorial, your memorialists understand from a statement made by the President of your Right Hon'ble Board to the Select Committee of the House of Commons appointed in June last, to enquire into the best means of establishing a communication by steam with India by way of the Red Sea, that the Hon'ble Court have concluded an arrangement with Her Majesty's Government for the establishment of a monthly steam communication between Great Britain and India by way of the Red Sea, the communication being directed to Bombay; which arrangement was approved by the President of your Right Hon'ble Board as conforming to one of

the alternatives proposed in the 5th Resolution of the Select Committee of the House of Commons in 1834, which left to the joint consideration of the Home Government and East India Company "whether the communication should be in the first instance from Bombay, from Calcutta, or according to the combined plan of the Bengal Steam Committee."

That your memorialists, sensible of the advantages derivable from the establishment of a frequent expeditious and regular Steam Communication limited to Bombay, adopted as it has been by the President of your Right Hon'ble Board, in order to prevent delay in the commencement of so useful an enterprise, desire to express their gratitude to your Right Hon'ble Board for the establishment of such a communication; but your memorialists respectfully submit, that the advantages derivable from such limited communication, are in reality of little importance, when considered with reference to those which must result from extending it to the other presidencies: whether in regard to the intrinsic advantages themselves, or to the respective costs at which each is attainable.

That your memorialists have the less hesitation in pressing upon the consideration of your Right Hon'ble Board the expediency of the immediate extension of the communication to the other presidencies in consequence of perceiving, from the statement rendered by the President of your Right Hon'ble Board to the Select Committee of the Hon'ble the House of Commons, that the Hon'ble the Court of Directors have reserved the question of such extension for consideration after trial has been fairly made of the limited communication, and have further recommended to the Right Hon'ble the Governor-General to send either the *Atalanta* or *Berenice* round from Calcutta to Madras, thence to Ceylon and thence to Socatra and up the Red Sea, with a view to ascertain practically what objection there may be to that route; and because the select Committee of the House of Commons which was appointed in June to enquire into the best means of establishing a communication by steam with India by way of the Red

Sea, to whom this purpose of establishing the communication to Bombay alone was known, recommended, expressly with reference to such extension, a continued and zealous attention to the subject on the part of Her Majesty's Government and the East India Company; which extension, moreover, appeared to the Committee perfectly compatible with the arrangements in progress towards the limited communication.

That your memorialists regard this reservation on the part of the Hon'ble Court of the consideration of the ulterior extension of the communication to the three presidencies, and the recommendation to the Right Hon'ble the Governor-General, to cause an experimental voyage to be made from Calcutta, as a recognition, by the Hon'ble Court, of the superiority of the extended over the limited communication; and the President of your Right Honorable Board having expressly declared his opinion in favor of such extended communication, your memorialists therefore deem it to be the less necessary to dwell on that superiority. They would, however, briefly state, that under the restriction to Bombay the advantages of the communication to the rest of India, beyond the more speedy conveyance of correspondence, and that limited as to size, are of little value, from Calcutta, between which place and Europe by far the most extended intercourse obtains. Passengers can never be sure of reaching Bombay in time for the steamer; and your memorialists would respectfully observe, that it is chiefly from mutual personal intercourse that the benefits and advantages contemplated by the Hon'ble Court of Directors in their despatch to the Government of Bombay under date the 14th March, 1834, must spring.

That, as regards the intercommunication between the Home Authorities and the Presidencies on the eastern side of India, and especially the Supreme Government, the confinement of the communication to Bombay, must limit the correspondence to short letters consisting merely of general heads of information on the one hand and instructions on the other; while by the establishment of a monthly steam communication with the three presidencies, the minutest details of the several Governments, recorded in the proceedings of the Governments, as well as in those of the several boards, could be conveyed Home monthly as they occurred, within 60 days of their transmission from India; thus furnishing the ruling authorities at home with a regular connected series of fully detailed perfect information of all proceedings throughout all India, in accordance with the grand desideratum as declared by Mr. Peacock, in his evidence before the select committee of the House of Commons, viz. "In time of war expeditious communication is advisable; in time of peace regularity is the thing and perfect knowledge when we have it; if we have a regular communication and imperfect knowledge occasional expedition will not make up for it."

That your memorialists refrain from enlarging further on the obvious incalculable mutual advantages which must arise to the two countries by approximation in the most ample form of which it is capable; and rather address themselves to urging on your Right Hon'ble Board to concur with the Hon'ble the Court of Directors in the immediate establishment of the communication to the three presidencies on the most enlarged and liberal scale; worthy at once of the two countries, and of the prospects of real good, which such a communication, so established, hold out not merely to India but to the whole of Eastern Asia.

That it appears to your memorialists that no experimental voyage can be necessary to establish the practicability of the communication being carried on monthly from all the presidencies of India, due attention being

had in the South west monsoon in the Arabian Sea (such a course being taken as circumstances may render necessary; that in fact there is a part of the world where steam navigation cannot so regularly and securely be carried on as in India, where from the regularity with which the winds blow a steamer can take a position to windward of her intended port without fear in the intermediate time of a change of wind.

That referring to the declared opinion of the Select Committee of the House of Commons to the effect that the more extended system of communication is perfectly compatible with the arrangement in progress for the limited communication to Bombay, your memorialists would observe that this compatibility could be much more easily and advantageously applied, if the arrangements for the whole measure were in progress simultaneously, than if those for the extension are left out of consideration in the arrangements for the limited communication; because it may be found that arrangements sufficient for the latter may not be so for the former, whence it might be necessary, at some sacrifice to remodel the establishment prepared for the limited communication.

That your memorialists observe from the evidence of Mr. Peacock, before the Select Committee of the House of Commons, that the overland postage of the letters sent from all other parts of India to Bombay for steam conveyance is considered as an indemnity to the East India Company towards reimbursement of one-half of the charge of conveyance of the mails between Alexandria and Bombay.

That the individuals residing in Calcutta and its neighbourhood send and receive very nearly one-third of the whole number of letters that pass between England and India, notwithstanding which it is very impracticable to distribute letters from England by steam vessels by any other means than through Bombay, of course your memorialists could not complain of the necessary charge for the conveyance of their letters between Calcutta and that place; but when the British Legislature, with characteristic liberality in cases of transmission of correspondence, has limited the postage of a single letter to 1s. from the Red Sea to any port in the East Indies, your memorialists do consider it to be unreasonable and unfair that they should be compelled to contribute to the means of transmitting to Bombay only, by an additional payment of fifteen annas or 1s 9d.; that the inhabitants of Madras and its neighbourhood are in like manner subject to this unreasonable impost in the reduced amount of the overland postage to that place. In fact your memorialists submit that by the restriction to Bombay the intended liberality of the legislature of Great Britain and the consequent advantage of the multiplication of correspondence is shut out from the inhabitants of Calcutta and Madras and from others residing within two or three days' walk distances, involving, your memorialists venture to assume, nearly if not quite the half in number of all the letters dispatched from India.

That such unreasonable and unfair impost necessarily must continue until the communication is extended according to the prayer of your memorialists, and your memorialists ventured to hope that even under this view alone your Right Hon'ble Board will see the expediency and justice of at once extending the communication to the three presidencies, especially when, in addition to the above heavy tax on their correspondence, your memorialists as well as the inhabitants of Madras and its neighbourhood, are unable to despatch by the regular *dawk* to Bombay for conveyance to England by a steamer at whatever cost, or however important the occasion may

be, any document exceeding 12 tolas or 4oz. 10dwt. in weight; and any bulky parcel of greater weight than 600 tolas or lbs. 2oz. by which latter conveyance the time occupied between Calcutta and Bombay will be nearly doubled. The time by the regular date in the N. E. monsoon, when taken with the steam mail being thirteen days, while in the S. W. monsoon it is estimated it will take 15 or 16 days.

That your memorialists firmly believe that until such extended communication, as that now prayed for, is established an almost universal dissatisfaction will prevail throughout India especially as Her Majesty's ministers have, through the Lords of Treasury and the particular ministerial authority for the affairs of India, the President of your Right Hon'ble Board, expressly declared their unqualified concurrence in the now repeated anxious wish and desire of your memorialists and of India generally; while the evidence lately taken before the Select Committee of the House of Commons, cannot fail still further to satisfy your memorialists, and the people of India in general, of the justice, sound policy, and expediency of at once establishing a regular and expeditious steam communication between England and the several presidencies on a scale adequate to the growing wants of India in her relations with Great Britain.

That your memorialists therefore most earnestly and respectfully pray that your Right Hon'ble Board will, in conjunction with the Hon'ble the Court of Directors, forthwith establish such a steam communication between England and India as may give public satisfaction and fulfil what has been admitted by the highest authority connected with the government of British India to be the "just expectations of the people both of England and of India."

N. B. the memorial to the Court of Directors is the same *mutatis mutandis* and with the omission of the second paragraph.—*Hurkaru, January 3.*

CAPTAIN GRINDLAY'S EXPLANATIONS.

To C. B. GREENLAW, Esq.

Secretary to the New Bengal Steam Fund.

Sir,—I have to acknowledge the receipt of your letter dated 1st May, 1837, enclosing a resolution passed by the committee of Calcutta at a meeting held on that day.

As I trust that by this time my constituents in Calcutta entertain a feeling with regard to my labours very different from that which is expressed in the resolution which you have transmitted, I might perhaps be justified in abstaining from any comment upon it, and trusting to the slow, but generally certain effect of time to secure me justice.

The adoption of this course, however, might not be free from the appearance of disrespect, and for this reason I think it necessary to make a few explanatory remarks.

In the first place I must observe, that the resolution is based upon an assumption that is incorrect. It is assumed that I have not advocated the extended plan of steam communication, and for this imaginary neglect the penalty of the disapprobation of my constituents is to be inflicted. I cannot but regret, and not less on account of those who passed the resolution than of him who is the object of it, that a little more attention was not previously given to the whole tenor and course of my proceedings, and also that the great principle of justice was not adhered to, which requires that a man should be heard before he is condemned. Without affording me an opportunity of explaining such parts of my conduct as my constituents might deem to stand in need of explanation, I receive the most painful expression of disapprobation which it was in their power to convey.

That the indignation might be rendered as galling as possible, it is somewhat operationally announced in the public journals of India, and communicated to

various individuals in this country, with a promptitude and industry which would seem rather disproportioned to the object, even if the resolution had been the result of full and impartial investigation, instead of being founded upon *oparte* views and heated feelings.

No opportunity of defence or exculpation is allowed me. The first official intimation that I receive of the existence of a charge against me, is the transmission of my conviction and sentence. I cannot reconcile this to any principle of fairness, and I am sure that upon review it will appear even to those who have been parties to the proceeding, that I have been hastily dealt with.

Returning to the question, whether or not I have advocated the extended plan, from the discussion of which I have been led by the extraordinary course of proceeding adopted. I beg to submit that I have been the constant, determined, and unwavering supporter of that plan, from a period antecedent to my connection with the Calcutta committee, and that I have devoted all the mental and physical energy which I possess to promote its success. It has been the object to which all my labours have tended, and from which my attention has never been for a moment withdrawn. For evidence of this I may refer to almost innumerable passages of my correspondence, and to the testimony of all persons in this country who have had the means of observation. I am so much at a loss to conceive the grounds upon which is rested the assumption, that I have not advocated the extended plan of communication, that I am scarcely in a condition to meet the charge in any other way than by a plain denial.

Of the extent and persevering consistency of my advocacy, the subscribers generally have not the same means of judging as those who have been more immediately concerned in the management of the correspondence. Much that could not be conveniently introduced into public letters, has been adverted to in private communications; and when I am attacked for neglecting that object which I have incessantly laboured to promote, I must rely upon the justice of those who are better informed, to give me the assistance of their good report.

I have understood indeed that exception was taken to a small part of the pamphlet which created so considerable a sensation whose name was felt before, and the publication of which I sincerely believe was a most influential movement towards the end for which we were striving. I have heard that it has been imputed to me as a dereliction of duty, that I did not in that Pamphlet insist upon the *extended plan or none at all*. My answer is that the entire tendency of the Pamphlet is to give an impression that the extended plan is not alone the most eligible, but that it is that which must ultimately be adopted. These are the views pervading the pamphlet, while in the appendix of documents the reader is conducted at once to the same conclusions in a more direct manner. This course was adopted neither from coldness, nor from indolence, nor from carelessness. It was the result of deliberate consideration, and time has but convinced me more and more of its propriety. The pamphlet did not expound all the views which I entertained on the subject nor all which I was anxious to communicate. It was but the commencement of a series of labours to draw attention to the subject, to awaken the public mind and gradually to inform it. I never professed my object to be different from what I now state it to have been. In my letter of the 24th December last, which accompanied the pamphlet I spoke of it as intended to "*prepare the public mind for further measures*," and this is the language which I have invariably held.

But why did I not take other ground and desire at once the establishment of the extended plan? Because such conduct would have been the height of imprudence.

Authority was against us, some of the advocates of the communication were against us, and the public was

not then with us. I was anxious while rousing the last of these three parties, not to alarm the other two. I was desirous of calling forth no enemy, and of ensuring to the cause as many friends as possible. I dreaded wasting time and losing strength in discussing points of detail, all that we could command both of time and strength were required to draw attention to the principle. It is not vanity to say that no man in this country is better acquainted than I am with the difficulties which stand in our way, and I can testify that we had no strength to spare and no time to waste. I might have taken the course which it seems now to have been desired that I should take, but I conscientiously believe, that the result would have been a considerable loss of friends, increase distaste to the question in the higher quarters, and comparative indifference on the part of the public.

Whenever I had an opportunity of safely enforcing the advantages of the extended plan I availed myself of it; and if I had not been constantly thwarted in my desire to aid the cause in public meetings, those opportunities would have been much more numerous. Let me here call attention to the resolutions prepared by me for the public meeting which I was anxious should take place in the city of London, and which at one period I had sanguine hopes of obtaining. One of these resolutions refers expressly to the beneficial effects of the proposed steam communication in reference to China, the Indian Archipelago and Australia. This implies the adoption of the most comprehensive plan of communication, and the resolution was expressly framed to imply this without calling for opposition or alarm. The same view was embodied in a clause of the proposed petition.

That these meetings which I had projected with others all over the country, did not take place, is no fault of mine; I laboured incessantly to obtain them, but in vain. Had I been successful upon this point we should have been armed with a strength which could not have been resisted, and I have no doubt, that by this time we should have had the extended plan in operation, I submit then, that it is both harsh and unjust to cast blame on me for the consequences of a course for which I am not responsible, and which I resisted to the full measure of my power.

In evidence of my zeal and of the object to which it was directed, I refer to the following letter addressed by me to the Home Committee on the 10th May last.

The Right Hon'ble Lord Wm. Bentinck. } The home
J. MacILLOP, Esq. } committee of
E. FLEISCHER, Esq. } the Bengal
G. G. DE H. LAURENT, Esq. } steam com-
Wm. CRAWFORD, Esq. } mittee.
T. M. TURTON, Esq. }

London, 16th May, 1837.

The question of steam communication with India has undoubtedly made some progress in the quarters where alone the power resides of carrying it into full effect.

The line to India will probably soon be perfected by extending the communication already established between England and Alexandria to Suez, Mocha, and Bombay; and there is reason to hope that some additional facilities may be afforded by occasional recourse to the new line of packets about to be formed in the Mediterranean by the French Government, aided by overland communication to and from Marseilles.

This appears to be the extent of what is at present to be looked for, and though it is to a certain degree satisfactory, it is obviously less than is required either by the wishes or the necessities of the Indian community. No plan will meet their views and interests which does not embrace a monthly communication with all the presidencies; and so long as it is confined to one, the advantages contemplated must be very imperfectly realized.

The expectations of India on this point are reasonable, and the object to which they point undoubtedly practicable. The comprehensive plan has in its favor not only

private suffrage but has been sanctioned by the deliberate judgment of the treasury and the Board of Admiralty. Under these circumstances, there could be no propriety in endeavouring to assist Government in carrying out the plan which two of its boards have admitted to be the best. One of the principal reasons for the hesitation of Government to act upon its own views, is probably the apprehension that public opinion is not prepared to support them. This belief if it exists is certainly erroneous, and the most ready and complete way of removing it would be by petitions emanating from a public meeting in the city of London. The objection to this proposition formerly existing in the mind of Sir John Hobhouse may not continue in its full strength, and in whatever degree it may remain it might probably be removed by a proper application.

To the end the good offices of Lord William Bentinck might be requisite.

His Lordship's influences it may be hoped, would be successful in obtaining the consent of the President of the Board of Control to the adoption of a measure which is resorted to in all cases of public interest, and is usually found far more efficient in promoting a desired object than any other means which can be used.

(Signed) R. M. GRINDLAY.

Deprived of those public means which would have been most efficacious, I was thrown entirely upon the use of private efforts; and to these I devoted myself to the injury of my health and to the neglect of my personal interests, and a host of obstacles which would have deterred any man who did not despise both ease and self-advantage when they stand in the way of his duty. I experienced much anxiety and subjected myself to an overwhelming mass of labour, but I have the satisfaction of knowing that it was not altogether in vain. Obstacles gradually disappeared, the public became interested in the question, hostility diminished. One of the home authorities consented to admit the principle which it had always before steadily rejected, the other avowed itself a convert to the extended plan. Are these things nothing? Or have they been effected without human agency? What share I have had in producing them I leave to others to declare, and I may appeal to two of the warmest, most judicious, and most intelligent friends of the extended plan, Lord Wm. Bentinck and Mr. Turton, for justice to myself, as well as to your Home Committee.

From the moment that we obtained the ear of the public and of the authorities, I avowed publicly as I had before done privately, my advocacy of the extended plan: could I then take this step without compromising the interests of my constituents, and I lost not a moment when the proper time arrived.

I would call especial attention to my evidence before the late Parliamentary Committee, and to a paper formerly transmitted to you, which I had proposed to tender as my evidence.

Time will not allow me to enter into particulars so fully as I could wish, and indeed the vague nature of the charge against me renders it impossible for me to know to what particulars I ought especially to speak. On the fifth of August last, I addressed a letter to you containing a brief review of my proceedings with a statement of some of the reasons by which they had been governed. I enclose a copy of that letter now and request that it may be considered as a part of my present communication, and submitted with it to the subscribers.

I know that I have served them zealously and I believe discreetly. I cannot believe that they will eventually blame me for a discretion which has saved their cause from being wrecked, and in the anticipation of the return of more kindly feelings I suspend until this communication has been considered the proceedings which would finally dissolve a connection which I have always felt to be an honor.

The home committee will meet on the 20th proximo, when they will have an opportunity of passing judgment upon my conduct. I fully believe that it will be a most favorable one, and as they have had the best means of observation I need not say that whatever it may be, it will merit the highest respect.

I have the honor to be, Sir, your most obedient servant,

(Signed) R. M. GRINDLAY.

London, 30th September, 1837.

CAPTAIN GRINDLAY'S RETROSPECT.

London, 5th August, 1837.

To C. B. GREENLAW, Esq.

Secretary to the Bengal Steam Fund, Calcutta.

Sir,—From the period when I had the honor of undertaking the charge which the committee at Calcutta were pleased to entrust to me, I have kept them continually advised of the steps which had been taken to advance the question, and of the degree of success by which they had been attended. With regard to our progress previously to the 1st of June, I can have therefore but little that is new to communicate; but the transmission of the report of the committee of the House of Commons appointed during the last sessions, appears to me to be a proper occasion for taking a very brief retrospect of our proceedings. By looking at the state of the question when it was first taken up, comparing it with its present position, and observing the intermediate steps by which the change has been effected, we shall, I think, be enabled better to understand and appreciate both our prospects during the past, and our prospects for the future.

Previously to my being honored by the first instructions from my constituents in India, I had devoted my attention to the subject of steam communication, but appearances here were of the most dark and discouraging description. To say that the public generally and even the more intelligent part of them were indifferent on the subject will not convey an adequate idea of the prevailing state of feeling. That state was apathy at its extreme point—if I might be allowed to add a superlative to a superlative—I would say at its most extreme point.

The ignorance prevailing upon the subject equalled the indifference, and was indeed in a great degree the cause of it. Many perhaps a majority of those who took the trouble of ever bestowing a thought on the subject, believed the design to be about as practicable as a proposal for a communication by balloon. Others who did not deny a steam communication with India to be within the limits of possibility, were frightened at the enormous expence which they believed necessary to establish and keep it up. Others again were insensible to the advantage of such a communication, and many commercial men of eminence believed that it would be prejudicial to existing interests of greater importance than those which it was proposed to serve. This difficulty was especially felt by Major Head in his endeavors to obtain subscribers to his scheme, and the fact that his project received such slender encouragement, at a period when the mania for joint stock speculation was raging at its greatest height, must be regarded as a convincing proof how little disposed the people of this country were to promote the object which in India was felt to be of such existing interest. Worse than all, those in authority were either against us, or not decidedly with us. The Euphrates expedition was then in progress, it was a favorite in high quarters, the most sanguine hopes were entertained of its success, and it was distinctly asserted that the conveyance of letters by that route, was all that the public had a right to expect, and all that the Government ought to provide for. The Red Sea route

found advocates indeed in those who had studied the question and understood its practical bearings; but these persons were few, and unfortunately not in the most influential stations. The Court of Directors twice rejected the plan in any form; and the evidence of Sir John Hobhouse will shew how strong was the feeling against it. In the legislature nothing was to be hoped for, until the stagnant power of public opinion had been effectually stirred; the Bombay petition had been presented by the President of the India Board, but this step so far from creating any interest corresponding with the magnitude of the question did not even elicit a single remark. The Houses of Parliament partook fully of the public torpor.

In this state of things the obvious course was to proceed gradually, but steadily in the work of awakening and enlightening the public mind on the subject which we had at heart, and the greatest caution was necessary to avoid the danger of throwing over the plan altogether, possibly for years. It was necessary not to claim too much at once lest both the public and the Government should become alarmed, and indifference should be exchanged for what would have been still worse, obstinate resistance. It was necessary, indeed, to divert attention exclusively to the Red Sea, and to maintain the superiority of that line over every other; but this ground being taken as the basis of the movement, it was desirable to avoid controversy as far as it was possible. It was desirable to make no enemy and to lose no friends. These were the principles which I laid down for my own guidance, and on them I have invariably acted.

The first public step taken by me was the insertion of the circular in the *Times** newspaper of the 29th of September. The circulation and influence of this journal are such as to render it the best vehicle for preparing the public mind and giving it a required direction on any subject. Having commenced the moment in this widely read and influential journal, I continued it by publications in various papers and periodicals, the majority of which are named in the margin.

Thus far I acted solely on my own views and I believe that my labors were not in vain. On receiving the Committee's instructions I placed myself in communication with Lord William Bentinck and the gentlemen appointed to act as a home committee,

From this period my system of operations under their sanction has been so fully and regularly submitted to your notice, that a mere glance at them will be sufficient.

I may remark that as Parliament was not sitting, our only course was to endeavour to act upon the public; and the general apathy on which I have already dwelt, would indeed have made this advisable though Parliament had not been prorogued. The memorandum dated the 3d October, details the various modes by which I proposed to prepare the way for opening the Parliamentary contest with effect. It will be recollected that a plan was laid down for a series of public meetings and of petitions emanating from those meetings. I was especially anxious upon this point, because it would have given us opportunities of doing that which could not be done safely in any other way. Had the proposed meetings taken place, they might have led without difficulty to the adoption in their petition, of language utterly inconsistent with any system of communication, but that which is the best and most desirable, namely, the most comprehensive.

To illustrate this I may refer to the draft of the proposed London petition. The London meeting, had it taken place, would, in all probability, have been composed of persons of every possible degree of information and every possible shade of opinion. At such a meeting where many would know little or nothing of the subject, where many more were but half friends or perhaps concealed enemies, and where another portion would probably be enamoured of some favorite plan of their own,

* *Times*, 29th September, 1836.

and consequently indisposed to tolerate any other which is threatened to interfere with it, in such a meeting, and with public opinion uninformed and wandering, the friend of a communication with all the parts of India could not venture to speak out as decidedly as they could wish, but the communication contemplated in the petition drafted for that meeting is with "India and China" without limitation, the widest extension which the most ardent friends of the plan could desire. By such a mode of advancing the comprehensive plan we should have escaped opposition, at the same time that we had a prospect of enlisting on our side, interests not immediately connected with India. I have continually regretted the disappointment of my views with regard to public meetings, and for no cause more than for this, that we lost the opportunity of pledging the petitioners to the extended plan, and of acting upon the Government in its favor, with the full force of their dated influence.

It is indeed useless to regret that which has passed, but it is necessary in this case to advert to it, in order to shew that the plan was arranged so as to carry the petitioners the full length that could be desired.*

The press was another engine of which I proposed that we should liberally avail ourselves. In commencing this branch of operation it appeared to me desirable to fix attention by issuing something very brief, but to the purpose. As opinion then was, a great mass of printed papers would not have been read. Selection and compression were necessary; and in making a choice among the materials received from India it was due both to my constituents and the cause that the views both of Calcutta and Madras should be presented to the public here. To effect this object I printed the Calcutta circular, the Calcutta petition and the Madras petition preceded by a short appeal in favor of the communication "with all parts of India." A map accompanied, which was made the means of silently advancing the more perfect plan of communication, for by pointing out the route to each of the principal parts of India, it was to be inferred as a matter of course that none of them was to be neglected.†

This paper was circulated throughout every part of the kingdom. Articles in the various literary journals mentioned in the margin succeeded.‡

For one important publication (the Asiatic journal) distinctly advocating the comprehensive plan, we are indebted, as I have already mentioned, to a very high authority, with whom I was in daily communication.

Attention being thus partially roused it appeared to me that a separate publication on the question, somewhat

* Times, 9th September; Naval and Military Gazette, 10th September; Atlas, 11th September; Times, 13th September; Morning Gazette 23d September; Morning Herald, 30th September; Atlas, 21 October; Times, 5th Oct.; Atlas, 9th Oct.; Times, 10th Nov.; Atlas 6, 13, 30; Morning and Railway Gazette, 26th Nov.; Liverpool Mail, 29th; Atlas, 4, 11, Dec.; Sheffield Mercury, 3d Dec.

† Manchester Guardian, 30th Dec.; Asiatic Journal 1st Dec.; Times, 9th Dec.; Times, 4th and 5th Jan.; Morning Post, 4th; Atlas, 8th Jan.; Steam Navigation Gazette, 7th Jan.; Times 23d Jan.; Chronicle, 25th Jan.; Examiner, 22d; Railway Gazette, 23d Jan.; Asiatic Journal, 1st Feb.; Morning Chronicle, 23d March; Morning Advertiser, 24th March; Times, 30th May; Times 8th June; Atlas, 4th and 11th June; Times and Morning Herald, 16th June; Times, 4th July; Atlas, 2d July.

‡ Asiatic Journal, 1st Oct.; United Service Journal; Asiatic Journal; Examiner; Morning Post; Atlas; Constitutional; Morning Gazette; Prince's London Price Current; Morning Advertiser; Liverpool Journal; Liverpool Chronicle; Sheffield; Iris; Leeds Times; Farley's Bristol Journal; Hull, Buckingham, Glasgow Chronicle; Cheltenham Free Press.

longer and more elaborate than any which had yet been ventured might now be hazardous. I was prepared and published my pamphlet. I was convinced by this time the public would read such a work, which at an early period they would not. §

One difficulty was thus removed, but others remained in full force. We had raised so much of sympathy in the public mind that we might fairly expect by a further effort to excite much more, but there was still the risk of going too fast, of overrunning public opinion, of exciting collision and calling forth opposition, and, I must add, my conviction, that a very slight opposition would have been fatal to all our hopes! it was necessary, therefore, to say only so much as would be received without very great difficulty, and thus prepare the way for the rest, which might follow in due time. I must confess that I looked with much anxiety to the reception of that pamphlet. I did not feel quite assured that the public appetite was prepared for it, and I was in some fear that either it might excite no attention, or might provoke some hostility. With regard to the latter point I was fortunate, the only discontent called forth was from the advocates of the Euphrates plan; as to the effect of the pamphlet I was still more fortunate, and I need only refer in proof of this to the immense number of notices referred to in the margin. || I am informed by those well acquainted with literary affairs, that the circumstance is nearly if not altogether without parallel, except in the case of some work of general literature, emanating from an author of distinguished name, and calculated for popular reading and entertainment. It may be proper to state that the notices were the actual productions of the parties having the literary management of the publications in which they appeared—care was taken that the pamphlet was placed before them, but no means were used to influence their judgment. Their unanimity may, I think, therefore, be accepted as a proof that whether or not I displayed any great portion of talent, I was at least not deficient in the equally indispensable quality of judgment.

I excited attention without creating opposition, and this effect is attributable to the cautious avoidance of all controversial matter as far as was consistent with the general advocacy of any particular plan. These testimonials were not without effect; some who had been

§ Keene's Bath Journal; Bath Cheltenham Gazette; Cheltenham Herald; Brighton Herald; Brighton Guardian; Brighton Patriot; Leamington Chronicle; Fal-mouth Packet; Chester Courant; Worcester-shire Guardian; Halifax Express; Salisbury Wiltshire Herald; Lincolnshire Chronicle; Doncaster Chronicle; Kent Herald; Cheltenham Chronicle; Manchester Times; Birmingham Herald; Bury Suffolk Herald; Derby and Chesterfield Reporter; Chelmsford Chronicle; Doncaster Gazette; Glasgow Scots Times; Yorkshireman; Kentish Chronicle; Metropolitan Conservative Journal; Sheffield Independent; North Derbyshire Chronicle; Dundee, Perth, &c. Advertiser; Berkshire Chronicle; Hereford Times; Derbyshire Courier; Tyne Mercury; Scottish Guardian; Gravesend Journal; Glasgow Constitutional; York Courant.

|| Dublin Evening Post; Preston Chronicle; Halifax Guardian; Morning Herald; Edinburgh Observer; Gloucester Journal; Berwick and Kelso Warden; Nottingham Journal; Kendal Mercury; Cumberland Packet; Liverpool Mail; Life Herald; Berwick Advertiser; Perthshire Courier; Devonshire Chronicle; Nottingham Mercury; Brighton Gazette; Boston Herald; Woolmer's Exeter Gazette; Coventry Herald; Devonport Independent; Nottingham Journal; Hert's Reflector; West Briton and Cornwall Advertiser; Edinburgh Evening Courant; North Staffordshire Mercury; Western Lumina; Exeter Flying Post; Caledonia Mercury; Northampton Chronicle; Edinburgh Observer; The Comet and Channel Island Advertiser.

strongly, and I doubt not conscientiously opposed to every plan of steam communication with India, and others who had been formerly opposed to that by the Red Sea, gave way. Government saw that the public were becoming interested in the matter, and that something must be done, and had we been fortified by public meetings and petitions, there can be no doubt that the comprehensive scheme would have been carried at once.

At the meeting of Parliament we had made some way. We had not done then all I wished, but I had done all within my power, and we were in the condition to expect that Government should at least give us a hearing. I was anxious for the early presentation of the petitions, but difficulties arose partly from the distracted state of public business, and partly from other causes. Lord William Bentinck was desirous that we should have the co-operation of Major Head's Company; with a view of effecting this object various meetings took place which ended in nothing. Indeed had the terminations been different as far as we are concerned the ultimate result would have been the same, as Sir John Hobhouse's evidence shows that the London Steam Company had no chance whatever with the Government. During this period, as before, I continued to urge the importance of public meetings and petitions; but, unfortunately, with no better success than formerly. I was compelled, therefore, to content myself with the use of the means which fell within my personal power.

The question continued to be postponed in Parliament until its friends had reason to be sick at heart; and a main cause of this was an impression that it would be taken up by Government in a proper spirit. Our interview with the chairs and with Sir John Hobhouse were considered to a certain extent satisfactory, and the declaration of the President against public meetings was held to be decisive as to their prohibition. At the same time, I could not but feel that though the chairs had expressed themselves *individually* favorable, this was all, and I could not but see that Sir John Hobhouse still retained a lingering attachment to the Euphrates plan. This feeling was so apparent, that with a view of soothing it, and thus winning a most influential man from an impracticable plan to one that was feasible. I took the opportunity afforded by a second edition of my pamphlet, to offer such an explanation upon that delicate subject as I thought would be gratifying to Sir John Hobhouse and would dispel any reluctance which he might feel to a retreat from the Euphrates to the Red Sea, and the comprehensive plan. As I compromised no principle and endangered no interest of my constituents, I thought, and still think, that I was acting prudently. I pressed the holding of public meetings though opposed by authority, but it would have been foolish to contend with authority upon a point which by the course of events was so rapidly becoming one of no practical importance.

I need not mention that my public exertions have formed, but a very small part of my labours in the cause. No channel has been neglected through which an impression was likely to be made, and I rejoice to know that these efforts have not been without effect.

The letters from the treasury and from Sir John Hobhouse to the court, shew, that the comprehensive plan has made its way with the Ministers of Her Majesty's Government. It was not equally successful elsewhere, and the arrangement made may be regarded as a compromise.

It seems clear that the Court of Directors would not at present yield more, and it may be presumed that Sir John Hobhouse abstained from pressing the matter further lest he should risk that portion of it which has been gained. The danger of the question being lost altogether, is apparent from Mr Melville's evidence.

Here in my mind arises additional reason for regretting that we did not strengthen the hands of Government by public meetings and petitions.

That under any circumstances would have been my plan had I been left to choose; it is but fair, however, to say that the state of the question as between the two authorities was kept very closely. Lord William Bentinck, one of the warmest advocates of the comprehensive plan, constantly expressed himself satisfied with our prospects, and repeatedly delayed the presentation of the petition at the suggestion of Sir John Hobhouse, who said that when prepared to state the intentions of Government, the petition would be a powerful auxiliary to him.

We know that he was friendly to the comprehensive plan; but during the month of May, I obtained private information of the possibility of an unfavorable turn, and, in consequence, addressed to the home committee a letter of which you have a copy. In this, I re-urged the necessity of public meetings and petitions on the ground "that no plan would meet the wishes and views of the Indian community which did not embrace a communication with all the presidencies," and that "as the comprehensive plan had in its favor not only private suffrages but had been sanctioned by the deliberate judgment of the treasury and the India Board, there could be no impropriety in endeavouring to assist Government to carry out the plan," by the means which I recommended. You will have seen, however, that I failed to convince the committee of the necessity of this until too late, and I believe that Lord William Bentinck now considers this a subject of regret.

I will not recapitulate the contents of my letters of June and July. You are aware that Lord William Bentinck finding that it was intended to introduce a partial measure, moved for the appointment of the select committee. I have stated that some of its members were averse to the comprehensive plan, and Sir John Hobhouse having failed in his efforts with the Court of Directors took the adverse side also and carried his party with him. The consequence was that the affair was nearly strangled in its commencement, and nothing but the indomitable perseverance of Lord William Bentinck and Mr. Mullins prevented the committee separating immediately after Sir John Hobhouse's evidence had been heard, without hearing any more or making any report.

On the prospects of the question I will not now speculate. Lord William intends to bring it forward, and in a future Parliament, as it is now so generally understood that he will have abundant aid from without and I trust it is unnecessary for me to assure you of my unceasing exertions to promote it. I am truly happy in being able to add that Lord William has repeatedly expressed his sense of my services, and his entire approbation of the measure which I have throughout adopted; and I need not I trust add, that my best exertions will be at the command of the friends of the comprehensive plan, and I shall co-operate in completing the object in view as zealously as I have thus far added its progress.

After being compelled to say so much of myself it is delightful to have to bear testimony to the merits of others, and I am bound to say that I feel it quite impossible to render justice to the valuable services of Mr. Turton, and to the zeal with which he has served the cause ever since his arrival in this country.

In reviewing my own proceedings, I feel that I have acted to the best of my judgment, I mean of my present judgment as well as of my judgment at the time the different transactions took place, and had I the same duty to perform again, I would take the same course; our tactics in this country are necessarily different from those of India.

There the Government is every thing, here the Government is powerless, unless supported and urged forward by public opinion.

I have the honor to be, Sir, your most obedt. servt.

(Signed) R. M. GRINDLAY.

To C. B. GREENLAW, Esq.

Secretary to the New Bengal Steam Fund.

SIR,—We have heretofore abstained from reporting the progress in this country of the question of steam communication with India, because we understand that Capt. Grindlay transmitted monthly a detailed account of such particulars as would keep you duly acquainted with the course of events here. Our object having now been partially attained we feel called upon to congratulate you upon the degree of success which has attended our exertions, and to express our earnest hope that the step which has been gained is but the prelude to complete realization of our wishes, and that a few months will produce the extension of the communication to all the principal ports of India. You are aware how zealously the comprehensive scheme has always been supported by your late Governor-General. The opinion which he has hitherto maintained he continues to hold, and is prepared to assert them in the next session of Parliament, when the subject will be again pressed upon the notice of the legislature. Great caution has been necessary to avoid ruining our prospects altogether by too much rapidity of action, but we have now gained a point from which we cannot be driven, and the possession of which will enable us to advance with greater certainty and confidence.

We forward a memorandum which will convey some knowledge of the difficulties with which we have had to contend, difficulties which could only be surmounted by the operation of time aided by caution and discretion. Captain Grindlay has devoted his time almost exclusively to the furtherance of your views, and has constantly been engaged both publicly and privately in promoting their success. As we have had opportunities of becoming acquainted with his labours not enjoyed by his constituents in India, we think it due to him to bear testimony to the unwearying zeal, judgment and assiduity, with which he has sought to advance their interest, and to express our entire satisfaction with his conduct throughout the proceedings in which we have been engaged.

We have the honor to be, Sir, your most obedt. servt.,

(Sd.) J. MACKILLOP.

W. FLETCHER, Sd. by MR. MACKILLOP.

G. G. DE H. LARPENT.

King's Arms Yard, London, Aug. 4, 1837.

[Hurkaru, Jan. 4.

STEAM MEETING AT THE TOWN HALL.

The Steam Meeting at the Town Hall on Thursday was very numerously attended. At a little after ten the Sheriff took the chair and read the requisition on occasion of which the meeting had been called, and having so done, he proceeded as follows: Gentlemen, had the occasion upon which we meet to day, been a matter of an ordinary nature or of minor importance, I should have desired, as I should have considered it my duty, to preside at it; but when I take into consideration the intensity of interest that is felt upon the question we are met to consider, and the peculiar position in which it is placed as respects the authorities at home, I think that I shall best fulfil my duty by proposing that the chair should be taken by one far more capable of filling it

with effect. Gentlemen, I shall therefore propose the name of one who has often fulfilled the duty upon this most important subject. I propose to you that the Chief Justice be requested to take the chair.

Sir E. Ryan.—Gentlemen, my excellent friend the High Sheriff, having selected me to fill the chair at this meeting and you having been pleased to express your approval of his nomination, I with pleasure assume a duty connected with a subject upon which, it is true, that I have always and do take the deepest interest. Upon the general merits of the subject it will not be necessary for me to enlarge at the present moment, my sentiments have often been expressed, and before I make any further observations on the subject, it will be better to allow the proposed resolutions to be submitted to the consideration of the meeting.

The Lord Bishop then rose and said, I should have been much better pleased if the duty of proposing the first resolution, had been entrusted into other hands, had the occasion upon which we have met together, been one of ordinary import or of common character. The retired and sacred nature of my profession would render it improper and unbecoming in me to take a prominent part on occasions of meetings for ordinary purposes or with a view to objects of doubtful utility; but on a subject whereupon an intensity of feeling pervades the public mind, and were the question under discussion may be considered as embracing all the interests of humanity, and in its consequences calculated materially to affect the whole well being of society; on a question which regarded in its influence upon all the benevolent relations of life, is boundless in its scope, on such an occasion I deem it not only not unbecoming, but entirely consistent with my more immediately sacred duties, to exert my voice in support of that which is calculated to prove so eminently conducive to the benefit of mankind.

In whatever light we regard the great question of Steam Communication with Great Britain, whether as public men, or as private individuals, as members of the community, or as fathers, husbands, or guardians,—in every relation of life shall we find the vast importance of this great improvement in the means of distant and rapid intercommunication, between the metropolitan country and her colonies. What father of a family, does not appreciate the immense value of the means of learning the progress of his distant progeny, their health and happiness within a comparatively unimportant interval of time? Who, looking at the subject as a public man, can regard with indifference the vast improvements which will be derived to commerce in general? What boundless advantages will this country enjoy in the rapid communication of the discoveries of the western world in the arts and the sciences! Of what incalculable value towards the civilization of the East must be the full and rapid communication of European knowledge, and the wisdom of the West! To every missionary of religion, to every traveller in search of knowledge, as well as to every servant civil or military of the Company, is this subject of deepest interest. It is a project which like the discovery of the mariner's compass or invention of printing, must produce consequences which it is beyond the view of human speculation to embrace. In such a case, and to promote such an object, I cannot but feel that I am justified now in coming forward as I did five years ago for the same purpose. Nothing, indeed, can be contemplated as so wonderfully calculated to promote the interests of humanity as the invention of locomotion by means of steam; and as regards India, the present moment appears to present a crisis, which not only justifies but demands the support of all, and of every character in promoting the scheme in its largest and most comprehensive extent, an object upon which such an intensity of feeling pervades all India. Our great business is, by manifesting our own anxiety and eagerness to kindle the sympathies of the British nation, which unless we arg.

strenuous will necessarily become lukewarm, and consequently the object we have in view will be not smothered but delayed. Our exertions, indeed, ought not to be limited by any consideration of the abstract merits of the question, or the benefits to be derived from its accomplishment. We are to consider not so much what we have to gain as what we have to overcome: the coolness and backwardness of friends, the hostility of those whose interests are in truth identified with our own, but who choose to oppose instead of supporting us. I speak of Bombay. All these circumstances demand that we exert ourselves in proportion. The selfish policy of Bombay as exhibited in the early stage of intercommunication, sufficiently evinces what would be the result of a scheme which should confine the channel of communication to that port. Of their unaccommodating spirit we have had example we may say before hand. Of the uncertainty of the present mode of conducting the communication, I need only instance the case of Principal Mill, who, taking his passage here on the boat calculation, arrived at Bombay three days after the steamer had sailed. There can be no doubt, that whether we are lukewarm or whether we are energetic, this great object will make its way; but the question is, whether you will have it now or twenty years hence? The cause will advance, it cannot be stopt; but the question is, shall it advance with the firm, bold front of freemen or the creeping abjectness of slaves? The cause must advance, it is not to be resisted; but the question is, shall it advance with the current or against it? If you are lukewarm; if you are tame and timid, your cause must advance against the stream. If you are resolute, firm, energetic, you will turn the current in your favor. The results that are to be anticipated from a free communication between this country and England, on the most comprehensive scale, are boundless, and for my own part I cannot perceive the immense difficulties that have impeded the regularity of communication between Suez and Bombay; and in making allusion to the conduct of Bombay in respect to the steam question, we should recollect, that we are not possessed of all the facts, and that we ought to believe that but for some operating causes to us unknown, there would exist the same unanimity at the other presidencies, and the same desire to promote the one great object, and the more we are enabled to give a favorable and charitable construction upon the conduct of others, the more easily will the great question make its way. That it will make its way through whatever may obstruct it is certain; but the question is, whether India shall enjoy this blessing now or whether it is postponed to twenty years hence! With the aid of this discovery and holding the most important colonial possessions ever connected with a present state, such vast means of bestowing happiness upon mankind have been entrusted by Providence to the British nation, not merely for herself but in trust for the many millions who look to her, not only for protection but for improvement and civilization. England beholds India thirsting for knowledge, and looking to her fountains from whence to draw and be satisfied. India beginning to awaken from the sleep of ages, after sixty years' repose, under a benignant, mild and paternal government, turns her eyes towards England, and asks that the book of knowledge be spread open before her. England has been placed by Providence on the pinnacle of national greatness, and India has been entrusted to her care, in order that she may from the height of her own prosperity and glory, communicate to her colonies, the knowledge and the wisdom that has made her great. The question then is, whether England will hasten to send forth her sons to communicate these boundless advantages to these her vast possessions, and in order so to do whether she will adopt such means as may be said with scarcely a metaphor, to bring their vast possessions nearer home? Immeasurable will be the advantages which we may contemplate in ten thousand points of view, of such an

object when attained. In the time of sickness, the enfeebled patient may be rapidly transported from the dangerous atmosphere in which he is sinking, and carried into pure and renovating climes! Instead of parting with our children, when we send them to the land of their fathers, as though we were to be separated with but the distant and cheerless prospect of seeing them again only after the lapse of years—when perchance they have steep from infancy, to an adult age—we may hope by means of steam, to send for them and have them with us in a space of forty days! So vast and various indeed are the advantages to be anticipated, that it is impossible even to imagine, far less to enumerate, the grand results which must be the consequences of the full attainment of the great object which we have met this day to promote! If ever there were a triumph for public spirit, it will be enjoyed in the accomplishment of this great object; and, it is only by the full and energetic display of public spirit, that it can be accomplished. By this means shall religion, by this means shall liberty in its widest and noblest sense, be diffused amongst the millions of the East. To aspire to such grand objects is a noble feeling and worthy of the greatest nation upon earth; it is worthy of the claims which religion has upon such a nation; it is worthy of the obedience which such a nation owes to the Almighty, from whom its greatness flows. Into this great measure should the British nation plunge at once, not headlong, but with an utter disregard to sordid and narrow calculation of expense. Now is the hour when it is in the power of the British nation to open the flood-gates of measureless blessings upon her Indian territories. Let her not hesitate, let her not delay, but achieve at once that great good, which will clothe her with true glory, and secure the future happiness of India.

Sir Edward Ryan.—Gentlemen, I am desired by his Lordship to read the following resolution.

1st.—“That as the petition of the inhabitants of Calcutta and its neighbourhood to the Honorable the House of Commons, and the memorials to the Right Honorable the Board of Commissioners for the affairs of India, and the Court of Directors of the East India Company, all dated the 5th March, 1835, praying for the immediate establishment of a regular, expeditious, and frequent communication between the principal Indian ports and Great Britain, by means of steam vessels, have failed in the attainment of the object as far as relates to Madras and Calcutta, an arrangement having been entered by the Court of Directors with Her Majesty's Government for the establishment of a communication limited to Bombay, and as the select Committee of the House of Commons which sat in June last, has recommended a continued and zealous attention to the subject on the part of Her Majesty's Government and the East India Company, it is expedient that a further petition and memorials be presented to the above named authorities from the inhabitants of Calcutta and its neighbourhood, praying for the immediate establishment of the extended communication.”

The resolution was seconded by Mr. Tucker, and passed by a show of hands, no one dissenting.

Sir Edward Ryan.—Gentlemen, you have unanimously carried the resolution for presenting the petition of which a draft has been proposed and published, and which may probably have been seen and perused by many present; if however you are desirous that it should be slow read, the Secretary to the Steam Committee, will read it to you.

Here a number of voices intimated by acclaim that the petition should be read, which was accordingly done.

Mr. Pattle.—I did not expect, when I came here today, that the duty of proposing the 2d resolution would have devolved upon me. I had understood that it had been undertaken by a party far more capable than myself of adequately fulfilling it. However, it is with no reluctance that I address you as the mover of the 2d resolution, and in doing so I may congratulate the

friends to Steam Communication upon the numbers here assembled to support its interests. It proves how general is the conviction that pervades our society, that the cause of steam will never be complete till the full and entire object prayed for by the petition has been attained. The petition itself is so ably drawn, and so fully and clearly expresses the strong grounds upon which we claim the attention of Parliament, that it leaves little to be said further in its support; and, I am fully assured, that it must carry conviction, as well as satisfaction, to the breast of every impartial and unbiassed man. With your permission I beg to read the 2d resolution.

2d.—“That the petition now read be adopted and that the Committee of the New Bengal Steam Fund be requested to take charge of the same in order to its being duly signed, and that they be further requested, after full opportunity shall have been afforded to the inhabitants of Calcutta and its neighbourhood, to sign the same to forward it to the Right Hon'ble Lord William Cavendish Bentinck for presentation to the House of Commons, with the expression of the grateful thanks of this meeting for the indefatigable exertions made by his Lordship in furtherance of the prayer of the former petition, and to solicit the continuance of His Lordship's invaluable aid until the object is attained.”

Gentlemen, I will only add that to Lord W. Bentinck are due our very warmest thanks for his strenuous exertions, as well as to others who have manifested an equal zeal and equal talents, in promoting the great object of our wishes.

Captain T. J. Taylor seconded the resolution.

Sir Edward Ryan.—Gentlemen, I hold in my hands part of the evidence taken before the Committee of the House of Commons, which, as it has not been published in this country, you will not deem it irrelevant if I read to the meeting, as most strikingly exhibiting the opinion of Lord W. Bentinck, respecting the advantages to be derived to India, by the establishment of Steam Communication with India on the most comprehensive plan.

Sir Edward Ryan here read the following extract from the evidence he alluded to:—

The Right Hon. Lord William Bentinck, Chairman of the Committee, further Examined,

1854. — Lord Sandon.] Do you consider that a speedy and regular communication by steam with all the ports in India will be productive of any moral or political advantage? Very many, and very great. With respect to the moral advantage, I have already had the occasion, in India, of publishing my opinion; and I will now repeat it. The subscribers to the Madras Steam Fund addressed me a letter, in 1834, in which they stated their belief that this project would confer vast and incalculable benefits upon our country and mankind. I answered as follows: “I confess that my anticipation of the expected benefit goes far beyond the more obvious results, great as those undoubtedly would be, of improved government, of the welfare of the people, as effected by such improvement, of the promotion of commerce, and of what may be considered of minor importance, of the comfort of our own numerous countrymen, separated by such great distance of time and place from all connexion with their dearest interests. The limit assigned by the resolution is expressed by the large term of ‘mankind,’ and in my judgment appropriately and correctly; because the great want of this eastern world, India, China, &c., may be comprehended in the single word, ‘knowledge.’” If the moral condition and happiness of the most enlightened countries suffer from this cause, it can be easily conceived, that on this great space, where the human mind has been buried for ages in universal darkness the task must be hopeless unless the same means which have alone accomplished the object elsewhere are brought into action, and these means

increased and enforced with all the encouragement that the Government authority can bestow. I look to steam navigation as the great engine of working this moral improvement. In proportion as the communication between the two countries shall be facilitated and shortened, so will civilized Europe be approximated, as it were, to these benighted regions; and in no other way can improvement in any large stream be expected to flow in. Past experience shows what we have to expect for the future. I shall take the liberty of enlarging upon this topic. For much more than half a century the British dominion has been established at the three presidencies over a great extent of territory, with a large dependent population. Examining attentively the intellectual condition of these numerous communities it cannot be denied that little progress comparatively has been made in the acquisition of useful knowledge. There prevailed throughout, and in the darkest ages of European history, the same ignorance and superstition, the same belief in witchcraft, the confidence in charms and incantations, the same faith in astrology and omens, the practice of human immolation of all sexes and ages, and many other barbarous customs, opposed to true happiness, and repugnant to the best feelings that Providence has planted in the human breast. Again also, in the arts and sciences, in every branch of useful attainment, the ancient usages and learning retain their unimpaired sway. In medicine and surgery, in chemistry, in hydraulics, in mechanics, in civil engineering, in painting, sculpture and music, we observe them all, with the exception of a few individuals of superior talents and ambition, remaining stationary in their primitive rudeness and ignorance. And yet, during this long interval, thousands of well-educated Europeans, deeply versed in all these branches of knowledge, have been succeeding each other, and domiciliated for years in the country. Why, it will be asked, had all this science, this learning, and this ability to impart instruction, passed away without leaving any trace or impress on the mind of India, although in no other part of the world does there exist greater quickness of intellect, a more eager thirst after knowledge or superior aptitude to acquire it? The answer to this question is plain and obvious. The cause is to be found in the past principle of our rule, of rigidly precluding the free admission of Europeans to India; the direct consequence of which, whatever in other respects may have been its advantages, has been to dam up in a great degree the main channel of improvement into India. It may be assumed that 19-20th parts of the importation Europeans have consisted of the Company's servants; they have had, of course, other duties to perform, occupying the whole of their time, and the fault lies not with them, if they have contributed little or nothing to this object. The government, indeed, may perhaps be accused of omission, and of not having done as much as they might; but I doubt even with more exertion on their part whether, while the same system lasted, much progress could have been made. All the improvements of the description to which I have been alluding, are exclusively due to the skill and enterprise of individuals, aided by the capital of the houses of agency. Every indigo and coffee plantation, the Gloucester mills, the works of every description that are moved by steam, the iron foundries, the coal-mines worked after the European fashion, and the other great establishments that we see around us in Calcutta, are so many great schools of instruction, the founders of which are the real improvers of the country; it is from the same sources that we must expect other school-masters of new and improved industry. The new charter will remove many obstacles, but steam communication far more. But with the opinion I entertain, that the extent of colonization, (as it is misnamed,) and the effects of it, have been very much overrated, I am convinced that the knowledge and instruction so much needed by India can never be sufficiently provided by European colonists and speculators only. The natives themselves must

be encouraged to go to Europe, there to study in the best schools of all the sciences. This opinion I know to be entertained by some of the intelligent members of a committee now sitting at Calcutta, to consider the best means of educating the natives in the higher branches of medicine and surgery. The Pasha of Egypt has given a noble example in this respect to the rulers of rude and unlearned nations. The circumstances that have hitherto operated as a complete barrier against the intercourse of the natives with Europe, except the classes of sailors and of menial servants, have been, first, certain customs as to food prescribed by the Hindoo religion; and secondly, and mainly, the length, the expense and apprehension also of so long a voyage. In respect to the first of these obstacles, Rám Mohun Roy, who will be of illustrious memory among his posterity, has broken the ice; and I know that some, and I have no doubt that other, rich and well-educated natives are preparing to tread in his footsteps, with the same laudable desire of seeing what India may become, by what Europe, and especially England, is; and of raising their country by the same means from the moral and political degradation in which she is plunged. With respect to the second obstacle, which makes the attempt almost impossible to the great class of students, however willing to those who are to be the practical operatives and the introducers of the new arts and sciences, and will become the best teachers of their countrymen, steam navigation, with the aid of Government, and of those interested in India's welfare, will go far to remove it. I was happy to learn from the same members of the medical committee, that natives thoroughly acquainted with the English language would, if assisted, be ready to embark immediately in that pursuit, and necessarily in others of the same utility. I will, therefore, conclude this too long detail by saying, that it is knowledge that is needed; knowledge is the beginning of wisdom; knowledge alone can raise this country to a higher standard among the nations of the world; and with the sentiments I have expressed, of the best and most effectual mode of attaining these great purposes, the Steam Committee are amply borne out according to my firm conviction, in their resolution, "that this project opens vast and incalculable benefits to our own country and to mankind." The principal political advantages I will shortly state; First, great increase to our military power. The vast space we have to occupy and defend, and the consequent impossibility of quickly transporting troops from one point to another, has led to the necessity of having upon each portion of our territory a force sufficient for its protection, independent of all extraneous assistance. It is evident that, India forming a peninsula, and the monsoons offering no impediment to the access of steamers, large means of transport of this kind could always convey troops to the point menaced, and the whole army could thus be made available for the service of every portion of our dominions. The last overland mail brings an account of the arrival of the *Atalanta* at Bombay, and of her being dispatched three days afterwards with a whole native regiment to Mangalore, the seat of an insurrection. In Bengal, the river steamers will convey a reinforcement in three weeks, and safely, to Allahabad, situated at the junction of the Jumna and Ganges, and the central point of the upper and lower provinces of Bengal, which by the ordinary boats of the country could not have been done in less than as many months, and without much risk, the insurance to Allahabad being equal to that upon a whole voyage to England. When in India I recorded the opinion, which I repeat, that had the establishment of steamers now proposed been in existence during the Burmese war, many thousands of lives, prodigious individual suffering, and millions of money, would have been saved to the state. It is not too much to assert that under the peculiar local circumstances of India, with great space, no roads or canals, a very unhealthy climate, and with a sea-coast for its universal limit, one-fourth of the same

military force, in co-operation with an adequate steam establishment, would be more efficient than the whole without it. If, moreover, the Pasha of Egypt could be induced, as some well-informed witnesses seem to consider practicable, to allow the passage of our troops through his country, a regiment or more from Malta might reach Bombay in five weeks. All this is power exercised in its most imposing character. Hyder Ally is said to have declared, that it was not what he saw, but what he did not see, that he was afraid of. I beg leave to put in an extract from a letter (*vide Appendix*) from the superintendent of steam vessels on the Ganges, upon the great success of that establishment, and as affording a certain degree of expectation of a similar result to the sea-going steamers. Secondly, the civil functionaries, who now come to India so young as to have acquired little European useful knowledge, and necessarily from their position, too apt to contract arbitrary feelings and habits, would have easy means and should be encouraged to visit Europe, there to acquire liberal notions of the principles and practice of improved administration. Thirdly, the same salutary influence would operate upon our military officers. Subordination would be greatly promoted by the knowledge that the authority of the superior power at home could be quickly interposed; nor would the courts-martial have the same reluctance to do their duty, if all those considerations which distance so injudiciously creates were removed. The comfort, the allegiance, the attachment of all to their native country, would be more firmly maintained. Fourthly, but perhaps the most important benefit of all, would be its tendency to place the security of our empire upon the only solid foundation, the general good will of those we govern. Our present position is this; we have conquered the whole of India; we have much above 100,000,000 of men under our direct and indirect rule; and it is universally allowed that our government has no hold upon the attachment of the people. I will introduce here, as more deserving the attention of the Committee than any opinion of my own, an extract from a minute of one of the most sagacious statesmen that India, or indeed any other country, has produced, the late Sir Thomas Munro, written in 1824, describing the effects of our government. "If we make a summary comparison of the advantages and disadvantages which have occurred to the natives from our government, the result, I fear, will hardly be so much in its favour as it ought to have been. They are more secure from the calamities both of foreign war and internal commotion; their persons and property are more secure from violence; they cannot be wantonly punished, or their property seized by persons in power; and their taxation is, on the whole, lighter;" (my experience cannot confirm this latter opinion;) "but, on the other hand, they have no share in making laws for themselves, little in administering them, except in very subordinate offices;" (some amelioration has taken place in this latter respect, but not much;) "they can rise to no high civil or military station; they are every where regarded as an inferior race, and often as vassals or servants than as the ancient owners and masters of the country." This minute is full of able, wise and enlightened principles, and the same sentiments will be found to prevail in the recorded documents of two other most able and distinguished individuals, Sir John Malcolm, and the Hon. Mount Stuart Elphinstone. Sir Thomas Munro observes also, "It is not the arbitrary power of a national sovereign, but subjugation to a foreign one, that destroys national character and extinguishes national spirit." Successive foreign domination under Mahomedan emperors, for centuries, has been the sad lot of India; and it ought to have been a happy change in her fortunes and no doubt will be, that she has become subject to a civilized, enlightened and Christian nation; but so far she has gained little by the transfer, except general peace and tranquillity, and the consequent capability of receiving the benefits of improved institutions and government. In many respects the Mahomedans

surpassed our rule; they settled in the countries which they conquered; they intermixed and intermarried with the natives; they admitted them to all privileges, the interests and sympathies of the conquerors and conquered became identified. Our policy, on the contrary, has been the reverse of this; cold, selfish and unfeeling; the iron hand of power on the one side, monopoly and exclusion on the other. The bane of our system is not soely that the civil administration is entirely in the hands of foreigners; but that the holders of this monopoly, the patrons of these foreign agents, are those who exercise the directing power at home; that this directing power is exclusively paid by the patronage; that the value of this patronage depends exactly upon the degree in which all the honours and emoluments of the state are engrossed by their clients, to the exclusion of the natives. There exists, in consequence, on the part of the home authorities, an interest in respect to the administration precisely similar to what formerly prevailed as to commerce, directly opposed to the welfare of India; and consequently it will be remarked without surprise, that in the two renewals of the charter that have taken place within the last 25 years, in the first nothing was done to break down this administrative monopoly, and in the second, though a very important principle was declared, that no disability from holding office in respect to any subjects of the Crown, by reason of birth, religion, descent or colour, should any longer continue, still no provision was made for working it out; and, as far as is known, the enactment has remained till this day a dead letter. India, in order to become an attached dependency of Great Britain, must be governed for her own sake, not for the sake of the 800 or 1,000 individuals who are sent from England to make their fortunes. They are totally incompetent to the charge, and in their hands the administration, in all its civil branches, revenue, judicial and police, has been a failure. Our government, to be secured, must be made popular, and to become so, it must consult the welfare of the many, and not of the few: the government must remain arbitrary, but it may also be, and should be, paternal. But how can this be effected? England has no knowledge of and no care for India. India, again, has no representatives in England, and has hitherto had no access to her shore; her fate is entirely in the hands of the two authorities with whom her management is vested. The Court of Directors seek their office for the sake of the patronage only; for the most part they are strangers to India; have their own separate affairs to manage; are divested of responsibility; but, from their permanency, and the knowledge which they derive from their numerous clients, they possess a power and influence over all affairs, which a temporary President of the Board of Control, unaided by any board possessing local information, cannot possibly control. It is much to be regretted, when the last charter was renewed, that these two bodies had not been amalgamated into one department, with a Secretary of State at its head, with a competent board like that of the Admiralty, possessing local experience and information; chosen, perhaps jointly by the East India Company and the Crown, or Parliament, and paid out of the India revenues. It is through the means of a quick, safe and frequent communication between all India and England, that the natives of India in person will be enabled to bring their complaints and grievances before the authorities and the country; that large numbers of disinterested travellers will have it in their power to report to their countrymen at home the nature and circumstances of this distant portion of the empire. The result, I hope, will be to rouse the shameful apathy and indifference of Great Britain to the concerns of India; and by thus bringing the eye of the British public to bear upon India, it may be hoped that the desired amelioration may be accomplished. The following remark of Mr Mill, in his able history of India, is well suited to the present question: "If the East India

Company have been so little successful in ameliorating the practical operation of their government, it has been owing chiefly to the disadvantage of their situation, distant a voyage of several months from the scene of action, and to that imperfect knowledge which is common to them with all their countrymen."

The whole scope of Lord William Bentinck's evidence, goes to prove his entire conviction of the utility and the necessity of establishing the communication by steam on the most comprehensive plan. By means of this invention months are reduced to weeks, and there can be no doubt that had the facilities of steamers existed in India during the Burman war, one-fourth of the military force employed, would have produced more efficient results. A regiment might be brought from Malta to Bombay in three weeks. Hyder Ally, used to say that he feared the English, not from what he saw but from what he did not see."

Sir Edward Ryan.—I thought that whilst we tendered our thanks to Lord W. Bentinck it would not be proper in some measure to shew how far his Lordship merited them for his services in this cause. His Lordship follows out the argument to its full extent. Before I conclude allow me a few words more. We are not met here to consider whether communication by steam with India, shall be established or not; that question, thank heaven, is settled and decided in our favor; that battle is fought and won; all we have now to ask or desire is that our success be complete. The petition, therefore, has been prepared which states that the home authorities have not done enough in restricting the communication to Bombay, nor granted to us that which we have a right to claim. The petitions shew, that by the regulations of government the greatest weight allowed by dawk, is 4 ounces, and by dawk banghee 19 pounds; the time occupied by the dawk banghee is double that of the dawk, and thus all important as to the transmission of public document and public correspondence, having to be conveyed to us across the peninsula of India, steam is of little or no use. Now as we are the payers, we have a right to ask for the full, complete, and equal establishment of steam communication by letter. But what is still more desirable, and the absence of which is a still greater hardship upon us, is the means of personal communication by steam. Every body is aware of the difficulty that at certain periods exists of getting round to Bombay. Principal Mill, on every reasonable calculation, expected to arrive there in time for the *Atalanta*; he was three days too late, and these three days occasioned him the loss of many weeks as regards his arrival in England, as well as much additional expense. However, although individual cases may serve to illustrate the mischief, it is not the loss or disappointment sustained by individuals, but the inconvenience to the public that constitutes the grievance. It is the withholding that facility of intercourse which once established would bring thousands to Lu-lia who now never dream of such a journey. Look at the difference in the traffic between Liverpool and Manchester, in the establishment of rail roads between those two towns. When steamers shall be regularly established between this country and India, multitudes will flock here, and return and tell those at home, what we are and what we are not, which at present they do not at all seem to know. The Lord Bishop has so ably developed the vast results which may be most confidently relied upon that it will be unnecessary for us to dwell further upon the subject; but I would call attention to one point. Whilst we are seeking for the full completion of our wishes, we ought to feel grateful for what has already been achieved. We have an admission of the justice of our cause. We shall have Ceylon, which is at present altogether excluded from participation in the advantages of steam, joining its voice with ours. We are sure that in Lord W. Bentinck we have one who will never lose sight of the one,

great object; he knows the advantages to be derived from it by the people of India at large, his exertions will ever be ready to second your "agitations" as they have been termed, and the ultimate and, I hope, near consummation of our wishes, will take place.

Mr. Speers.—I was under some apprehension from certain remarks in the public papers, that an opinion had gone abroad that we had agitated this question too much; but the numbers I see assembled around me convince me that I was mistaken. If I feel any degree of hesitation in addressing you upon this subject, I feel an equal confidence, that your support and comment will bear me through. I am very certain that we have a good cause, in confirmation of which we have not only the acknowledgment of the home authorities themselves, but the strongly expressed and ably maintained opinion of Lord W. Bentinck. It is therefore very clear that it is not without good reason that we continue to meet and to petition. With respect to personal communication, who can regard the immens number of vessels crowding our port, and learning that the whole traffic by these ships has been entirely left out of consideration in the present steam arrangements, and say that we have not ground to petition or cause of complaint. They think it home that a passage to Bombay, is tantamount to a conveyance to any part of India, just as a corresponding friend will give you a letter on your departure from England for Bombay, and request you to be so good as to deliver it to their absent friend in Bengal, *whenever it is convenient to you to go out and see him*. We ask the Court of Directors for steam intercommunication. Very well, says the Court; we will give it, and they then take us and land us at a remote corner of this great peninsula, and then say, we have given you what you asked for, you have got steam communication with India. It is true we find ourselves in India when set down at Bombay, but if our object is Calcutta we have either to be jolted in a palankeen twelve or fifteen hundred miles or begin a new voyage almost as long as the one we have just made. But even as regards letters, in order to indicate what are the sentiments of mercantile men, as to the extent of the advantage hitherto enjoyed by us. I need only state the substance of a resolution yesterday passed at the Chamber of Commerce, that Government be specially addressed on the great inconveniences to the mercantile world of the present irregular and uncertain mode of despatching the steamer from Bombay. I am glad to find that the interests of the mercantile community have been so warmly advocated by Lord William Bentinck, who regards this great measure not as a means of gaining space, but of diffusing knowledge, and extending civilization. It is by the frequent and constant contact of British civilization with native ignorance, that improvement in the national character of this country is to be effected. I was informed by a friend of mine who had been 19 years at Singapore, that he witnessed a very decided improvement in such of the Malays who inhabited the neighbouring islands and had had frequent intercourse with our settlement there. I am hence led to consider that there cannot be a better school of civilization for the natives of the East, than a British settlement—than the establishment of a free and civilized community amongst a barbarous and degraded community. Not only, therefore, in justice to ourselves, but in justice to our native friends, we are bound to promote the great object of steam communication by every means in our power. The highest offices and employments are now open to the natives of India, but how can their sons be rendered fit to fulfil them, without they get education, and what is it that prevents the natives of India from sending or taking their sons to the best source of education but the dreary prospect of having to traverse half the globe on board a ship, on a journey which will occupy a twelvemonth. Were steam communication established on its best system, natives of property might, and would, carry their sons to England, place them at

school and return in the confidence that they were not at a year's distance but only that of a few weeks. All this and more, much more is to be anticipated among the great results of steam intercourse between England and India. We may therefore feel assured of the warm support of our native friends. I shall now therefore read the resolution.

3rd.—"That the memorials to the Board of Control and the Court of Directors, now read be adopted and after being engrossed that they be signed by the Hon'ble the chairman on behalf of the meeting and by him transmitted to the Hon'ble the President of the Council of India in Council, with a request His Honor will do the memorialists the favour to forward the same to England, with such support as His Honor in Council may consider the matter to deserve."

The resolution was then read and seconded by

Mr. R. Scott Thomson, who said, I beg to second the proposition of Mr. Speers, that the memorials to the Board of Control and the Court of Directors be received and adopted by this meeting. I do so with much pleasure because I consider it to be the bounden duty of all classes to come boldly forward on this occasion and with one accord support the prayer of these memorials.

That we must have steam communication between India and England on a permanent footing sooner or later, every one feels confident of; every thing around us carries conviction to our minds that it is fast approximating to that "consummation devoutly to be wished;" but whether we are to sit under the limited plan as suggested between Bombay alone and England, via the Red Sea, or enjoy all the advantages which must accrue to this portion of India by the home authorities adopting the comprehensive scheme, must rest in a great measure with ourselves. It is the duty of every one to aid in accomplishing this desirable object; the effect of the limited communication is ably expressed in the petition as throwing a vexatious taxation on this side of India which the public ought not to bear, and the advantages of extending it to all other ports including Ceylon has been most forcibly and eloquently laid down to us by my Lord Bishop, this morning. If we persevere, by respectful petitions to Her Majesty's Government, and continue to agitate the importance of the question, there is no doubt that it will ultimately be crowned with success.

Mr. T. H. Maddock.—The resolution which I have to propose will require few remarks. The opinion of Lord William Bentinck on the subject under discussion, has already been laid before the meeting, and there can be no doubt, that the opinion of Lord Auckland is precisely the same, and that he views the subject in exactly the same liberal spirit. There can be no doubt that the reasons urged by Lord William Bentinck will have weight with Lord Auckland, and will conduce much to the conviction of our present Governor-General of the propriety of his recommending our petition in the strongest sense to the attention of the home authorities. Neither can there be any doubt that the voice of the present meeting, supported as it is by the presence of the most dignified public characters of the metropolis, will not fail to have great effect, especially when it appears that the sentiments expressed in our petition are participated in as well by natives as by Europeans. But we must not on that consideration neglect to avail ourselves of the aid of Lord Auckland's support, and on this ground beg to move the following resolution:

4th.—"That it is expedient in the present position of the question of steam communication with England, to address the Right Hon'ble the Governor-General with the expression of the confidence of this meeting, that his Lordship, from his own judgment of the advantages which must ensue to Great Britain and especially to India, from the establishment of a perfect and efficient

Steam communication with the three principal presidencies and Ceylon, will be disposed to view favourably the object of this meeting, and praying that his Lordship will support the prayer of the memorials and petition in such manner as shall appear to His Lordship best calculated to procure the establishment of an efficient steam communication with the three presidencies."

This resolution was seconded by

Bahoo Duarkanauth Tagore, who said, gentlemen, in seconding this resolution I cannot but remark that if the nobleman we propose to address for his aid and support be desirous, as there can be no doubt he is, of doing good to this country, he can not do better than adopt the sentiments of Lord W. Bentinck, which I hold in the greatest veneration, and which cannot but be recollected upon an occasion like this without respect and gratitude. I doubt not that Lord Auckland will view this great question in a similar light, and equally appreciate the great benefit which will flow from its adoption. The chairman has justly said that we have got something; true we have got something—we may get our letters sometimes a month or sometimes two months earlier than without steam, but as far as personal communication with Europe, we are little aided. If we would go to England, we must contemplate a voyage of six months, during which nothing shall meet our eyes but an expanse of waters. As maintained by Mr. Speirs, I concur that if the natives could get their children placed at English seminaries, within a reasonable distance of time in communicating with them, and within a moderate length of passage, they would have been sent to the seminaries of Great Britain. The native population, do wish for knowledge, but how are they to get it if they are shut out from access to its sources? They must be enabled to go to the spot where it emanates. Lord Auckland can do nothing wiser and better than to promote the success of the petition. When it is obtained and its consequences developed by education, we shall then be able to demand with a lofty front a full equalization of rights and privileges.

Sir Edward Ryan declaring the business of the day concluded, rose to quit the chair.

The Lord Bishop.—I would for one moment beg the attention of the meeting before it break up. I beg to propose the grateful thanks of this meeting to the Chief Justice, and when we consider how much the cause of steam communication with India is indebted to his exertions, I am confident that the meeting will join with me in the most cordial thanks to Sir E. Ryan.

Sir E. Ryan.—I am most grateful to you, gentlemen, for this testimony of your kind acknowledgment of my limited services to the cause in hand, but I must be allowed to say that your thanks in this instance are due in another quarter. It was to Mr. Greenlaw, whose indefatigable and most able services have been so ardently devoted to the cause, that the thanks of all, myself included and among the foremost, are pre-eminently due. I must repeat now that which I have so often publicly declared before, that it is to Mr. Greenlaw we are all chiefly indebted; and if I might be allowed I would propose as an amendment, that the thanks of this meeting be first and foremost given to Mr. Greenlaw by acclamation.

This proposal was received with loud cheers and acclamations.

Mr. Greenlaw expressed himself, as he appeared, embarrassed at the cordial manner in which his services were acknowledged. He had so frequently had occasion to express his grateful sense of the kindness shewn to him in connection with the object of the meeting, that he had no words remaining with which he could adequately express his feelings. He wished to be permitted to read two questions and answers from the evidence given by Capt. Brucks of the Indian Navy, before the Select

Committee of the House of Commons. Many gentlemen then present might remember when he originally proposed the comprehensive communication, how he had been met with reference to the S. W. monsoon part of the question, though his argument only applied to one single voyage during that monsoon. He hoped the evidence of Capt. Brucks, an old officer of the Indian Navy, which he would now read, would have the effect of satisfying every one that he had not been in error in his original opinion. Capt. Brucks was asked by Lord William Bentinck.

"1852. You think that, whether from Point de Galle to Socotra or from Bombay to Socotra, there are no difficulties even in the south-west monsoon, which would prevent the permanent establishment of steam navigation by either of those routes?—Certainly not. But I ought to mention, or it may be said I act inconsistently in India, as when I left India I was as great a bigot to the system laid down by Captain Wilson as any one knowing the seas could be depending for information on Captain Wilson's report of the *Hugh Lindsay*; but since I came to England I have, under the sanction of the Court of Directors, made a point of going round in steam vessels to see what they could do, and I feel, from the experience I have gained, there is so little to prevent the constant communication being carried on, I should be quite ready to stake my professional reputation on the subject.

1853. *Chairman*.] Having, in India, entertained a different opinion?—Yes having had no information but that derived from Captain Wilson's pamphlet, and no knowledge but of the *Hugh Lindsay*, a very inferior vessel to most here."

Such, Mr. Greenlaw observed, is the matured opinion of Capt. Brucks, and he would offer no observation on it but repeat his thanks to the meeting for their kindness.—*Herald*, January 7.

The following address to the Right Hon'ble Lord Auckland, voted at the late Steam Meeting, and his Lordship's reply, are published for general information.

TO THE RIGHT HON. GEORGE LORD AUCKLAND, G. C. B.
Governor-General of India.

Address of the Inhabitants of Calcutta and its neighbourhood in Town Hall assembled.

MY LORD,—The inhabitants of Calcutta and its neighbourhood, duly assembled at the Town Hall for the purpose of taking into consideration the present state of the question of steam communication with England, having prepared a petition to the Hon'ble the House of Commons, and memorials to the Right Hon'ble the Board of Control and the Hon'ble the Court of Directors of the East India Company, praying that steam communication from England may forthwith be extended to the three principal presidencies, venture to address your Lordship, confident that their prayer will receive from your Lordship all the attention and support which its importance merits.

They refrain from entering into any details of that importance, satisfied that your Lordship cannot for any period have presided over the Councils of this vast empire, without being fully sensible how much its moral, political, and commercial welfare must be promoted by an efficient steam intercourse between England and all parts of India.

They therefore content themselves with soliciting your Lordship to afford them the benefit of your support in

such manner as may to your Lordship seem best calculated to attain the object in view in its most efficient form.

On behalf of the meeting,

EDWARD RYAN, *Chairman.*

TO THE RIGHT HON'BLE SIR EDWARD RYAN, &c. &c. &c.

SIR,—I have to acknowledge the receipt of an address signed by you on the part of the inhabitants of Calcutta and its neighbourhood, soliciting my support to a petition, and to memorials, in favor of the immediate extension to the three presidencies of steam communication with England. In answer, I willingly promise you that cordial support which I am bound to give, as well by the feelings which would lead every Englishman in India to bring himself nearer to his country, as by the duty which is imposed upon me of endeavoring to promote whatever may tend to the general welfare; and I need not add any thing on my part in confirmation of the evidence given by Lord William Bentinck and others before the Committee of the House of Commons, to prove how deeply involved are the interests of our native as well as of our British fellow-subjects in the success of your representations. I am ready to acknowledge with gratitude the liberality with which increased means of communication have within the last year been supplied to us; the advantages of which, not without occasional disappointment, we have all experienced; but I strongly feel how insufficient for many of the great purposes to be contemplated in the

extension and acceleration of intercourse with our country, those means must yet be considered; and for their further improvement, I rejoice that the government and the community may rely upon the continued exertions of those who, with you, have long and strenuously applied themselves to the accomplishment of this most important public object. I cannot doubt that the manifestations of the general and intense interest with which this question is regarded in India will be received with all the attention which they so justly merit by the high authorities to which they are addressed.

On my part, no opportunity will be neglected of aiding by all means in my power, the renewed representations which will now be submitted. I am confident that the willing co-operation of the President in Council will be afforded to us; and I am looking with impatience for the hour of putting to the test of actual experiment the facility of overcoming those obstacles, to which, it may yet by some be apprehended, that a steam voyage from Calcutta to the Red Sea during the unfavorable season, will be exposed.

I am, your faithful servant,

AUCKLAND.

Camp Futteyunge, Jan. 17, 1838.

(True Copies.)

C. B. GREENLAW,

Secy. New Beng. Steam Fund,

Hurkaru, Jan. 30.]

TESTIMONIAL TO THE DUKE OF WELLINGTON.

A public meeting of the inhabitants of Madras was held at the College Hall this morning, pursuant to public notice, for the purpose of considering the best mode of carrying into effect a plan to record the Military Achievements of the Duke of Wellington.

PRESENT.

The Rt. Hon. the Governor,	Dr. Lawder,
The Hon. Mr. Sullivan,	Mr. A. McLeane,
Sir R. Comyn,	Mr. Trevor,
Sir E. Gambier,	Major Derville,
Sir P. Maitland,	Mr. A. Arbuthnot,
Colonel Hutchens,	Mr. C. Arbuthnot,
Colonel Evans,	Mr. Wylie,
General Doveton,	Major Butterworth,
Colonel Napier,	Captain Philpot,
Mr. McDonell,	Captain Dalrymple,
Mr. Chamber,	Colonel Strachan,
Mr. Elliot,	Captain Freshfield,
Mr. W. Elliot,	Captain Forster,
Mr. Ouchterlony,	Major Haig,
Captain McDonald,	Captain Justice,
Captain P. McDonald,	Mr. Fullerton,
Dr. Wight,	Mr. Ackworth,
Mr. W. Ashtón,	Mr. Bayley,
Mr. Annesley,	Strenevassah Pillay,
Maj. Bradford,	Brigadier Bell,
Mr. Bruce,	Captain Maitland,
Captain Snow,	Colonel Tulloch,
Colonel Walpole,	Captain Bower,
	Mr. Liddell.

The Right Honorable the Governor having taken the Chair, addressed the Meeting as follows:

The object of the meeting to lay before the public of Madras the proceedings of a committee in England which has been formed to receive and apply such sums as may

be subscribed to the erection of a national trophy to the military achievements of the Duke of Wellington.

To enlarge upon the services of "that great and distinguished General (to use the words of George the 4th) who has so often led the armies of the nation to victory and glory, and whose high military renown is blended with the history of Europe," would indeed be superfluous; but it has often been remarked that these splendid services, which have received the repeated and unanimous thanks of both Houses of Parliament, and which have been honoured by the sovereign with the highest rewards which it is in the power of the Crown to bestow, have been suffered by a singular neglect to remain unmarked by any national testimonial in the metropolis of the British empire. I am aware that a statue has been erected in the city to the Duke of Wellington, but this was intended as a mark of the gratitude of the citizens of London to his Grace for the interest which he had taken in the improvements in the City, especially those connected with the rebuilding of London Bridge.

The monument now proposed to be erected will have neither a civic nor a local character. It is intended as a national and a Military Trophy.

It has been objected in some of the London newspapers, that this is not the proper moment for a subscription of this nature which ought, it is argued, to have been entered into, either at the close of the war, or not until after the decease of the hero; and that our zeal to do honour to the great general, may be, by party misrepresentation, converted into a species of political homage. I need not for myself disclaim any such purpose; and if I at all notice the subject, it is only to remove any misapprehension which might possibly prevail respecting it.

The Committee in England, is composed of individuals connected with all parties; the papers relating to their proceedings, were forwarded to me by Sir John Hobhouse, himself one of the Members of the Committee; and among the names in the subscription list are to be found those of men of every shade of political opinion.

This too, at the time of a general election, when political feelings are sharpened by the actual contest of political principles.

Let no man here conceive, that he is compromising his political principles in subscribing to this work; and let no man, on the other hand, persuade himself that in coming here to day he is promoting a party object, or attending a political meeting.

There is, indeed, a peculiar reason why the public of Madras should come forward upon this occasion. It was in this country that the Duke of Wellington commenced his brilliant career. The Madras army have their share of his glory, and I see here to day, some of those who participated in his early victories.

Moved by Lord Elphinstone, seconded by Sir P. Matland, and carried unanimously.

Resolved.—That a subscription be entered into for the

purpose of forwarding the object of the following resolution of a meeting of the noblemen and gentlemen of the United Kingdom of Great Britain, held on Monday 19th of June 1837, (the Anniversary of the Battle of Waterloo falling on Sunday.)

Resolved.—That, as there is no great national memorial to record the splendid military achievements of the Duke of Wellington, it is proposed to erect, by general subscription, and in an appropriate situation, in the metropolis, such a testimonial as may be worthy of those services, and of a nation's gratitude.

Moved by Sir R. Comyn, seconded by the Hon. Mr. Sullivan, and carried unanimously.

Resolved.—That Messrs. Arbuthnot and Co. be appointed treasurers for the purpose of carrying into effect the foregoing resolution.

Moved by Sir F. Gambier, seconded by Mr. Chamber, and carried unanimously.

Resolved.—That the thanks of the meeting be given to Lord Elphinstone, for presiding on the occasion.

About two thousand rupees were subscribed on the spot.—*Madras Herald, Dec. 16.*

MEETING OF THE SHAREHOLDERS OF THE BANK OF BOMBAY.

Our readers will observe in another column, the report of the Bank Committee, read before the subscribers at the meeting of Saturday last. We see little in that document at all satisfactory to the shareholders, and most particularly object to the farther grant made out of the funds, for the expense of an agency in England. A committee has now been formed in London; that body has been put in full possession of the views of the subscribers as to the institution, and every necessary step has been taken to introduce the project to the notice of the home authorities, and of all parties whose influence can at all be instrumental to its success. The prejudices that at first existed against the scheme, and which tended so powerfully to throw a damp on its reception at the Court, have been counteracted or removed, and there is now nothing left for those to whose management its affairs have been committed, but to await quietly the result of the application made to the Government of India, for its opinion as to the proposed Bank of India, which is to be so decisive in regard to that of Bombay. Where then is the necessity for a farther advance out of the funds subscribed? Mr. Ashburner's activity is admitted on all hands, and there can be no doubt that he has done much to promote the interests of his constituents; but when nothing farther can be done till the decision of the Court upon the Governor General's reply to its communication is ascertained, what in the name of all that is absurd, can the committee mean, by increasing the expenses when all onward proceedings are at a perfect stand? It is anticipated that every thing will be known in a very short time, and there is little doubt entertained that a charter will be eventually procured. These views are, we apprehend, a little over sanguine, as the Court is not always particularly speedy in its decisions. The delay may then be prolonged from month to month, and from year to year, without any nearer approach than at present to a conclusion, and the money of the shareholders is in the mean time sifted away without any purpose being gained.

We see no reason why an end should not at once be put to all hesitation as to farther proceedings, or why a Joint-Stock Bank should not as proposed at first be immediately started. All the details of management might thus be put in operation, the business fairly commenced, and instead of funds being unprofitably wasted, the concern would be in a fair way of paying its own expenses. On a charter being granted, the business thus put in active train, and the establishment completely organized, might, with a stroke of the pen, be transferred from the Joint-Stock Bank, to the chartered one. The delays of the Court of Directors ought to have no influence whatever on the proceedings of the committee who, on ascertaining that there are difficulties in the way of one scheme should lose no time in entering on the other. Orders have been sent to England, regarding the engagement of people conversant in banking affairs to manage the institution and immediate instructions should be forwarded to the committee to conclude arrangements with such individuals, and send them out, with all the necessary paraphernalia, by the earliest opportunity. This would be the only course to quiet the minds of the subscribers, who must by this time be heartily sick of the postponements which have taken place.—*Bombay Gazette Jan. 15.*

At a General Meeting of the Shareholders of the Bank of Bombay, held on Saturday the 13th January 1838, at the Office Messrs. DROWN, CARTER, and Co.

J. B. SIMSON, Esq. in the Chair

The following report of the proceedings of the committee was read by their chairman, D. Greenhill, Esq.

REPORT

The Committee have, in common with the subscribers generally, to regret the unforeseen delay which has occurred in procuring a confirmation of the charter

by the Court of Directors; but there is every probability, by the last advices from England, of an early decision being obtained.

Many serious difficulties, unlooked for when the application was sent home, have arisen to retard its completion. Some of these, time alone could obviate, and others have been diminished or removed by Mr. Ashburner, whose presence in England, the committee feel has been of such high importance to the interests of all concerned, as to have abundantly confirmed the propriety of his having been deputed there.

It would appear that previous to the application from this presidency, a reference had been made to the Government of India, for its opinion on the scheme proposed for the establishment of the "Bank of India;" and until the answer was received, it was intimated to your agent that no resolution could be come to on the subject of the "Bank of Bombay." Mr. Ashburner lost no time in pointing out in the most forcible manner, in personal conferences with several influential parties the hardship of this delay to the subscribers of this Bank; but being assured that there was no likelihood of the court being disposed to alter the course they had adopted, he was recommended by the London committee not to press for an immediate decision, as any further attempts to hasten proceedings under the existing circumstances, were more likely to injure than assist the end in view. Mr. Ashburner was the more reconciled to this advice, there having been reason to expect the report of the Governor-General by an early opportunity; and since the first communication from Mr. Ashburner, several papers on the subject have been received by the Court; and the report itself of the Supreme Government was looked for in London by the next packet.

The committee have no official information of the sentiments of the authorities in India who were consulted; but that the opinion of the Governor-General is in favor of banking in this country is sufficiently well known to lead the committee to anticipate the support of the Supreme Government to an Institution based on the principles of the Bombay Bank; and from all the information your committee have been able to obtain, in regard to the scheme for the "Bank of India," they see no chance of its ever being perfected, or that its consideration will eventually interfere with the Establishment here.

Your committee have addressed the Government of this presidency, soliciting it to ascertain from the Governor-General the date of the transmission of His Excellency's report to the Court of Directors; but no reply has yet been received.

The delay arising from this unforeseen cause has been most usefully employed by Mr. Ashburner; whose correspondence, which has been open to the perusal of all the subscribers, evinces how indefatigable he has been in obtaining interviews with the public authorities, and private individuals of weight, who take an interest in the welfare of this presidency, for the purpose of explaining all the circumstances under which the charter was applied for and granted by the local Government.

In adverting to the active opposition, naturally created by an apprehension of the injury to private establishments, which the institution of a Bank would doubtless give rise to the committee are of opinion that the opportune arrival of Mr. Ashburner in London was most valuable to the subscribers in removing the prejudices industriously circulated against it, and which

only personal conferences with the parties could have enabled him so successfully to effect.

The committee have at the same time much satisfaction in stating that their applications to the influential individuals addressed by their Chairman, and supported personally by Mr. Ashburner, have met with the anticipated success.

In regard to the delay that had taken place, whilst the committee regretted the necessity of Mr. Ashburner's detention; they were, notwithstanding, decidedly of opinion that the presence of a zealous Agent was essential to overcome the tediousness of the forms of office and to neutralize the opposition that would certainly be persevered in; and persuaded as they were that no one possessing the interest and qualifications, in any degree equal to Mr. Ashburner, could be found to supply his place with more economy; they approved, on the expiration of the period for which an allowance for his expenses was made, on the part of the subscribers, of his remaining until he could be furnished with further instructions; being satisfied that the interests of the subscribers in general will be greatly benefited by his continuing in England for the short time, within which it is probable that the question will be finally decided, the committee trust the meeting will authorize them to sanction his stay for that purpose.

The committee have the pleasure of stating that Mr. Ashburner has likewise been assiduous in obtaining every kind of information respecting the detailed management of Banks both in England and Scotland, and is still engaged in making such enquiries as are likely to add to the efficiency of the Establishment; his detention, however, so much beyond the time originally contemplated, seems to entitle him to the consideration of the subscribers for some further compensation; and the sum which the committee would now submit, in a separate resolution, for the sanction of the meeting is no more than seems to be consistent with the grounds on which the previous grant was made.

Since the last meeting your committee have transmitted to the Agent, a Memorial addressed to the Board of Control, on the subject of the Charter, to be presented in the event of the London committee deeming it advisable. A copy of that memorial is laid on the table with the rest of the correspondence.

To the London committee, Mr. Browning, of the firm of Sir Charles Cockerell, Bart., and Co. has been added; whose acquaintance with the subject, and influence with parties whose support was desirable, has been highly useful, and the committee have requested Mr. Puley, who has just gone home, to join the committee there.

Several vacancies having occurred in the Bombay committee since the General Meeting, the committee have the pleasure of announcing that Messrs. Skinner, Bruce, Waddington and Gordon have accepted their invitation to join them. They have also to announce that Messrs. Dadabhoj and Muncherjee Pestonjee having requested to be relieved from the office of treasurers to the institution in the month of March last, it was undertaken at the request of the committee by Messrs. Duom, Carter and Co.

The account current with the treasurers is laid on the table, shewing the balance in their hands to be rupees 4,054, 3, 07,

A statement is also submitted to the meeting received from Mr. Skinner, (the trustee) of the Government paper now in his possession, amounting to rupees 81,800 (the interest on which he invests in the 4 per cent. loan) and a cash balance of rupees 77. 83 and there is now a total balance in favour of the subscribers of rupees 85,931, 3. 9. exclusive of the sum in the hands of Messrs. Coutts and Co.

Rupees 47,076 3, 68 or £ 5,000 sterling were remitted, as stated in the committee's last report, and in terms of resolution 8th of the 11th January last, remains in the hands of Messrs. Coutts and Co., of London.

Rupees 7,000 were appropriated, also under the authority of the meeting of the 11th January, to meet Mr. Ashburner's expenses, and rupees 3,145 3 10 have been further disbursed by the committee here since its appointment.

The meeting will perceive by these statements, that besides the salary of the Secretary to the committee, which was fixed on the very lowest scale, viz. 150 rupees per mensem, the allowance to the agent in London, and the charges of the solicitors here; the expenditure of the committee has been limited to rupees 485,1,4¹ principally for Bank notes, advertisements, and postage.

The committee, in now submitting their proceedings, since the last General Meeting, for the inspection of the subscribers, have only further to state that they trust they will meet their approval.

(Signed) D. GREENHILL, Chairman.

Bombay, 13th January, 1838.

Proposed by Dr. Henderson, seconded by Mr. R. Smith, and carried unanimously.

That the report now read to the meeting be approved, adopted, and published for general information.

Proposed by the chairman of the committee, seconded by Jugunnath Sunkiset, Esq.

That in consequence of the unavoidable detention in England of Mr. Ashburner, this meeting authorize and empower the committee to pay him an additional sum, to the amount voted to him at the meeting of the 11th January, for his travelling and other expenses, for the remaining period he may be obliged to remain at home; to be calculated in the proportion of the former grant.

Proposed by Dr. Scott, seconded by Dr. Henderson.

That the thanks of this Meeting be given to the Chairman and committee for their attention to the interests of the shareholders.

Proposed by Colonel Wood, seconded by Mr. Brownrigg.

That the thanks of the Meeting be given to Mr. Simson for his conduct in the chair.

(Signed) J. B. SIMSON, chairman.

We have had several communications on the subject of the late bank meeting, but as we consider it unnecessary to give a place in our columns to many when one will equally well answer the purpose, we have selected the letter which appears to us to contain the greatest modicum of what can be reasonably said against the proceedings in question.

With the writer of that letter, we entirely concur, and recommend what he has said to the grave consideration of all concerned. We are totally averse to the practice which has hitherto prevailed of calling the public meeting of this institution in a private office, where it was impossible that any thing like a decent sprinkling of the shareholders could be brought together. In fact we are of opinion that summoned in this way, the meetings can hardly be called any thing but private, and are considered rather in that light than in the other by the great body of the subscribers, particularly among the native community. Why not convene the Bank meetings in the Town hall, an apartment large enough for every purpose and which no one would demur in entering, as he would into a private office. For committees, the latter is all right and proper, but for general meeting of bodies so large as that of stockholders in the bank, every one will allow that the Town Hall is in all respects much better adapted.

The plan proposed by our correspondent, of announcing the measures to be brought forward at the General Meeting, is an excellent one, and if adopted, would give every one an opportunity of stating his opinion. As it is, many, for the reason above stated, do not attend, and those who do, are quite taken by surprise as to the motions which they find made, seconded, and for the most part agreed to by the subscribers—who are present. This ought not to be, and a public notification of the business to be proceeded with, would have the effect of putting every one on his guard. We could wish that the late proceedings, in justice to all the subscribers, had been tested in this manner, in which case we should have looked forward to a very different result.

With regard to the allowance given to Mr. Ashburner, we think it quite an extravagant one, considering the present circumstances of the bank. His first allowance was understood to include the amount of passage money to and from Great Britain. Even this deduction would leave a handsome surplus for his services in favour of the Bank, and if the new advance is to be made in proportion to the original, instead of the reduced amount, then will the Bank Agent have but little reason to regret the continuance or delay in a settlement of the question, which is so anxiously looked toward to. We admit that a great deal has been done, nay we are ready to admit that all has been done that is necessary, till an answer is received from the court. Where then is the gain to be reaped from further expenditure? all has been done, what work is there then yet to do, before the receipt of this portentous answer? We shall be told, perhaps, that though not positively engaged in advancing what is placed under his care, an agent may yet be pretty well employed in looking after contingent advantages and in collecting information that may possibly be useful. To this we reply, that so long as an agent is kept in pay, equally long will there be a nominal duty for him to perform; but we think the simplest, most satisfactory, and most economical plan, would be to recommend Mr. Ashburner to return, and leave the future management of the Bank affairs to the London committee, several active members of which are directly interested, in its success. The accountants whom that body has been requested to engage, if well selected will be able to communicate all the information requisite on provincial banking, and thereby supersede the necessity for an agent to make himself acquainted with the details. If these accountants have not been already engaged, they ought to be so immediately, and dispatched to Bombay to open an institution of some description or other. With active assistance, a moderate capital, and a fair field to act upon, there ought to be no further enquiries for an agent to make in either England or Scotland, which could not be much more satisfactorily and profitably answered here.—
Bombay Gazette, Jan. 17.

UNIVERSAL LIFE ASSURANCE SOCIETY.

There was a numerous attendance of the share holders of the Universal Assurance Society at the office of the secretaries, on Saturday at eleven o'clock. The annual accounts were laid on the table. We give a brief abstract of the proceedings.

It appeared that the amount of the risks outstanding in India to 30th November last and in England to 30th June 1837, was Co. Rs. 85,28,435 on 744 lives in 827 policies, thus giving an average of Rs. 10,312 on each. The lapses from the commencement of the society in 1834, to the present period, London and Calcutta inclusive, are in number twenty; the aggregate amount of claims thereon Co. Rs. 1,92,333.

The assets are as follows:—Of the Indian Branch invested in Co. Paper and on deposits of Bank shares and Co. Rs. 5,71,666. Of the Parent Society, in other similar securities £41,398, or Co. Rs. 4,13,984. Total Assets Co. Rs. 9,85,645.

The report of the directors of the Parent Society was read by the Secretary, after which on the motion of Hon'ble Mr. Shakespeare, seconded by Mr. G. Hill, it was resolved—That the report read, together with the

accounts and statements laid before the meeting, appear satisfactory, and are passed accordingly. It was then proposed by Mr. A. F. Smith, seconded by Mr. A. Beattie

“That it appears of great importance that tables be obtained as early as possible regulating the rate at which policies may be purchased by the Society from parties willing to dispose of them, and that the Directors be requested to bring this matter again to the notice of the Parent Society.”

It was afterwards proposed by Mr. T. H. Gardner, seconded by Captain Thomson, that the Directors be requested to urge the society in England to send out annuity tables to enable the Society to undertake the profitable branch of annuity business in this country. Mr. Pattle and Mr. Beattie, who went out of the direction, were unanimously requested to continue their services, and they were re-elected accordingly. Upon the motion of Mr. E. S. Ellis, thanks were voted to the chairman, Mr. Pattle, and the meeting repaired.—*Oriental Observer*, Jan. 6.

PUBLIC LIBRARY.

At a monthly meeting of the Proprietors of and Subscribers to the Calcutta Public Library, held on the 6th January 1838.

DR. STRONG IN THE CHAIR.

Present—Dr. Jackson, W. P. Grant, Esq., T. H. Gardiner, Esq., and J. H. Peterson, Esq.

Dr. Strong informed the meeting that as it was probable, that the members of the Medical and Physical Society might have occasion to remove their books from the Asiatic Society, he was desirous to offer the society the use of a part of the Library rooms or a separate room, and asked whether there would be any objection on the part of the Proprietors of the Calcutta Public Library; when it was resolved in compliance with Dr. Strong's wishes, that it would be a mutual accommodation to have the books of the Medical and Physical Society placed in a part of the Library rooms, distinct from their own collection and in charge of a *dufftoory*, which would be the only expense to the society, as the librarians of the Calcutta Public Library offer their services gratuitously to the Society.

After this the Curators reported that three hundred and forty-six volumes were purchased during the last month, two hundred and twenty-four volumes of which forming

the selection made from the library of the late Sir B. Malkin.

And the following donations of books during December:

Books presented. Donors.

4th No. of the Journal of Medical and Physical Society. } Drs. Goodeve and O'Shaughnessy,

Richardson's Literary Leaves } Author.
Bro. }
Sporting Magazine for Dec., E. } J. H. Stocqueler, Esq.
I. U. S. Journal do. }

And the following circulation of books, &c. during December:

	Sets.	Vols.
General Literature.....	167	388
Novels.....	172	427
Periodicals.....	—	122
	339	937

And the following new subscribers.
 George Plowden, Esq. C. K. Robinson, Esq.
 N. Alexander, Esq. J. Chalcraft, Esq.
 H. M. Shand, Esq.

Captain Beaty, H. M. Pignon, Esq., Captain Peirce, E. B. Gleeson, Esq., and J. S. Stopford, Esq., have intimated the cessation of their subscriptions in consequence of their leaving Calcutta, Messrs. Uiquhart and C. Cruce have also withdrawn.

Tables of Funds, on the 1st January, 1838.

UNION BANK.
 Balance of last month,..... 756 10 8
 Interest on Co.'s Papers,.... 42 0 0
 Collections sent,..... 188 10 8

987 5 5

SAVINGS' BANK.
 Balance of last month,..... 224 8 6
 Collections sent,..... 254 0 0

478 8 0
 1,465 13 10
 Fixed account, 2,000 0 0
 Vested Fund in Company's Paper,..... 2,100 0 0

5,565 13 10

In the course of collection.

Subscription,..... 301
 Instalments, &c..... 1,154

1,454 0

Total,..... Co.'s Rs. 7,019 13 10

8th Jun. 1838.

[Englishman, January 9.

MEETING AT THE UNION BANK.

A meeting of proprietors was held this-day, pursuant to advertizement, LONGUEVILLE CLARKE, Esq., in the chair.

The subjoined report was read by the Secretary, when it was

Proposed by Captain Alexander St. Leger McMahon, and seconded by Mr. J. W. McLeod, and carried unanimously.

I.—That the secretary's report just read, is approved, and that it be published.

Proposed by Mr. Richard Walker, seconded by Mr. Theodore Dickens, and carried unanimously.

II.—That the accounts now submitted are approved and passed by this meeting, and that the books be closed accordingly.

Proposed by Mr. J. W. Cragg, and seconded by Mr. A. F. Smith.

III.—That a half yearly dividend at the rate of 12 per cent. per annum, or Co.'s Rs. sixty (Co.'s Rs. 60) per share, be now declared.

Proposed by Mr. Theodore Dickens, and seconded by Mr. Wm. Bruce, and carried unanimously.

IV.—That this meeting, made special for the purpose; approves and confirms the resolutions passed at the special general meeting of proprietors on the 15th December, 1837, for increasing the capital stock of the Bank, in the manner then and there laid down, with the following alteration in the 3d resolution, viz., of adding the words "or any other" after the word "abovementioned," and also that the day on which shares shall be sold pursuant to the 5th resolution shall be the 16th February, 1838, and not the 1st February 1838, as originally expressed.

Proposed by Mr. T. Dickens, and seconded by Mr. H. M. Elliott.

V.—That at the ensuing sale on the 16th February next, purchasers, after payment of the premium in cash, may give their promissory notes payable on or before the 30th June next, with 10 per cent. interest.

Proposed by Mr. James Mackenzie, and seconded by Mr. J. W. MacLeod.

VI.—That the present meeting be adjourned to Friday the 16th February next, at noon, for the purpose of declaring and selling the shares not taken up.

SECRETARY'S REPORT.

The report for the half year expired on the 31st ultimo, will be brief and I trust satisfactory.

The profits actually realized by the Bank during the past six months have been..... Co.'s Rs. 1,80,006 11 10

To which add the small undivided surplus of last half year.... Co.'s Rs. 7,007 13 10

We have a total divisible sum of..... Co.'s Rs. 1,87,014 9 8

The capital stock of the Bank paid up, amounts to..... Co.'s Rs. 31,15,000 0 0

On the 30th June last it was only..... Co.'s Rs. 21,60,000 0 0

Increase of capital stock since that period..... Co.'s Rs. 9,55,000 0 0

The above divisible profits of the present half year, have therefore to be spread over a considerably larger capital. But they amount notwithstanding to a rate exceeding 12 per cent. per annum, by a small fraction.

It may be well to remind you also with reference to the profits realized on the past half year, that during a considerable period the state of things at Home and in China operating on the market here, naturally caused a larger diminution of our deposits, and thereby contracted in proportion the funds of the Bank disposable for the lucrative work of discounting. But for this, the profits of the period, would probably have been greater.

If you divide the whole—say 12 per cent., which may be thought expedient to facilitate the proposed further increase of 8 lakhs of stock, the dividend on each share will be Company's rupees sixty.

The notes in circulation have been lower than usual this half year, which is believed to be owing mainly to the long delay in the arrival and consequent issue of the new Company rupee notes. Our sicca notes were of course troublesome to customers, and therefore exchanged more largely than before for the Company rupee paper of the Government Bank, which assimilated with new specie currency of the country. Thus, last half year our extremes of circulation were Company's rupees 5,01,218 and Company's rupees 2,18,161 while in that preceding, they reached Company's rupees 7,43,000 and Company's rupees 3,38,000.

I am not aware that any thing of importance remains to be added to this report.

The last augmentation of stock has all been taken up with the exception of the following.

Seventy shares of absentees in Europe not yet declared.
Seven shares of proprietors in India.

These last will fall to be sold at an early day, (which will be duly announced) along with any shares of the fresh stock proposed to be finally voted this day, which the proprietors on the spot having the option to take up, shall not think fit to accept, on the 1st of February next.

J. Young, Sec. Union Bank.

The Trustees of the Union Bank in Account Current with the Proprietors of the Bank.

<i>Dr.</i>			
Doc. 31, 1837.			
To Establishment and House rent, from 1st July to this date.		30,330	0 0
To Charges General			
Being for Law Charges, Stamps, Stationary, &c.		4,339	11 5
To Printed Bank Notes.			
For amount written off against them		1,404	2 11
To balance due to the Proprietors.	1,55,418	15	4 1/2
In Silver,			
Bank of Bengal Notes,	6,37,141	5	4
		7,92,560	4 3/4
In Dead Stock,		4,000	0 0
In Printed Bank Notes,		8,900	0 0
Realizable.			
Government bills discounted,	76,637	3	0
Private bills discounted,	13,87,209	10	7
Loans on deposit,	12,81,554	10	9
Cash credits,	26,72,014	4	8
Govt. 5 per cent. paper,	91,507	10	8
Ditto ditto,	1,65,733	5	4
Treasury notes,	55,940	2	9
At Bank of Bengal,		35	0
Suspence account being interest on Loans Govt. Papers, &c. less interest due to depositors,	91,276	8	11
Dependences prior to 1837,	1,67,275	12	4
		59,95,110	4 0

<i>Debts.</i>	
Due on floating accounts	17,97,430 13 1 67,92,709 8 1/2
Due on fixed accounts,	10,61,264 0 5 1/2
Due on cash credit accounts	26,539 12 8
Due for Union Bank Note circulation,	5,01,218 3 2
Due on Eleven Dividend accounts,	16,299 5 4
	<hr/>
	34,02,852 2 8 1/2
	<hr/>
	33,06,887 6 0
	<hr/>
Co's Rs.	34,31,891 10 4

Showing on ad subscriber capital of,	30,42,567	0	0
A profit (after deducting dividend paid) of,	3,54,290	6	0
	<hr/>		
		33,96,857	6 0

<i>Cr.</i>			
July 1, 1837.			
By balance of account rendered to 30th June, being subscription on 600 shares at 2,700 Rs. each	16,20,000	0	0
Ditto supplemental shares at 900 Rs. each,	5,40,000	0	0
	<hr/>	21,60,000	0 0

Additional payment on original shares at 300 Rs each,	1,66,467	0	0
Ditto supplementary share at 100 Rs each,	55,400	0	0
Ditto for new shares at 1,000 Rs. each	6,60,700	0	0
	<hr/>	8,82,567	0 0
	<hr/>	30,12,567	0 0

Add amount of aprot. profit to that date,	3,26,802	15	10
Less Dividend paid to proprietors,	1,51,200	0	0
	<hr/>	1,75,602	15 10
	<hr/>	32,18,169	15 10

<i>Dec. 31.</i>			
By discounts realized to this date,		83,753	5 6
By interest realized to this date,	48,008	7	1
Add due on outstanding Loans	30,294	10	7
Do. do. on cash credits,	45,609	4	9
Do. do. on Govt. 5 per cent. Papers,	4,628	13	4
Do. do. on Govt. 4 per cent. do.,	6,574	5	1
Do. do. on Treasury notes,	1,089	11	5
	<hr/>	1,46,105	4 2
Less due on deposit Account,	15,141	15	9
	<hr/>	1,30,963	4 6
	<hr/>	2,74,721	10 6

Errors Excepted, Co's Rs ... 34,32,891 10 4
 Calcutta, December 31, 1837. A. H. SIM, Accountant,
 [Burkars January 15,

ROMAN CATHOLIC GENERAL MEETING.

PRINCIPAL ROMAN CATHOLIC CHURCH, 15TH JAN. 1838.

The Most Reverend Dr. R. St. Leger in the Chair.

The annual meeting of the Roman Catholics for the election of wardens, was convened by the usual notification this day, and at 8 A. M. about twenty of the most respectable Catholic gentlemen were present. On the chair being taken, the most Reverend Dr. St. Leger, addressed the meeting, informing them, that the purpose for which they had assembled was familiar to them, and that he felt it his duty to express the satisfactory manner in which the outgoing wardens, Messrs. M. Crow and Thomas Gregory, had conducted their honorary duties; and, said the Reverend gentleman, they are entitled to the thanks of the community for the attention they

manifested during their career, and for many of the improvements which they had introduced. The Reverend gentlemen then thanked Messrs. Crow and Gregory, and the business of the day proceeded. On a suggestion from one of the gentleman present, Messrs James Rostan, Junior, and B. Furie were chosen Scrutinisers, and Messrs. Crow and Gregory tellers; on the votes being collected the following result appeared.

Mr Francis Rodrigues 16 votes.
 „ Mathew Augier 12 ditto.
 „ Samuel Jones 4 ditto.
 „ John Michie 2 ditto.

Messrs. Rodrigues and Augier were elected Wardens, and after thanks were voted to the most Reverend Chairman, the gentlemen retired.—*Hurkaru, Jan. 16.*

REPORT BY THE DIRECTORS OF THE BENGAL BONDED WAREHOUSE ASSOCIATION.

Report by the Directors of the Bengal-Bonded Warehouse Association, submitted to a General Meeting of the Proprietors held on 12th January, 1838.

Had the Association been definitively constituted, the period for the Meeting would have been in November; but the Directors have deferred calling you together, till the Draft of the Incorporation Act should be published, that you might at the same time have an opportunity of taking its provisions into final consideration.

The course of the Act to its present stage may be shortly stated.

The measure was quite new. We had no precedents here for our guidance. On being desired by the Right Hon'ble the Governor-General to prepare a draft, we made our legal advisers acquainted with all that had taken place on the subject, whether in correspondence with Government, or at the proceedings of meetings; and we from time to time gave such assistance, in suggesting and revising, as was required, and we were competent to afford.

After much labor a draft was at last handed up to the Government, too voluminous probably, as it attempted, by express regulation, to provide for whatever seemed to be of likely occurrence. We were then required to place our counsel of communication with the Advocate-General, for the settlement of the Draft.

It had become obvious, that the dimensions of the Draft must be greatly curtailed, to render it eligible to be passed into a law. This having been effected, after much pains and care had been bestowed upon the task, a Draft was in October returned to Government, in a very abridged form as compared with the original. It had been thought that, were the Society empowered by enactment to frame by-laws (subject of course to the confirmation of Government,) for its internal administration, all such rules instead of encumbering the Draft had better be left to be prepared, discussed, and submitted, after experience should indicate what was essentially wanted.

The Honorable the President in Council was lately pleased to forward to us a Draft, which the Legislative Department was inclined to prefer to the other; and he invited some of us to wait upon him and the Hon'ble Mr. Macaulay, to confer on the points in which the two Drafts differed, as they were desirous to settle these in a manner satisfactory to the Association.

A deputation accordingly waited upon those authorities to point out the few differences which were held to be of consequence, and found them prepared and anxious to meet the views of the Association in whatever was reasonable.

The Draft of the Act having now been published for general information, you have doubtless all, as was intended, formed your opinion of its merits.

We are bound in candor to admit, that it is a decided improvement on the Draft which was handed up; it is more concise and lucid; and is, we think, in no wise less comprehensive, or of inferior efficiency. We anticipate that it will obtain your full approbation.

The Accounts, and the Books of our proceedings, are placed before you. You will there perceive that the Receipts and Disbursements up to 31st ultimo are as follow:

RECEIVED.

Subscriptions paid up..... Co. Re-	1,99,900	0	0
Rent up to about the middle of Oct., on Goods Bonded.....	2,535	10	9
Balance of interest and discount on Co.'s Paper.....	1,972	4	3
Price of certain Buildings on the im- port'ground sold, to be cleared away,	4,268	11	9
Charges general.....	5	0	0
	<hr/>		
Co.'s Re-	2,08,676	10	9

DISBURSED.

Instalment of the price of Import Warehouse Premises applicable to the portion already taken possession of, the whole to be completed within two years, but the society having the power, at any intervening date on giving 3 months' notice, of taking up the remainder, or any part thereof paying for the same	76,500	0	0
Building of the Warehouse, including Rs. 57,495 remitted to England for Iron Work.....	63,730	12	2
Building of Offices.....	33,312	6	0
Establishment.....	4,809	15	7
Rent of Godowns temporarily hired for Bonding.....	2,149	0	0
Charges general.....	5,693	5	7
Company's Paper.....	21,286	10	8
Cash balance in Union Bank.....	1,194	11	0
Co.'s Rs-	2,08,676	13	4

In reference to the plain projected for the first range of warehouses, it was necessary to commission iron beams and pillars from England, towards the purchase of which, bills for £6,228, secured on consignments of produce, have already been remitted. At the time when the first indent was framed, it was supposed that the whole iron work would cost on board ship in England £14 per ton, or £14,000 on a computation of 1,000 tons; but as the price of iron has fallen since then, the cost should amount to less than that sum. The execution of the order was entrusted to Messrs. D. Ainslie, G. C. Arbuthnot and T. Speir, shareholders, whose gratuitous services are reckoned on as being cheerfully afforded. We are now daily looking for accounts from those gentlemen.

Some time unavoidably passed away, before the part of the premises which we required could be vacated, and possession obtained; and afterwards, breaking down the houses, and removing the rubbish, consumed a considerable interval; nor, finally, could the excavation for the foundation be completed before the end of October.

Apprehending that much time may yet elapse before the iron work can be received; and as it is not unlikely that some further iron apparatus will have to be provided, to ensure the stability of the pillars, and to support the floors; and as the exigencies of the Bonding Trade imperiously demand that no time be lost in preparing sufficient and suitable accommodation for its reception, we have thought it expedient to have a plain specification and estimate made out, for the construction of the first range, with brick pillars and saw beams, leaving the iron works, with such additions as, in the judgment of a scientific person, may be proper for its completion, to be used for a second range, which we feel persuaded the progress of the bonding system will ere long call upon you to erect.

This plan is now submitted for your consideration and decision.

The amount of the estimate, Rs. 3,20,000, is unquestionably high; but we conceive, that it is susceptible of considerable retrenchment. The cost of the masonry is stated to be Rs. 1,32,000; and the wood work amounts to Rs. 1,88,000. You are already aware that much of the ground, being of comparatively recent formation, the base of the walls will require to be of unusual breadth; and it being of the greatest importance, for the preservation of the merchandize which may be stored there, that

the ground floor be rendered dry, it will have to be well raised, involving much expense; but in the estimate for the wood work, we perceive room for great reduction. Parties have tendered for the delivery here of teak planks from Moulmein, of the prescribed lengths, breadths, and thickness, required for the flooring, at the rate of 1-12; indeed one party tendered at 1-8 per cubic foot; and such plank, for the purposes to which they are destined, should need but little additional workmanship, assuredly not the costly labor implied in this estimate, which charges 1-8 per square foot of 3 inches planks. In the single item of teak planks for floors, extending to Rs. 1,34,000, a saving of Rs. 50,000 appears to quite practicable; and it is not unreasonable to assume that some considerable, though it may not be a proportional reduction, may be effected in the provision of saw wood, amounting in the estimate to Rs. 30,417 for beams.

We will now direct your attention, in a summary way, to the actual position of the bonding operations.

Government, averse to grant private licenses, having prepared some of the godowns of the export warehouse, gave the Society the option of hiring them, intimating that, if declined, they were to be conducted, for storing goods, seeking the privilege of the bond, under the Board of Customs. Anxious to support the views of Government, and judging it expedient that no other should have the initiation of the system, we did not hesitate to hire the godowns, though, from their being detached, insulated as it were in another establishment, and from the indifferent character of their accommodation, we were not sanguine as to the result being productive. The experiment has now been in so far tested on an unfavourable field, and here is its issue. As was to have been expected at the commencement of a business quite new, it moved on but languidly for a time, and of precarious extent. Its progress, however, after a season accelerated; and as its advantages became known, the confidence in its steady growth was strengthened. The hired godowns are now quite full, the rent chargeable for the goods in store amounting to about Rs. 1,300 a month; which exceeds by Rs. 400 the cost of your establishment and the hire paid for the godowns, and it has become not only desirable but necessary, for the reception of the goods already in progress to be bonded, to resort to measures for obtaining the earliest possible occupation of the godowns which already exist on the south part of the import premises. This will involve the necessity for a further payment, on account of the purchase money, of about Rs. 50,000. But the room thus got is of decidedly a superior description as compared with the hired godowns, and will store away times five the quantity of goods whereas the rent at present paid for those hired godowns is equivalent to seven per cent. on this instalment of the price. The hired godowns are to be vacated as soon as possible. As the offices are to be ready in the course of March, it is, independently of the saving, of obvious advantage, to have all the Society's operations concentrated on one spot, and under the immediate control of your directors.

Under the powers given to them and with reference to the expenditure above required, the directors now call for a third contribution of ten per cent. per share.

In conclusion, it is proper that we submit a few observations, as to the future prospects of the undertaking.

The capacity of the range to be now erected, after allowing ample space for the passage of the goods, may be estimated at 20,000 tons; but taking it at 15,000 tons throughout the year, the rent by a calculation

we possess, and based on the average we find in the rates charged by a number of the mercantile firms here, would amount to about Rs. 2,70,000 in the year. Occupied to that extent of its capability, the revenue you will be sensible, would amply suffice to remunerate, the cost of even an expensive fabric, to support the requisite establishment, and to afford a considerable reduction of the current rates of godown hire. Such experience as we have had of the warehouse business, still in its mere infancy it must be admitted, does yet encourage us to expect that the warehouse will be well occupied; further we anticipate a necessity at no remote period, for the construction of another range; and we ground that anticipation, not only on the extending value of the bonding privilege, but on the advantages of goodness, cheapness, and security of accommodation;

on the benefit of concentration; and on the great convenience and facility afforded to trade by the operation of the warrant.

R. H. COCKERELL.

F. MACNAGHTEN.

A. COLVIN.

J. W. J. OUSELEY.

J. WILLIS.

Calcutta, January 9th, 1838.

[Hurkaru, Jan. 19.

TRANSIT DUTIES ON SALT.

We are glad to observe symptoms of a change for the better in the conduct of Government in regard to the transit duties on salt, although what is yet done falls miserably short of what the public have a right to expect, and what must be done. Our readers will remember, that some short time ago an order in Council was published, continuing the transit duties upon salt alone, without any intimation as to the duration of such continuance, whether until the new law should come into operation, or till such other period as it might seem good in the eyes of our rulers to decree. To do away with the effect of this order, it is evident that another must be issued to council it, *in toto*, and this we had expected from Government so soon as its eyes became open to the singular anomaly of bringing into force the new Act passed by the Supreme Government, while the article to which that act had reference was still by an express order emanating from the former, subjected to the old duties which the new law was expressly framed to abolish. Well, and now that the absurdity and injustice of such a course of procedure have become manifest to our Government, what is proposed to be done by way of remedy? Surely, our readers will say, the objectionable order is declared to be cancelled. Not exactly so; we are sorry to inform them, although we have little doubt such is intended by our law-makers. The notification of the 22d November last is undoubtedly referred to, and the transit duties as well as all other duties except the 8 annas per maund are repealed on all salt manufactured in the territories subject to the government of the presidency of Bombay. No, that would be too much: evil may be done in wholesale, but we correct by degrees. No, the relief can now only be afforded to that salt which may be imported into any part of the presidency of Bombay! Is it seriously meant that this notification is to be understood as a reversal of the other? If so our local law-makers would seem to have forgotten that there may be salt produced in other parts of the presidency and carried to the interior without being imported at all, and that the order now before us provides no remedy for salt so conveyed unless it has previously passed through the ordeal of importation. But let our readers judge for themselves; here is the notification which has suggested to us the above observations.

With reference to the notification of 22d November last, the Right Hon'ble the Governor in Council is pleased to declare, that all salt on which the duty of eight (8) annas per Indian maund, imposed by Act XXVII of 1837, has been paid, shall be exempt from the payment of transit duties, and also from that of sea

customs, and all other taxes or imposts whatever, on importation into any port of the Bombay Presidency.

Published by order of the Right Hon'ble the Governor in Council.

L. R. REID, Secy. to Govt.

We are not exactly aware of the practice in force among our authorities when orders in council or public notifications are framed with reference to the various departments of the service, but should think that in all such cases the officers in charge of the departments should either receive instructions to frame the documents, or be referred to and consulted as to the forms necessary to be observed. We should think that one or other of these courses is the most natural to be followed, as well as the best calculated to ensure the purposes of any enactment being fully answered. If then in the case under review a reference has been made to the Collector of Customs, who we presume is the officer under whose department the new arrangement in regard to salt will come into operation, as to what was necessary to be done, that officer surely can never have imagined that an order so imperfect in its nature, and so partial in its apparent tendency, could answer the purpose of cancelling the preceding one. He must have known that there are many ways in which the salt produced in the presidency may be transmitted for consumption to the interior without being imported, and that salt proceeding towards the interior direct from the place of production without any intermediate process, does not appear to be in any wise included within the provision of the present notification. He must have known, that as the new duty is imposed in lieu of all transit duties whatever, a total repeal of the latter is plainly and distinctly called for without reference to importation or any other circumstance. The duty levied once for all at the pass is intended to relieve the producer or purchaser from all farther exaction, and it appears absurd to speak of importation when the whole scope of the enactment is to leave the future operations of the dealers unfeitered by any restriction as to the mode of its transport or the whereabouts of its destination. This we are sure will at one glance be perceived by the able and active officer who now manages the department of Customs, and we have too much confidence in his good sense, to believe that he will not immediately suggest to Government some mode of getting quit of the difficulty pointed out. The best remedy would, in our opinion, be a simple declaration of the obnoxious order we have so frequently referred to being cancelled. A few words would suffice, and the matter would at once be placed beyond all doubt. Suppose something like the following, which, from its not having been thought of before, we are inclined to believe

that the collector of customs has not been consulted at all on the subject, as he would undoubtedly have taken some such short and simple cut to the attainment of the object, which has not yet been reached, notwithstanding the turnings and windings that have been taken to arrive at it. But our rulers, like other wise even, who have like them committed an occasional blunder in policy, seem to think that there is nothing more statesman-like than to mystify a measure so much as to hide its object from ordinary observers. But we are inclined to hold the opinion that the plainer a law is the better it is understood, both by those for whose guidance it is enacted, and by those upon whom it is to take effect. The less room left for cavil or dispute, for legal difference, for revisions or interpolations, the better. We should say something like what follows would at once and without going about the bush have effected all that was required :

"It is hereby notified, in reference to the notification of 22d November last, that the Right Hon'ble the Governor in Council, is pleased to cancel that notification, and to declare that from the 15th instant, when the new law, imposing a consolidated excise duty on salt, of 8 annas per India maund, liable at the place of manufacture, came into operation, that article has become exempt from the payment of transit duties, sea customs, and all other taxes or imports whatever, which have heretofore been levied on it."

This we should think, or something like it, is necessary to get rid of the difficulties with which the question

is at present beset, and place the trade in salt on a clear and indisputable footing. As it at present stands, any officer of Government, however well intentioned he may be, may cause a great deal of trouble and annoyance to multitudes engaged in the traffic, and put many parts of the country to serious inconvenience. He sees his instructions plainly laid down in the notification of the 22d ultimo, and he will observe no reversal of the decree herein promulgated. The partial one we have quoted will only serve to puzzle and perplex him, and he will consider it the safest course he can follow to walk by the letter of his instructions, waiting patiently till he hears of something to the contrary. Nothing ought, as we have said before, to be left to be inferred. All ought to be distinct and explanatory, in a document emanating from Government. We trust to see the evil yet unprovided against remedied in an early number of the Government Gazette.

By the way, the price of salt in the bazar affords ample confirmation of what we have repeatedly urged regarding the hardships inflicted on the poorer classes by the new law. We can hardly think that even the strictest sticler for the perfection of Government will deny that a grievance much more oppressive to the people than the old system ever was, has now to be submitted to. The dealers have been relieved from the delays and inconveniences they were formerly subjected to, but the consumers were ten times worse off than ever. — *Bombay Gazette. Dec. 25.*

ARMENIAN PHILANTHROPIC ACADEMY.

(From a Correspondent.)

Yesterday the Annual Examination of the Pupils attached to the Armenian Philanthropic Academy took place. Among the Examiners, we noticed the Revd. Mr. Boswell, Revd. Ter David, Revd. Ter Antone, Messrs, Jacob Antone and Manuk.

Owing to various circumstances, the company was not so large as it usually has been, otherwise the interest felt by the pupils and their friends, would have suffered no diminution.

The senior boys were examined in the English, Greek, and Roman classics with Armenian; were questioned in English, Roman and Armenian History and Astronomy; they then solved propositions on the Elements of Euclid, and worked several problems on the terrestrial globe.

The second and third classes read English and Latin the Armenian, they answered numerous questions on woman and Armenian History, and acquitted themselves very much to their own and the credit of their instructors.

The junior boys were examined in English and Armenian; and, considering that the former is to them

a foreign language, we should say, that their proficiency in that department was very considerable.

Several pieces were recited in Armenian and English with great effect. Indeed, so completely did some of the boys enter into the spirit and character of what they recited, that we could almost imagine them to be their own.

Specimens of plain and ornamental penmanship were exhibited, which displayed both taste and ability on the part of the writers, and proved, that there is no lack of talent in the graphic art.

To those boys who had made the greatest proficiency prizes were distributed of sufficient value to encourage them to persevere with unabated diligence. We cannot close this notice without observing, that this institution, which is supported entirely by Armenians, reflects the greatest credit on its benevolent founders and excellent managers, inasmuch as it proves their regard for the interests of literature and science, as well as their deep solicitude for the general instruction of the Armenian youth. We sincerely congratulate the members of this community on the advantages they possess, and the certain prospect they have that the blessings of an enlightened and liberal education will be transmitted to their children's children, even to the latest posterity. — *Cal. Cour. Jan. 11.*

UNCOVENANTED SERVANTS.

To Mr. C. U. SMITH.

Chairman of a Committee of Uncovenanted Servants.

Financial Dept.—Sir,—With reference to the memorial submitted by your committee and the orders of Government communicated to you on the 17th March, 1835, I am directed by the Honorable the Deputy Governor of Bengal to transmit to you for information, the accompanying copy of a despatch from the Honorable the Court of Directors in the Financial Department, dated the 20th August, 1837, No 13.

I am, Sir, your obedient servant,

(Signed) H. T. PRINSEP,

Secy. to the Government of Bengal.

Fort William 13th Dec. 1837.

(Copy.)

Financial Department.

No. 13 of 1837.

OUR GOVERNOR OF THE PRESIDENCY OF FORT WILLIAM IN BENGAL.

General Letter from, dated 15th June, 1835.

(No. 3.)

Transmitting memorial of Unconv. Assistants praying the grant of occasional furlough and establishment of a Retiring Fund, with annuities in reversion to widows and children.

1. We cordially participate in the feeling which you express that the meritorious and efficient services of the body from whom the memorial in question proceeded are entitled to every possible attention. We are compelled, however, to adhere to the principle suggested in our public letter, dated 30th July, 1828, (para. 40) that any pension fund which the Uncovenanted Service may establish, must rest exclusively for support upon the contributions of the members; and realizations of the proposed benefits be entirely dependent upon the amount of subscriptions being adequate to the satisfaction of the accruing claims. The only part which we could take in connexion with such a fund would be to deduct at the desire of the subscribers, the sums for which they were liable from their salaries and allowances, to grant on the money thus withheld, interest not exceeding the ordinary market rate, and to disburse in India, when only duly called upon for the purposes of the fund, such sums as might be required, not exceeding the amount of the principal and interest. It might be distinctly understood, that we can undertake nothing beyond this, nor can we incur even this limited responsibility except in furtherance of a plan to be previously submitted to us, which, in our opinion, shall offer a full probability of success.

2. The circumstances of the services which enjoy the benefit of furlough, being widely different from those which apply to the memorialists, the possession of the privilege by the former, can afford no argument for its extension to the latter, and in the absence of all other reason we must decline to make any change in this respect.

We are, &c.

(Signed) J. R. CARNAC, &c.

London, 30th August, 1837.

(A true copy.)

(Signed) H. T. PRINSEP,

Secy to the Government of Bengal.

To H. T. PRINSEP, Esq.

Secretary to the Government of Bengal.

Financial Dept.—Sir,—Mr. C. U. Smith, chairman of the late Committee of Uncovenanted Servants, having transmitted to us your letter to his address, dated the 13th instant, together with the copy of a despatch from the Honorable Court of Directors, which accompanied it, relative to the memorial from that class of public servants,

praying the grant of furlough, and the establishment of a retiring fund with annuities, in reversion to their widows and children, we beg leave to represent for the information of the Hon'ble the Deputy Governor of Bengal, that subsequent to the date of the memorial alluded to above, the committee of Uncovenanted Servants submitted for the consideration of the Supreme Government a definite scheme of a Widows' Pension Fund,

when, encouraged by the sentiments expressed by the Hon'ble the Court of Directors in a public general letter, dated 30th July, 1828, an extract from which is noted in the margin, they solicited the annual grant of a donation towards its support and interest at 6 per cent. per annum for such monies of the fund as might be deposited in the general treasury; This definite scheme received the sanction of the Supreme Government as communicated in your letter, dated the 14th Sept. 1836, in which the Governor-General in Council was pleased to grant the ministerial aid of the Government officers in managing the funds of this scheme, as well as an account current at 6 per cent. per annum, but with regard to the annual donation His Lordship in Council declared his incompetency to afford any such aid, but stated his intention of referring the subject to the consideration of the home authorities. Under the encouragement thus afforded by the Supreme Government, the Uncovenanted Service Family Pension Fund, as it at present exists, supported by the patronage of the Right Hon'ble the Governor-General of India, was established and eventually commenced operations on the 1st of May, 1837; the success and future prospects of the fund were fully detailed in a letter to the address of its patron under date the 10th September last.

40. We regret that it should have been found necessary to abandon the project of a pension fund for uncovenanted servants;

we shall be ready to afford any reasonable encouragement to the proposed Savings' Bank, and we are still of opinion that if any considerable body of our uncovenanted servants should come forward with a plan for establishing a pension fund exclusively by stoppages from their own salaries, and in which plan the benefit to be held out should be made entirely contingent on the amount of subscriptions to be received, all proper facilities should be afforded to them for that purpose.

41. On the plan of a savings' bank which has been submitted by Mr. Mc Keozie, and commented upon by Mr. Hunter, we shall offer no remarks, because your local knowledge renders you competent to regulate the details. We think, however, that the annual subscriptions should be limited to 500 rupees, and we cannot consent to allow a higher rate of interest on the deposits than six per cent.

The letter from the Hon'ble Court, under date the 30th August last, has reference to our address to Government under date the 25th February, 1835, and as the

special reference made during Lord Auckland's Government, which could not have been received at the time the Hon'ble Court's dispatch was written, put the Hon'ble Court in possession of the principal features of the Fund, as well as of the data on which it is based, we have reason to hope that its establishment will not only be confirmed by the Hon'ble Court, but that with their wonted liberality a suitable donation will be granted in addition to the ordinary market rate of the day (already conceded by them,) and which invariably averages a higher percentage than that which the fund at present enjoys, viz. 6 per cent. Under the circumstances above explained, we trust that it will please the Government to await the result of the special reference, previous to passing any final orders on the subject of the dispatch from the Hon'ble Court with which we have now been favoured.

We have the honour to be, Sir,

Your most obedient servants,

(Signed) R. LESLIE, &c.

Uncovenanted Service Pension Fund Office,

26th Dec. 1837.

No. 49.

THE DIRECTORS OF THE UNCOVENANTED SERVICE PENSION FUND.

Financial Dept.—Gentlemen,—I am directed to acknowledge the receipt of your letter, dated the 29th ultimo, and in reply to state that it is not the intention of the Deputy Governor of Bengal to interfere with the arrangements made on behalf of the Uncovenanted Servants' Pension Fund until a reply shall be received from the Hon'ble Court to the special reference made on the subject, in a letter of the General Department, dated 1st March last.

2d. As the despatch of the Hon'ble Court dated 30th August had distinct bearing on the subject, a copy was communicated for your information, in order to prevent the disappointment of any too sanguine hopes of support, that might be entertained; but no final orders on the subject will be issued till the receipt of the reply of the Court to the letter above referred to.

I am, gentlemen, your obedt. servt.

(Signed) H. T. PRINSEP.

Jecy to the Govt. of Bengal.

Fort William, 10th Jan. 1838.

[Hurkaru Jan. 27.

PROCEEDINGS OF THE ASIATIC SOCIETY, AT THE ANNIVERSARY MEETING.

Wednesday Evening, 3d January, 1838.

H. T. Prinsep, Vice President, in the chair.

J. H. Batten, Esq., Baboo Connyloll Tagore and Charles Elliot Barwell, Esq., proposed at the last meeting, were balloted for and duly elected members of the society.

Major H. Sleeman, proposed by the Secretary, and seconded by Mr. McLeod.

J. W. Grant, Esq., proposed by Dr. McLelland, and seconded by the secretary.

G. A. Prinsep, Esq., proposed by Mr. Cracroft, and seconded by Capt. Forbes.

Dr. Bonçal, of Manilla, proposed by the Secretary, as an ordinary member, and seconded by Captain Forbes.

Dr. Arnott, proposed by Mr. Hill, and seconded by the secretary.

Syed Keramut Ally, proposed by the secretary, as an associate member, and seconded by —.

The meeting then proceeded to the annual election of office bearers, when the following gentlemen were elected.

Vice Presidents.

Lord Bishop.
Sir J. P. Grant,

H. T. Prinsep, Esq.
Col. McLeod.

Committee of Papers..

Capt. Forbes.	Dr. Stewart.
Dr. O'Shaugnessey.	*Mr. Cracroft.
Dr. Adam.	*Dr. McLelland,
Dr. Wallich.	*Dr. Evans.

The election of 3 annual members constituting the special committee for superintending the society's museum, was then proceeded with, when it was proposed to re-elect the present members. Question put to the vote and carried unanimously.

Museum Committee

Mr. Crawford, Drs. McLelland and Evans.

A letter was read from M. Csoma Korosi, declining acceptance of the office of librarian, when it was proposed by the secretary, and seconded by the Lord Bishop, that Mr. M. Kittos should be placed in temporary charge of the library and museum on the consolidated salaries of Drs. Burlini and Pearson, as allowed to those officers. Put to the vote and carried *nem. con.*

Mr. Kittos returned thanks for the honor conferred, and signified his acceptance of the office.

The appropriation of Dr. Evans's very valuable collection of Natural History (laid out for the inspection of the members which had been tendered to the society for purchase at a previous meeting) was now discussed, when it was proposed to refer the matter to the committee of papers.—*Englishman, Jan. 5.*

* Members of the Museum Committee.

VEGETABLE EXHIBITION.

The show of vegetables was far beyond anything that could have been expected with reference to the unusually unfavorable season. The cauliflower was beautiful and would have vied with any in Covent Garden. The cabbage was also very fine. The peas were excellent, and there were two fine baskets of English or rather Cape broad beans. Carrots from Cape seed were superior to preceding years; onions and leeks, though few, were large and good and the red beet and salad were in good season. Only two baskets of artichokes were visible, and potatoes very few. Of native vegetables, the pure white and red bringals were most conspicuous; and the celery though good, was not sufficiently blanched.

The scene was altogether attractive, and the number of ladies who graced the Hall, rendered it doubly so. Let us hope, now that they have found their way to the Town Hall, they will not consider it beneath their attention to get up a *Floricultural* exhibition. The highest noblemen and noblewomen in England compete now for prizes in Horticulture, and if the ladies in India would only set their fair hands and heads to work, we should get on even *more rapidly* in the flower garden, than we have done in that of the kitchen. We intreat the ladies to give this subject their immediate consideration. We have noble proof of what they can do and have done in furthering the great objects of education, and charity; let them bestow a very small portion of time and means to "flowers of loveliness," and we shall not despair of seeing the dahlia, the crocus, ranunculus, moss rose, gum-hustus, lavender and the innumerable list of pretty flowers that adorn our English parterres, brought to emulate those in our native land.

We understand that the secretary has applied to Messrs. Noble and Sons, of Fleet-street, for a supply of rare flower seeds against next cold season.

Among the visitors who were present, we noticed Sir Edward Ryan, Sir John P. Grant and Mrs. Pennington, Captain Hobson of the Royal Navy. Several Officers of His Netherland Majesty's ship of war, Dr. Wallich, &c.

The medals and rewards, were distributed by Mrs. Pennington, in the following order,

CAULIFLOWERS.	Medals.	Rs.
For the best sample,.....	1	8
For the 2d best,.....	0	5
For the 3d,.....	0	3
PEAS.		
For the best sample,....	1	8
For the 2d best,.....	0	5
For the 3d,.....	0	3

LETTUCES.	
For the best sample,.....	1 8
For the 2d best,.....	0 5
For the 3d,.....	0 3
CELERY.	
For the best sample,.....	1 8
For the 2d best,.....	0 5
For the 3d,.....	0 3
CABBAGES.	
For the best sample,.....	1 8
For the 2d best,.....	0 5
For the 3d,.....	0 3
For the best sample of Red Cabbage,.....	1 0
For the best ditto of Savo 7 (ditto),.....	1 3
TURNIPS.	
For the best sample,.....	1 8
For the 2d best,.....	0 5
For the 3d,.....	0 3
KNOLLE COLE.	
For the best sample,.....	1 8
For the 2d best,.....	0 5
For the 3d,.....	0 3
CARROTS.	
For the best sample,.....	1 8
For the 2d best,.....	0 5
For the 3d,.....	0 3
ARTICHOKE.	
For the best sample,.....	1 5
JERUSALYM ARTICHOKE.	
For the best sample,.....	0 8
*FRENCH BEANS.	
For the best sample,.....	0 3
RED BLET.	
For the best sample,.....	0 3
LETTAS.	
For the best sample,.....	0 8
ONIONS.	
For the best sample,.....	0 5
*WINDSOR BEANS.	
For the best sample,.....	1 5
For the 2d best,.....	0 5
TOMATA.	
For the best sample,.....	0 4

For the best sample of Pepper (grown by Mr. R. S. Homfray's Mallee,.....)	0 3
For other smaller prizes,.....	0 20

Total Medals, Rs. 12,200
Judges.

Dr. Wallich, Dewan Ramcomul Sen, W. Storm and M. F. Gibbon, Esqrs. [Ilukuru, Jan. 13.

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

The anniversary meeting of this society was held at the Town Hall, on Wednesday morning, the 10th January, 1838, at half-past nine o'clock.

PRESENT.

N. WALLICH, Esq., M. D., V. P., in the chair.
The Hon. Col. Rehling, Col. D. McLeod, Dr. Hufnagle, Dr. A. R. Jackson, C. K. Robison, Esq., Wm. Storm, Esq., R. Watson, Esq., Hon. W. H. L. Melville, Capt. H. Carter, A. Beattie, M. A. Bignell, F. P. Strong, A. C. Dunlop, W. K. Ewart, A. Harris,

E. Preston, R. Smith, W. Cracroft, and W. F. Gibbon, Esqrs., Baboo Cassinath Bhowe, J. H. Stocqueler, D. B. Syers, G. A. Prinssep, D. Hare, W. G. Rose, Jas. Fergusson, W. Speir, D. F. McLeod, N. Mackenzie, D. McPherson, J. H. Haines, A. Porteous, and John Jenkins, Esqrs., and John Bell, Esq.

VISITORS.—Messrs. Spry and Dearman.

The proceedings of last meeting were read and confirmed. The following gentlemen, proposed at the last meeting, were elected members of the society, viz.:

The Revd. F. Wybrow; Cowkrishnath Roy Bahadur, Rajah of Cossimbazar, C. Tucker, Esq., C. S.; Thos. Palmer, H. C. Kemp, and E. W. Clurributt, Esqrs.; Lieut. J. R. Lumsden; Lieut. J. R. Abbott, and Captain F. Smallpage.

The following gentlemen were proposed as members :

L. Saget, Esq., of Sicrignully, Bhaugulpore, proposed by H. Piddington, Esq., and seconded by the secretary.

W. Vansittart, Esq., and Capt. F. W. Birch, proposed by F. P. Strong, Esq., and seconded by the secretary.

Thomas Gibbon and James Casserat, Esqrs., proposed by W. F. Gibbon, Esq., and seconded by the secretary.

J. H. Budgman, Esq., proposed by H. Walters Esq., and seconded by William Storm, Esq.

J. A. Gregg, of Dum-Dum, and P. Sutherland, Esqrs., proposed by W. G. Rose, Esq., and seconded by William Storm, Esq.

R. S. Strickland, Esq., proposed by the Secretary and seconded by William Storm, Esq.

H. H. Spry, Esq., (Assistant Surgeon), proposed by Dr. Wallich, and seconded by the Hon. Col. Rehling.

Capt. W. N. Forbes, (Engineer), proposed by C. K. Robison, Esq., and seconded by Dr. Wallich.

William Mackenzie, Esq. proposed by A. Beattie, Esq., and seconded by Dr. Jackson.

The meeting then proceeded to the annual election of office bearers, when all the officers of the past year were re-elected, the list therefore remains the same which is as follows, viz.

PRESIDENT.—The Honorable Sir Edward Ryan.

VICE-PRESIDENTS.—Dr. Wallich; His Highness Nawaib Tohowerjung; C. K. Robison, Esq., and Rajah Radhakant Deb.

GENERAL COMMITTEE.—Dr. Strong, Joseph Willis and D. Hare, Esqrs.; Baboo Radamadub Banorjee, A. M. Low and William Storm, Esqrs.

SECRETARY AND COLLECTOR.—John Bell, Esq.

NATIVE SECRETARY.—Dewan Ramcomul Sen.

The lists of members appointed to the standing committees (9 in number) remain unaltered, viz.:

STANDING COMMITTEES.

Sugar.—N. Alexander, A. Colvin, Dwarkanath Tagore, D. Hare, G. U. Adam, A. Muller, J. Allan, W. Storm, J. Dougal, J. W. Masters, and John Bell.

Cotton.—Jos. Willis, A. Colvin, Dr. Huffsagle, G. A. Pinsep, W. Speir, W. Storm, D. B. Syers, W. Earle, G. U. Adam, and John Bell.

Silk, Hemp and Flax.—W. Speir, Ramcomul Sen, Professor O'Shaughnessy, Jos. Willis, R. W. Watson, C. K. Robison, H. M. Low, D. W. H. Speed, G. T. F. Speed, W. Storm, and John Bell.

Coffee and Tobacco.—Dr. Storm, Dr. Wallich, H. Walters, G. A. Pinsep, Capt. Leach, D. W. H. Speed, H. M. Low, D. Hare, and John Bell.

Implements of Husbandry and Machinery.—Col. D. McLeod, E. Sterling, James Prinsep, W. Cracroft, Ramcomul Sen, C. K. Robison, H. Walters, Radhakant Deb, Dr. Huffsagle, D. Hare, and John Bell.

Caoutchouc and Oil Seeds.—Dr. Wallich, Professor O'Shaughnessy, Ramcomul Sen, W. Speir, Radhakant Deb, J. F. Marcus, Dr. Corbyn and John Bell.

Improvement of Cattle.—Dr. Wallich, H. Walters, N. Alexander, C. K. Robison, Dr. Huffsagle, W. Storm, W. F. Grant, G. A. Prinsep, W. F. Gibbon, Dr. Jackson, and John Bell.

Committee of Papers.—Dr. Wallich, W. Cracroft, W. Storm, W. K. Ewart, M. A. Bignell, and John Bell.

Nursery Committee.—Dr. Wallich, W. Storm, Dr. Huffsagle, W. F. Gibbon, Capt. Leach, and John Bell.

The secretary read the annual report of the society including that of the collector, for the past year, which exhibited very satisfactory evidence of the increasing interest, to the objects of the institution, both as regards its financial resources, and numerical strength. During the past year 243 names had been added to the list of members, and only three retirements, two of those being gentlemen leaving Calcutta, and the other, having no time to attend to its proceedings.

Proposed by Mr. Cracroft, seconded by Dr. Wallich, and

Resolved.—That the reports just read be adopted.

Proposed by Dr. Wallich, seconded by Mr. G. A. Prinsep, that the thanks of the society be given to Mr. Bell for drawing up these reports.

The vice president, next called attention to the annual exhibition of vegetables, and anniversary dinner, and proposed that the same course be adopted on this, as on the former occasion, viz., that the time and details regarding the exhibition of vegetables and the dinner be left to the Committee of Management. This proposition was adopted by the meeting.

Read the report of the Caoutchouc Committee on the notion made by Mr. Cracroft at last meeting. The committee recommend that the gold medal be awarded to Lieutenant Vetch on the condition being complied with, as embodied in the proposition.

Resolved.—That the report be adopted.

Read the report of the committee on implements of husbandry and machinery, on the motion by Mr. Bell at last meeting.

The committee report, that a machine after Mr. Teignmouth Sandy's model, could not be erected at a less cost than one thousand rupees, and that it is not expedient to incur this cost, with reference to the advantage it might possess over machines of similar construction, &c.

Resolved.—That the committee's report be adopted.

Read the reports of the Nursery Committee, made up since the last meeting, showing an increased cultivation of sugar-cane, and resolutions upon which the cotton bolls, &c., are to be made subservient to more supplies of cane expected from Jubbulpore and Bourbon.

Resolved, that the Committee's reports be confirmed.

The motion made by Mr. Storm at last meeting—“That an application be made to the Admiral commanding in India, requesting him to give instructions to any of Her Majesty's ships of war touching at Otahite, to bring such quantity of the cane of that land as they may be able conveniently to carry for the use of the society,” had been carried into effect by the secretary addressing a letter to that authority.

NOTICE OF MOTION.

Proposed by A. Beattie, Esq.—“That with a view to the improvement of sugar cultivation in Bengal, this society having employed all the means in their power to obtain a sufficient supply of a better description of cane than is indigenous in this country; and there being only a limited quantity now in their possession, and but slender prospects of an early accomplishment of this desirable object, on a sufficiently extensive scale without aid from some other quarter, that the

secretary be requested to address the Government on the subject, and solicit His Honor the President in Council, to consider whether, for an object fraught with such extensive benefit, and of such general utility, the Government could employ at an early period one of their own vessels in bringing up a supply of seed cane from Otaheite, this society would undertake to distribute it in the most prudent manner, to secure the best possible result from the same, in the sugar cultivation throughout this presidency."

The following communications were read. From Dr. R. Wight, of Madras, dated December 21st, transmitting 410 more copies of plates of dye lichens to complete the number required for the transactions, viz. 500, forwarding copy of a correspondence with the Madras Government on the subject of lichens, and regretting his inability to furnish more information at present regarding them, but promising to do so, when in his power to procure it.

The Vice President here called the attention of the meeting to the subject of certain observations made by the secretary in his precis of the meeting of the 8th November, 1837, in a letter from Dr. Wight, of Madras, to Dr. Wallich, which was read on that occasion, and stated that from letters that had since passed, which he thought it unnecessary to bring forward, he was sorry to say, had given offence to Dr. Wight.

The Vice President then read the extracts and observations in question, after hearing which the meeting was of opinion, that nothing of an "offensive" nature appeared in the secretary's remarks.

The secretary, however, observed, that as the remarks made in Dr. Wight's communication in the precis of the 8th November meeting, were his own, and not those of the society, he begged to "propose that a minute be made in the proceedings, to the effect that the paragraph which appeared in the precis of a meeting of the 8th November might be cancelled, which was assented to.

From Dr. Wallich, dated December 19th, presenting on the part of Mr. C. Mantley, a small quantity of nankin cotton seed.

From Capt. Sanders, Secretary to the Military Board dated December 15th, in reply to the secretary's letter of the 8th instant, on the subject of guinea grass, returns the society the thanks of the Board, for the information therein contained.

From Capt. A. Bogle, dated Kyook Phyoo, December 3rd, advising despatch by the *Krishna* of a parcel containing samples of Arracan rice, together with a list and pieces of the same during the past and present year, and conveying information regarding this, the most important staple product of the province.

Stating that he has also forwarded by the same vessel, three bottles of genuine Sandoway tobacco seed and sugar-cane cut in the island of Ramtee, as samples of the cane of Arracan, which seem to be superior to the common cane of Bengal. Asking for a supply of seed paddy, cotton seed, and Otaheite cane, mentions his endeavours to discover beds of coal, and iron ore, which are known to exist on that coast, and requesting information on the subject of caoutchouc.

From Dr. W. G. Maxwell, dated December, forwarding for presentation to the society, two large sized colored drawings, from nature, of two species of the tobacco plant, natives of the Northern Circars.

From R. W. Chew, Esq., dated December 18th, forwarding a bunch of juvaree, the produce of his garden.

From the Revd. T. Boaz, dated December 21st, forwarding on the part of Capt. A. Bogle, the several articles alluded to in that gentleman's letter, viz. 3 bottles Sandoway tobacco seed, 3 sugar canes, and a packet containing samples of rice.

From Dr. Wallich, dated December 21st, annexing extract of a letter to his address from Mr. Richards of the Royal Botanic Garden at St. Denis at Bourbon, under date 26th October last, in which that gentleman promises to transmit very shortly a box of cactus with 'cocheniller fins,' and 25 cases of Batavian sugar cane.

From Lieut. H. Birge, Secretary to the Agricultural Society of Assam, dated September 16th, announcing the formation of a branch society at Gowhatti, on the 15th September, under the title of "The Assam Agricultural and Horticultural Society," and soliciting the aid and advice of the Patent Society, towards furthering the objects of this association.

N. B. The prize assigned in the precis of last month's proceedings, for the delay in acknowledging the receipt of a communication from R. Montgomery, Esq. of Azamgarh, is equally applicable to the above letter.

From Major S. ... dated "on the Ganges," December 14th, in accordance with the request conveyed in the secretary's last letter, he has asked Lieut. Brown to take notice on account of the society's nursery, of a good supply of cactus on his Jubbulpore plantation, and that the same may be expected to reach the presidency in the early part of February next.

Conveying, in reply to queries, some information respecting the Otaheite cane, and mentioning the circumstance, that at Deyrah, a solution of the cedar-oil in water, has been found an effectual preventive to the attack of white ants on this species of cane.

From Lieut. Charles Brown, dated Jubbulpore, December 7th, intimating his intention of forwarding to the care of R. Lowther, Esq. of Allahabad, 2 hackery loads of Otaheite sugar-cane, from Major Sleeman's plantation.

Stating that he has advised Mr. Lowther of this intended despatch, and has requested that gentleman to transmit the canes to the society by the first steamer leaving Allahabad. Mentioning that if required, he can send down a further supply next month.

From Dr. H. H. Spry to Dr. Wallich, dated December 17, presenting a small supply of sugar-cane procured from Car-Nicobar, where it grows in a wild state, forwarding a few copies of the proceedings of the Agricultural Committee of the Royal Asiatic Society.

From Dr. Wallich to the secretary, dated December 19, forwarding a letter to his address from Dr. H. H. Spry, and stating that the cane therein alluded to (11 in number) are in good condition, and have been planted out in the society's nursery.

From Lieutenant C. Burnett, dated Beaur, November 29, advising despatch by *Shak banghy* of the following, viz. sample of a species of barley termed "celestial," cultivated in the vicinity of Beaur; sample of maize grown from American seed forwarded by the society some time ago, and sample of nankin cotton, the produce of Captain Dixon's garden.

Annexing a memorandum regarding the cultivation of the cotton seed supposed to be American (of the produce of which a sample of cotton has been forwarded, care of Dr. McLean, who may be expected to reach Calcutta in January).

Alludes to the attempts made to introduce the Otaheite sugar-cane in that part of the country, in which they have been frustrated by the depredations of the white ant, and requesting advice, as to the best means of destroying them.

From R. Watson, Esq., dated December 26, annexing a letter to his address from Mr. J. C. Warner, dated Guttaul, December 21, on the subject of a second unsuccessful attempt to wind off the silk from another supply

of area cocoons transmitted by Captain Jenkins, and of which a small quantity had been forwarded to Mr. Watson. Suggests, that with reference to the latter part of Mr. Warner's note, a supply of the eggs of the area worm be sent to that gentleman, when a fairer experiment may be made, on the cocoons produced by them.

Specimens of Bhangulpore tussler wound raw silk, from James Pintel, Esq., were forwarded by L. Shaw, Esq., of which particulars will be given hereafter, as to the mode of reeling it off.

From D. F. MacLeod, Esq., (no date) received December 29, presenting specimens of tussler raw silk from Seonee.

From Dr. Wallich, dated January 3, reporting on a trial made in the society's nursery of samples of Gulph cotton seed received from D. B. Syers, Esq.

From J. Fagan, Esq. C. Assistant Surgeon, Rungpore, dated 8th December, forwarding a specimen of cotton, grown near the foot of the hills by a race of people called "Mace."

From D. B. Syers, Esq., forwarding samples of cotton seed alluded to in his letter of the 25th November last.

Memo.—This is the seed to which Dr. Wallich's report above noted, alludes.

From Dr. Cheek, Secretary to the Burdwan Society, dated December 29, forwarding samples of Virginia tobacco, guinea grass, arrow root, and cheese pumpkin, the produce of the branch society's garden.

From R. S. Homfray, Esq., dated Barripore, January 5, presenting two samples of paddy, grown by him near Barripore, one marked A, of a description termed "Teel-an-zoi," the other marked B, called "Hulleed-zooite," and giving an account of the manner of cultivating, and of the expense attending the same.

From G. Leyburn, Esq., dated January 8, presenting some barley for seed.

From Dr. Huffnagle, dated January 9, presenting in the name of A. Graham, Esq., of Dowlutgunge, Kishnagur, specimens of Indian corn, the produce of several successive generations, raised from American seed received in 1834.

From Dr. F. P. Strong, dated January 10, presenting a small supply of English rye grass seed and Dutch clover seed.

From D. W. H. Speed, Esq., dated January 10, forwarding a stock of sugar-cane said to be Otahete.

From Messrs. Vilmorin, Andrew and Co., dated Paris, April 28th, to the address of H. Piddington, Esq., advising despatch on account of this society of a box containing an assortment of seeds, numerous as to variety, but in quantities so small, as hardly to be divisible.

The secretary has also to acknowledge the following presentations.

A cob of maize received from Sir E. Ryan, length 10 inches, circumference 7 inches, and number of grains, 1,060.

From the Royal Asiatic Society of Great Britain and Ireland, (received from Messrs. Thacker and Co.) its journal No. 7.

Proceedings of the Committee of Agricultural and Commerce 12 copies.

Also, through the same channel, a copy of the address of the President of the Medico Botanical Society.

From the Madras Agricultural Society (received through Dr. Wight) a copy of instructions for the cultivation of the Mauritius sugar-cane, and notes on dye lichens.

From Government, 3 copies of a pamphlet, containing remarks on the natural resources of the Tenasserim provinces, by Dr. J. W. Heller.

The Hon. Mr. Melville proposes to open a communication with the Highland Society. Their anxiety to obtain the productions particularly of the Himalaya, that gentleman had well ascertained and was sure they will supply in return any product, which may be desired.

The secretary intimated that he had addressed the Highland Society, last year, and had forwarded a copy of this Society's transactions, but he thought there was scarcely time yet to receive a reply. The meeting was unanimous in its anxiety to be placed in communication with that and all societies of a similar nature and Mr. Melville and Dr. Jackson, offered to co-operate in England and Scotland, towards effecting this object. The latter gentleman also offered to procure for this society any books, or information, that were required from England.

The thanks of the society were directed to be offered for the foregoing communications and presentations.

N. B. The society give the foregoing précis of the various letters and papers submitted to them, with a view to their acknowledgment, and for the information of the public without professing to answer for the certainty of the facts, or the propriety of the reasons therein contained, which must rest on the credit or judgment of the writers.

JOHN BELL, Secretary,

Agricultural and Horticultural Society.

Town Hall, Calcutta, Jan. 10, 1838.

PROCEEDINGS OF THE NURSERY
COMMITTEE.

A meeting of this committee took place at the residence of the secretary on Wednesday evening, the 20th December, 1837.

PRESENT.—N. Wallich, M. D.; C. Huffnagle, M. D.; W. F. Gibbon, Esq.; John Bell, Esq.

The committee had previously visited the Nursery, and found the sugar-cane, recently planted, coming up very regularly, notwithstanding the continued drought. Plot No. 12 of Dr. Huffnagle's plan, was holed ready for the reception of more cane; plot No. 14 was being trenched.

Resolved.—That the ripe cane in plot No. 1, be forthwith cut down and planted out in plot No. 12.

Resolved.—That the ground now trenching be reserved for expected supplies.

Dr. Wallich read an extract of a letter this day received from Mr. Richard, Superintendent of the Botanical Garden at Bourbon, dated 26th October, 1837, stating that he had prepared a case of cactus, on which he intended to transport to this society the *grana-fina* insect, and promising to follow up this despatch by more in the event of accident or failure.

Mr. Richard also informs Dr. Wallich, that he had made ready 25 cases for the reception of *Batavia* cane, destined for the society's Nursery.

Dr. Wallich informed the committee, that he had a small plantation of the cactus *cochinellifer*, and in anticipation of this supply of insect, had recently extended it considerably.

In regard to the 25 cases of cane expected, it was resolved that they be immediately planted out on arrival.

The secretary read a letter to his address, received from Captain Brown, in charge of Major Sleeman's cane plantation at Jubbulpore, bearing date 7th December, intimating his intention in reference to the secretary's letter of the 24th February last, to despatch in a day or two, 2 hackery-loads of canes for the society, to the care of Mr. Lowther at Allahabad, with a request that the latter gentleman would take the first opportunity of forwarding them by steam to Calcutta.

Read the secretary's reply to Captain Brown, dated 18th December, thanking him for his attention to the wishes of the society, and with reference to the latter part of his letter, and anticipating the concurrence of the committee and of the society, (as Captain Brown required immediate notice) soliciting a further supply of 10 hackery-loads, which would make in all, 12 loads.

Read a letter that day received from Major Sleeman, dated on the Ganges, December 14, stating that he had instructed Captain Brown to give the society a supply of cane, and promising to give further information on the question of saccharine richness, compared with the juice of the country cane, when he should have time to follow up the enquiry.

Resolved.—That as the cotton beds had done their office, and with reference to the original design of the society, with regard to the Nursery, the land now under cotton cultivation be opened for cane cuttings, when they arrive.

Resolved.—That the Secretary's application to Captain Brown, appears to the committee, judicious, and that it be confirmed.

Resolved.—That Major Sleeman is entitled to the best thanks of the committee in giving effect to the society's wishes, as advised in his letter to the address of the secretary read this evening.

A meeting of the committee took place at the residence of W. F. Gibbon, Esq., on Friday evening, 5th January, 1838.

PRESENT.—N. Wallich, M. D.; C. Huffnagle, M. D.; W. F. Gibbon and John Bell.

The committee visited the Nursery, and found that with reference to a resolution, passed on the 20th ultimo, the greater portion of the old stock of sugarcane of plot No. 1, had been cut and planted out.

That the sugar-cane received from Captain Bogle, of Arracan, through Mr. Boaz, had not come up, and from their appearance could not be expected.

That plots 14 and 15 were mostly trenched, and partly dressed with lime.

That the West India ginger roots were now ready to be taken up.

Resolved.—That they be taken up and kept carefully in sand, and that an advertisement be sent to the papers, with a view to collect the names of parties desirous of having a small supply; but that none be delivered until after a month's date of the first advertisement, when intending cultivators shall be entitled to equal shares, receiving a small quantity to keep up a supply in the Nursery.

The cotton seed (Gulf) offered for sale by D. B. Syers, Esq., had partially vegetated in gumlaha only that on the open ground had not sprung up.

Resolved.—That it does not appear to the committee prudent to recommend a purchase of the seed.

(Sd) N. WALLICH. (Sd) THOMAS LEACH.

„ C. HUFFNAGLE. „ WM. STORM.

„ W. F. GIBBON. „ JOHN BELL.

Hurkaru, January 13.]

HOWRAH SEAMEN'S HOSPITAL.

As there are a good many vessels in the river at this period of the year, an opportunity is perhaps afforded us of effectively drawing attention to the Howrah Seamen's Hospital, and the merit of the party (Mr. J. W. Linton) to whose superintendence it is entrusted. We have before us a small brochure, reciting the advantages of the institution, and exhibiting the names of those captains of ofships who have borne testimony to its general utility. Of the number of seamen admitted into the Hospital, not less than 1,104 have been cured, between the month of November 1834 and October last. Every thing in

the establishment is conducted on principles of economy without impairing efficiency, and the greatest attention is paid to the comfort of the officer or sailor, who may seek the advantages of the asylum. Dr. Green acts as surgeon and physician to the institution, and the Rev. Mr. Bowyer affords spiritual aid and consolation to the suffering patient. There are besides these gentlemen, other officers attached to the establishment, whose duty it is to attend to the sick tenants. Altogether, the Hospital merits the support of the mercantile and maritime community.—*Englishman*, Jan. 12.

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's Apartments, the 6th Jan. 1838.

PRESENT.

Drs. Sawers, Goodeve and Wallich; Messrs. Corbyn and McClelland; Drs. O'Shaughnessy, Rankin, Bain, Stewart and Bell; Messrs. Ledlie, McCosh, O'Shaughnessy, Chapman, Porteous, Egerton, Green and Strong, Dr. Huffleagle, Mr. Oyr, Dr. Spry.

Letters from the following gentlemen were read.

From W. Watson, Esq., Garrison Surgeon, Allahabad, stating his wish to withdraw from the society.

From the Secretary of the Asiatic Society, returning the thanks of that body for the three first numbers of the Quarterly Journal.

From Mr. George Parbury, of New Broad Street, London, requesting that the society would constitute him their agent in England.

From J. Jackson, Esq., of Ghazepore, stating that he begged to forward four specimens of calculi, which he had lately removed with complete success from natives in his district.

From F. P. Strong, Esq., forwarding a resolution of the managers of the Calcutta Public Library, stating that they were willing to receive and take charge of the Society's Library, and to afford the services of their librarian, should it be deemed expedient to remove the books of the Medical Society from their present situation. Dr. Strong stated, that the whole cost of the preservation of the books, should the above offer be accepted, would not exceed 5 rupees per month; (the salary of an extra dultly).

From the same gentleman (Dr. Strong) forwarding the case of a young man who was deaf and dumb, and requesting that the society would consult upon the possibility of affording the patient any relief.

From Mr. Secretary Mangles, forwarding copies of Dr. Helfer's report upon the Tenasserim province.

The following communication was then presented.

History of a case of femoral aneurism wherein the external iliac artery was successfully tied by R. O'Shaughnessy, Esq.

The Secretary then presented his summary of accounts for the past year, by which it appeared, that the

Medical and Physical Society of India, in account current with the treasurer,

Dec. 30, 1837. Cr. By balance, 1st January, 1837, deposited in Union Bank,	5,104 0
By Subscriptions,	2,956 0
	Re 8,060 0

Dr. To amount expended as per particulars rendered,	2,989 0
To balance carried to 1838,	5,071 0
	Re 8,060 0

Cr. By cash deposited in Union Bank, drawing interest at 4 per cent,	3,000 0
By cash, 2,071 rupees,	5,071 0

Dr. To liabilities of 1837,	1,295 0
	Re 3,776 0

SKETCH OF DEPENDENCIES, &c.

Cr. By balance as above,	3,776 0
By bills receivable [sum due from Members.]	6,625 0

Re 10,401 0

Dr. To liabilities for 1838,	2,472 0
Probable balance at the end of the present year without including subscriptions growing due for 1838,	7,929 0

(viz. 5246).. 10,401 0

The report of the Committee appointed to enquire into the state of the society was then presented.

[The Committee recommended,

1st. That the Quarterly Journal cannot consistently with the interests of the society, be carried on in its present form, and the funds ought not to be expended otherwise than by publishing from time to time the transactions of the society by building or purchasing suitable apartments to meet in, and to contain the library and museum, and by increasing these according to the means of the society.

2nd. That the election of office-bearers should be by vote of the resident members, among whom the voting list should be circulated soon after the last December Meeting, that the result of the election may be ascertained before the beginning of the succeeding January.

This will prevent self-election in case of the January meeting being thinly attended, and be the means of avoiding personal and disagreeable discussions, and of making the votes public in so far as the resident members are concerned.

3rd. That instead of two committees, there should be only one, to be called "the Committee of Management and Papers," consisting of the Office-bearers and four ordinary members.

This committee to be elected at the same time and in the same manner as the other office-bearers, and in the event of a vacancy occurring between the period of election, the vacancy to be filled up by the individual who commanded the number of votes next to those of the members returned at the last election.

4th. That no official statement of the proceedings of the society shall in future be published without having been previously laid before the Committee of Management and approved of by them.

5th. That in consequence of the difficulty of collecting the subscriptions from the more distant stations, the secretary shall be relieved from the duties of treasurer, and a person, not a member of the society, be appointed treasurer.

The present committee being desirous of ascertaining if the above opinions meet the wishes of the resident members, they are requested to have the goodness to insert, yes or no, as they may approve or disapprove of each of the five propositions according to the form appended.

This report was signed by two members of the committee, but Dr. Goodeve objected to the 1st proposition, stating that he wished this question and some others to be referred to the Mofussil members.

At the suggestion of Dr. O'Shaughnessy, these propositions were then put to the vote *seriatim*.

The first proposition was negatived and the following amendment, proposed by Dr. O'Shaughnessy and seconded by Dr. Goodeve, was carried by a majority of 16 to 4.

That the first proposition, together with the accounts, be referred to the Aforesaid members, and that the correspondence therefrom ensuing be referred to a Committee of scrutineers composed of Messrs. Sawers, Bell and Ranken.

The 2nd proposition was carried by a majority of 16 to 2.

An amendment was proposed upon this by Mr. McCosh, seconded by Mr. Bell.

That the rule be applicable to the present election.

This was cast by a similar majority.

The 3rd proposition, proposed by Dr. Ranken seconded by Mr. Green, was carried unanimously.

The 4th proposition, proposed by Mr. Bell, seconded by Dr. McCosh, was lost by a majority of 16 to 3.

The 5th, proposed by Dr. O'Shaughnessy, seconded by Dr. Goodeve, was carried by a majority of 18 to 1.

It was then proposed by Mr. Bell, seconded by Dr. Goodeve, and carried unanimously, that the bye-laws of the society be collected and printed.

The society then proceeded to elect the office-bearers and the ballot box having been circulated, the following gentlemen were found to be elected by a very large majority.

Dr. Sawers, President.

Dr. Wallich, Vice President.

Dr. Goodeve, Secretary and Treasurer.

Dr. O'Shaughnessy, Foreign Secretary.

Dr. R. O'Shaughnessy, Assistant Secretary and Treasurer.

Drs. Ranken, Egerton, Chapman, and Stewart, Members of the Committee of Management.

The President then stated, that in case it should be deemed expedient for the society to remove from its present locality, the Medical Board would be most happy to accommodate it in the rooms of their office, where ample space might be found for the purpose.

It was proposed by Dr. O'Shaughnessy, seconded by Mr. Chapman, that this liberal offer should be accepted; but Mr. Corbyn having reminded the meeting that it was past 12 o'clock, and consequently that they were encroaching upon Sunday morning, the President adjourned the discussion upon this point till the next meeting.

H. H. GOODEVE.

Secretary, Medical and Physical Society.

Hurkaru, Jan. 16.]

BENGAL MEDICAL RETIRING FUND.

Proceedings of the First Quarterly General Meeting for 1838 of subscribers to the "Bengal Medical Retiring Fund."

At a Quarterly General Meeting of Subscribers to the "Bengal Medical Retiring Fund," held at the Town Hall, Calcutta, at 4 o'clock p. m., on Monday the 8th January 1838, agreeably to Section XIX. of the Fund Deed.

PRESENT.

Thos. E Baker, Esq, Surgeon 10th L.C., in the chair.

John Sawers, 2d Member, Offr. as 1st Member Medical Board; James Ranken, M D, Offr. Secy, Medical Board, and Presy Surgeon; Frederick Corbyn, Garrison Surgeon, Fort William; Alexander Garden, M D, Presy. Surg; George Angus, Surgeon, 7th Battalion of Artillery, Dum-Dum; Alexander Russell Jackson, M D Offr. Apothecary to the East India Company, at Calcutta; Gavin Turnbull, Surgeon, returned from furlough; Duncan Stewart, M D, Supdt. General of Vaccine, Calcutta; E W Walter Raleigh, 1st Assist Presy. General Hospital, Calcutta, Henry Harpur Spry; M D Offr. Assist Garrison Surgeon, Fort William; Henry H Goodeve, M D, Professor Medical College, Calcutta; James Gregory Vos, M D, Deputy Apothecary to the East India Company, Calcutta; and John Arnott, M D Assist. Surgeon, doing duty at the General Hospital, Calcutta, Esquires.

The Secretary read the Proceedings of the last Quarterly General Meeting, and the following Report of the Proceedings of the Committee of Management during the last quarter:

REPORT OF THE COMMITTEE OF MANAGEMENT.

Medical Retiring Fund Office, 8th January, 1838.

Para. 1st. Since the last Quarterly General Meeting of Subscribers to the Bengal Medical Retiring Fund, the Committee of Management have received applications for admission to Annuities from the following Subscribers to the Fund, viz.

John Swiney, Esquire, M D, Member of the Medical Board.

George Canning Campbell, Esquire, Superintending Surgeon, (Furlough 1st March 1833) through his brother A D Campbell, Esquire, of the Madras Civil Service.

Thomas Stoddart, Esquire, Surgeon, (Furlough, 6th February 1836.)

Alexander Scott, Esquire, Surgeon, (Furlough 8th January 1834) through his constituted Attorneys Messrs Boyd and Co, of Calcutta.

Para. 2d. Dr Swiney having served as a Member of the Medical Board for upwards of three but not quite four years, he has paid *thirteen-sixteenths* of the value of an Annuity at his age, conformably to sect on XXXIII. of the Fund Deed; and having resigned the service from the 31st ultimo, he has been admitted on an Annuity from the 1st Instant, January, 1838.

Para 3d. The prescribed affidavit of age not having been furnished on behalf of Mr G. G. Campbell, his admission has been deferred until its receipt; when, on his resignation of the service appearing in General Orders he will be admitted an Annuitant on the usual conditions

Para. 4th. The Committee of Management report, that Mr. Stoddart has furnished every document necessary to his admission, accompanied by a letter addressed to the Secretary to the Government of India in the Military Department, tendering his resignation of the service; which letter was forwarded to the Officiating Secretary with the remark that "if Mr. Stoddart's resignation can be unconditionally accepted by the local Government, so as to give immediate promotion in his room, that Gentleman's application to be admitted on one of the Annuities declared this year will be immediately complied with; if, however, the confirmation of the Honourable Court of Directors to his resignation be necessary, owing to his being on furlough, the committee must defer granting him an annuity until the receipt of the Honourable Court's orders." The Committee have been informed in reply in Officiating Secretary Lieutenant Colonel J. Stuart's letter of the 11th ultimo, that "Mr. Stoddart's application should be submitted to the Honourable Court, it not being within the competency of the local Government to accept the resignation of an Officer on furlough." Mr. Stoddart has had the sentiments of Government communicated to him by the Committee.

Para. 5th. An Annuity has been likewise reserved for Mr. Scott pending his resignation of the service appearing in General Orders. His Attorneys have been advised to this effect.

Para. 6th. It has also been intimated to Mr. Superintending Surgeon Thomas Tweede (furlough) whose application for an Annuity was noticed in the Committee's Report read at the last Quarterly General Meeting, that the publication of his resignation of the service in General Orders is a necessary preliminary to his admission on an Annuity.

Para. 7th. Surgeon Thomas Munro, M. D., of the 58th Regt. N. I., whose acceptance of one of the first declared three Annuities for 1833 was noticed in the Committee's Report read at the Quarterly Meeting, held on the 10th July, 1837, not being yet relieved from the charge of his Regiment, an Annuity remains reserved for him.

Para 8th. The Committee beg to notice, that of the seven Annuities offered by Circular dated 11th July, 1837,* six have been accepted; viz. by Messrs Swiney, G. G. Campbell, Thomas Tweede, Thomas Stoddart, Alexander Scott, and James Hall, leaving only one available, and which the Committee have reason to suppose will be immediately taken up.

Para 9th. During the present quarter application for admission as Subscribers to the Fund have been received from Surgeons John Turner and William Dyer, and Assistant Surgeon Alexander Smith, M. D., all of whom have just returned from furlough. The Committee will submit their request for the consent of the Subscribers agreeably to the provision of Section III. of the Fund Deed.

Para. 10th. The Committee of Management find, that their ex-Secretary, Mr. Assistant Surgeon J. T. Pearson, has taken some objection to the following words used in the Report of their Proceedings read at the last Quarterly General Meeting. "No regular sets of books of Accounts having been at any time kept in the office of the Secretary to the Fund, the present Secretary has been directed to open the necessary books." As in noticing the fact above recorded, the Committee of Management did not mean to convey any censure against Mr. Pearson, but to urge upon the present Secretary, the expediency of having the accounts systematised and brought up as

speedily as possible, they have much pleasure in giving, in his own words, the explanation that Mr. Pearson desires the Committee of Management to offer, "As misconception has arisen of the meaning of the 2d paragraph, page 3d of the Committee's last Report, they have to state that they did not mean to convey an impression that there had been any neglect or incorrectness in bringing up the arrears of account on the part of the late Secretary; but that the irregularity they alluded to, was unavoidably owing to the unsatisfactory and unsettled state of the Fund, pending the sanction of the Court of Directors, which for so long a time interrupted and prevented the business of the Office, and the organisation of a regular system of receipts and payments, and to the requisite documents not having been supplied to enable them to bring up and complete the Accounts.

Para. 11th. Whilst on the subject of the Accounts of the Fund, the Committee of Management are glad to be able to inform their constituents that the Fund Accounts have been brought up as respects the posting up of each Subscriber's Account; but as it is necessary that the balance of the fund, as found by this process, should correspond with that exhibited in its favour on the Government books, and any discrepancy in either account properly reconciled; it will be necessary to wait the receipt of the Accountant General's promised Account of Interest on assets of the Fund in the Treasury. This account will be found useful for check in the adjustment of the interest accruing on each subscriber's account as computed in the Fund Office; and as its preparation is indispensable for the use of the Treasury Officers themselves, to enable them to arrive at the correct balance due from the State to the Fund on the 30th April, 1837, preparatory to investing it in General Treasury notes, as directed by Government, the Committee anticipate that it is, by this time, completed, and that a copy will now be soon furnished to them. Until, therefore, the Committee are favoured with this Account, they cannot carry into effect their intention to furnish each Subscriber with his Account Current with the fund, including Interest, as noticed in their last report. As the arrears, however, due from every Subscriber can now be accurately determined, all such as have not paid up, will be immediately called upon to liquidate.

Para. 12th. The Receipts and Disbursements of the Fund from 1st October, 1837 to 31st December, 1837, are as follow:

Receipts in October, 1837.....	Co.'s Rs.	10,505	3	8
Ditto " November,	"	18,208	9	0
Ditto " December,	"	45,352	8	11
		74,352	5	7

PAYMENTS.

For Secretary's salary for above three months.....	Co.'s Rs.	750	0	0
Printing & Advertising charges.....	"	153	2	0
		903	2	0

Net Receipts, Co.'s Rs. 73,449 3 7

Para. 13th. The sum of Sa. Rs. *56,421 or Co.'s Rs. 60,182 6 4 has been transferred during this quarter from unappropriated to "appropriated funds," as

*Value of Dr. Swiney's Annuity, ..	Sa. Rs.	26,481	0	0
Ditto of Mr. James Hall,	"	29,940	0	0

Sa. Rs. 56,421 0 0

or Co.'s Rs. 60,182 6

* 3 for 1833 and 4 for 1834 declared at the Quarterly Meeting held on the 10th July 1837.

provided by Section XXXVI. of the Fund Deed, being the value of the Annuities granted to Dr John Swiney, and Mr, Surgeon James Hall.

Para. 14th. The committee beg to annex the following list of casualties reported during the past quarter:
List of casualty among members ascertained since last Quarterly General Meeting held on the 30th

October, 1837.

Date of Casualty	Surname	Baptismal Name	Rank	Where	Remarks
15th Dec. 1837	Donaldson	James	Assistant Surgeon	Secroles Benares	Died.

Para. 15th. The following list exhibits the accession of Members by new arrivals from England since last quarterly general meeting.

List of Assistant Surgeons who are subscribers to the Fund agreeably to the condition of their appointment to the service, and who have reported their arrival in Calcutta since last Quarterly General Meeting held on the 30th October, 1837.

Date of Arrival.	Surnames.	Baptismal Names.
8th Dec. 1837.	Cairdew, M. D.	George Schuyler.
11th Ditto, . . .	Arnott, M. D.	John.
16th Ditto, . . .	Watson,	Lewis Thackeray.
16th Ditto, . . .	Davies,	Elliot Voyle.

Para 16th. The committee of Management, understanding that the Hon'ble the Court of Directors have undertaken to recover subscriptions from officers on furlough in behalf of the Military Fund, have solicited the local Government to recommend to the home authorities the like indulgence being extended to the Medical Retiring Fund.

Para. 17th. The following is the state of the poll up to date, on the three questions submitted to the Subscribers by the Report of the last Quarterly General Meeting.

For the admission as subscribers of the 15 Members conditionally admitted by the Managers whose names are given in the margin :

James Gregory Veo, M. D.	For	133
James Ronald.	Against	12
W. M. Buchanan, M. D.		
Henry Sill.	Majority in favor of their admission,	121 of which 3 votes for Mr. Griffith's admission only.
John McCosh.		
John C. Smith.		
Frederick Funnell.		
Samuel M. Griffith.		
J. H. W. Waugh.		
E. W. Clarritt.		
Donald Campbell.		
W. E. Carte, A. M.		
E. I. Yeatman, M. D.		
A. W. Steart.		
John Ransford.		

For	25
Against	118
Majority against the proposition,	93

Proposition of last Quarterly Meeting empowering Dr. A. R. Jackson to consult a professional Actuary on his arrival in England as to the basis of the Fund calculations, &c. :

For	106
Against,	26
Majority for the reference	80

of which 13 propose a reference to Mr. Cunin, and 5 limit the expence to £50; giving a majority of 67 for reference to an Actuary of a London Assurance Office.

Para. 18th The two senior Members in the committee of Management going out in rotation this year conformably to Section XIV. of the Fund Deed, are A. R. Jackson, M. D., and C. C. Egerton, Esquires, and the subscribers have been called upon for their vote in the election of their successors.

By order of the Committee of Management,
Geo. Hill, Secretary.

Resolved.—That the Report of the Committee of Management, just read, be confirmed and adopted by this meeting, and in it the same be printed, and a copy thereof be sent to each subscriber conformably to Section XXI. of the Fund Deed.

Dr. JACKSON called the attention of the Meeting to an editorial article in this month's number of the " *Indian Journal of Medical and Physical Sciences,*" entitled " *the last quarterly proceeding and close borough system commenced in the Committee of the Medical Fund,*" and handed a number of the work to the Chairman,

The CHAIRMAN read the article to the Meeting. It expressed Mr. Corbyn's dissent from the Report of the Committee of Management, read at the quarterly meeting held on the 30th October last, as respected the Agra proposition, as well as the passage in the Report commencing with the words " *No regular sets of books of accounts having been at any time kept in the office of the Secretary to the Fund, the present Secretary has been directed to open the necessary books.*" Mr. Corbyn observes that the ex-Secretary, (Mr. Pearson,) sent a " *full refutation of all neglect on Mr. Pearson's part,*" implied in the Committee's Report, and that he (Mr. Corbyn) applied to the Secretary for the letter containing such refutation to publish the same in his Medical Journal; but that Mr. Hill,—instead of complying with his request, which, as a member of the Management he had a right to expect, he (Mr. Hill) took the orders of his (Mr. Corbyn's) colleagues in the Management, and the result was, that his request was negatived. Mr. Corbyn asks " *by what authority or by what law the Committee of Management thus assume such a power,*" and whether a functionary [in reference to the Secretary] was authorized to disregard the requisition of a Member of the Management." Mr. Corbyn's remarks are followed by the note of the Secretary to the committee of Management submitting Mr. Corbyn's request for orders; and the votes of the several Members of the Management, with their remarks.

Dr. GARDEN said that Mr. Pearson's letter, which Mr. Corbyn asked for publication, was evidently written under excited feelings, and under the erroneous belief that the part of the committee's Report which he (Mr. Pearson) held objectionable, emanated from the present Secretary, and as the publication of the letter would tend only to prolong controversy, the Committee of Management objected to its publication. Dr. Garden continued, that although the part in the committee's Report respecting the books of the Secretary's office was substantially correct in every particular; yet, as no censure was implied against Mr. Pearson in the notice the committee took of the state of the accounts,

In their last Report, they readily inserted in their present Report the explanation that Mr. Pearson himself dictated, he, as a Member of the Management, could bear his testimony to the zeal and trouble Mr. Pearson took in confining the details of his office, and he was sure that, had Mr. Pearson continued as then Secretary, the books of the office would have been systematized; but as he quitted Calcutta without having done so, the work has been necessarily left to his successor, and to draw the present Secretary's attention to the state of the Accounts, on communicating to him his election to that office, the committee recorded a Resolution, "That, Dr. O'Shannonessy having brought to our notice the total want of system and regularity in the Books of the Office, the Secretary be directed to attend particularly to that Department, and bring the books and Accounts into due order without delay." The substance of this Resolution was noticed in the committee's last Quarterly Report, and which was the subject of Mr. Pearson's annual sermon. Had the Committee not readily assented to Mr. P.'s wishes regarding the explanation in the present Report, he (Dr. G.) would not have objected to the publication of the letter at the proper time, but pending the consideration of it by the Committee, he certainly did object, as such publication could serve no good purpose and would tend to keep up excitement, and prolong controversy.

Mr. SAWHUR, Drs. RANKEN, JACKSON, and STEWART, and Mr. RATHBON respectively addressed the Meeting on the mischievous tendency of publishing garbled statements of the proceedings of committees entrusted

with the management of pecuniary Institutions. The committee of Management of the Medical Retiring Fund, the speakers presumed, would have no objection to the publication of all their proceedings, and would rather afford every facility towards, than thwart publication.

The following Resolutions were then put and carried.

Resolved,—That the Secretary was fully justified in not sending any papers to Mr. Corbyn for the avowed purpose of publication in his Journal, without the previous sanction of the committee of Management.

Resolved,—That the remarks published by Mr. Corbyn in his Journal of this month, and read to this Meeting by the Chairman, were premature and injudicious.

Resolved,—That no Member of the committee of Management is at liberty to publish any documents of the Fund office without the consent of a majority of his colleagues.

Resolved,—That the committee of Management will be ready to afford every facility to the publication of a fair and complete account of their Proceedings.

Resolved,—That the thanks of this Meeting are offered to THOS. E. BAKER, Esquire, for his impartial conduct in the chair.

T. E. BAKER, Chairman.

Hurk. Jan. 19.]

BOMBAY GENERAL COURT-MARTIAL.

Head Quarters, Bombay, 12th January, 1838.—At a general court-martial, held at Bombay on Monday, the 20th Nov. 1837, Brevet-Colonel and Lieut. Colonel J. G. Baumgardt, of Her Majesty's 2d (or Queen's Royal) Regiment of Foot, was arraigned on the following charge.

For scandalous conduct, unbecoming the character of an officer and a gentleman in the following instances:

1st. In having unknown to me, communicated in a letter to Major-General Willshire, of Her Majesty's 2d or Queen's Royals commanding Poona brigade and station, dated 1st July, 1837, that I had called on Lieutenant Cuxler, of that regiment, then under arrest, and had privately listened to his reflections on the character of another officer of the same regiment, such statement being malicious, unfounded, and injurious to my character as his immediate commanding officer.

2nd. In not having taken the means of contradicting or making known to me the malicious and unfounded report contained in his letter aforesaid, dated 1st July, 1837, to Major-General Willshire, although the falsehood of it had been made known to him, and he had been repeatedly recommended by the latter officer to communicate the same to me.

3rd. In falsely insinuating in a letter to Major-General Willshire, dated 20th August, 1837, that I was aware of the injurious report in circulation against me, but that I had shewn no disposition or wish to institute any inquiry or take any notice of it.

(Signed) JAMES SALTON, Brigadier-General,

Commanding S. D. A.

On which charge the court came to the following decision:

Finding and Sentence.—The court having maturely weighed and considered all that has been adduced on the prosecution, together with what the prisoner Lieutenant-Colonel and Brevet-Colonel A. G. Baumgardt, Her Majesty's second (or Queen's Royal) Regiment of Foot, has brought forward in his defence, is of opinion as follows:—

That he is guilty of the first instance of the charge, with the exception of the term "malicious" set forth in the concluding part, in respect to the statements referred to.

That he is guilty of the second instance, with the exception of the term "malicious," as applied to the report therein referred to.

That he is not guilty of the third instance.

With respect to the preamble to the charge, the court finds the prisoner guilty to the extent of unofficerlike conduct.

The court having found the prisoner guilty as above specified, in breach of the Articles of War, in such case made and provided, does adjudge him to be reprimanded in such manner as His Excellency the Commander-in-chief may be pleased to direct.

(Approved)

(Signed) H. FANE, General.

Remarks by the Commander-in-Chief.—In publishing the charges, finding and sentence in this case, the Commander-in-chief feels it his duty to state, that in consequence of the prosecutor, Brigadier-General Salter, having deemed it requisite that His Excellency should personally give evidence on the trial, it seemed right to His Excellency, with the view of obviating any suspicion that might possibly exist of the case not having been disposed of with perfect impartiality, to transmit the proceedings for approval or otherwise, to His Excellency the Commander-in-chief in India.

Sir Henry Fane has approved the finding and sentence of the court; but in reference to that part of the sentence which provides that Colonel Baumgardt shall be reprimanded in such manner as the Commander-in-chief of the Bombay army shall direct, he has expressed his wish that the task of giving it effect should remain in the hands to which the court had committed it. His Excellency however, at the same time, pronouncing it highly necessary that the proceedings of Colonel Baumgardt should be remarked on in the language of strong censure.

Under this intimation, it becomes the duty of Sir John Keane to observe, that the conduct of Colonel Baumgardt, as developed in these proceedings, has throughout the whole transaction been quite unbecoming his position in the army.

It appears in evidence, that Colonel Baumgardt, in a letter to Major-General Willshire, made an incorrect statement relating to the conduct of Brigadier-General Salter, his superior officer, and the commander of the division, to which he (Colonel Baumgardt) belonged.

As soon it was known to Colonel Baumgardt, that the statement referred to was inaccurate, and of that fact he could not be left in doubt, for it was established by the finding of a Court of Enquiry, which he himself had called, and the proceedings of that court were by himself communicated both to the Commander-in-chief in India and to the Commander-in-chief of Bombay; it obviously became incumbent on him, to undo the injury which in a moment of rashness or inadvertence, he had committed. The feelings of an officer and a gentleman, it might have been expected, would make him ever eager to volunteer a reparation, but Colonel Baumgardt took no measures whatever for that purpose.

The transaction being very properly brought by Major-General Willshire to the knowledge of Sir John Keane, His Excellency, through Major-General Willshire, conveyed his advice to Colonel Baumgardt on the subject, counselling him forthwith to offer a proper apology to Brigadier-General Salter, and at the same time to explain to that officer the manner in which he had received the erroneous information to which he had unfortunately been led to give precedence and currency. This advice, however, which Colonel Baumgardt clearly ought not to have awaited, he thought proper wholly to disregard.

Brigadier-General Salter, on afterwards becoming aware of what had passed, and hearing also of the advice which Colonel Baumgardt had received from the

Commander-in-chief, and with which he had not chosen to comply, sent for Colonel Baumgardt, and, in the presence of the division staff officer, put to him the question whether he had written the letter to General Willshire already mentioned. The answer was in the affirmative, and Colonel Baumgardt was proceeding to offer explanations, when General Salter ordered him to be placed in arrest, telling him that the time for explanation had gone by.

In the view the Commander-in-chief takes of this case, it signifies not whether Colonel Baumgardt originally looked on his letter to Major-General Willshire in a public or private light. Relating as that letter did, to the promotion of an officer of his regiment to a vacant company, Major-General Willshire, under all the circumstances of the case, which were very unusual, deemed it his duty to communicate it to higher authority; and when Col. Baumgardt was apprised of this having been done, and received from the Commander-in-chief the advice before mentioned, he has bound to regard the letter as a public document and to act on the advice so offered; and even independently of this view of the case, Colonel Baumgardt's own feelings should have prompted him to repair the wrong, which he had unwittingly done, introducing on false information the character of the general officer commanding his division, to that officer's military superiors. Yet in the defence, made by Colonel Baumgardt before the court-martial which the Commander-in-chief considers as placing his military judgment in a most unfavourable light, he uniformly seems anxious to make it appear, that himself, and not General Salter, is the injured party.

The Commander-in-chief would hold out this case to officers of all ranks, as an example of conduct to be avoided, should they be betrayed into the commission of an act injurious to the feelings or the reputation of another, and especially of those to whom they own peculiar respect, their first duty and their most honorable course, on being made aware of their error, is to resort to a frank and ingenious acknowledgment, rather than, by maintaining a stubborn silence, to convert the unintentional into a wilful injury.

The Commander-in-chief has experienced the utmost pain in finding himself compelled by a sense of duty to comment in these terms on the conduct of an officer of such high rank and long standing in the army, as Colonel Baumgardt; but His Excellency felt that he had no alternative, and Colonel Baumgardt can only impute to his own misjudgment and obstinacy the unpleasant situation in which he is placed.

In conformity with the sentence of the court, Colonel Baumgardt is hereby reprimanded; and he is to be released from arrest and to return to his duty.

By order of His Excellency, Lieut. Genl.

SIR JOHN KEANE, Commander-in-chief.

Head Quarters, Bombay, 18th January, 1838.

[Bombay Herald, Jan. 17.]

SUPREME COURT.

MINUTES OF DECREE OF THE 14TH NOVEMBER 1837.

Christopher Martin and } Decree and declare, that
 other- *versus* Robert } pursuant to the report of the
 Spankie, Esq. &c. } Judicial committee of Privy
 and the other causes. } Council of his late most Graci-
 ous Majesty William the Fourth, by the grace of God,
 of the United Kingdom of Great Britain and Ireland,
 King, defender of the faith and so forth, and the order
 of his late majesty thereon made on the first day of
 March 1837, so much of the Decree of the Supreme
 Court of Judicature at Fort William in Bengal, dated 23d
 February 1832, whereby it is "Decreed and declared
 that the said testator, Claude Marten, having been by
 birth a subject of the King of France, and having been
 at the time of his death an alien, the lands and houses
 in Calcutta alleged in the pleadings to have been held
 by the said testator at the time of his death, with the
 exception of the interest of the said Testator in the house
 at Chaund Paul Ghaut, which previously to the Decree
 of the 2 days of December 1822 had been sold, and by
 the said Decree was declared to have been a part of the
 personal estate of the said Testator, could not, according
 to the law of England be devised nor pass by the said
 will of the said Testator. And whereby it is declared, that
 there are not the proper parties to these suits nor sufficient
 evidence before the Court as to the lands or houses or
 other real or immoveable property which are alleged in
 the pleadings to have been held by the Testator and to
 be situate beyond the boundaries of Calcutta, but in
 places which at the time of the death of the Testator
 were within the presidency of Fort William, or some of
 the provinces subject to or forming a part of the said pre-
 sidency, to enable the Court to determine whether the
 same would and did pass by the said will of the said
 Testator. And whereby it is ordered and decreed that
 in as much as the Attorney General of our Lord the
 King was not resident within the Jurisdiction of the said
 Court, and there was no party to these suits who had
 made any claim to any of the lands or houses or other
 real or immoveable property on the part and on the
 behalf of the Crown, the Receiver, appointed by the
 said Court in these causes to receive the rents and profits
 of the immoveable property, as well that which is situate
 within Calcutta as that which is situate beyond the bound-
 aries thereof; but in places which at the time of the
 death of the Testator were within the presidency of Fort
 William, should continue to receive the rents and profits
 thereof, and from time to time to pay the same into the
 hands of the Accountant-General and Sub-Treasurer of
 the Honourable East India Company (with the privity of
 the Accountant-General of the said Court.) And whereby
 it is further decreed and declared, that the rents and pro-
 fits of the said houses and lands in Calcutta, with the
 exception aforesaid, of the said house at Chaund Paul
 Ghaut so declared as aforesaid to have been part of the
 personal estate of the said testator which had theretofore
 been received either by the executors or by any receiver
 appointed by the said Court, together with the accumula-
 tions thereon arising from interest, ought to be ascer-
 tained, and that the amount when so ascertained ought
 to be set apart and placed to the credit of a separate and
 distinct account in these causes to abide any claim
 respecting the same, which might be thereafter made by
 or on behalf of the crown; and that all the rents and
 profits of the lands and houses in Calcutta, except as
 herein before is excepted, which might thereafter be
 received by the Receiver of the said Court as aforesaid,
 ought to be paid in and placed to the credit of the same
 account; and that in the manner the rents and profits
 or the proceeds of any sales of any lands or houses or
 other real or immoveable property situate beyond the

boundaries of Calcutta, but in places which at the time
 of the death of the said testator were within the preside-
 ncy of Fort William, or the provinces, subject to, or form-
 ing part of the said presidency, which might have come
 to the hands of the said Executors or any receiver ap-
 pointed by the said Court, or might thereafter be re-
 ceived by any such receiver, and might have been paid
 or might thereafter be paid to the Accountant-General
 and Sub-treasurer of the East India Company, (with the
 privity of the Account-General of the said Court) ought
 to be ascertained, set apart and placed to the credit
 of another separate and distinct account. And whereby
 it was referred to the Master to enquire and report, what
 part of the funds then standing to the general credit of
 these causes had arisen from the rents and profits, with
 the accumulations of interest thereon, of any of the lands
 or houses situate in Calcutta (with the exception as
 before mentioned of the house at Chaund Paul Ghaut,
 declared by the decree of the 2d of December 1822 to
 have been part of the personal estate of the said testator,
 and which in the pleadings are alleged to have been held
 by the said testator, Claude Marten, at the time of his
 death and that the said Master should also inquire and
 report what houses, lands or other real or immoveable
 property situate beyond the boundaries of Calcutta, but
 in places which at the time of the death of the said testator
 were within the presidency of Fort William, or the prov-
 inces subject to or forming a part of the said presidency
 was or were in the hands of the said testator at the time
 of his death, and what was the nature of the tenure
 thereof, and the estate or interest, if any, which the said
 testator had in the same; and what regulations or usages
 had prevailed, and then prevailed in the said provinces
 beyond the boundaries of Calcutta, as to the right and
 power of European Aliens to devise or bequeath by will
 any lands, houses, or other real or immoveable property,
 of which they might be possessed at the time of their
 death within the said provinces was reversed.

Decree and declare, that pursuant to the report of the
 said Judicial committee and the order of his said late
 Majesty thereon, so much of the decree of the Supreme
 Court bearing date the 10th day of May 1835, whereby
 this court did order, "decree and declare, that in as
 much as there was no party to these Consolidated suits,
 who had made any claim to the said lands or houses on the
 part and behalf of the crown, the Receiver appointed by
 the Court in the three first-mentioned causes should con-
 tinue in the possession, and to receive the rents, issues
 and profits thereof, and from time to time should pay the
 same into the hands of the Accountant General and
 Sub-treasurer of the East India Company, (with the
 privity of the Accountant General of this Court) to the
 credit of a separate account in these consolidated causes
 to be opened and headed as thereafter directed. And
 whereby the said Court did further order, decree and
 declare, that the sum of sicca rupees four hundred and
 seventy-four thousand one hundred and fifty-four eleven
 annas and six pie, being the amount mentioned in the
 Schedule A, annexed to the therein recited report of the
 master, and filed on the twenty-first day of November
 in the year of our Lord one thousand eight hundred
 and thirty-five, and forming a part of the Funds stand-
 ing to the General credit of the three first mentioned
 causes, had arisen from the rents, issues and profits of
 the aforesaid two houses, situate in Calcutta aforesaid,
 received from the time of the death of the said Testator,
 Major General Claude Marten, up to the twenty-ninth
 day of February in the year of our Lord one thousand
 eight hundred and thirty-two; and that in as much as
 there was no party to these consolidated suits, who had

made any claim to the same on the part and behalf of the crown, the said sum, together with the interest and receipts since the date of the said report of the twenty-first day of November, one thousand eight hundred and thirty-five, ought to be transferred to the head of a separate and distinct account, entitled an account of the rents and profits of the houses situate within the town of Calcutta, subject to a claim of the crown; and that the said sum and all future rents, issues and profits to be paid in by the said Receiver as aforesaid, should remain under the said head of account in these consolidated causes to abide any claim that might be hereafter made on behalf of the crown. And whereby the said court did declare, that the houses, lands or other real and moveable property and estate of the said testator, Major General Claude Martin, situate without the boundaries of the said Town of Calcutta, but within the limits of the presidency of Fort William in Bengal, as such limited in the year of our Lord one thousand eight hundred and thirty two, and which were held by the said Testator, Major General Claude Martin at the time of his death, did not pass by the aforesaid will of the said Testator, Major General Claude Martin. And whereby the said Court did further order, decree and declare, that the said receiver of the said last mentioned houses and lands, should continue in the possession thereof and should receive the rents, issues and profits thereof, and from time to time should pay the same into the hands of the said Accountant General and Sub-Treasurer of the East India Company, (with the like privy as aforesaid) to the credit of a separate account, to be opened in those consolidated causes and headed as hereinafter next directed. And whereby the said Court did further order, decree and declare, that the sum of sicca rupees fifty-three thousand five hundred and fifty-eight, nine annas and three pie, set forth in the Schedule C of the Master's report of the twenty-first day of November in the year of our Lord one thousand eight hundred and thirty-five, being a part of the funds now also standing to the general credit of the three first mentioned causes, which had arisen from the rents, issues and profits of the said last mentioned houses and lands situate without the boundaries of the said town of Calcutta, but within those of the said Presidency at Fort William in Bengal, ought to be carried to the credit of a separate account to be opened in those consolidated causes intitled, "Account of the rents, issues and profits of the real and immoveable property of Major General Claude Martin, situate without the boundaries of the said town of Calcutta, and within the Presidency of Fort William in Bengal," and that the same, together with all future payments to the credit of the said accounts and accumulations of interest thereon, should remain to such credit to abide future claims in effect and substance reversed, as being inconsistent with and contradictory to the terms of the said Report, and order of His most Gracious Majesty, whereby it is directed, that the court shall decree that the houses, lands, and other real or immoveable property possessed by Major General Claude Martin, at the time of his death, and situate as well within the town of Calcutta, as beyond the boundaries thereof, but within the British territories, such as Chandernagore, passed by the said Testator's will and formed part of the general residue of the Testator's estate, declare that if having been by the said committee reported and recommended to His most Gracious Majesty that in lieu thereof it ought to be decreed and declared as herein next follows, and His said most Gracious Majesty having by his order aforesaid ordered, that such report and recommendation should be duly and punctually observed; complied with and carried into execution, this court doth hereby accordingly, in obedience to the said order of His most Gracious Majesty, order, decree and declare, that the houses, lands and other real or immoveable property possessed by Major General Claude Martin, the Testator in the Pleadings named, at the time of his death and situate as well within

the town of Calcutta as beyond the boundaries thereof, but within the British territories and not at Chandernagore passed by the said Testator's will and formed part of the general residue of the said Testator's estate.

Decree, that the sums now standing to the credit of the separate account headed Account of the rents and profits of houses situate within Calcutta, and the sums now standing to the credit of a separate account headed Account of the rents, issues and profits of the real and immoveable property of Major General Claude Martin, situate without the boundaries of the Town of Calcutta and within the presidency of Fort William in Bengal, together with all accumulations of interest thereon respectively up to the date of transfer, be immediately transferred to the general credit of these causes and decree the Accountant General and Sub-Treasurer of the East India Company, (with the privy of the Accountant-General of this court) to make such transfers accordingly. Decree, that the Master of this Honorable court do immediately proceed to advertise and sell the houses and lands next mentioned, that is to say a certain Upper-roomed House with four biggahs of land thereto adjoining and pertaining, situate in Mare Street in the Town of Calcutta, and also a certain other upper-roomed House with three biggahs of land thereto adjoining and pertaining, situate at Tank Square in the Town of Calcutta. One house and the ground thereto belonging situate on the Circular Road near the said Town of Calcutta now in the occupation of Mrs. Frederick Lindsted. One other house and the ground thereto belonging, situate at Ghazee pore, occupied by Mr. A. J. Dick. One other house and the ground thereto belonging, in a very dilapidated state, situate at Benaras, and an old godown and the ground thereto belonging, situate at Cawnpore, in the upper provinces, and that the proceeds of such sale be in like manner carried to the general credit of these causes.

Decree, that the receiver of this court, who is now in possession of the said several houses and lands, do continue in such possession until such sale is completed and confirmed, and conveyance thereof executed to the purchasers and orders for possession given the same, and that thereupon the said receiver do yield up possession to such purchasers respectively, and pass his accounts up to the date of giving up possession and therefore be discharged.

Decree that the said receiver do continue such possession as he now hath of the said house at Chandernagore aforesaid, pending the enquiry hereinafter next mentioned, and until further order shall be made on the termination thereof, and until such further order that the said receiver do and shall account and pay in the rents of the said house at Chandernagore as heretofore.

Decree, in obedience to and in pursuance of the order of His late Majesty aforesaid, that it be referred to the Master of this court to enquire and report, what houses, lands or other real or immoveable property situate at Chandernagore, was or were in the hands of the said testator at the time of his death, and what was the nature of the tenure thereof and the estate or interest if any, which the said testator had in the same, and what regulations or usages have prevailed at Chandernagore aforesaid, as to the right and power of European aliens to devise or bequeath by will any lands, houses or other real or unmoveable property of which they may be possessed at the time of their death at Chandernagore, and whether any lands, houses or other real or immoveable property situate at Chandernagore, which was or were in the hands of the said testator, Claude Martin, at the time of his death, hath or have been since sold and the proceeds of the sale paid into the hands of the Accountant General and Sub-Treasurer of the Hon^{ble} East India Company, (with the privy of the Accountant-General of the said court) and of what part (if any).

of such lands, houses or real or immoveable property the receiver appointed by the said court is now in the receipt of the rents and profits, and what is the whole amount (if any) of the proceeds of any sales and of any rents or profits received of any such lands, houses or real or immoveable property at Chandernagore, together with the accumulations of interest thereon, which is now standing to the general credit of these causes.

Further decree and declare, that the said Judicial committee having further recommended that so much of the said decretal order of this court, dated the 23d February 1832, whereby it was "decreed and declared that this court is incompetent and unable by itself to give effect to the other bequests for charitable establishment and institutions at Lucknow, which is a place beyond the jurisdiction of this court, and not forming any part of the presidency of Fort William in Bengal but that the Governor-General in Council at Fort William in Bengal had the means and was able to give effect to the other bequests for charitable establishments and institutions at Lucknow, and that the same ought to be carried into effect and that it appeared by the report of the Master under an order made in these causes on the 25th July 1831, and which report was dated the 5th November 1831, that the said Governor-General in Council was willing to receive and apply such sums as the court might decide to be lawfully applicable for those purposes should be reversed without prejudice to any question as to the competency and ability of the said court, with any aid or by any means to give effect to such last mentioned bequests according to the will of the said Testator. And his most gracious Majesty having been pleased to comply with the said report and recommendation, and order the same punctually to be complied with, order, decree and declare, that so much of the said decree of 23d February 1832 as has been hereby last recited, is reversed accordingly, without prejudice as aforesaid to any question as to the competency and ability of this court to give effect to the bequest of the said Testator. Further decree and declare, that the said Judicial committee having also further recommended that as to such parts of the said decree of this court of the 23d February 1832, whereby it is "decreed and declared for as much as the said Testator Claude Martin, in and by the 33d article of his said will, had expressed his desire and intention, that in case it should be necessary the protection and assistance of the Government should be obtained for the purpose of giving effect to the said last mentioned bequests and Testamentary dispositions, that if the whole sum of sicca rupees 200,000 bequeathed in the 33d article of the said will of the Testator Claude Martin, for finishing of the house of Constantia had not been expended and applied for that purpose, whatever might remain thereof ought to be set apart from the funds now standing to the general credit of these causes and applied as a building and repairing fund for the house and establishment of Constantia, and ought for that purpose to be paid to the Governor-General in Council, or to some person duly nominated and appointed by the Governor-General in Council to receive the same, and out of the same funds standing to the general credit of these causes a further sum of Sa. Rs. 100,000 for the support of a College and School at Lucknow, bequeathed in the 33d article of the said will, together with accumulations of interest on the same, from the death of the said Testator until the setting apart of the same, ought also to be set apart, and the interest thereof from time to time, as the same should accrue and be received, ought to be paid to the Governor-General in Council for the time being or to such persons as he should duly nominate and appoint to receive the same, in order that the same might be applied for the purposes in the said 33d article of the said will mentioned, and that out of the funds standing to the general

credit of these causes the further sum of 3 lakhs of Rs. ought to be set apart, and the interest thereof paid to the Governor-General in Council or to such person or persons as the Governor-General in Council for the time being should nominate and appoint, in order that there might always be allowed and paid the salaries and allowances of the supervisors, servants and other attendants, and the persons to be employed in and about the tomb, buildings and e-establishment at Constantia" should be reversed, and that instead thereof it should be declared and decreed as herein next follows, that is to say, "if the whole sum of sicca rupees 200,000 bequeathed in the 3d Article of the said will of the said Testator, Claude Martin, for the finishing the house of Constantia hath not been expended for that purpose, whatever may remain thereof, ought to be set apart from the funds now standing to the general credit of the said causes, and carried to a separate account to be entitled "The building and repairing fund for the house and e-establishment at Constantia" subject to the further order of the Supreme Court and without prejudice to the final application of the same fund, under the directions hereinafter contained or otherwise. And that the said Supreme Court should give all necessary directions for that purpose, and that out of the same fund standing to the general credit of the said causes, a further sum of sicca rupees 100,000, being the amount bequeathed in the 33d Article of the said will, for the support of a college and school at Lucknow, together with accumulations of interest on the same, from the death of the said Testator until the setting apart of the same, be set apart and be carried to a separate account in the causes to be entitled "The Lucknow college and school fund," subject to the further order of the Supreme Court and without prejudice to any question, as to the final application of the same fund under the directions thereinafter contained, or otherwise, and that out of the funds standing to the general credit of the said causes, the further sum of three lakhs of rupees or so much thereof as the said court should find necessary, be also set apart without prejudice to any question as to the final application of so much of the interest thereof as is under the said will applicable to the maintenance of the charitable establishment at Lucknow, and subject to the further order of the Court; but in the mean time any monthly or periodical payments which shall have been directed by the Supreme Court to be paid out of such interest are to be continued." And His Most Gracious Majesty having, by his order aforesaid, ordered, that such last mentioned report and recommendation of the said Privy Council, should be duly and punctually complied with and carried into effect, this Court doth hereby accordingly, in obedience to the said order of His Most Gracious Majesty, order, decree and declare, that so much of the last decretal order in these causes made and pronounced, on the 10th day of May, 1836, as follows, that is to say "and this court doth further order, decree and declare, that a sum of sicca rupees one hundred and thirty-five thousand nine hundred and twenty-five and nine annas has been spent and laid out towards completing the house called Constantia House, out of the sum of sicca rupees two hundred thousand, which the said Testator by the thirty-third article of his will calculated might be required for that purpose; and that the balance of sicca rupees twenty-four thousand and seventy-four and seven annas, ought now to be set apart from the funds standing to the general credit of the three first mentioned causes and carried to the head of a separate account in these consolidated causes, entitled building and repairing fund of Constantia House and placed at the disposal of the Governor-General in Council, pursuant to decree of the twenty-third day of February one thousand eight hundred and thirty-two, and that in case the same and the funds hereinafter mentioned as required or the repairs of the said house, should not be sufficient for that purpose, that such further sum as shall be necessary to be paid out of the fund

to the general credit of these consolidated causes on the application of the Advocate-General of the East India Company on behalf of the Governor-General in Council, and this court doth further order, decree and declare, that from and out of the funds now standing to the general credit of the three first mentioned causes, a further sum of sicca rupees fifty-four thousand and eight hundred ought to be transferred to the said separate head of account and fund, entitled fund for repairing and furnishing Constantia House, and part to the Governor-General in Council, or some person by him duly authorized to receive the same, in order that the works may be executed by Major C. J. C. Davidson, Major of Engineers, in the East India Company's service, or such person as the Governor-General in Council shall appoint. And this court both further order, decree and declare, that Jean Jacques Deverinne, junior, is a fit and proper person, due regard had to the wishes of the Testator, to fill the office of Superintendent of the said building, and promises that in case of his death, removal for misconduct or resignation, the Governor-General in Council ought to appoint all future superintendents, with due regard to the wishes of the said testator, as signified in his will; and that the care and superintendence of the said buildings can most conveniently, and with due observance of the wishes of the Testator, be exercised by the Governor-General in Council, shall also be, and the same is thereby and by the effect of the said order of Council reversed and set aside, and instead thereof, this court both hereby order, decree and declare, that in pursuance of the report of the Master of this Hon'ble Court, bearing date the 21st day of Novr. 1835, and the facts therein found, a sum of sicca rupees one hundred and seventy five thousand nine hundred and twenty-five and nine annas has been spent and laid out towards completing the house called Constantia House, out of the sum of sicca rupees two hundred thousand, which the said Testator by the thirty third article of his will calculated might be required for that purpose, and that the balance of sicca rupees twenty-four thousand and seventy-four and seven annas ought now to be set apart from the funds standing to the General credit of the three first mentioned causes, and carried to the head of a separate account in these consolidated causes, entitled, building and repairing fund of Constantia House, to remain subject to the further order of the court, and that in case the same and the funds hereinafter mentioned as required for the repairs of the said house should not be sufficient for that purpose, that such further sum as shall be necessary be payable and applicable out of the fund to the general credit of these consolidated causes, in such manner as the court shall hereafter order and decree, and this court doth further order, decree and declare, that from and out of the funds now standing to the general credit of the three first mentioned causes, a further sum of sicca rupees fifty-four thousand and eight hundred ought to be transferred to the said separate head of account and fund, entitled fund for repairing and furnishing Constantia House and shall be applicable and payable in like manner to the purpose aforesaid under the order and direction of this Hon'ble court. And this court doth further order, decree and declare, that Jean Jacques Deverinne, junior, is a fit and proper person, due regard had to the wishes of the testator, to fill the office of superintendent of the said building, pending the enquiry necessary to carry into full effect the orders and directions of his Most Gracious Majesty in his Privy council aforesaid.

Further order, decree and declare, that in as much as by and under the decretal orders of the 23d February 1832 and 10th May 1836, the amount of the said sum of Sa. Ra. 100,000, being the amount bequeathed in the 33d article of the will of the testator, for the support of a college and school at Lucknow, together with accumulations of interest thereon, from the death of the said testator until the setting apart of the same was duly set

apart and carried to a separate account in these causes entitled, fund for the establishment of General Martin's school and college at Lucknow; the said sum so set apart shall remain under the same head of credit, pending the reference and enquiry hereby ordered in pursuance of the order of his most gracious Majesty in his Privy council aforesaid, relative to the appointment of trustees and the establishment of the said school and college. And whereas the said Judicial committee did further report and recommend as hereinafter next set forth, that is to say, "that it should be referred to the Master of the said court to enquire and report to the said court, whether it is in the power of the Governor-General in Council, at Fort William in Bengal, to aid trustees to be appointed by the said Supreme Court, so as to enable them to give effect according to the testator's will to the bequest respecting the charitable establishment and institution at Lucknow contained in the will of the said testator, and thereby directed to be attached to the establishment of Constantia House, or whether any other and what means through the medium of trustees exist for giving effect to such bequest, and that if it shall appear, that by the aid of the said Governor-General in Council or otherwise as aforesaid, effect can be given to the said bequest, some proper persons be appointed by the said Supreme court to be the trustees of the said charity, to whom the interest of the funds applicable for the support of such charity should be from time to time paid to be by them applied and administered under the superintendence of the said Supreme Court, in founding, establishing and keeping on foot the said charity; and that the Advocate General, the plaintiff in the first, and the defendant in the third of the above mentioned causes, should be at liberty to propose proper persons to be such trustees," which said report and recommendation His Most Gracious Majesty was also pleased to order should be duly complied with and punctually carried into effect. This court doth order, decree and declare, that it be referred to the Master to enquire and report, who would be fit and proper persons to be appointed trustees of the fund so set apart, for the maintenance of the said school and college at Lucknow, and of the following fund for charitable and other purposes at Lucknow created and carried to a separate head of credit by the decretal order of the tenth day of May, one thousand eight hundred thirty-six, viz. fund called the building and repairing fund of Constantia House, and of the fund, entitled fund for repairing and furnishing constantia House and of the fund entitled, fund for the payment of pensioners at Lucknow, and of the fund entitled fund for the payment of the establishment at Constantia, pursuant to the thirty second article of General Martin's Will. And this court doth order, decree and declare that it is hereby referred to the Master to enquire and report, whether it is in the power of the Governor-General in Council at Fort William in Bengal, to aid trustees to be appointed by this court so as to enable them to give effect according to the Testator's will to the bequest respecting the charitable establishment and institution at Lucknow contained in the will of the said testator, and thereby directed to be attached to the Establishment of Constantia House, or whether any other and what means, through the medium of trustees, exist for giving effect to such bequest; and that if it shall appear that by the aid to the said Governor General in Council or otherwise as aforesaid, effect can be given to the said bequest some proper persons be appointed by this court to be the Trustees of the said charity, to whom the interest of funds applicable for the support of such charity should be from time to time paid to be by them applied and administered under the superintendence of this court in founding, establishing and keeping on foot the said charity, and that the Advocate General the plaintiff in the first and the defendant in the third of the abovementioned causes, shall be at liberty to propose persons to be such trustees to be reported upon by the Master. And the court doth order, decree

and declare, that by the effect, of the said order of His Most Gracious Majesty in His Privy Council aforesaid, so much of the residue of the said decretal order of the 10th day of May 1836, whereby "it was ordered and decreed by and with the assent of the Advocate General of the East India Company on behalf of the Governor-General in Council, that the Accountant-General of this court do monthly issue a certificate authorizing the Accountant-General and Sub-treasurer of the East India Company, (with the pivity of the Accountant-General of this court) to pay to the Resident for the time being of the East India Company's Government of Lucknow, the monthly pensions due to the pensioners at Lucknow, pursuant to the will of the said Testator. And whereby it was further ordered, decreed and declared, that the said Accountant-General of this court should be authorized to stop the payment of the said monthly pensions until further orders, unless a half yearly memorandum or account of the sums paid should be furnished to him by the said resident; and whereby it was further ordered, decreed and declared, that the Accountant-General of this court for the time being on receiving intimation thereof from the said resident or other good and credible information, should be authorized to notify to this court as the same may occur, the death of the said pensioners at Lucknow, and thereupon to apply for and obtain an order authorizing the transfer from the separate fund for the payment of pensioners at Lucknow, created by and under an order duly confirming the said amended separate report of the Master made and filed on the fifteenth day of August one thousand eight hundred and thirty-five back again to the fund at the general credit of these consolidated causes of so much as was required to pay the pension of the deceased person, has been set aside and reversed, rendered void and of no effect, but that inasmuch as the stoppage of the payment of the pensions and salaries has heretofore occasioned, and may again occasion great temporary hardship and inconvenience, the provisions of the said decree last mentioned ought to be acted upon, pending the enquiry herebefore ordered, pursuant to the said order of His late Most Gracious Majesty in His Privy Council aforesaid, and until the termination thereof shall enable the court to transfer and pay to proper persons the principal of the said several funds so created for payment of the sums required to be disbursed at Lucknow, or to give other and fit directions in the premises. And this court doth further decree and declare, that the residue of the said decretal orders of 23d February 1832 and of the 1th day of May 1836, being in effect not only consistent with, but an actual performance of, various injunctions of the said order of His Most Gracious Majesty in his Privy Council aforesaid, ought to be and are hereby confirmed and established. And whereas the said Privy Council did report and recommend to His Most Gracious Majesty, and His Most Gracious Majesty did order, that the said report and recommendation herein next mentioned should be punctually complied with, decree and order, that the costs of this appeal as between solicitor and client of the said Mayor of the city of Lyons, Christopher Martin, Marie, Desgranges Martin, Pierre Ballofett and Claudine his wife, and Francois Martin amounting to the sum of thousand three hundred and nine pounds, two shillings and eleven pence sterling, and of the East India Company amounting to the sum of three thousand six hundred and forty five pounds sterling, subject nevertheless, to the deduction of such sum or sums of money (if any) as may have been respectively received on account of such costs under His Majesty's Order in Council in this appeal of the 23d of April 1835 be paid out of the funds standing to the General credit of these causes in manner following, (that is to say) the costs of the said Mayor of Lyons, Christopher Martin, Marie Desgranges Martin, Pierre Ballofett, and Claudine his wife, and Francois Martin to Messrs. Henry Young and John Jackson their solicitors and the costs of the East India Company to Edward

Lawford, Esq., their solicitor decree and Order payment of costs in this court as between attorney and client of all parties to these suits being first duly taxed up to and including this decree.

JANUARY 8, 1838.

Before Sir E. Ryan, Knt., and Sir. P. Grant, Knt. Judges.

This being the first day of the first term of 1838, the Judges opened the Court at about quarter after 11 o'clock A.M. On the opening of the court, a great many motions of course were made and disposed; the undenominated one being of some interest we have inserted it.

In the case of Captain R. A. McNaghten versus Mr. Tandy, the Editor of the *Agra Ukhar*, for a Libel. The Advocate General in this case made a motion, that a rule be granted by this court for an order of substitution of service in this case, on the affidavit of Mr. J. S. Judge, the plaintiff's attorney. He said it appeared, that Mr. W. D. Shaw, Attorney at Law, had in a communication with Mr. Judge, given him to understand that he had been engaged as the defendant's attorney in this case, and Mr. Judge after vainly endeavouring in a lengthy correspondence with Mr. Shaw, to prevail on him to enter appearance on behalf of the defendant, enclosed a summons in a letter to Mr. Tandy, who, it is understood, generally resides at Agra, and sent it to him by dawk, requesting him on the receipt of the enclosed summons to acknowledge its receipt and to enter appearance as defendant in this action against him. To this letter Mr. Tandy returned no reply. Mr. Judge then despatched a bailiff from Calcutta by dawk to Agra to serve the summons on Mr. Tandy, but when the bailiff arrived at Agra, it appears that Mr. Tandy had left that city and proceeded to Allyghur, a town not very far from Agra, and the bailiff provided his expenses were paid him. To this advance there existed no objection, but the consideration that when the bailiff reached Allyghur, it might so happen that the defendant might have proceeded from thence elsewhere, and thus the bailiff might be eternally pursuing Mr. Tandy with the writ and never be able to serve it on him; or Mr. Tandy might quit the jurisdiction of this court and thus baffle the plaintiff, who has come down to Calcutta on leave to explain some circumstances connected with this case, which as this libel materially affects his character, he felt himself bound to do, and unless this order herein solicited be granted by the court, the probability is that the defendant will avoid the service of this writ until the period of the plaintiff's leave expires. True it is that the plaintiff might apply for an extension of leave, and perhaps the Commander-in-Chief might grant it: but how long could the plaintiff remain absent from his regiment without detriment to the service, to meet the wishes of Mr. Tandy. The Advocate General hereon added that he understood that Mr. Tandy is connected with a paper called the *Agra Ukhar*, in which he has stated his readiness to meet the plaintiff in this court, and defend this action, and ascribed the delay to him. If so, why does he not abide by his word and enter his appearance on this summons.

The Chief Justice here observed to the Advocate-General, that his allusion as to what has appeared in the *Agra Ukhar* on this subject, could not be admitted in evidence, however ingeniously he might have introduced it.

The Advocate General replied, that he was aware of that. He likewise knew that he could enter a return of *non inventus* to the Sheriff's writ and thus enter up an

ex-parte judgment, but as the libel materially affected the plaintiff's character he wished to be personally present in court, and have the writ served on the defendant, to enable the case to be heard, and his character vindicated in open court. The plaintiff did not seek to recover damages, no money would satisfy him: all he sought was a full hearing of his case if not an *ex-parte* judgment.

The Chief Justice observed, that even if the order prayed for were granted yet even then the plaintiff could not prevent the defendant giving him an *ex-parte* decree, if he felt disposed to do so, for he might not appear to defend, or let judgment go by default.

The Advocate General said that was true, but that it would show that his client had made every effort to have the matter elucidated. He then said that there was nothing extraordinary in this application, for if he remembered ought in an action in a former term, the Court had granted an order to subpoena the witnesses to the signature of some female witnesses in the case, on whom the subpoenas could not be served, and thus the writ was served by substitution, as likewise in the case of Mullen Mohon Mitter, where one of the parties lived out of the jurisdiction of this court, a writ of substitution was granted.

The Advocate-General then read the affidavit of Mr. Judge and begged that an order be granted for the service of the summons in this case by substitution by serving a summons on Mr. W. D. Shaw, who has stated himself to be the defendant's attorney, and who has a warrant for his appearance in this action, which the defendant has not as yet filed in court, and that an official copy of the said summons be sent by dawk from the Sheriff's office to the address of Mr. Tandy at Agra and another at Allighur, and that this be admitted as good service by substitution.

The Chief Justice replied, that he recollected that this motion had been made before him in Chambers shortly before this term, and he had refused the application as being irregular with leave to the plaintiff to move it during this term if he wished to do so: he then added that the court was still of opinion that this application cannot be granted. Mr. Tandy is a British subject living within the jurisdiction of this court, and if the Sheriff cannot serve the writ on him let him make a return of *noninventus* and the case can be heard and decreed *ex-parte*. With regard to a native who lives at Benares or elsewhere and has a gomastah in Calcutta through whose agency he may contract debt in Calcutta, the court has allowed a service of a writ by substitution on the gomastah to be good service, but if the court were to allow the same on this application, suits might be entered against British subjects and *ex-parte* decrees obtained without their ever knowing any thing about it. The application was refused accordingly.

The Judge, after all the motions were disposed of, said, that the court would pronounce judgment in this term on the suits of *Ousely versus Dwarkanath Fagore*, and *Cockerell versus Dickens*, and that it would hear the argument in the case of *Turton versus Mangles*.

After this the court adjourned at a quarter after 12 o'clock till 11 o'clock A. M. to-morrow.—*Hurkaru, January, 9.*

JANUARY 9, 1838.

Before Sir E. Ryan, Knt., and Sir S. P. Grant, Knt.

IN THE GOODS AND CHATTELS OF MRS. S. E. FLOODE, DECEASED.

The Advocate General made a motion to examine an attesting witness to the will of the deceased, to enable his client to take out letters of administration to the

deceased's estate on behalf of Mr. Parlybean, the Executor to the will.

The application was granted, and J. C. Mathews deposed, that he had known the deceased about two months previous to her demise. When she signed the will she was perfectly sensible, and when she died she was about forty-two years of age. She had a son, he is alive and might be about twenty years of age. The deceased was on bad terms with the son; and the son did not live in the same house with her, nor was he present when the will was signed. He learnt of it shortly after her demise. Deponent does not know how the son supports himself. Deponent is acquainted with a person named Parlybean; he was the person who introduced deponent to the deceased. Deponent does not know whether connexion existed between Parlybean and the deceased, but they lived on very intimate terms. The other attesting witness to the will is a person named Langdon. This will was drawn up by Mr. Hudson, the Attorney at law, by the desire of Mr. Parlybean, and he desired deponent and Mr. Langdon to witness its signature. When the deceased signed the will Mr. Hudson was not present. Deceased was then very ill; her complaint was an abscess of the liver, and she died on the 5th of December 1836, four days after she had signed the will, by the bursting of the abscess. She died perfectly sensibly. Deponent read and explained the will to her both before and after she had signed it, and she was aware that in executing the will she had disinherited her son. She died leaving about Rs. 1,000 property. She died at Kolderpoor. When she signed the will she gave no reason for having disinherited her son. She was desired to sign the will by Parlybean, and she first wrote his name opposite the seal in the will. Deponent then informed her, that in signing her will, she should write her name and not Parlybean's, and then she wrote her name. Deponent cannot conjecture why a woman who was sensible would make so great a mistake as to sign another person's name to her will. Deponent cannot say at what time the deceased's son came to the knowledge of this will—whether before or after the deceased's death, for he was not present when it was signed. Whether the property which the deceased has thus willed away was given to her by the father of her son or otherwise accrued, deponent does not know. Deponent does not know whether Mr. Hudson ever did any other business for the deceased besides this. The deceased was a woman of color.

The Advocate-General wished to have the other attesting witnesses subpoenaed and examined.

The Chief Justice replied, that he could do so, but he must cite the hearing at law and have the will proved and allow the opposite party the chance of cross examining the evidence. This application, he added, had been previously made in Chambers before Sir J. P. Grant, who refused granting the probate on the grounds already mentioned and give the applicant his choice of re-mooting the point in this term.

The Advocate General said, that he believed that his client would not be able to offer any further evidence than what has already been given, even by the examination of the other attesting witness to it, he therefore prayed the court to return the will to him.

The Chief Justice, after consulting Sir J. P. Grant, said that the Judges could not redeliver up the will after it had been filed in the court. It will be filed in the Registrar's Office for his report on it. If the will is a true will it ought to be filed in this court, and if it is a false will, it ought to be appressed.

IN THE MATTER OF DWARKANATH TAGORE *versus* R. SWINHOE, ATTORNEY AT LAW.

The Advocate-General made a motion on behalf of Dwarkanath Tagore, Esq. v. Robert Swinhoe, Attorney at Law, to make the latter show cause why he should not redeliver, W. N. Hedger, Esq. Attorney at Law, certain papers which Mr. Hedger had entrusted to him, on his written receipt to redeliver them to Mr. Hedger whenever Mr. Hedger may require them. Here the learned counsel read the receipt of Mr. Swinhoe to the Judge. He then said that in detailing the particulars of the transaction out of which this application originated, he would be as concise as possible.

He then stated, that a person named Mahomud Ajeeb, died some years ago at Hooghly, leaving a Talook there called Dwar-Bhag-nee between his sons and daughters, and appointed Sheikh Assoollah, his eldest son, his executor, who accordingly administered to the state. Sheikh Assoollah on the 2nd April 1834, mortgaged this Talook to Agah Manommed Cuibullye, a merchant of Calcutta. It was covenanted in this mortgage, that the mortgagee was to pay on the 28th January 1835 to the mortgagee Rs. 4,000 with the interest of the bond up to that date, and the like amount yearly until the whole mortgage was liquidated, and in the event of his failing to fulfil this part of the agreement, it was provided that the mortgagor might at once enter into the possession of this estate and foreclose the mortgage. Subsequently Sheikh Assoollah contracted a heavy debt to the firm of Messrs. Carr, Tagore and Co., he likewise failed to pay the instalments on the mortgage as they became due, and when the mortgagor was about to foreclose the mortgage and enter into possession of the estate, Messrs. Carr, Tagore and Co., having obtained information of this proceeding, became alarmed for the recovery of the money which Sheikh Assoollah owed their firm, and after consulting their attorney, Mr. Hedger, on the subject, they directed him to get an assignment of the talook made over to them, on their advancing Sheikh Assoollah 17,968 rupees, the amount due with interest on the mortgage, to enable him to redeem it. This was done on the 19th May 1836, and in May 1837, Messrs. Carr, Tagore and Co. further paid the amount of the arrears of rent to due by the estate to Government, to prevent the collector seizing and letting it, for Sheikh Assoollah had let them get into arrears for a long time, and was indifferent on this point. There is a person named Rajchunder Mookerjee, who is a constituent of Messrs. Carr, Tagore and Co. and had a large sum of money invested in their hands. He consulted Baboo Dwarkanath Tagore, as to the best mode of investing this sum and Baboo Dwarkanath Tagore advised him to invest it in landed property. Subsequently by the mediation of Baboo Dwarkanath Tagore, an agreement was entered into between Sheikh Assoollah to sell this Talook to Baboo Rajchunder Mookerjee for 1,35,000 rupees, and it was further covenanted between Baboo Dwarkanath Tagore and Sheikh Assadollah, that the latter was to purchase Baboo Dwarkanath Tagore's house in Esplanade Row, for 40,000 rupees, which sum was to be paid to Baboo Dwarkanath Tagore out of the purchase money of Sheikh Assoollah's Talook to Baboo Rajchunder Mookerjee.

In consequence of this arrangement, a draft was sent by Mr. Hedger, as the attorney of the purchaser, to Mr. R. Swinhoe, the attorney of Sheikh Assoollah, for the amount of the mortgage. Mr. Swinhoe, in reply, wrote back that the sum was insufficient; he likewise wrote to Mr. Hedger to send him the title deeds of Baboo Dwarkanath Tagore's house in Esplanade Row for inspection, and Mr. Hedger accordingly sent them to Mr. Swinhoe, who then gave the receipt which counsel had already read in court. On the 13th June last, these negotiations were interrupted but on the 14th of

the same month, Sheikh Assoollah, called upon Mr. Hedger at his office, and prevailed upon him to accompany him to the office of Messrs. Carr, Tagore and Co. and show them the negotiations for the sale of this Talook to Baboo Raj Chunder Mookerjee for Rs. 13,000 were renewed, as likewise the agreement for Sheikh Assoollah, purchasing Baboo Dwarkanath Tagore's house in Esplanade Row, for Rs. 40,000 in conformity with this agreement, Baboo Dwarkanath Tagore delivered to Mr. Hedger, his attorney, a signed assignment of his house in Esplanade Row, to Sheikh Assoollah, with instructions to deliver it to Mr. R. Swinhoe, Sheikh Assoollah's attorney, whenever Sheikh Assoollah would put into his hand the assignment of his talook to Baboo Raj Chunder Mookerjee, signed by him and his brothers and sisters and witnessed by the husbands of his sister, Baboo Raj Chunder not deeming it safe to purchase the talook on any other conditions. On the 31st July last, Mr. Hedger, Mr. Paul, Baboo Dwarkanath Tagore and others, attended to execute and witness the executions of the assignments they were respectively to make to each other. On that occasion Mr. Paul, who is an Attorney of this court, brought to the notice of Baboo Dwarkanath Tagore several objections to the assignment made by Sheikh Assoollah to Baboo Raj Chunder Mookerjee. They were these. First, that although the sisters of Sheikh Assoollah had signed the assignment, yet the husbands of none of them had witnessed it. Secondly, that there were several judgments of this court pending for large amounts against Sheikh Assoollah, and his father Mohamed Ajeeb, and thirdly, that there were heavy arrears of rent due by the estate to Government, and lastly, that the share of Mohamed Ajeeb in the Talook of Dooar Bashnee in Zillah Hooghly was only 11 annas in the rupee and not 12 annas as the assignment had stated it to be.

This last objection, putting aside the others, was in itself a fatal one to the fulfilment of the purchase by Baboo Raj Chunder Mookerjee of this estate; he therefore discontinued the negotiations and declined to purchase it. After these negotiations were broken, Mr. Hedger wrote to Mr. R. Swinhoe on behalf of his client, Baboo Dwarkanath Tagore, to return to him the title deeds of his client's house in Esplanade Row, which had been entrusted to him by Mr. Hedger for inspection, on his promise to return them whenever Mr. Hedger may require them. Mr. Swinhoe then replied, that if Mr. Hedger could succeed by obtaining an order nisi from the Supreme Court to compel him to deliver up the papers he would do so and not otherwise; for he considered the agreement for the sale of the house and the sale of his client's talook to be in force and binding on the contracting parties, and he therefore would keep the papers in his custody on behalf of his client Sheikh Assoollah, nor could he consider himself justified, if he were to return them to Mr. Hedger on his simple application to him for them, under the existing circumstances of the case. He further intimated that it was his client's intention to file a bill in Equity against Baboo Rajchunder Mookerjee and Baboo Dwarkanath Tagore, to compel the former to purchase the Talook of Dooar Bashnee for 1,30,000 rupees, and the latter to sell the house in Esplanade Row for 40,000 rupees to him.

The learned Counsel then argued, that this was a case in which there was no necessity for his client to bring an action against Mr. R. Swinhoe for Trover. In this case he submitted, that if this court had the power they ought to interfere summarily and grant an order nisi for Mr. R. Swinhoe, (who has unwarrantably taken upon himself the office of a judge between his client and Baboo Dwarkanath Tagore, and illegally detained the title deeds of his house, which were entrusted to him (on his written promise to deliver them up to Mr. Hedger whenever he may require them,) to show cause why he detains these papers, and that the court can and

has the power to interfere, he submitted, will be proved to the court's satisfaction by a reference to the 3d vol. of Term cases, page 275, in the case of Hughes *versus* Muir, in which the application was granted, and which case is analogous to this case in Strange's Trails vol. 1st p.—in the case of Strong *vs.* Home, which likewise was similar to this case and had the application granted.

With regard to the case of *utton vs. Datter* in the same volume, the Advocate-General contended that it differed materially from the present case. Then the Attorney received the documents from his client and therefore refused to deliver them up to any other persons. In this case counsel argued there was an anomaly at law, for Mr. R. Swinhoe was illegally detaining Bahoo Dwarkanath's title deeds on which he fancies his client has a lien, whilst Assood Ollah, his client, is in possession of the Talook, and not only enjoying the rents of it, but likewise annually depreciating the value of the Talook and thus injuring the mortgagee's interest in it by letting the Government rent accumulate. With regard to Mr. Swinhoe's assertion that he would deliver up to Mr. Hedger the title deeds of Bahoo Dwarkanath's house in Esplanade Row, whenever Mr. Hedger would deliver up to Mr. R. Swinhoe the title deeds of Sheikh Assood Ollah's Talook of Doar Bushnee, he begged to remark that the parties stood in a very different position; for Mr. Hedger's client by having advanced a large sum, had a lien on the title deeds of the Talook whereas there was no such lien on the title deeds of his client's house, and therefore their detention could not be justified.

The Chief Justice, after having ascertained, on enquiry from the attorney of Sheikh Assood Ollah, that no bill had been as yet filed by his client in the equity side of this court, to compel the parties to abide by their several contracts, informed the Advocate-General, that he differed very widely from him with regard to Mr. R. Swinhoe's client not having a lien on the title deeds of Bahoo Dwarkanath Tagore's house in Esplanade Row, especially after the Bahoo had signed an assignment of it to Mr. R. Swinhoe's client. With regard to the cases of Hughes *vs.* Muir and Strong *vs.* Home, they differed in some respects from this case, and in the former Lord Kenyon, the judge who granted the application for a rule of *nisi*, gave a very qualified order. Had there been no contract for sale of the house, and had not Bahoo Dwarkanath Tagore signed an assignment of it, the court might then have taken the matter of a summary interference into their consideration; but as it is, the court would be deciding on a simple application backed by an affidavit the proceedings of an Equity case, and were Mr. Swinhoe's client thereafter to institute a suit in Equity against him for the possession of these title deeds, the order of the court would not be a sufficient reply on behalf of R. Swinhoe to that suit. Had the case been one where an attorney received the papers in trust from his client, and refused to deliver them up to him, the court might have granted a rule *nisi* on a simple application for the attorney to show cause; but in the present instance they must refuse the application.

Sir J. P. Grant, after remarking that he coincided with the Chief Justice in his view of the case, added that the court is bound to see, and will see, that the attorneys, attached to it, do not abuse the trust confided in them; that there was a trust confided in Mr. Swinhoe, when he received these title deeds, there is not the slightest doubt; but it is a question that after Bahoo Dwarkanath had made an agreement of the house to Mr. R. Swinhoe's client, and then afterwards refuse to abide by it, in consequence of Bahoo Rajchunder Mookerjee declining to purchase his client's talook, whether it becomes imperative in him to consider that trust reposed in him to be in favor of his client, or Mr. Hedger. Mr. Swinhoe naturally considered it to be in favor of his client, and such is the view this court at present is inclined to take of it; therefore the application of the

Advocate-General for a rule *nisi* for Mr. R. Swinhoe to show cause why he detains these papers cannot be granted. The application was then refused.

After this motion was made for the examination of a witness to prove the will of one of the Bysacks, which was granted, and the witness examined by Mr. Pearson. After the motions had been disposed of, the Chief Justice enquired, and ascertained from Mr. Dickens, that there was one case set down for hearing on the equity board. The court then adjourned till 11 o'clock A. M. to-morrow.—*Hurkaru*, January 10.

JANUARY 11, 1838.

Before the Chief Justice.

Mr. L. Clarke made a motion on behalf of a person named Bhowanichurn Roy. He said that this person had been in the March Sessions of 1828 tried and convicted for forgery, and sentenced to be transported to the S. E. Coast of Malabar for seven years. The period of his sentence having expired, he returned to Calcutta in December last. It appears that at the time he was arrested by the Police Office there were Bank of Bengal notes to the amount of Sa. Rs. 3,276 found on his person and 60 gold mohurs in specie. The notes the counsel has been informed are deposited in the custody of this court and the gold-mohurs in that of the Police Office. Counsel therefore prayed the court that the court would pass an order for the restitution of these notes and gold-mohurs to the said Bhowanichurn Roy.

The Judge replied the court would institute an enquiry regarding the Bank notes said to be deposited in this court, and having ascertained the result of the investigation pass an order regarding them; but with regard to the gold-mohurs said to be lodged in the Police Office, the Judge informed the counsel that this court would pass no order about them as yet, and counsel had better advise his client to make an application regarding them to the Police Magistrates, who no doubt would pass an order on his petition.

The learned Counsel observed, that all that his client required was an order regarding the notes deposited in the Supreme court—he believed there would be no difficulty regarding the coins at the Police Office.

Mr. Edward Black took the usual oaths to-day, and was admitted as an attorney on the rolls of this court.

Mr. C. R. Princep made an application to prove a will by the evidence of one of the attesting witnesses to it, who he said was in court. Counsel observed that in this case the deceased, after he had executed the will and shortly previous to his demise, had in the presence of the attesting witnesses to it erased the names of two of the legatees mentioned in it, and had thereby, to its prejudice, left the whole estate under the sole control of the executor to the will.

The Judge observed, that under the circumstances mentioned by the counsel in behalf of this application, he would decline to examine only one witness, and desired counsel to have both the attesting witnesses in court by Monday next, when they could be examined and the will proved.

The case of T. E. M. Tarton *vs.* R. D. Manglos, was likewise fixed for hearing on Monday next.

After this a few more motions of no great importance were made and the court adjourned till 11 o'clock A. M. to-morrow.—*Hurkaru*, January 12.

JANUARY 16, 1836.

(Before Sir J. P. Grant, Knt.)

In the matter of Hingun Khan and others ? Bebee Ameerun and others.

Mr. Leith made a motion in this case on behalf of Mr. Thompson, an Attorney of this court, to be exempted from acting further as compliment's attorney in this suit on an affidavit of Mr. Thomson.

The affidavit stated, that deponent had been engaged by Hingun Khan, who had represented himself to be the agent of Roshier Beebe: and others. Deponent could not obtain any advance of costs from Hingun Khan, who is already indebted to deponent for office fees in this suit, is further more in jail, for costs due to Beebee Ameerun. Hingun Khan has subsequent to his confinement, applied to this court to be permitted to carry on his cause *forma pauperis*, and this application has been granted, and deponent, is willing to resign the sole management of it to pauper's attorney; and counsel moved that a rule nisi be granted in the case to serve a notice by substitution on Hingun Khan in jail, to inform him of this deponent's discontinuance as attorney in this case.

The Judge replied, that the applicant must first endeavour to serve the rule nisi on the principal clients in this case, and if he does not know where they reside, he must endeavour to find out the name of the village, and if it is a large village the street in which these parties reside; and after he has done his utmost to serve the order on them and failed, then he may apply for a substitution of service.

The counsel replied, that the parties resided in the village of Belloor, in the Zillah of Khanpore, a great distance from here, and that they were strangers to Mr. Thompson. Further, it would cost Mr. Thompson 3 or 400 rupees to serve this order, even if he succeeded in serving it, which he doubted, and Mr. Thompson was already a sufferer in this case, and could not afford to suffer a further loss.

The judge replied, that he had given his order and he would not alter it.

On a motion made by the Advocate-General, Mr. William Adam, was sworn in to-day as Officiating commissioner of the Court of Requests, in the room of C. W. Bietzcke, Esq., chief commissioner of that court, now absent on leave.

The case of Turton v. Mangles has been fixed for hearing on Thursday next the 18th instant.

After this a few other unimportant motions were made and disposed of, and the court adjourned till 11 o'clock A. M. to-morrow morning.—*Hurkaru, Jan. 17.*

JANUARY 18 1836.

John Moore v. Thomas Driver.

Mr. Advocate General moved for a rule to show cause why the trial of this case should not be postponed, on the ground of the absence of Mr. Crawford, whose evidence is material for the defence. The plaint was filed on the 13th instant, and Mr. Crawford sailed for the Isle of France nine days ago, from whence he is expected to return in a short time.—*Rule nisi.*

E. K. Hume v. Stephens and others.

Mr. Clarke moved on notice on the part of the complainant, that the receiver appointed in this cause be at liberty to cancel the lease of the real estate of Mary

Hume, deceased, made by him to the complainant; and that it be referred to the Master to enquire and report whether the complainant ought to pay to the receiver any, and if any, what rent for the estate since the 12th of October 1836, and in what manner such rent should be apportioned between the complainant and defendants. The learned counsel moved on the affidavit of Mr. Butcher, the constituted attorney of Mr. Hume, which set forth, that on the 28th of June 1836, the receiver granted a lease of the real estate to the complainant for the term of three years from the 12th of April the same year, he the complainant agreeing to pay for the first year rupees 21,000 and for the second and third year rupees 27,000. Previous to the appointment by the court of a receiver, Mr. Thomas Bird and Mr. J. C. Sarkies had been appointed by Mr. Cracroft, who was then judge of Dacca, guardians of the persons and the estates of the children of Stephens, one of the defendants. This appointment by Mr. Cracroft was confirmed by the court of Sudder Dewanny Adawlut, but afterwards Mr. Sarkies was discharged from the guardianship. In September 1835, an injunction was granted by this court, enjoining the defendants and Mr. Bird to desist from collecting and getting in the rents. Nevertheless they did not desist, and the receiver appointed by the court, has never been able to put the complainant into possession. Under these circumstances, Mr. Hume is desirous that the lease granted to him by the receiver appointed by the court should be cancelled, and that it be referred to the Master in the terms of the order.

Mr. Leith, on behalf of the infant defendants, showed cause against the application, on the grounds that Mr. Hume as lessee under a formal lease, had no right to intervene in this suit to seek a reference to the Master, to reduce the amount which he had covenanted to pay by his lease, and try on the equity side of the court, his legal liabilities and the receiver's legal rights against him. The learned counsel stated, that his clients were interested in opposing any deduction of the amount of the rent agreed to be paid by Mr. Hume, as they were entitled to a moiety of it, and could not consent to a reference to the Master which would entail considerable expense. He asked that the motion should be discharged with costs against Mr. Hume.

The court discharged the motion with costs, reserving liberty to Mr. Hume to renew his application on the same grounds if the receiver's consent can be obtained.

T. E. M. Turton, v. F. and C. E. Mangles.

This was an argument on the plea filed by the defendants.

Mr. Prinsep, with whom was Mr. Sandes, opening the plea, which set forth, that by an order made by the Recorder in the Mayor's court of the city of London, the 10th March 1836, in a cause then pending, wherein defendants were the plaintiffs and complainant defendant, it was ordered that all matters in difference be referred to arbitration. It was also agreed that plaintiffs and defendants should not bring any bill in equity against each other. On the 18th April 1836, the arbitrators published their award, adjudging that all proceedings in the cause should cease, and that the complainant should pay to the defendants £362-6-5, in full of all demands. The complainant before filing his bill in this court, did pay by his agents, the amount thus awarded. The subject of the suit was included in the reference, and was taken into consideration by the arbitrators. The learned counsel stated, that the action at law arose out of advances made in London by defendants to Captain Gillet of the ship *Ernaud*, of which vessel Mr. Turton was the owner. It was agreed to refer disputes to arbitration, and the award was made in London as pleaded. In the mean time before this adjudgment was known,

complainant filed his bill in the Supreme Court, Calcutta. The award has been paid.

The Advocate General and Mr. Clarke were heard in support of the bill.

But the court allowed the plea, and dismissed the bill, each party to pay his own costs.—*Englishman, Jan. 19.*

JANUARY 19, 1838.

Lucknarain Moorkeejee v. Paul E. Roussac.

In this case the plaintiff is or was banian to the firm of Roussac, Brothers in this town; defendant is not a member of that firm, but was employed to manage their firm during the absence of the partner in France. During this period he borrowed from the plaintiff sums of money, or government paper, on which sums of money were raised, of rupees 4,900, rupees 6,000, rupees 800, and on the 6th of March last, rupees 3,000, in all about rupees 10,000. For this he gave his promissory notes and undertaking to return the paper. The last note had been endorsed over to a third party, who on its non-payment, brought his action against the plaintiff and recovered damages and costs, both of which were paid. The present action was brought to recover the sums of money abovementioned, and also the costs of the action against the plaintiff.

Mr. Clarke for the defendant, admitted that all the sums were proved, save one for 800 rupees, of which the only evidence was that of a sneer, who placed the amount to defendant's debit, by direction of the plaintiff, in a Bengal account book. The defendant, however, pleaded a set off, to have deducted and allowed to him from the plaintiff's claims, a sum of rupees 3,500.

It appeared in evidence, that one of the bills, drawn by defendant, accepted by plaintiff, had been discounted by the Bank of Bengal. On this note an action was brought by the Bank, and in its progress the parties assembled at the chambers of Mr. Sandes, the Bank's solicitor where, it was sworn a check on the Union Bank was given by defendant to plaintiff, payable to Moischunder Bonnojee, the plaintiff's nephew. Moischunder was instructed by his uncle to take the money to Mr. Sandes. The trial turned entirely on this, whether the amount of the check was paid by the defendant, on account of the firm of Roussac, Brothers, or on his own account.

The court allowed the set off, and gave a verdict for the amount, claimed, less rupees 3,500.

For the plaintiff, the Advocate General and Mr. Sandes. For the defendant, Mr. Clarke and Mr. Barwell.

H. Kyte, v. Hullothur Day and others.

Mr. Gochrane, on the part of complainant, moved for an injunction to restrain two of the above defendants from receiving, and the sheriff from paying over a sum of rupees 1348, in the hand of the latter levy, seized in an action, in which one of the defendants on the plea side of the court was plaintiff, and Henry Kyte the defendant, under a writ of *feri facia*. The grounds on which the learned counsel moved were certificate of bill filled, an affidavit of plaintiff that Hullothur Day was the father of the two other defendants, and had been retained by Kyte in superintending a coach building concern of his, on an understanding that he was to receive five per cent. on all business brought by him to the yard.—That Hullothur had received from Kyte three notes of hand, one or rupees 400, one for rupees 500, and another for rupees 1,100;—that on these he promised to obtain money

and pay the full amount into complainant's hand;—that in place of so doing he had received bills to the amount of rupees 3,000, of which it was believed he had recovered the full amount, but had not paid over any part of the same, or of any part of the notes granted to him and his sons. That Hullothur had left the service of the complainant and had, in the names of his three sons, filed three distinct actions on the notes given as before stated. In the one, complainant being arrested, paid the money. In another, Hullothur had obtained an *ex parte* judgment, and under an execution seized the sum sought to be detained in court by the injunction;—that on the third action he had also obtained an *ex parte* judgment and was proceeding to execution. It was stated to obtain a rule *nisi* (the late Rules of court requiring that all motions for injunction should be on notice) that the money in the hands of the Sheriff was payable to day, and that it was the belief of complainant if it passed into defendant's hands, they would abscond out of the jurisdiction, and the complainant would lose his money, and be without remedy, neither of the defendants having property and the defendant Hullothur having taken the benefit of the Insolvent Act.

The Court said the motion must be on notice, which would restrain parties from taking the money until motion heard. That the affidavit did not state the irreparable injury contemplated by the rule which formed the exception, and that they could not grant the application but on notice which might be given at once.—*Englishman, January 20.*

JANUARY 23, 1838.

John Moore v. Thomas Driver.

This was an order *nisi*, obtained on a former day, calling on the plaintiff to shew cause why this trial should not be postponed.

Mr. Advocate General now moved the rule absolute.

Mr. Prinsep shewed cause, insisting that the defendant's grounds were not sufficient; that they were vague and unsatisfactory, merely stating the absence of Mr. Crawford, who, it is alleged, has paid the money for which the action is brought, but nothing was stated to shew, the alleged payment could not be proved by the partners of the firm of Gilmore and Co.

But the court thought the grounds sufficient, and made the rule absolute.

John Aitchinson v. J. A. Currie.

This was a demurrer to the plea of the defendant. The action was brought to recover the amount of wages due to the plaintiff for his services as an engineer in the Howrah Dock-yard. The defendant pleaded the general issue, and the non-performance of a contract, plaintiff having quitted defendant's service without giving notice. To this plea defendant demurred.

The court allowed the demurrer on the first, second, and third counts, and directed an issue to prove the contract.—*Englishman, January 23.*

JANUARY 25, 1838.

E. K. Hume v. Stephens and others.

In this cause, the order was made, referring to the Master, to enquire and report whether or not the lease ought to be cancelled, on payment of any, and if any, what sum of money, by the complainant to the receiver, and how such money, when received, ought to be apportioned.—*Englishman, January 25.*

A case of very considerable interest, both in a general and commercial point of view, was at the time we left, in progress of argument in the Supreme court, the Chief Justice and Mr. Justice Grant presiding. It was the appeal of the Assignees of Ferguson and Co. against the decision of Mr. Justice Malkin in the Insolvent court, in the matter of the Assignees of David Clark against the Estate of Ferguson and Co., who claimed to be allowed to prove for about six lakhs of rupees. Sir B. Malkin decided in favor of the claim to prove against the estate, and hence the appeal by the Assignees of Ferguson and Co.

Mr. David Clark retired from the firm in Calcutta in April 1827, and on his going out of the house, upon a balance of accounts being struck between the parties, an agreement by way of dissolution of partnership (we believe) was entered into by the other parties with Mr. D. Clark, and he was credited with a certain sum which he left in the house, and which after certain fluctuations, now amounts, according to the Assignees of Mr. D. Clark, to about six lacs.

The decision of Mr. Justice Malkin is appealed on the ground that there was abundant evidence before him to shew, that at the time the partners entered into the agreement with Mr. D. Clark the house was insolvent; and that there was in point of fact, nothing in the books to the credit of Mr. D. Clarke. The Advocate-General and Mr. Leith for the Assignees admit, that had the transaction been *bonâ fide*, and had the house been solvent at the time of the agreement in question being entered into, the Assignees of Mr. D. Clark might come forward. And their point, as we understand it, is, to shew that the case in question does not come under that class of decisions, in which payments, or credits in the books to retired partners, consequent upon agreements in going out, have been upheld. The insolvency of the house at the time, and the knowledge of the partners of the fact, vitiating the whole proceeding; and consequently no claim to be set up against the interests of the *bonâ fide* creditors—such is, we believe, the nature of the question raised in this appeal case. The counsel for the Assignees of David Clark, Messrs L. Clarke and W. P. Grant (who was a member of the house at home, Fairlie, Bonham and Co.) contending that the case of Mr. D. Clark, comes within the rule of law laid down in the cases of payments by the house to retired partners, under and by virtue of deed of agreement. We shall endeavour to place before our readers the judgment of the court in this interesting case.—*Calcutta Courier, January 26.*

APPEAL TO THE SUPREME COURT FROM A DECISION OF THE INSOLVENT COURT.

In the matter of the petition of Samuel George and Edward Edwards, Assignees of David Clarke, and the estate of Ferguson and Co.

Appellant—Elliot Macnaghten, Esq., Assignee.

Counsel.—The Advocate General and J. F. Leith Esq.

Attorney.—Mr. Waddington,

For the Respondents.—*Counsel*.—Longueville Clarke, Esq., and William Patrick Grant, Esq.

Attornies.—Messrs. Wight, Boyle and Thomas.

In the case Mr. David Clarke was the head of the firm of Messrs. Ferguson and Co.; he left India in 1826, and retired from the firm on the 30th of April, 1827, joining the London firm of Fairlie, Bonham and Co. On his retirement, the remaining partners admitted that *viscâ* rupees 8,31,636 stood to his credit, and was due by the house to him, but in consequence of the correctness of this balance having by subsequent investigation

been doubted, he voluntarily gave up two lakhs of rupees. But even the amount due to him after this relinquishment frequently varied, from consignments made by him, and remittances made to him, and on the failure of Ferguson and Co., the balance to his credit was 6,54,029. Mr. Clarke afterwards became a bankrupt in England, and the respondents were appointed his assignees. They claimed a dividend from the estate of Ferguson and Co. on the sum standing to Mr. Clarke's credit. This was resisted by Mr. Macnaghten. The Assignee of Ferguson and Co., and a petition was accordingly presented to the Insolvent Court, where it was decided by Mr. Justice Malkin, that the estate of Mr. Clarke was entitled to the dividend and against this decision, the present appeal was presented.

The Advocate General in support of the appeal, contended that the decision below was erroneous as against law and facts. He doubted the authority of *Ex parte Peak*, the case on which the Council for the English Assignees and Mr. Justice Malkin had principally relied. Sir Thomas Pumer, by whom that case was decided, had been undoubtedly an eminent Lawyer; but the greater part of his life was spent in courts of Common Law, and he had never been distinguished for his knowledge of Equity. He cited the case of *Anderson versus Malby*, 24 Vessey junior, 244, which he stated to be completely in point, and read passages from the Lord Chancellor's judgment to shew the distinction between legal and moral fraud. He was far from imputing moral fraud or any turpitude whatever to Mr. David Clarke, or any of his partners; but he said, that there was that which in law was a fraud, and which vitiated as between the partners and the creditors, the arrangement which they had made among themselves. Mr. Clarke had retired in April, 1827, and had given a statement of the affairs of the house proposed in March 1823, by Mr. John Smith, the then Senior Partner, and signed and approved by all the partners, so as to constitute instead of having any balance to give to Mr. Clarke, that on the day he retired there was an actual debt of 6,63,612 Rs. He then read the notes annexed by the different partners to this statement, and also read Mr. Clarke's letter to his brother, admitting its contents, and commented on the notes and letter, to shew that they completely brought the case under the decision of *Anderson versus Malby* and also other cases which he cited. *Ex parte Barnaby Cook*, B. L. 239. *Ex parte Ruffin* 6 Ves. 119. *Ex parte Williams* 11 Ves. 3. and *Ex parte Feil*.

Mr. Leith followed on the same side, and in relation to what had been urged by the Advocate General, contended that it was most natural that Mr. Clarke should have been very desirous of retiring from the House and would do much to effect his object; and any one who knew the uncertainties, anxieties, and miseries, attending a Calcutta mercantile life for the last fifteen years, would readily comprehend this feeling. He likewise argued that the deed of dissolution of partnership was void for want of consideration as Mr. David Clarke gave no consideration to the remaining partners for the eight lakhs of rupees he was to receive, and for taking on themselves his liabilities.

Mr. Longueville Clarke for the English Assignees, stated, that he should conduct this case in a very different manner from what he would do, or would deem proper, were he appearing for Mr. Clarke or any of the partners. It was an immense sum of money which was at stake, and the question was to which of two bodies of creditors both of whom had been sufferers, the law would give it; he should therefore press every point of law and fact which could avail his clients, a course which the would not adopt, were the question between Mr. David Clarke and his creditors,

In the first instance he denied the right of his friends to be heard, because he said they must shew their right to oppose before their opposition could be entertained. The Assignee only represented the creditors and if they had no right to oppose, he could have none. First he contended that no creditor could oppose, unless he had been a creditor of Mr. David Clarke's, that is a creditor of the house previous to April 1827, and had continued to be so ever since. Secondly, that right would be lost, had such creditor known of Mr. Clarke's retirement and consented to transfer his credit to the remaining partners. This had been decided in the Court of Exchequer so recently as April last, in *Captain Hart versus Henry Alexander*, 2d Meeson and Wetsby 488.

The Chief Justice. The Assignees hold the fund, you demand a payment from them; how can you say they have no right to be heard against making that payment?

Mr. Clarke said the right to be heard, was consequent on the right to resist payment, the right to resist was based on the right to invalidate the arrangement made between Clarke and his partners, but no subsequent creditor, nor any creditor who had transferred his credit, was affected by or could question that arrangement; therefore, it followed that those who were not in a situation to question the arrangement, could have no right to be heard. Now, before the creditors could question the arrangement, they ought to shew that they had a right to do so; but there was not one tittle of evidence in the court below to shew, that the Assignee represented any creditor of Mr. David Clarke's or that any of the present creditors of Fergusson and Co., were creditors in April 1827. The *onus probandi* was with them.

The Chief Justice.— This is arguing on a circle. The Assignee has a right to resist payment, but it by no means follows that he has a right to enforce it. We think he has a right to be heard, but on being heard, if he does not prove he has right to oppose another question may arise, but nevertheless we must hear him.

Mr. Clarke stated he would not argue against the opinion of the court, much less would he do so when the weight of his objection would avail him equally on the consideration of the whole question. He would therefore go to the merits. He would at once acknowledge the correctness of the law of all the cases cited by the Advocate-general, and he would shew from them, that his fraud was in error in questioning the correctness of Peak's case. Nothing in fact could be more clear, more simple, than the law applicable to this case. It was all to be found in Peak's case, and the other cases instead of differing from, supported that decision. This was the law. If the arrangement for Mr. Clarke's retirement was made with the intention of defrauding the creditors, then it was bad; but if not, then it was good. Knowledge of Insolvency by the partners at the time of making the arrangement did not of itself constitute proof of fraud, but it might be coupled with other circumstances by evidence of it. In Peak's case, knowledge of Insolvency without other circumstances was held not to be sufficient; in the other cases, there were strong circumstances coupled with this knowledge, and therefore fraud was held to be proved. There was, therefore, no contradiction in any of the cases, they all established the leading principle, whether or not the evidence amounted to a proof of fraud. Mr. Pearson had disclaimed attributing moral fraud to the partners of Fergusson and Co., but he argued that they had been guilty of legal fraud; he denied broadly that any such distinction could exist in this case; he would take the high ground, and tell the court and his friend, that in his opinion, if the partners gave this sum to Mr. David Clarke, knowing there was a deficiency in the house, that all of them had been guilty of the grossest moral fraud. He would draw no nice distinctions; if the House were not solvent, and completely solvent, then he said that a gross moral fraud had

been committed. Having thus disposed of the law, he would come to the facts. These depend upon oral and written testimony. The oral evidence consisted of the depositions of Mr. T. H. Gardener, a clerk in the house, Mr. McKellegan, the book keeper, and Mr. Fergusson, one of the partners. [Here Mr. Clarke read the three depositions commenting on them as he proceeded.]

The only evidence referred to by his friend, was that of Mr. Gardener's, whose subordinate employment in the firm, prevented his having any intimate knowledge of their affairs; but putting that aside, for he was determined to take the high ground, he challenged his friend to point out one single line which could even imply, that in Mr. Gardener's suspicion the firm was insolvent in 1827. There was nothing approximating to such a notion; how then could this evidence help them? But what said Mr. McKellegan. He had been the book-keeper from 1823, and in reality knew from his peculiar duties the pecuniary affairs of the house better than the partners themselves. He swore that the house was perfectly solvent, that he would have trusted it to any extent, and that Mr. Adam Freer Smith, now an eminent merchant in Calcutta, but then a clerk in the house, and thoroughly cognizant of its affairs, applied for admission as a partner on Mr. David Clarke's retirement. Mr. McKellegan was an independent man, he had never been in the house, and was now the first member of one of the richest houses here. Mr. Fergusson, of whom he would say without fear of contradiction, that no one was more esteemed as a merchant or a man, swore to the same facts. How then stood the case? Had these gentlemen perjured themselves? If not, the decision of the court below could not be altered. He liked to put things on the broad and, therefore, what he conceived the real ground. He would therefore ask, could the court with the sworn evidence before them, which they had supposed that they could understand the affairs of Fergusson and Co., in April 1827, better than Mr. McKellegan the book-keeper, and Mr. Fergusson, the partner? If not, they must then be guided by their evidence, or disbelieve it—or in other words, for he liked plain language, they must either believe them and support the decision of the court below, or if they reversed it, pronounce them to be guilty of stable perjury. There was no drawing the law; there were no nice distinctions in this part of the case, any more than there were in the other. He now came to the documentary evidence. The court would recollect that when a balance of 18,35,101 was found to be due to the partners in April 1827, they were ranked among creditors of the house. The balance due to them was always treated as any other debt of the house. Now take the first account made up in March 1828, that shews 6,63,612 deficit, that is what is due to creditors beyond the assets; but among what is due to creditors, is what was due to the partners, namely 12,85,101; so that had all the creditors, but the partners, been paid, the surplus would have been 6,21,492. Now the partners might do what they pleased with their own, and Mr. David Clarke having given up two lakhs, the portion assigned to him was only 10,144 beyond the assets of the house. So much for the first calculation; but the second shewed a very different state of affairs; then the deficit, instead of being 6,33,612 in five months after, showed a deficit of 401, thus leaving a surplus, after paying all debts, of 12,84,703.

Look then at this documentary evidence; it was ludicrous to say that it was any proof of the house being insolvent. In point of fact, the proof was the other way.

But the case did not rest here. Hitherto he had confined himself to the appellant's evidence, let him now turn to his clients'. There it will be found that these two accounts were made up not between the partners and creditors, but between the partners themselves. There

It will be found, that there was a fund called the suspense account, which was a fund expressly reserved to meet bad debts, or an evil hour. To the creditors this fund belonged, but the partners never touched it; therefore in making up accounts between themselves, they never referred to it. This fund in 1827 amounted to 62 lacks of rupees, and was not included in the calculations produced by the appellants, as between the partners and the creditors it would be included; and, therefore, the 60 lakhs ought to be added to the calculations produced, which made it ludicrous to talk of the insolvency of the house at that period. Mr. Clarke then went into an examination of the Gloucester Mills accounts, shewing the vicissitudes of mercantile speculations. His property had cost him 10 lakhs, in a few years after it was sold for 2 lakhs by the assignees, and then sold for 6 lakhs by the purchasers from them. Again in regard to debts, there was equal uncertainty, many were esteemed good, which turned out bad, and many were considered hopeless which were paid in full. Mr. Smout and Mr. Andrew Wight were among the latter; he found them noted bad, and afterwards principal and interest paid in full.

Mr. W. P. Grant supported Mr. Clarke. He went at great length into the accounts explaining the nature of the suspense account, and attacking the Advocate General for a want of proficiency in mercantile accounts. He also went at great length into other points not touched on by Mr. Clarke, especially the law relating to the liability of partners as between them and their creditors.

The Advocate-General replied, that it was useless to contend, that the two accounts signed by the partners. In March and October, 1826, did not shew a complete state of insolvency. There the word deficit was used, and over that his friends could not get. There was nothing of suspense account mentioned in them; but if there true nature and character wanted to be defined, look at the desponding remarks attached to them by the partners themselves, and look at Mr. David Clarke's letter to his brother. Would any, but men conscious of, and weighed down by insolvency, have written to that effect. His friend Mr. Grant was wrong in stating that he had ever admitted that he was ignorant of accounts; but this he had done he had admitted and did admit that he was ignorant of that system which is magnificently termed Italian book-keeping a system which to him appeared to have been invented by merchants, with its entry and double entry, for the sole purpose of keeping others in the dark and mystifying themselves.

The court, after short deliberation, stated they would deliver their judgment at an early day.—*Hark. Jan. 29.*

(Before Sirs E. Ryan, and Sir J. P. Grant.)

RAJAH BURKODACAUNT ROY, versus JUGGOURCHUNDER MOOKERJEE AND OTHERS.

This cause came on for hearing on supplemental bill and answer. The former was filed in June 1836, and prayed an account against the real and personal estate of Doorgachurn Mookerjee, deceased, and an injunction from wasting or charging the same, and for the appointment of a receiver if necessary. An interlocutory decree *ad computandum* had been obtained in April 1835, but the final decree was not dated until the 1st of November, 1837, so that the present bill was filed antecedently to the latter, though subsequently to the former decree. The bill was taken *pro confesso* against all the defendants except the three infants who had put in their answers in February and March 1837.

Mr Clarke and Mr Lieth for complainant, put in evidence to prove a large ancestral estate in the possession of the present defendants, the representatives

of Doorgachurn Mookerjee, who were making away with it to avoid the effect of the decree of this court.

Mr Prinsep and Mr Cochrane for the infant defendants. This is a mere experimental bill, wholly novel and unprecedented both in form and principle. The decree upon which the complainants ground their alleged title to relief from this court, was not in existence at the time when the bill was filed. As to the interlocutory decree of April 1835, it only directs an account, and therefore establishes nothing more than a possibility that a claim might at some future period accrue to the defendants. *Smith versus Eyles*, Aikyn's Rep, is an authority that a mere decree *quod computet* does not affect the right of dealing with the property, and that a final decree alone can put the parties in the position of creditors.

Mr Clarke in reply urged, that even the interlocutory decree gave the complainant a right against the estate so far as to entitle him to relief from this court, although it did not precisely define the amount of his claim.

The court postponed judgement, and rose at three o'clock.—*Harkaru, January 31.*

MADRAS SUPREME COURT.

During the trial of a case of larceny in the Supreme Court on Monday last, a Christian boy of eight years old, was brought up to the clerk of the crown to take an oath, previous to his being sent before the Grand Jury, when the following dialogue took place.

Sir E. Gambier. Has he learned to read and say his prayers? He has learned a little; he says his prayers. To whom are his prayers addressed? God. Does he know God hears and sees all that he says and does? He does not know. Does he know what is meant by taking an oath? No. If he tells lies and falsehoods, does he know it is displeasing to God? No he does not know. Does he know that it is wicked to say what is false? He does know that. Does he know that God will punish those who swear falsely? He does not. Has he been taught where wicked people will go in the next world? He does not know that. Has he heard of Heaven and Hell? No he has not. Of what persuasion is he? A Roman Catholic. What prayers has he learnt? A moral poem in Tamil. Has his father taught him any prayers? The ten commandments to pronounce. Does he know any commandment about bearing false witness? He does not know it. Has he learnt any commandment? He has learnt ten. Which of the ten can he say? No reply. The boy was sent to the Grand Jury with a message that he was not to be examined on oath as he did not comprehend the obligations of it.

We have given the above, not for the sake of pointing out the ignorance of the witness, for although stated to be eight years old he hardly looked five, and was perhaps confounded at being so closely interrogated in open Court; and still less to question the propriety of persons being strictly examined, as to the sacred obligation of an oath; but to suggest whether something like the foregoing enquiry might not be beneficially extended to a very considerable portion of the persons who go into the witness box; and whether any thing is so likely to impress the natives with contempt for the ceremony of swearing as the slovenly manner in which oaths are usually administered. For our own part, we do not believe that a person who would assert a deliberate falsehood would have much hesitation in breaking an oath; but whilst oaths are legally considered necessary, they certainly ought not to be mumbled over in a whisper, as they constantly are in our courts of Justice and in cases of importance, where the liberty and even life of

prisoners is at stake, we can imagine that great advantage would be derived by closely questioning the principal witnesses as in the case of the lad on Monday last.

After several years pretty close attendance in the Supreme court, during which period we have had occasion to watch the evidence with some attention, our decided conviction is, that the natives of this country, as a body, have no more hesitation in asserting what is false in the witness box than they have out of it. We believe our opinion coincides, with that of most persons

who have had experience in the courts of Justice; and under these circumstances we contend no means should be left untried to check so enormous an evil. The simplest method we can recommend is to impress the witness with the awful responsibility of calling God to bear testimony to a lie, by obliging him distinctly and deliberately to repeat the oath or allegation in the face of the court, and by warning him that, in addition to the moral penalty which he incurs the court will be always ready and willing to inflict the highest punishment which the law allows for the crime of perjury.—*Madras Herald, Jan. 17.*

INSOLVENT COURT.

JANUARY 6, 1838.

(Before Sir E. Ryan, Knight.)

IN THE MATTER OF GOVIND CHUNDER KUR AN INSOLVENT.

Mr. Leath in opening the proceedings in this case, addressed the judge, and said that he had on a former occasion obtained an order from this court to examine this Insolvent regarding some landed property which it is alleged on behalf of his assignee, and the creditors of the estate, that he possesses within the jurisdiction of the Zillah of 24 Pergunnahs, and which he has omitted to insert in his Schedule filed in this court by him.

The Insolvent was accordingly sworn. He deposed that he has no separate dwelling house, but he and his family, together with his other relations, live in a house situated on 26 beegahs of ground in the village of Rajhpoor, within the jurisdiction of the Zillah of 24 Pergunnahs. This house was the ancestral property of his grandfather, Doorgah Ram Kur, who shortly previous to his demise, bestowed it by a deed of gift for religious purposes, on the goddess Radha Govindo Gee. The image of this deity is kept within the dwelling house, and is on festival days brought out into the Hindoo temple. Besides the Hindoo temple there is a Mahomedan Masjid likewise on this ground. Doorgah Ram Kur died leaving 4 sons, Ram Chunder Kur, deponent's father Kishen Chunder Kur, who had 6 sons, 4 of whom are alive, Sambhoo Chunder Kur, who had one son yet living, and Mohes Chunder Kur, who has a daughter. The deed of gift was executed by Doorga Ram Kur, 18 months previous to his demise, in Bengally. Deponent was then only 10 or 11 years of age. He does not know whether the registry of this land was transferred in the collector's books to the name of the deity after the deed of gift. He cannot say in whose name these lands are now entered in the collector's office, it might be in the joint names of Sambhoo Chunder Kur and Mohes Chunder Kur; but deponent believes it to be in the name of the idol on which it was bestowed. This land was seized by the collector for arrears of rent, and sold about 4 or 5 months ago, and Baboo Ishur Chunder purchased it for 3,600 rupees. This sale happened before deponent was discharged by this court, but he cannot say whether it was before deponent had made his application for an Insolvency. Deponent was at that time, in the jail of Calcutta. This land deponent imagines to be worth 6 or 7,000 rupees and not 30 or 40,000 rupees. After the seizure of these lands by the collector, deponent's relatives petitioned against the sale to the commissioner of Alipour Division, Mr. Pigou, who, as the land was devoted to religious purposes and as such are not liable to assessment, cancelled the collector's sale. Deponent has no share in any of these lands. Each of the deponent's uncles and cousins look after their own share, likewise

his brother Bindlabur Kur; but the lands devoted to religious purposes is under the general superintendance of them all, but Mohesh Chunder Kur as the senior of the family is the nominal superintendent. Deponent's grandfather, besides the afore-said land, possessed a garden house at Rajhpoor, situated on the banks of the River Ganges, which he at the time he made the deed of gift already mentioned, bestowed on the goddess Gungu Mee, and there is no Government rent assessed on it. The spot of ground to the east of Sree Ram Mootee's garden, likewise belonged to deponent's grandfather, who annexed it in this deed of gift as well as the adjoining beetelnut garden of 2 biggahs. The beetelnuts grown in it are appropriated to the use of the idol and not sold. Deponent is unacquainted with Gopaul and Kishen Mohon, nor does he know any ground at Rajhpoor called Amrah Bagan. Deponent's grandfather had a house adjoining Chundy Churn Sircar's at Rajhpoor; this house is converted to an abode for the pilgrims and songsters who worship at the shrine of the deity. Deponent does not know Bhowany Roy, nor is he aware of any lands his grandfather purchased from him. Seekdar Bagan, at the village of Goopy poor, contains 16 biggahs of land; deponent does not know whether it was acquired by his grandfather, or subsequently bought from the savings of the revenue of the other religious estates; it is devoted to religious purposes. Besides the lands already mentioned, deponent's grandfather left many other estates, many of which he has never seen, and does not even know their names. After the death of his uncle, deponent for a short period collected the rents of his share, and at times of the shares of his relatives at their request. Deponent's share was two annas in the rupee. Deponent does not know what was the annual amount of these collections. Deponent collected the rents for about two years and a half. The accounts of these collections are in the custody of the shareholders at Rajhpoor and their gomastah. Since deponent's confinement, his uncles and cousins have separated and therefore these gomastahs are now dispersed; yet some of them may be forthcoming. Umbikha Jadub and Rauchund Boes, moulurirs, who collected and kept the account of these rents and do so still, are residing in Zillah 24-Pergunnahs in the village of Wirzapoor, and can be found if inquired after. Deponent's grandfather had a lower roomed house at Barreapoor called Peach Sahib's garden; this, together with an indigo factory at Erachee, were mortgaged to Baboo Juggeldernath Mullick by deponent's uncle for 5000 Rs. shortly after the demise of Sambhoo Chunder Kur, in 1242. This mortgage has not as yet been paid, and the property was totally sold for arrears of Government rents. Deponent believes that he has entered it in his Schedule as forming a portion of his ancestral property. The rents of Turf Seeta Koond exceed 200 Rs. annually; it is dedicated to the deity, but Kiste-Ram poor, which is included in the Talook of Dangah,

is not devoted to religious purposes. Deponent had two annas share in Kisto Rampoor. Pergunnah Dangah was sold, together with the other lauded property already mentioned, for arrears of Government rents, and purchased by Ramdhon Bose.

Deponent has inserted it in his Schedule. He knows Muddenpoor and Jugguderampore, but he cannot say how they were acquired. There are some estates acquired by deponent's uncle's and cousins in which he has no Ghose.

After denying all further knowledge of any other land, deponent deposed, that since his release he has not collected the rents of any of these lands, but he has been occasionally consulted respecting them, and he has signed receipts for the rents received on behalf of the deity; but deponent did not receive the money, it was collected by sicars employed for that purpose. This money was all earned to the expense of the deity, and none of it devoted to present purposes. The ornaments and plates belonging to the idol are in the possession of the deponent's uncles at Rajpooor. No part of these have ever been sold by either him or his relatives. The lands are all rent free lands, and the deed of gift is in this court; it was delivered by deponent's uncle to Moolloosoden, a friend of his, to have it translated into English by Mr. Smith, the interpreter of the Supreme court. After it had been translated, Moolloosoden gave it to deponent, who entrusted it to his attorney Mr. N. Hudson. Moolloosoden has no employ at present; he lives and boards with deponent's uncle, and what his profession is deponent does not know. This ended the examination on behalf of the assignee.

The Advocate-General here put a question to this insolvent, but before he could answer it, the Chief Justice asked Mr. Pearson on whose behalf he appeared. Mr. Pearson replied on behalf of the insolvent. The Chief Justice then observed, that as the insolvent was already discharged, there was no necessity for this procedure.

Mr. Leith then begged the court's opinion on the testimony of this insolvent, and wished to have him in attendance again on the next Court day to confront his evidence with the depositions of the persons mentioned by him in it.

The Chief Justice replied that the court must take the insolvent's account of the lands as he gives it, and his testimony appears to be consistent enough; but if the assignee wishes to examine him further, he can do so as often as he pleases, by an application to the court, or have him brought up again to confront his evidence by the testimony of the persons mentioned by him; but if he thinks that there are sufficient grounds to make out his case by the evidence already given by the insolvent, he can then, if he chooses, institute a suit in the Zillah 24 Pergunnahs court for the recovery of these lands, as these res situate in the jurisdiction of that court, and not the Supreme court of Calcutta. He then, at the request of Mr. Leith, order the insolvent to be in attendance again on the 27th instant the next court day, unless he received an official notice from the court that his attendance was not required.

After this a few miscellaneous motions were made, and the court, after despatching them, adjourned till Saturday the 27th instant.—*Hark. Jan. 8.*

ALLIPORE COMMISSIONERS COURT.

Dec. 27, 1837.

(Before W. Cracroft, Esq., Judge.)

Kasinath, plaintiff, Luckynarain and others defendants, Rooknee Bewari, widow of Kasinath, the brother of Kasinath, claimant.

Suit of one-seventh Share of 3,57,000 rupees.

The plaintiff stated, that his father and the father of the defendants were brothers. Their grandfather had eight sons, seven of whom died leaving children. The plaintiff's father and the defendant's father joined their property together and accumulated it by their earnings. Plaintiff's father died, leaving plaintiff claimant, and the father of the defendants brought up the plaintiff and his brother, the husband of the claimant, and he continued to give him and his brother their share of the profits of their mutual estates until the year 1235, B. S., when the plaintiff, who had been a dewan in the collectorate of Jessore, was punished on some charges brought against him; and his brother, the husband of the claimant, being dead, the plaintiffs, after the death of their uncle, stopped the share of their profits of the estate. The plaintiff complained for his share of the family estates and monies which he states was 51,000 rupees, and the claimant, on behalf of her husband, claims for an equal amount against the defendants on similar grounds.

The defendant denied that either the plaintiff or the claimant's father ever had contributed to realize any portion of the property to which they had laid claim, or that either they or their father were ever in possession of any portion of it, it being the sole earning of their father and grandfather.

The Judge remarked to the plaintiffs' attorneys, that the property in his client's schedule was very vaguely described, and asked him whether they could either by documentary or oral evidence prove that their client ever was in possession of any portion of the lands, &c. to which they now lay claim, within the last 12 years from the date of their suit being instituted, and the same question was put to the claimant's vakeel. The vakeel of the plaintiff replied, that his client had received certain sums of money up to the Bengal year 1235, as his portion of the assets of these lands, &c., but no annual accounts had ever been rendered to his client of the profits and loss of their mutual estates by the defendants, and the claimant's pleader made the same reply, except that he added, that his client had all along been in possession of the land on which the ancestral household was situated.

The judge remarked, that this might tend to prove the possession of that one house, and after observing that the better mode of proceeding would have been for the claimant to have instituted a separate suit for the share of the property she now claims, postponed the case for the plaintiff and the claimant to prove the most essential point of their claim, which had been denied by the defendants in the outset of their reply, viz., that neither the plaintiff nor the claimant, nor their father or father-in-law, had ever been in possession of the property posterior to the year 1228, B. S.—*Harkur, Jan. 8.*

THE PETITION AGAINST MR. CRACROFT.

We were present in Court on Thursday and Friday last, and read a petition addressed to the Deputy Governor, complaining that Mr. Cracroft, the Civil and Sessions Judge of the 24 Pergunnahs, attended Court

between 1 and 2 o'clock daily, and that he appropriates his time to the hearing of only criminal cases. The petitioners also prayed that the Deputy Governor should desire Mr. Cracroft to fix two days in the week for the hearing of civil cases. The petition bore the signatures of Pearee Loll Mundul, and Kistoonund Biswas, both respectable zemindars, the names of two or three vakeels of the Court, and about eight other Bengallee names.

Pearee Loll Mundul and Kistoonund Biswas, as well as the vakeels, denied all knowledge of the petition and declared it in open Court to be a forgery; the remaining names are unknown in the Court, as the whole of the file, have been searched and no suits whether in Court, or by appeals from the native subordinate courts bearing those names have been found.

The fact is, that about a month ago Mr. Cracroft did attend Court for about two or three days at late hours, but he was then in a very sick state, and could have very well staid away altogether, as he was often obliged to quit the Court in a state of fever and debility. We suppose this petition must have originated with some of the subordinate native courts, with whom Mr. Cracroft is rather unpopular, not for neglect of duty, but for having set aside native influence altogether, and for having placed the Omlah on their proper footing, that of clerks, &c. instead of allowing them the dangerous interfering influence they were formerly allowed to practise.

We must confess that we have lately experienced great good in the Judge allowing access to him at all hours of business, as from 11 to 5 and 6 P.M. we have transacted both civil and criminal business, without being put off on account of any particular engagement of the Court. Were all the native pleaders to speak the truth, they would have no alternative but to confess that business has been facilitated ten-fold, nay twenty fold, within the last 10 or 12 months.

As this forged petition has made a little noise as it were, we would not be surprised at several others being sent in within the next month, or two. Mr. Cracroft (we believe it is pretty well known) has made a reference to the Superior Court against the Principal Sudder Ameer of Allpore, and a case is now pleading before him against the moonsiff of Manickjallah, in which that officer has shewn how he can vent his spleen on those who care not for him. The Court was engaged five days in the hearing of Moonshoe Ameer *versus* Mr. Duncan McPherson, a full report of which we shall soon give, as we consider the case one of great importance to Sounderdun grantees.—*Hurkaru, January 9.*

ALLIPORF, THURSDAY, THE 28TH DECEMBER, 1837, AND
WEDNESDAY 3RD TO FRIDAY 5TH JANUARY, 1838.

(*Before W. Cracroft, Esq., Judge.*)

MOONSHEE MAHOMMED AMERR O. MR. DUNCAN MCPHERSON
GRANTEES.

The plaintiff appeared by his vakeels, Moonshes Sarroopchunder Ghose, Isaruchunder Moozumdar and Gouruchunder Ghose, and the defendant by Mr. R. Dias.

The Government in 1828, by Clause 1. Section xiii. Regulation 111, of 1828, declared the whole of that extensive forest known as the Soonderbuns, the property of the state, and immediately granted leases to several individuals to clear the jungles and to bring the land under cultivation within a certain term of years, during which they should hold the lands free. Among those to whom the grants were made, Mr. Duncan McPherson obtained a lease for 2,500 bungs.

The plaintiff sued for damages, to the extent of 5,800 rupees, and interest, being an alleged loss sustained by him, from an act of the defendant, by which a portion of the plaintiff's land was rendered uncultivable, the defendant having obstructed a water course, the plaintiff used from the time of the Nuddeeah Raja, from whom the plaintiff purchased his estate.

To prove his claim to damages, the plaintiff produced several witnesses, by the evidence of four of whom, Fuckerchaund Geen, Chedaum Murdul, Dhullo Gaze and Harroo Mundul, the plaintiff proved that, from the time of the Nuddeeah Rajah at the usual season, he used to cut a certain bund and let his water off through a creek, on the defendant's lands, and to prove his loss, produced certain books of accounts unstitched, alleged to have been kept by one Sunnawoolah, a gomastah in his employ, but this witness said, that he did not make any of the entries, but merely put his signature to them as correct, and that he did not know the names of the individuals by whom those entries were made.

The Judge informed the pleaders of the moonshee, that he could not admit the accounts in evidence, as they ought to have been proved by the evidence of those that made the entries, and that the attention of them by the gomashitah was not evidence in support of them.

The pleaders urged that it was not customary to prove seminary accounts by the evidence of ryots.

The Judge said, that he had great experience in the reception of accounts in courts, and that he could not see any reason for receiving accounts, the entries in which are not proved by the parties that made them, but by a gomashitah, on whom the court would place no reliance.

Mr. Dias urged, that the manner in which the accounts were filed was objectionable, as they were not books, but merely pages of paper threaded together in the manner of nuttees, which left them open to the mercy of the people about the court; and that there could have been no difficulty in changing any of the pages during the proceedings in the case; besides which Mr. Dias urged that in those accounts the valuation was made by the zemindar at his own valuation, and that that valuation was far from the reputed unproductiveness of jungle boree lands.

The Judge said, he would not receive the accounts in evidence, and had them sealed up, and put his own seal to them, to prevent any persons from having access to them for any improper purpose.

The defendant originally entertained Moonsee Shu-cautoollah and Ramconni Bose, the former the Government pleader of this court, and the latter a vakeel: those individuals had entirely overlooked the principal points urged, and filed answers and replications of a superfluous unimportant nature, and examined witnesses on points hardly connected with the case, and consequently there was nothing to rebut the right to the intercourse claimed by the plaintiff, which though it fortunately happened that by the evidence of Messrs Broadhead, Patkin, McDougald, and James Patton, grantees, all of whom stated that it would be impossible for the defendant to clear his lands and to continue his cultivations if the creeks were left open, to let the plaintiffs water out; and they also proved that the plaintiff had the means of letting his water out by a creek on his own estate, and that the cultivations alleged to have been injured by the act of the defendant, appeared to have always been in the state in which they now are, and that the stoppage of water course had not injured the plaintiff.

Two native witnesses, named Comal Mundul and Nuchoo Moolah, stated that the former had been a ryot of the Moonsee, and the latter of neighbouring zemindar, but had since gone to the defendant's estate, that the Moonsee had been in the habit of cutting the bunds to

let his water out, but that he used formerly to let it out by his own creek; which had in latter years become shallow, but that if he would cut it, there would be no difficulty in letting out the water. These witnesses also proved that three parts of the lands alleged to have been injured are in a state of cultivation, and that only the sunken part of it, immediately on the defendant's boundary, was in an uncultivated state.

The Judge here remarked to Mr. Dias, that he would be obliged to receive the evidence of the last two witnesses with great caution, as they had formerly been ryots of the plaintiff, and went afterwards over to the defendant's estate where they were employed as laborers, and that it was natural they would speak in favor of those for whom they were interested.

Mr. Dias submitted that the witnesses were not in the employ of his client, nor were they tenants at the time they gave their evidence, but that they lived by selling the produce of their own labor; they were allowed a certain spot of land for a certain period rent free, which they gradually cleared and cultivated. That they sold the wood and Mr. Dias believed they now had a little paddy on their land. Mr. Dias added, that if the court deprived his client of the evidence of the last two witnesses, he would be at a loss to make any defence, as the case had been altogether neglected and mis-managed by the vakeels that were employed, and Mr. Dias particularly called the court's attention to a most extraordinary proceeding on the part of the plaintiff. That at the time witnesses were produced by Mr. McPherson, Mr. C. R. Martin was Judge, that the defendant produced four native witnesses, and while they were in court, mookhtar of the plaintiff assisted by two peons, arrested two of the witnesses and took them away to the plaintiff's house at Sealdah, where they were detained for the night, and where the witnesses were on the following morning found, Mr. McPherson fearing the plaintiff had exercised his influence with them, and rather than run risk, erased the evidence of those two men he was thereby deprived of evidence by an unjustifiable act of the agent of the plaintiff.

The Judge said, that he could not take cognizance of what had transpired during the time of his predecessor, but that if such an attempt was made at his court, he would make severe examples of the parties concerned.

The Judge informed Mr. Dias, that the plaintiff had proved his right to open the watercourse to let out his water, but that he had failed to prove the damage claimed by him as the accounts could not be admitted in evidence; but that, however, it appeared by one of the witnesses on the point, that he paid Rs 10 for twenty-five beegas of land, according to which the Judge would assess the damage.

Mr. Dias as here called the Judge's attention to a report from Mr. Commissioner Shakespeare, No. 44, dated the 12th February 1837, filed with the papers in this case by Mr. McPherson on the 14th July of the same year, by which it would appear that Mr. Shakespeare made it evident, that unless Mr. McPherson raised the bund and kept it in good repair, he would have found it impossible to bring the land to its present state. Mr. Shakespeare also stated, that he had inspected the spot alleged to have been rendered unproductive, and that the damage claimed by the plaintiff was by far in excess of the injury done.

The plaintiff's pleaders urged, that the defendant had omitted in either of his answers filed, either to deny the injury or to compute it at a sum less than was claimed by their client, they therefore submitted that the full amount of damages awarded.

Mr. Dias submitted that the court would not award more than nominal damages in the case, as there were

no means to ascertain the exact amount of injury sustained, if any, and that one of the plaintiff's witnesses had asserted that with exception to two or three beegas of the land on Moola Bheel, the grant was in a state of cultivation, whereas the plaintiff laid damages in Moola, calculating at 200 beegas, 197 beegas of which ought to be set aside. Mr. Dias then maintained that his client had acted in every respect under the construction put by the Revenue Officers on Clause 1, Section xiii Regulation III. 1828, under which certain lands were declared the property of the state, and which lands under cases were granted to individuals, who were empowered to hold them, and use them as actual proprietors of the soil. Mr. Dias here produced and authenticated copy of instructions issued by Mr. Commissioner Pigou, No. 298, to the commissioner of the Sunderbans, the fourth paragraph of which is as follows:

4th—To the fisheries comprised within the limits of any grantee's pottah no zemindar can allege any right, for if he has no right in the land, he can certainly have none in the water, and so long as the state does not think proper to claim such jukur, no party, other than the grantee in possession, can urge a right thereto.

Mr. Dias continued, that the creek by which the plaintiff wished to let his water out was clearly within the boundaries of the grantee's estate, which had been leased by Government to his client, he therefore presumed his client had an undisputed right to close, or to open it, or to use it, to his own advantage; for said Mr. Dias, if that creek is opened, there is evidence to shew that the grantee will injure his own cultivation.

The Judge replied, that all that Messrs Shakespeare and Pigou had urged was very good as fiscal law, but that he did not see that the grantee in this case had a right to exercise a power, which the grantee did not possess, and could not therefore bestow (keeping in mind that the plaintiff had proved his right to the watercourse for a period as great as the memory of man.) If the Government (said the Judge) wished to give the right to the grantee, they ought within seven years, to have stopped the use of the creek, and as there is no evidence to shew that it was done, he had no alternative than to admit the plaintiff's right.

Mr. Dias then observed that he would, if allowed by the court, take an objection to the plaintiff's right on a new ground. The plaintiff appear as the proprietor of a certain land named Hora Bheel, which was granted by Government to Mr. McPherson, and when the commissioner laid down the limits of the defendant's grant, he included the whole of Hora Bheel in it, and, said Mr. Dias, if the objection will be admitted, it will at once decide the question of right, as the plaintiff wishes to pass the route from Hora Bheel through the creek on the defendant's estate. Mr. Dias then said that he require the plaintiff to prove his right to Hora Bheel.

The Judge remarked, that such an objection ought to have been taken at the onset by those who had framed the defendant's answers, and that he would not now admit it. He had sufficient evidence that the plaintiff had a right to the watercourse, by the stoppage of which by the defendant, the plaintiff had sustained loss and ordered that it should be opened when necessary to let the water out. That it also appeared that the plaintiff had a passage on his own estate by which, with a little expense, he could let out the water, but which it was optional with him to do, but the Judge considering that point and several others urged on the defence, and the plaintiff having failed to prove his accounts, it was awarded that the defendant should pay damages at 400 rupees per annum for three years, with costs on that amount only free of interest.

This case will immediately be forwarded to the Governor General by the grantee as one of great hardship, and which may be the means of ruining him eventually.

—Harker, January 13.

BHAUGULPORE COURT.

JANUARY 1, 1838.

(Before T. Wyatt, Esq.)

A RAJAH CONVICTED OF MURDER.

The Magistrate having, as it is usual with him, examined this case with great deliberation, made it over to this court. We were present in the inferior court during the examination, but omit the details to avoid a repetition. We gave the facts as brought to light before this court by the depositions of witnesses,—premising that the family of the Raja placed before the bar, for the commission of a horrid murder, was at one time very respectable in these parts, but owing to the strange mishap of the Rajas, for two or three generations, being of unsound mind, the zemindaree has been much neglected, and consequently reduced the late rajas to a rather undesirable state of affairs. The last twig of the ancient stock, now arraigned for the wilful murder of Kokeen, *feelban*, seems to have a touch of the hereditary malady; for it does not appear in evidence, that there was any cause of irritation given by the poor fellow who has been sacrificed by the Raja, or Koonwar, as it is termed.

The place where the Rajas reside is called *Muhwur*, in purguanna Muechares, lying in a south-east direction from the station of Bhaugulpore, but subject to the jurisdiction of that district. The Session Judge was aided in the investigation of this case, by the Mahomedan law officer, but no assessors, as in the case of manslaughter, we reported a few days ago,—a circumstance we could not help being surprised at, as this case is evidently a more serious one, and therefore require much more urgently the aid of a jury, than the other.

This horrid case of murder was brought on by the prosecution of Onaree, the brother of the deceased who represents that his brother was in the employ of the Raja or Koonwar Chundun Singh as *feelban* or elephant driver, and accompanied him to Burhut; that when he arrived there the Koonwar, very unaccountably, commenced beating his servants without any cause assigned (in evidence) for such violent proceedings; that the irritability of his temper rose to such a pitch that he caused his brother to be forced into a room, tied, and cut to pieces. The deponent was also ordered to be caught and carried into the place of execution, but fled for his life without waiting to treat the Koonwar to spare that of his brother. The real cause of all these proceedings appeared to be this. A person by the name of Data Ram, Mahajun, who was in the interest of some persons not mentioned (probably neighbouring *lugak* zemindars, who had fallen out of some boundary dispute) had been either on a visit to the Raja, or had gone to Burhut on business. While there, the Raja seems to have received some serious provocation from Data Ram, whereupon he sought to do him some serious harm, pursuing him with a drawn sword, Data Ram takes to his heels, and escapes the danger to which he was exposed by the exacerbation of the Raja's temper to a degree, never known by any of the witnesses to have been seen before at any time; but a horse on which he had come to Burhut, and which Data Ram abandoned to its fate in his precipitate flight fell in the way of Koonwar Chundun Singh, and on its carcass he wreaked the vengeance he meditated against its rider. The animal was cut to pieces by him, with his own hands. Having thus shed the blood of the beast, he seems to have grown "desperately wicked," and sought to spend his rage on any object that might fall in his way. Unfortunately for Kokeen, he happened to catch the eye of his master at this awful crisis of this

wild, unruly mania, and rused the folly of throwing himself in the way of an infuriated madman. How the catastrophe occurred, the deponent does not particularize; but Jhubbun Dhanuk, is more precise in mentioning the details of the affair. By the Koonwar's order, Manjea, Pulla, Gopal, and Beesoo Goryt, dragged the *feelban* into a shed or kutcherry standing within an inclosure, through which every thing that was transpiring within, could be seen and was seen by the witnesses. Two of the individuals, (placed at the bar as accessaries to the fact,) by the Raja's direction, tied the two legs of Kokeen to a post, while the other two held him fast by his hands against it on the opposite side. The Raja then drew his sword, and at one stroke, almost severed his head from his body. He then almost cut him in two by a stroke which he levelled at his waist; and finally gave him a wound in one of his legs. Beesoo Goryt, by the Raja's order, caused the mutilated remains of the wretched elephant driver (or mohut) to be conveyed into a neighbouring jungle, but not before they had arrived at an offensive state of decomposition, by having been thrown into one of the close huts within the inclosure before mentioned. In the jungle, the body was put under the carcass of the slaughtered horse of Dataram, in which situation, ere long, the bones of man and beast were indiscriminately commingled. One of the witnesses swore that, at the time of the *Tudarook* or *Swarathal*, he discovered the bones of his mohut, by marks of the cuts inflicted by the sword of the Koonwar, deeply left on the neck bone, ribs, and thigh bone of the deceased, which first the court thought to be rather strange. But this witness was almost stone deaf and could not, without his interrogator's bawling with all his might, comprehend nothing that was spoken to him; but he certainly swore what we have stated.

Having finished the dark deed, the Raja seems to have recovered from the effects of his irritation, and began to contrive means to procure the concealment of the murder he had perpetrated. He prevailed on the people about him and in the place (all his ryots) to give it out that Kokeen had died of cholera; and in which attempt to hush up the foul affair, the Suzawul of police of that part of the country, plainly under the control or in the interests of the Raja, takes a conspicuous part.

The Raja, a young man of about 25 years of age, pleads not guilty, and mentions the story of Kokeen's having died by cholera. The four accessaries try to excuse themselves as well as they can; but give a very clear and particular detail of the progress and consummation of the catastrophe. One of the witnesses, Seebun Dhanuk, to our astonishment, spoke the Hindoostanee remarkably well, though he was an inhabitant of the foot of the hills, a site usually occupied by *Sountars*, *Bhoonas* and other semi-savage races that have branched out from the great trunk of highlanders occupying the huge range that extends from Behar to the Deccan. But this witness also prevaricated a good deal, and the Court found it necessary to warn him of the serious consequences of being found guilty of perjury. Some of the witnesses being *Puharees*, were sworn on a little salt put on a knife and washed down into their mouths; while others were sworn on a piece of tiger's skin put in their hands. It was mentioned by some of the witnesses, that the young Raja had exhibited unequivocal signs of distraction, whether as a hereditary malady, or produced by constant addiction to excessive drinking. The words used to express this distraction were *burhoo* (want of self-possession) and *buhuka*, (straying;), states of mind which might, it is most probable, have been occasioned by the inordinate use of ardent liquors which Beesoo Dhanook called brandy from the *sejows* of it, but the

liquor was evidently in the highland is of this part of India, that which whisky is in Scotland, namely, *muhooka shurab*, a liquor distilled from the flower of the *bussia latifolia*, and sold to an enormous extent all over Hindoostan, to the great misery of the people, but with great advantage to the resources of the state. This is not the first nor the nine hundredth and ninety ninth instance of murder, resulting from the practice of drinking licenced ardent spirits. The description of liquor represented to have been used was remarkably strong or double distilled, called by the witness *chounnee* (or four annas a bottle.) This in Bengal would be called *deertushuk* or vulgarly *doasta*, sufficient unquestionably do drive the most sober head into utter rabidness. The Raj's sanity being called into question, the civil surgeon, who had observed him attentively since his imprisonment on trial, was called

upon to depose to the real state of his intellects, which he did, stating that he had carefully examined his looks, manners, and replies to questions put to him, and saw no indication of insanity. The law officer produced his *fatwah* purporting that the prisoners Maugee, Pulta Gopal, and Breesoo Goryt, were proved to have aided Koonwar Chundun Singh in killing Kokeen, and were deserving of discretionary punishment by *tazeer*; and that Koonwar Chundun Singh was found guilty of the wilful murder of Kokeen, and was worthy of the extreme penalty of the law; (*aqoobut-i-shudeed*), and may therefore be punished capitally. The court concided in the verdict of the law officer and ordered the *roadad* to be forwarded to the Nizamut Adawlut for final orders.—*Hurkaru*, January 22.

SUDDER DEWANNY ADAWLUT.

CIRCULAR ORDERS.

NO. 3155. ORDINARY COMMUNICATIONS TO THE SUDDER FROM NATIVE JUDGES HOW TO BE FORWARDED.

Considerable inconvenience having been experienced in consequence of the native judges addressing the Sudder Dewanny Adawlut, direct, on various subjects connected with their official situations by the public dawk, the Court have instructed the Judges to direct the native subordinate judges to submit through the zillah Judges any communication they may desire to lay before the Sudder Court.

It is to be understood, that the above rule is intended to afford the zillah judges an opportunity of recording, whenever they may deem it necessary, their own sentiments on the references which may be made by the native judges.

The zillah Judges have also been desired to explain to the native Judges, that the above rule is not to be considered as applicable to appeals preferred by them against any orders passed by the zillah Judges. Such appeals will continue to be preferred in the usual manner on stamp paper and through a regular vakeel or agent.

NO. 2897 DECREES OF THE CHANDERNAGORE JUDGE TO BE EXECUTED BY THE ZILLAH COURTS

On a reference from the Civil Court of the 24 Pergunnahs, the Sudder Dewanny Adawlut have ordered that the decrees of the Judge of Chandernagore Court shall be executed through the officers of the zillah Court provided there be no apparent irregularity in the proceeding connected therewith.

NO. 3764 CORRESPONDENCE OF NATIVE JUDGES WITH NATIVES OF RANK.

The Sudder Dewanny Adawlut have circulated the following instructions to the several zillah Judges on the subject of the mode of address to be adopted by native judges when corresponding on matters of business with natives of rank.

1st. Principal Sudder Ameens will correspond direct by Roobooaries with all covenanted officers of Government, except the Secretaries to Government, the Sudder Dewanny Adawlut, the Board of Revenue or any military officers in regard to whom the present practice is to be continued.

2d. Sudder Ameens and Moonsees, will forward all communications to covenanted officers as heretofore, through the European Judges except communications

to such officers as are parties to suits before them, in which case, they will be addressed direct to the officer whom they may concern.

3d. The native Judges of every grade will correspond direct with natives of rank.

It being desirable that an uniform mode of conducting public correspondence should be introduced into all the Mofussil Courts, the attention of the zillah Judges has been requested to the practical application of the rule above laid down for the regulation of the correspondence of Principal Sudder Ameens with covenanted officers, the result of which the Judges have been requested to communicate on the expiration of six months, together with their opinion as to the expediency or otherwise of extending the same privilege to Sudder Ameens and Moonsees.

In communicating the above instructions to the native Judges, the zillah Judges have been particularly desired to impress upon them the propriety of observing a proper respect towards all natives of rank, with whom it may be necessary to correspond on official matters, and addressing them in the form and style employed on like occasions by the European judge of the district. In like manner natives of rank will be required to pay proper respect to the native Judges, adopting as a general rule the form of address laid down in the Courts Circular of the 14th December, 1832, No. 74.—*Hurk.* Jan. 19.

CIRCULAR ORDERS.

NO. 3081.—UNSTAMPED POLICIES OF INSURANCE.

An instance having been brought to the notice of the Sudder Dewanny Adawlut of unstamped policies of Insurance being received as legal evidence, although the court have no reason to believe that such an irregularity prevails a extent, they consider it proper to direct the attention of the Zillah Judges to the entries Nos. 42 and 43 in Schedule A, Regulation X of 1829, with a view to prevent any instruments of the kind being admitted as evidence, except when they bear the prescribed stamp.

NO. 3127.—TRANSFER OF CASES FOR TRIAL BY NATIVE SUBORDINATE JUDGES.

We have to remind our readers, that from the 1st of January, 1837, Act XXIV of 1837, took effect, and under its provisions the Sudder Dewanny Adawlut have issued the following instructions to the Zillah Judges.

The court have directed the immediate transfer from the files of the Judges, to those of the Principal Sudder Ameens and Moonsees, of all suits in which the Government or its officers may be a party, and in which the

amount of value of the property sued for, may not exceed 5,000 rupees. The Zillah Judges are of course competent to retain under Sections VII, and Regulation XXV 1831, any of the above suits on their own files, provided they see sufficient grounds for so doing; but in reporting to the court (which they have been requested to do within fifteen days) the execution of the present orders, the Judges have also been requested to submit a list of all the suits, that they have so retained, and to explain their reasons briefly for doing so.

The Zillah Judges have in like manner been directed to transfer to the file of the Principal Sudder Ameen all suits preferred under Clause I., Section XXX, Regulation II, 1819, retaining however on their own file, any suits of the above nature, that they (the Judges) think ought to be tried by the Judge, submitting a list of the same, and their reasons for having retained the cases. All suits thus referred to a Principal Sudder Ameen have been directed to be sent as heretofore to the collector of the district for investigation and report; the collector on closing his proceedings will transmit them under Clause VI, Section XXX, Regulation II, 1819, to the Principal Sudder Ameen for decision.

The Act now passed authorizes the Judges, subject of course to the general control of the Sudder Dewanny Adawlut, to refer any suit above the value of 5,000 rupees to the Principal Ameen for trial. The Superior court have requested the Zillah Judges to exercise this power with a sound discretion, and their attention has been called to the following illustrations:

1st.—No suit above 5000 rupees shall be referred to a Principal Sudder Ameen, in which the documentary evidence may be in the English language, or may involve points of English law, unless such Principal Sudder Ameen is acquainted with the English language.

2d.—On referring any suit to Principal Sudder Ameen above the amount of 5,000 rupees, the Judge will report to the Superior court that he has done so agreeably to a form marked A*.

3d. The Principal Sudder Ameen will forward to the Judge in publicate a Persian statement as per form marked B, of all suits above the amount of 5000 rupees, that may be pending in his file at the end of the month, and another as per form marked B of all suits above the amount of 5000 rupees, that may be pending in his file at the end of the month and another as per form marked

* The forms that have been circulated will not bear abstraction, but we shall furnish them for the Calcutta monthly Journal.—Reporter.

C of all suits above the amount of 5,000 rupees, that may have been decided or disposed of by him during the month. One of each of the above statements will be forwarded by the Judge to the court with the monthly returns, the other will be retained for record in the Judge's office.

4th.—All summary appeals from the decisions of Principal Sudder Ameen will be made direct by the parties to the Sudder Dewanny Adawlut.

5th.—All petitions for regular appeals will be preferred direct to the Principal Sudder Ameen, who will make up the original record in the manner prescribed by Regulation VI of 1793, Section XI. The package containing the record of the case is to be addressed to the Registrar of the Sudder Court, and it is in the first instance to be sent under the official signature and seal of the Principal Sudder Ameen to the Zillah or city Judge, who having had the parcel properly secured from wet agreeably to the circular orders No. 67 and 70, dated the 19th September, 1823, and the 21st May, 1824, will at once forward it with the usual certificate to the Registrar of the Sudder court. The copy of the record which is required to be made by the regulation last quoted, is to be deposited for safe custody in the office of the Judge.

6th.—All applications for revisions of judgment in suits above 5000 rupees will likewise be made to the Principal Sudder Ameen, and when recommended to be admitted, that officer shall proceed agreeably to Section XIX, Regulation V of 1831, and the application shall be forwarded by the Judge to the Sudder Dewanny Adawlut.

7th.—Precepts from the Sudder court will be either sent direct to the Principal Sudder Ameen, or to the Zillah Judge as may be deemed most expedient; but all returns, unless specially directed otherwise, will be submitted by the Principal Sudder Ameen to the Judge for the purpose of being transmitted by him with the usual certificate to the Sudder Dewanny Adawlut.

NO 3328.—UNSTAMPED SECURITY BONDS DECLARED INADMISSIBLE AS EVIDENCE AGAINST SURETIES.

It having been brought to the notice of the Sudder court, that a practice obtains in some districts of admitting as legal evidence security bonds written on the same sheet of paper with the Principal Deed, where the stamp used was only of the value required for the latter instrument; as the superior court consider the practice as clearly erroneous, they have declared them wholly inadmissible as evidence against sureties. The Zillah Judges have been requested to make this circular known to be lower courts.—Hark. Jan. 30.

SUDDER BOARD OF REVENUE.

CIRCULARS, — SECTIONS VI. AND IX. REGULATION XIX. OF 1793.

No. 77.—The Officiating Secretary to the Sudder Board has informed the Revenue Commissioners, that the Board having had occasion to observe that the provisions of Sections VI. and IX. Regulation XIX. of 1793, have been overlooked by settlement officers and Commissioners, have directed him to draw their attention to the subject, and to point out to them, that vested as they are with the powers of the late Board of Revenue, they are competent to dispose of cases of the nature therein provided for without reference to the Sudder Board.

That the Commissioners will readily perceive, on a careful perusal of the Sections above noticed, that, the Government settlement officers will have to deal with such cases, only when the Revenue of the lands may be

payable to the state. On such occasions a separate settlement statement will not be requisite, but the jumma which may be assessed on the lands to be held as a dependent tolok, will be included in the gross assets forming the basis of settlement of the estate to which they (the lands) belong, whenever that settlement may be concluded and submitted for the sanction of Government.

The Commissioners have also been requested to issue appropriate instructions to all the settlement officers in their respective divisions for their future guidance.

DUTIES OF REVENUE COMMISSIONERS, AND IMPORTANT AS TO SETTLEMENTS AND SPECIAL APPEALS.

No. 78.—Mr Secretary Mangles, on the 10th of Oct. last, transmitted for the information and guidance of the Board a copy of correspondence, and requested

the Board to take the necessary measures for carrying the views of the Supreme Government into effect. This communication also directed that the Commissioners should be required to furnish to the Board a quarterly return of settlements, including farms, as now sanctioned by the Board confirmed by them, one transcript of which ought to be sent by the Board to the Revenue Accountant, and another to Government with any remarks that they desire to offer.

From an extract of a letter from Mr. Secretary McNaughten, dated the 29th April last, it appears he was directed to observe that it appears highly desirable that means should be resorted to for lightening the labors of the officers in the Revenue Department, Mr. McNaughten went on to observe, that at present it would seem that there is a needless waste of supervision in that department, the same work being in fact performed three times over, first by the Collector, then by the Commissioner, and lastly by the Sudder Board; that His Lordship, however, would not delay that letter by entering into details which will best be arranged by the Right Hon'ble the Governor. Mr. McNaughten was, however, desirous to suggest that the Collector's report confirmed by the Commissioner, might in some instances be admitted to be final, but if this should be found to be objectionable, His Lordship in Council requested that early attention may be given to the practicability of shortening and simplifying the settlement reports, and thought that for this purpose it might probably be well to refer to the forms in use in the Western provinces, and to the practice adopted in regard to them.

By a letter from Mr. Secretary Mangles of the 13th June last, to Mr. Secretary McNaughten, the former was directed by the Right Hon'ble the Governor of Bengal to request the latter to submit to the Supreme Government, an explanation of the existing rules, for the revision and report of detailed settlements, and of His Lordship's views in regard to the points noticed in the passage of Mr. McNaughten's communication above abstracted.

The form in which settlements conducted under Regulations VII of 1822, IX of 1825, and IX of 1833, are reported by the assessing officers in the Lower Provinces, is simpler (says Mr. Mangles) and more concise than that in use within the jurisdiction of the Sudder Board of Revenue at Allahabad, that is to say (observes Mr. Mangles) the statement prescribed by the Calcutta Board, orders of the 12th November, 1833, of which a few specimens were submitted, and which was drawn up after a careful examination of the returns devised by the Western Board, admits of the record of all the necessary facts with regard to a single mouzah, in a more compendious shape, than the latter, whilst it does not appear to omit anything of which it is essential that the superintending authorities and eventually the Government should be informed.

But the form in question (says Mr. Mangles) is confessedly not suited to present a comprehensive view of the Agricultural resources of a large and continuous tract of country, which was the object for which the Sudder Board at Allahabad had to provide; nor with the single exception of Cuttack, is there any such tract, open to assessment, under jurisdiction of the Lower Board; but on the other hand, the officers engaged in assessing resumed or lapsid, or purchased mahals in permanently settled districts, have in some important respects, a more arduous task than those employed in the general settlements of the western provinces, because they have no data whatever, but those of their own acquisition, to proceed upon, and are therefore necessarily compelled to institute much more minute and careful enquiries, in order to ascertain the proper basis of settlement, in the real amount of rental received by the malgoozar, than those who have the records of former settlements, a knowledge of the case or difficulty with which the revenue has been collected during the past

seasons, good and bad, and the testimony of a very superior class of native officers, (the teh-suilers) possessed of great local knowledge to direct them.

Under the circumstances above described, it being understood that the Revenue Authorities in the western provinces rely far more, (in determining the proper amount of jumma to be paid by a mehal or pergunnah) upon the evidence above adverted to, than upon present local enquiries, and that with such evidence to guide them, they form rather general averages for considerable tracts of country than scrupulously assess particular villages, and can do this with safety; it is evident, that the settlement of a single mouza in a permanently settled district, which has either never been upon the public rent roll, or if a purchase by Government, was engaged for at the period of the decennial settlement, without any investigation of assets, must necessarily require far more labor and attention, to preclude fraud, or even to ensure satisfactory certainty, in regard to a proceeding of so much importance to the well being of large classes of the people, than a similar operation within the jurisdiction of the Western Board.

These facts (says Mr. Mangles) which probably satisfy the Supreme Government, that the forms and modes of procedure in use in the Western Provinces, would not be generally applicable to the districts of the permanently settled provinces, when only detached Mahals, (though in some instances very numerous) are to be assessed. Mr. Mangles goes on to state, that as regards Cuttack, His Lordship has long been anxious to reduce the bulk, and simplify the nature of the settlement returns, to which most desirable end, however, the peculiarities of the under tenures obtaining in that Province are seriously opposed. With a view, however, to its obtainment to the utmost feasible extent, the Governor has recently obtained from the Hon'ble the Lieutenant Governor of the North Western Provinces, a specimen set of all the returns and reports furnished to the Board at Allahabad, by every class of their subordinate officers employed in the formation, or revision of detailed settlement, and by the Board again to Government, and these it is His Lordship's intention to forward to the Board in Calcutta, in order that, in communication with Mr. Commissioner Ricketts, they may devise the simplest practicable scheme for recording and reporting the new assessment of Cuttack.

With reference to the extraordinary manner in which the lands in Chittagong are intermixed, and the fact that patches only here and there are now being brought under settlement, His Lordship does not desire to interfere with the arrangements which the very able and experienced revenue officers of that district deem most expedient.

With reference to the remark expressed in the 21 paragraph of this circular, "that there is a needless work of supervision in the Revenue department," Mr. Mangles says, that His Lordship would submit, that of late settlements have not been revised by the Commissioners with exception of a small number which they were directed to retain, in order to test the work of each assigning officer, but have been handed direct by the Board, who undertook the duty, in order to relieve the commissioners, and to obviate delay. This plan which was originated by that zealous and indefatigable officer Mr. C. W. Smith, could scarcely, as experience has proved, have succeeded, if he had been permitted to remain at his post to carry it into effect; but in the actual course of events, it has, as the Supreme Government are aware, decidedly failed. It was in fact (says Mr. Mangles), only expedient to shift labor from one overburthened class of officers to an individual, not less burthened, but whose energy was very great, who voluntarily proposed to undertake the arduous duty, and who had certainly far more and better subordinate assistance than the commissioners, measures have been taken to enable the Board to dispose of all arrears, and, if, as His Lordship understands, it

is the intention of the Supreme Government to relieve the Commissioners of revenue altogether from judicial functions, they ought to be well able to superintend all settlement business, and to revise the returns of the assessing officers, although business of that nature will be extremely heavy during the next four or five years.

These returns, under existing rules (Mr. Mangles observed), and be handed up to Government only when the parties entering into engagements or entitled to that immunity in perpetuity, when such a party is recusant, and a temporary settlement is, consequently, concluded with another, to his exclusion, or when the term of a temporary settlement or farm exceeds twenty, or if a ryotwar settlement, ten years—all other settlements the Sudder Board are competent to confirm, submitting to His Lordship an annual schedule of all leases granted by them. When the proceedings of the assessing officers are well examined and tested by the commissioner, the labor imposed on the Board, whether they forward the papers to Government, or themselves dispose of them under the rules above described, will be comparatively light and they have been specially authorized to report all settlements requiring His Lordship's sanction, but not presenting any novel features, or involving any important principle, not already discussed and settled, in the briefest possible abstract shape.

Upon the information now submitted, the Governor (says Mr. Mangles) will gladly receive the instructions of the Supreme Council, if they think that any of the checks described could be dispensed with, or any part of the business, forming, arising, or confirming settlement be abbreviated. He apprehends, that the Hon'ble the Court of Directors would not be willing that the power of sanctioning settlements in perpetuity should be delegated to any authority subordinate to his own. The Governor-General in Council is doubtless well aware, how often and how strongly the injunctions of the Hon'ble Court against granting permanent tenures to persons not absolutely entitled by the law to that immunity have been repeated, and it frequently occurs that settlements are reported to him by the Board for confirmation in perpetuity, which the strictness of these orders compels him, on an examination of the claims of the Malgoozars, to limit to a term of years. Twenty years (says Mr. Mangles,) is probably long enough for any lease not of a Junglepooree nature, and the latter are, of course, special arrangements. By recent orders, leases granted to the exclusion of recusant maliks have been restricted to years; those perhaps the Board might be allowed to sanction, and the license as to ryotwar settlements might safely be extended to twenty years. No other measures of relief occur to His Lordship.

By a communication from Mr. Secretary McNaghten, addressed to Mr. Secretary Mangles, dated the 9th October last, the former was desired to state, that the Governor-General in Council is not prepared to suggest any abbreviation in the forms now used in relating settlements; but His Lordship in Council is of opinion, that, generally, the proceedings of the assessing officer (although not the Collector of the district) should go direct, to the commissioner, that the commissioner should be vested with the powers of confirmation now belonging to the Sudder Board, subject to a special appeal to that Board on the part of any person deeming himself aggrieved, or to a special reference on sufficient cause shewn at the instance of the settling officer, and should be empowered to mention leases, for terms not exceeding ten years, granted to the exclusion of recusant maliks.

It was proposed in Mr. Mangles' letter, that the above power should be conferred on the Sudder Board; but His Lordship in Council is of opinion that it might safely be exercised by the Commissioners, and that the duties of the Board should be chiefly confined to those of general superintendence and control, including of course the significance of appeals from the proceedings

of the Commissioners involving complaints of gross irregularity, or security of assessment.

The power (says Mr. McNaghten) of sanctioning settlements in perpetuity, or for long terms of years, on the report of the Sudder Board, should remain with the Government as heretofore.

His Lordship in Council concurs with the Right Hon'ble the Governor in thinking that the license, as to sanctioning ryotwar settlements, may safely be extended to twenty years, and that this power also, should subject, as before, to a special appeal, be confided to the Commissioners.

The Board, in conformity with orders above given, have directed all the Revenue Commissioners to confirm the following settlements, and to promulgate in manner likely to give general information the license given to appeal to the Sudder Board.

1st. Ryotwar settlements for a period not exceeding twenty years.

2d. Temporary settlements, or forms of mehals of which the maliks or persons entitled to a settlement in perpetuity, are recusant and therefore excluded, for a period not exceeding ten years.

3d. All ordinary settlements for a period not exceeding twenty years.

4th. All temporary settlements preparatory to a permanent one.

Settlements confirmed under the above orders being all subject to a special appeal to the Board on the part of any person deeming himself aggrieved, and to a special reference on sufficient cause shewn at the instance of the settling officer.

We call the particular attention of the *Reformer* to the above circular order and strongly recommend that the *Chandrar Dupan*, the *Gyananeshun*, and all the other native papers should immediately publish translations of it, to enable the zemindars and tenantry to understand the meaning and extent of the orders contained in it.

NO. 79.—SHERISHTA DARS HELD RESPONSIBLE FOR ERRORS IN THE ADVERTISEMENTS OF SALES.

To prevent the frequent occurrence of errors in the advertisements of sales, Mr. Officiating Secretary Dunbar, under the instructions of the Board, has requested the revenue commissioners to issue instructions to their subordinates to hold the Sherishtadars of their respective offices responsible for the advertisements of sales being correct, and for the balance, for the realization of which an estate is advertised, being due one month before the advertisement is published.

NO 80.*—TENDER OF COMPROMISE UPON THE PART OF GOVERNMENT TO LAKHIRAJDARS.

Mr. Officiating Secretary F. J. Halliday, on the 7th November last, with the view of giving effect to the wishes of the Hon'ble the Court of Directors, was directed by the Hon'ble the Deputy Governor of Bengal to request that the Board will call upon the several special collectors for an immediate report, whether a tender of compromise, upon the part of Government, on equitable terms, would be generally or largely acceptable to the Lakhirajdars, and if so, what terms should in their judgment be offered.

The Board were also requested to submit their return to this requisition with the least practicable delay.

The Board have furnished the Commissioners of the divisions noted below with copies of the above communication, and have requested them to call on the Special Deputy Collectors for the reports required.

* This circular is not general, but only promulgated to the Commissioners of Bauleah, Bhaugulpore, Chittagong, Cuttack, Dacca or Jessore, Moorshedabad and Patna.—Report.

No. 81.—RETURNS OF THE SALES OF ESTATES.

Mr. Officiating Secretary Dunbar, under the directions of the Board, has requested all the revenue Commissioners to call on the collectors within their Divisions to submit returns of all the sales of Estates which have taken place within their respective divisions during the years 1835, and 1836, and of the number of these sales which have been confined or otherwise finally disposed of within those two years respectively.—*Hurkaru*, January 6, 1838.

Consultation, Friday, the 9th January, 1838.

APPOINTMENT OF MR. M. A. BIGNELL.

Mr. Officiating Secretary Halliday, on the 7th November last, in reply to the address of the Board No. 555 of the 4th instant, informed them, that the Hon. the Deputy Governor of Bengal, was pleased at their recommendation to appoint Mr. M. A. Bignell to be their deputy in their (the Board's) capacity of superintendent and remembrancer of legal affairs, on a salary for the first year of 500 rupees per mensem, and a per centage on the value of the suits which may be conducted by him in person, and decided in favor of Government, agreeably to the scale laid down under the orders of the 21st August 1828, for the Government Agent in the court of the special commissioners. But, (said Mr. Halliday) this scale of remuneration must be left open to revision, in order to its increase or reduction, as it may appear from the result, which the Board were requested to report at the end of that period, to be either too low, or too high.

The Board on the 14th of November forwarded copies of the above orders to the presidency special commissioners, and to Mr. Bignell, informing the former, that Mr. Bignell would conduct all cases on the part of Government, and the latter to attend to receive instructions previous to entering on his duties: but the Special commissioners, Messrs. T. H. Maddock, and E. R. Darwell, on the 16th of that month, addressed the Board enquiring what construction the Board put on the Government orders of the 7th November, as it they considered them to mean that Mr. Bignell should attend personally and conduct the suits in their court in which Government are parties, that the special commissioners would point out to Government the objections, which in their opinion existed to such an arrangement.

In reply to the above, Mr. Officiating Secretary Dunbar, on the 28th November last, informed the commissioners, that the Board considered the orders of Government to imply that Mr. Bignell should plead in person in the special commissioners' courts in all cases in which the importance of the matter at issue, or any other circumstances may seem to demand his personal attendance, and that Mr. Bignell could use his discretion, as to the conduct of all other cases, either in person or by deputy, the responsibility resting wholly with himself.

After receipt of the above, the special commissioners wrote Government, stating their reference to the Board, and urged the following objections to the appointment of an English gentleman to plead in their court on the part of Government,

According to the Board's interpretation, though in principle (observed the special commissioners) the objections that suggest themselves to the constant presence of an English gentleman as the Attorney of Government in their court may be mainly obviated, the principle in which they deem it objectionable remained unaltered. For (said they), Government is aware, that according to Regulation III, of 1828, by which the commissioner's court is constituted, and the rules of practice by which under that Regulation the commissioners are guided,

the written pleadings (observed those gentlemen) comprise in almost all cases the entire argument on which judgment is to be passed on the decision of the resuming officers. The presence of pleaders on either side, excepting as a matter of form, and for the satisfaction of the court that its judgments are heard *in voce* before being embodied on its written decrees, is in most cases of no essential necessity, and to this circumstance may probably be attributed that, as there are no licensed vakils or pleaders attached to their court, and parties opposed to Government are, by rule 26 of the rules of practice, prescribed by the Regulation allowed to appoint any agents, whom they please, to represent them before the special commissioners, their agents are, for the most part, uneducated men, possessing very little knowledge even of the few regulations applicable to resumption suits, whose services we obtained at a trifling cost compared to the value of the stake at issue. But, (said the commissioners) to whatever cause it may be attributed, it is an undoubted fact that the native pleaders in our court are of a very deficient and inferior order of men to those employed in the Sudder Dewanny Adawlut, or any Judge's court in the mofussil. The Native Government pleader, Hurri-chunder Kur, who has lately been discharged, was the only exception to this description, and his superiority over the other pleaders (observed the commissioners) was sufficiently evident as a security for the interests of Government, without liability to a suspicion that he was allowed to sway the judgements of the court. If (said the commissioners) to such, or far greater superiority in talents and acquirements, in an European agent were added, the circumstance of his being a gentleman, living in the same society as the Judge before whom he pleads, with the advantage of verbal communication with the Judge in a language unknown to the other parties present, there is reason to apprehend that such suspicion might not always be wanting.

But (said the commissioners,) believing as they think it may be admitted, that in reality it can make little difference in the issue of a cause whether Government is represented by a native or European agent, during the reading of papers and passing orders in the appeals before them, it seems on every account inexpedient that they should admit the appearance of an advantage on the side of Government, which in the minds of the people would be implied from the attendance of an European agent to oppose the native agents employed in their court, and they respectfully submitted to the Hon'ble the Deputy Governor the inexpediency of a measure so calculated to increase the unpopularity of the resumption laws, and to affect injuriously the character of the final appellate court in which they are administered without in any way promoting the interests of Government in the protection of its just rights in cases under adjudication.

Although (observed the commissioners) in their judgment it would have been preferable that the Deputy Superintendent and Remembrancer of legal affairs should have been excluded altogether from attendance as a pleader in the courts, of the special commissioners, the objections which they have urged to his constant attendance would not exist to his occasionally appearing in cases of importance where European, or other equally well qualified agents have been employed by a party opposed to Government. But if the views of the Board in this report coincide with the intentions of Government, the commissioners begged leave to suggest, that the option of attending ought not to be discretionary with the deputy. It (said they) should be contingent on the sanction of the special commissioners notified to him, on his application to attend in any case in which he deemed such a course advisable.

The commissioners concluded by observing, that from their experience of the conduct and abilities of Mr. Bignell as a pleader on the part of private individuals, they

* A form has been annexed to this circular.—*Reporter*

felt assured that his personal attendance in their court could have been satisfactory to them individually, and might have tended to facilitate their proceedings, advantages which they should not have wished to forego but for the reasons above stated.

Mr. Officiating Secretary Halliday, on the 26th December last, informed the special commissioners, that the Hon'ble the Deputy Governor was at the outset indisposed to agree with them in opinion that their proceedings would for the most part be conducted quite as well without, as with agents and pleaders, and until (says Mr. Halliday) the Deputy Governor shall learn that pleaders and good pleaders, are unnecessary in the Sudder Dewanny Adawlut, the proceedings of which court are in all essential respects the same as in the commissioners, he will continue to think that the presence of a good bar has a whole some effect even upon a good bench, and that the character of no court is so little likely to be compromised, as that in which the pleaders are upright, intelligent and independent.

If (continued Mr. Halliday), as stated by the commissioners, the agents usually employed in their court do not answer to the character, the Deputy Governor thinks it very probable that the low standard of qualification hitherto deemed necessary for the Government agent in the Commissioner's court, may have had no small share in producing such a state of things. But his Honor (continues Mr. Halliday) is rather inclined to believe that the character of the Commissioner's bar, was, and is greatly improving. Mr. Bignell himself, whose efficiency the Commissioners have admitted, was, it is understood, in good practice in their court before his present appointment. Mr. Baillie, who, like Mr. Bignell, is a pleader in the Sudder Dewanny Adawlut, who is believed to possess high qualifications, and was indeed one of the persons selected by the Sudder Dewanny Adawlut for the situation of Government vakeel in that court, practices in the Commissioner's court, his Honor is informed, with considerable and increasing success, and there are others in practice there, of whose abilities a favorable report is made. It seems (said Mr. Halliday) reasonable to expect, that the number of such pleaders will increase, as they have increased in the Sudder Dewanny Adawlut, and the Deputy Governor is apt to believe that the employment of Mr. Bignell on the part of Government, will create a demand by opposite parties for the aid of skill and talents in the prosecution of their appeals, and that thus, the evil of an inferior bar, complained of by the commissioners, will, through the very means which they at present deprecate, be at an early period removed from their court.

That Mr. Bignell's employment (continued Mr. Halliday) as a Government Agent in the commissioner's court, would tend, or be supposed by the public to tend to sway the judgment of the commissioners, His Honor never apprehended, and he has too high an opinion of the functionaries who preside in their court, and of their estimate with the public, to admit that any such apprehension need be entertained.

In concluding Mr. Halliday observes, that, after giving to the arguments urged by the commissioners, all the consideration to which both for their motives, and the authority from which they emanate they are entitled, His Honor is unable to concur with the Commissioners, that there exists any necessity for altering the course originally intended, and now pursued by the Sudder Board of Revenue in regard to Mr. Bignell's proceedings.

The Board, on receipt of the two preceding communications, ordered their record, and that Mr. Bignell should be supplied with a copy of the whole of the correspondence.—*Hurkaru*, January 17.

CIRCULAR ORDERS, 1838.

No. 2, ACCOUNT SALES OF LANDS SOLD FOR ARREARS OF REVENUE.

The Sudder Board of Revenue having had occasion to remark that the account sales of lands sold for arrears of revenue, transmitted to them are seldom alike in form, have furnished the revenue commissioners, with a view to uniformity in future, with a blank statement for adoption in the several collectorates comprised in their divisions*

No. 3, A KNOWLEDGE OF THE PERSIAN LANGUAGE DECLARED UNNECESSARY FOR THE OFFICE OF DEPUTY COLLECTOR UNDER REGULATION IX. OF 1833.

Mr. Officiating Secretary F. J. Halliday, on the 19th December, 1837, informed the Board that in the opinion of the Hon'ble the deputy Governor of Bengal a knowledge of the Persian language does not appear to be a necessary qualification for the office of Deputy collector under Regulation IX. of 1833.

The Board have communicated the above order to the revenue Commissioners.

No. 4, DEPUTY COLLECTORS APPOINTED UNDER REGULATION IX. OF 1833, MUST BE ABLE TO READ AND SPEAK THE VERNACULAR LANGUAGE OF THEIR RESPECTIVE DISTRICTS.

Mr. Officiating Secretary F. J. Halliday, on the 23th November last, informed the Board that it appeared desirable to the Hon'ble the Deputy Governor of Bengal for obvious reasons, that deputy collectors under Regulation IX of 1833, should possess at least a tolerable ability to read and speak the vernacular language of the districts to which they may be appointed. The Board have also been directed in future before submitting nominations of individuals to such situations, to satisfy themselves of the qualifications of the nominees in this respect, either through the local officers, or where the nomination may be by the Board, by examination at their own office of the candidate's acquirements. The results of such enquiry, or examinations, are to be reported with the nomination for the deputy Governors, consideration.

The Board have circulated the above orders among the revenue Commissioners, and have instructed them that the orders ought to have a retrospective effect, and to ascertain through the several Collectors, and inform the Board of the names of those Deputy Collectors subordinate to them, who may not be able to read and speak the vernacular language of the district in which they are employed, and to inform those individuals that their removal will be recommended, unless within six months succeeding the communication of the orders, to that effect, they attain this indispensable qualification.

No 5, HOW COMMISSIONERS OF REVENUE SHOULD ISSUE ORDERS ON THEIR SUBORDINATES.

The Board, on the 16th instant, instructed the Revenue Commissioners that whenever they may have occasion to communicate to any of their subordinates an order, requiring any particular duties to be performed, or any forms to be substituted for those in previous use, that the Commissioners will exact from such officer a declaration in answer that the order given him, has been duly carried into effect.

* We shall furnish the statement in the *Calcutta Monthly Journal*.—*Reporter*.

No. 6, KISTS TO BE REGULATED FROM THE 1ST MAY 1837.

It having been brought to the notice of the Sudder Board of Revenue that, in one of the district's within their jurisdiction, proper attention has not been paid to the Board's Circular orders of the 5th September 1836, directed that Kists should be regulated from the 1st May, 1837, according to the English months and not those of the native calendars, the Board have requested the revenue Commissioners to report for their information whether those orders have been duly carried into effect in the several districts within the division of their respecting commissioners.

No. 7, HEAD ASSISTANTS, OR CLERKS TO THE REVENUE COMMISSIONERS, NOT ALLOWED TO SIGN LETTERS ON BEHALF OF THOSE OFFICERS.

By an extract of a letter from the Secretary to the Government of Bengal dated the 18th October last, it appears that Lord Auckland did not think it expedient to authorize the head assistant to the commissioners to sign letters on behalf of those officers. His Lordship remarked that the clerks had already been authorized to authenticate all copies, and to frank all letters issued from the commissioners' office on the public service.

By an oversight in the Board's office the above orders were not communicated to the Revenue commissioners before the 16th instant.—*Hark. Jan. 31.*

MISCELLANEOUS.**CALCUTTA.**

MR. MARTIN.—The Deputy Governor of Bengal has ordered the removal of Mr. C. R. Martin, the Judge of Hoogly, and his being placed on the allowances of a senior merchant out of employ. The charges brought against Mr. Martin, are considered to have been so far established by the investigations held by Mr. W. W. Bird, that His Honor considers it inexpedient to continue him in the high office he held. Much praise is bestowed by His Honor on Mr. Lewis, who first brought to notice the reports affecting Mr. Martin's character which were current in the Hooghly district. Some further investigations, it is supposed, are to take place.

SILVER MUG TO SERJEANT MAJOR COBLY.—Serjeant Major Cobly, of H. M.'s 9th Foot, being about to proceed to England, to take the pension, the officers of the regiment, in token of their sense of his services, have presented him with a silver mug, gilt inside, bearing a highly complimentary inscription. The commanding officer, Colonel Macaskill, Major Barnwell, and the adjutant of the regiment, addressed letters to him expressive of their approbation and good will.

THE CIVIL SERVICE—ORDER OF MERIT.—It is said that the Court of Directors have hit upon a new and very ingenious expedient for the effecting of a further saving in the salaries of their Civil Servants. It is in contemplation to establish an Order of Merit to be conferred on the distinguished, or rather on the *to-be*-distinguished Members of the Service, and in as much as honors have their worth and intrinsic value, in the estimation of their wearers, the opening to their servants of this new road to honor, is to be accompanied, simultaneously, with certain further clippings and reductions of salary.

MR. P. C. SMITH.—Mr. F. C. Smith, the Superintendent of Police for the Bengal Presidency, embarked on board of the *Jellinghae*, and proceeded up the river, to join his establishment at Guyah and commence the duties of his office.

THE NOVENA.—The Novena was celebrated at the Roman Catholic Church at Howrah, by Fre Paul da Gradoly. The Church was brilliantly illuminated on the occasion, and after service, a few fireworks were let off, but not half so many or so good as we were led to expect. The squintings of the pyrotechnic exhibition, shows the good sense of the managing Padre, as it evinces that he knows to make a better use of money, than to waste it on such vain shows.

THE FREE SCHOOL CHURCH.—In consequence of certain alarming fissures in the walls of the Free School, or St. Thomas's Church, the Governors called upon Lieutenant Abercrombie, of Engineers, attached to the Conservancy Department, to examine and report upon the edifice. He has given it as his opinion that the whole of the western face would long ago have come down in a crash if it were not for the belfry, which acts as an abutment in support of that portion of the building. The Governors of the school consequently met on the 11th instant, to look into the extent and nature of that injury, and having satisfied themselves that some measures should be immediately adopted to guard against the probable contingency of the building giving way, have called upon Mr. Parker, the original builder, to take down that part of the Church, and have the necessary repairs effected, the whole to be conducted under the skilful superintendence of Major Hutchinson, of Engineers.

SCHOOL AT BURDWAN.—Government has sent instructions to the Magistrate at Burdwan for the erection of a school in that district, and also to ascertain how far its wealthier inhabitants are disposed to further the project of establishing one.

WARDENS OF THE PRINCIPAL ROMAN CATHOLIC CHURCH.—Messrs. F. Rodrigues and M. Augier, were, on the 15th instant, elected wardens of the Principal Roman Catholic Church, in succession to Messrs. M. Crow and F. Gregory, who have gone out in succession.

STEAM PETITION.—Upwards of 6,000 signatures have been affixed to the steam petition.

THE UNION BANK.—The Union Bank has paid a dividend of twelve per cent. to proprietors, and this has been the result of a quarter, in which the bank's operations have been considerably checked by several causes.

MARINE REGISTRY OFFICE.—Mr. Joseph Young has been engaged in carefully examining the constitution of the old Registry Office, in which he has every aid from the Marine Board, and is preparing a plan for submission to the Chamber at an early date for the new Marine Registry office. There is, therefore, every reason to hope that the scheme, when brought forward again, will be presented to them in a shape deserving of all the patronage of the Chamber and the Public.

BENGAL CLUB HOUSE.—A proposition is to be brought forward at the next General Meeting of the Bengal Club, to purchase ground and build a new and Capacious Club

House by joint stock subscription of two lakhs in shares of 500 rupees each.

HOUR OF BUSINESS.—A resolution has been passed on the subject of the hour of business to be observed in Public Offices—the periods fixed are from 10 to 4 or 11 to 5. This reform is attributable to the representations of the Chamber of Commerce, to whom the thanks of those who may benefit by the change, are therefore due.

THE PUBLIC TANKS.—The Conservancy Department has directed the engine at Chandpaul Ghaut, to be worked for seventeen hours daily instead of the usual eight hours. This is with a view to filling all those tanks with which the engine conduits communicate and will be the means of preventing much of the distress which was last year felt from the scarcity of water in those parts of the town which are at a distance from the river.

DEPUTY SHERIFF.—Mr. Bird, of the firm of Messrs. Collier, Bird and Giant, has been selected by the Sheriff, to fill the office of Deputy, during the ensuing year.

RE-UNIONS.—The first Re-union of 1838 took place at the Town Hall on the 2nd instant. The company was more select than numerous; and there was an unusual paucity of the fair sex. The evening went off, however, with great eclat, and those who were fortunate enough to secure partners, kept on the "light fantastic toe" until long after the "witching" hour of night.

NAWAB ICBAL UD DOWLA.—His highness Nawab Icbal ud Dowla arrived in Calcutta on the 2nd instant, from Benares. He has departed on the *Duke of Bedford* for England, where he intends to urge his claims to the throne of Oude.

DWARKANATH TAGORE'S FETE.—Dwarkanauth Tagore, Esq., gave a grand ball and supper and pyrotechnical exhibition to the elite of Calcutta Society, on the 8th instant.

SECRETARY TO GOVERNMENT FOR THE N. W. P.—It is said, that it has been determined by Government, that there should be a Secretary to Government for the North Western Provinces, and it is likely that Mr. Maxsween will therefore continue in office.

FIRST OPIUM SALE OF 1838.—The first sale of the season, consisting of 4,600 chests of Patna and 2,400 chests of Benares, in all 7,000 chests, took place on the 2nd instant at the Exchange Rooms, with the usual reservation of 130 chests for the French. The attendance of natives was much smaller than usual. A portion of the table opposite to the auctioneer was railed off for the officers of the Board to prevent confusion in receiving the deposit. The Patna opened at Rs- 815 but fell at the third lot to 750, at which price 50 lots were taken by *option* and the bidding then went on steadily at 765 to 775 till the end of the first moiety of the Patna. The first lot of Benares was knocked down at 750, the second at 715, and the price afterwards declined gradually from 720 to 665. The rest of the Patna was then brought forward, the price opening at 775 and going up gradually to 835, but declining again and closing at 805.

EXECUTION OF DECREES AT SERAMPUR.—Ever since the enactment of the Insolvent act in this county, the Danish authorities have refused to give protection to debtors who abscond to that place, to avoid an enforced payment of the debts due by them. Lately a person proceeded from Calcutta to that town, with copies of three decrees of the Court of Requests, against an individual who had absconded to that settlement; and after having rebutted the defendant's allegations of his having paid the amount of these decrees, he obtained an order for the immediate payment of their amount, and it was only on consideration of the defendant having placed in the custody of the Danish Court, some furniture, &c. sufficient to cover the amount of these decrees, that he had 15 days' time allowed him to pay the money and redeem the pledged articles, at the expiration of which period, if not redeemed, they will be sold to satisfy these decrees.

THE INSOLVENT ESTATES.—A rumour has been in course of circulation that orders either have already been received, or are on the point of being conveyed to the Assignees of the estates belonging to the creditors of the late insolvent agency houses, to the effect of their being required peremptorily to wind up such portion of the unsettled outstandings as relate to Indigo Factories or other real property, the interest of which still remains vested in their hands.

MRS. LEACH.—The managers, amateurs, and proprietors of the Chowringhee Theatre, have presented Mrs. Leach with a jewel, on her taking leave of the Theatre, in consideration of the services she has done the drama here.

SPORTING.—On the 15th January, the first day of the Calcutta Races, *Gondolier* won Shaik Ibrahim's purse of 400 rupees, beating *Pilgrim* and *Sultan* round the course, in 3m 38s.

Jim Crow won Syed Yosseens's purse of 800 rupees, beating *Telegraph* in a two mile race, in 4m 16s.

Star won Shaik Ibrahim's plate of 800 rupees, beating *Remnant* in a race round the course.

Gem won Shaik Yosseens's purse of 1,600 rupees, beating *Mishap*, *Heiman* and *Munriel* in a race round the course, in 3m. 43s.

Triptolemus won Syed Hyme Isaac's plate of 300 rupees, beating *Jew's Trump* round the course.

Pirate won the sweepstakes of twenty-two gold-mohurs one mile, beating *Absentee*, *Gondolier*, *Rolica* and *Magnet*, in 1m. 56s.

Poluphema won the purse of forty gold-mohurs, beating *Jilsheet*, *Haidde* and *Jessy* in 3m. 33½s.

Jim Crow won the sweepstakes of seventy-five gold-mohurs, beating *Gem*, *Star* and *Remnant*, in 3m. 36.

Stoic won a match of fifty gold-mohurs, two miles, beating *Paragon* in 4m. 9s.

On the 17th of January, the second day of the Calcutta races, *Absentee* won the Auckland studd, of 100 gold-mohurs, beating *Pirate*, *Begum*, *Magnet*, *Master Henry Rolica*, *Gondolier* and *Promise*, in 4m. 59s.

Jim Crow won the purse of 40 gold-mohurs, beating *Blackball*, *Star*, *Sunbeam*, *Dolphin*, *Stoic*, and *Paragon*.

Comet won the Craven sweepstakes of twenty-five gold-mohurs, beating *Alfred*, *Telegraph* and *Alladin* in 2m. 27s.

Ploughboy won the match of twenty-five gold-mohurs, beating *Roulette*.

On the 19th January, the third day of Calcutta races, *Gondolier* won the Great Welter of ten gold-mohurs each, with twenty-five from the fund, beating *Stoic*, *Dolphin*, *Sunbeam* and *Teddy the Grinder* in 4m.

Gem won the purse of twenty-five gold-mohurs, beating *Jew's Trump* round the course.

Pirate won the sweepstakes of five hundred rupees, beating *Absentee*, in a two-mile race, in 3m. 58s.

On the 22nd of January, the fourth day of the Calcutta Races, *Gazelle* won the claret jugs, presented by the Cameronians, added to a sweepstakes of twenty gold-mohurs from the fund, beating *Stoic*, *Star*, *Odds Bobs*, *Telegraph*, *Sunbeam*, and *Telegraph*, in a three mile race, in 6m. 13s.

Comet won the sweepstakes of twenty-five gold-mohurs, beating *Pioneer*, *Rolica* and *Magnet*, in 1m. 57s.

Lieutenant won the purse of twenty-five gold-mohurs beating *Alfred* and *Satellite* in heats round the course.

Rolica won the sweepstakes for twenty-five gold-mohurs, two miles, beating *Roostum*, *Rolla* and *Commodore*, in 4m 6s.

Rainbow won a match of twenty-five gold-mohurs, beating *Roulette*.

On the 24th instant, the 5th day of the Calcutta races, the Tagore Cup was won by *Absentee*, in two mile heats, beating *Rolica*, *Pirate*, *Gazelle*, *Gondolier* and *Roostum*, *Roostum* ran against a post, threw his jockey, and dislocated his own shoulder.

The hack purse of fifteen gold-mohurs, was won by *Cadland*, beating *Bessy Bedlam*, *Tinette*, *Vesper* and *Mattilda*, in half mile heats.

Lieutenant won the sweepstakes of twenty-five gold-mohurs, beating *Tom Crow* and *Pioneer*, in one mile and a half, in 2m. 68½s.

DEATH OF WILLIAM MEHDEE.—Letters received from Cawnpore, on the 23d inst., announce the death of the celebrated Minister of Oude, Hakeem Mehdee, at Lucknow, on the 26th ultimo. The event was not unexpected as the Hakeem had been ill some time. Mr. Macnaghten was to start on the 23th for Lucknow by dak, on a complimentary visit to the King and to return on the 30th.

THE EXPERIMENT.—The new river iron steamer *Experiment*, is to proceed in a few days to Chittagong, to be employed in river service in that district.

UNEMPLOYED CAPITAL.—There are at present, not less than ten crores of rupees in the Treasury unemployed and unlikely to be demanded for several months to come. It is supposed, that Government are hoarding this money to meet the expenses of the Burmah war, which, by their impolitic conduct they are encouraging and rendering every day more and more certain.

UNCOVENANTED SERVANTS' PENSIONS.—The Court of Directors have declined to assist the Uncovenanted Servants in the establishment of their pension fund in the manner solicited; but as the letter of the Court conveying their decision was written before the last special reference made to the Court on the subject could have reached its destination, the local Government have determined, not to interfere with the present arrangements or the fund, until they receive further instructions on the subject.

MR. JOHN STORM.—Mr. John Storm, has been appointed to officiate for Col. James Young, as Secretary to the Union Bank, the latter gentleman being appointed to officiate as Law Commissioner.

CHAMBER OF COMMERCE.—OFFICE.—At a meeting held by the Chamber of Commerce on the 23rd instant, a resolution has been unanimously voted, that the Chamber does not deem expedient any alteration in the mode of effecting the sales of opium, as now regulated by Government.

SEVERE FAMINE.—Famine is very severely felt in the upper provinces, and hundreds of people are dying from sheer starvation.

MESSRS CAMERON AND AMOS.—Mr. Cameron, the Law Commissioner, goes into council as Fourth Ordinary Member, on the departure of Mr. Macaulay, and he will continue in council until the arrival of Mr. Amos, the new head of the Law Commission.

GOOMSOOR.—An officer of Government at Goomsoor, has recently succeeded in rescuing twelve individuals of different sexes and ages, destined for the sacrifices to the Koordish divinity, and the same active officer expects twenty-four more to be brought into his camp. The full moon is the period for the consummation of the abominable rite, on which period at least one-half of the above number of persons would have been sacrificed. An effective blow has been struck against the system, by the active measures of this officer.

LOSS OF A BRIG BY FIRE.—On the night of the 12th instant, between 11 and 12 o'clock, an outward bound Laccadive brig was totally burnt off *Badge-Budge*. She had 3,000 rupees in cash on board, half of which was recovered by the owners. The fire originated by a lamp having set fire to the beam, by which it was suspended in the cabin or round house on deck.

FIRES.—Several fires have occurred this and two Native Christians have been victims to the flames, but property has not suffered much.

THE RIVER POLICE.—The officers of the river police have conducted themselves in a very praiseworthy manner since their appointment. Several thieves have

been captured through their vigilance, and stolen property recovered.

ALTERED AND FORGED BANK NOTES.—There are several altered and forged bank notes in circulation at present, some of the latter so very admirably executed, that they are easily passed for genuine ones. The best distinguishing mark is, the quality of the paper, the forged notes being on paper considerably inferior to that of the genuine ones.

MELANCHOLY ACCIDENT.—A melancholy accident befel a young officer of the Camerouians, Mr. James, on the 20th instant. He was sliding down the banisters of the stair-case leading to the officers' quarters, when he suddenly slipped, lost his hold, and fell to the bottom. His skull was fractured, the joints of his fingers broken, and his body otherwise much bruised. He was lying in a state of insensibility yesterday afternoon, not expected to survive half an hour.

MURDER.—A Daingur woman, aged about twenty-two years, was murdered, between one and three o'clock on the morning of the 23rd instant, in the Fenwick's Bazar. She went to bed with her husband the night before in a room, in which there were eight other men. The door of the room was open, but was watched by people who are to have the mail sent to the Mauritius, as labourers. About three o'clock in the morning, the husband cried out that his wife had been murdered, and the Police soon after coming in, found that her throat had been cut in a dreadful manner, and that life was extinct. A knife besmeared with blood was discovered near the head of the deceased, which was stated to have been seen in the possession of the deceased before. The husband was therefore suspected to be the perpetrator of the murder.

MOFUSSIL.

AGRA.—At sunrise on the morning of the 13th, Sir Charles Metcalfe took his departure. The whole of the troops were drawn out and formed into a street a la militaires, the artillery on the right.

At a Meeting of the Committee appointed at the General Meeting, for making arrangements for the appropriation of the subscriptions for a statue of Sir Charles Metcalfe, Baronet, G. C. B. and for a service of plate to be forwarded to him.

Brigadier Cartwright in the chair. It was resolved :

1st.—That the Hon'ble Captain D'Uzel be requested to undertake the duties of Secretary to the Committee and that he be authorized to incur such incidental expenses as may be imperative.

2nd.—That the Secretary be authorized to collect all subscriptions and to pay the same into the Agra Bank.

3rd.—That a monthly list of additional subscribers be published in the *Agra Utkhar*, shewing the amount realized.

4th.—That a copy of the proceedings of the meeting held at Agra on the 27th ultimo, be transmitted to the civil and military authorities at the principal stations of the Bengal Presidency, and also to those of Madras and Bombay, and that the co-operation of the Committees of Presidencies be solicited in furtherance of the object in view.

The horrible disease of small pox is at present very rife. It has already made a victim of an excellent and much-loved young officer, of a sergeant of the artillery and, according to report, of one or two men. In the city and suburbs the disease is very common amongst the children of the poor.

His Royal Highness Prince Henry of Orange, arrived at Agra on the 3rd instant, under a royal salute from the fort, the guns of which have had some severe practice lately in this line. His Highness left for Allyghur en route to Meerut the next day, under another salute.

Small Pox continues raging with great violence among the natives. Amongst the European population two

officers have already fallen victims to it, and six or eight non-commissioned officers and soldiers.

The members of the Masonic Lodge at Agra, "Freedom and Fraternity," walked in procession on St. John the Evangelist's day, from the Lodge rooms to the Church, where Divine Service was performed and an appropriate sermon preached by the chaplain, the Rev. R. Chambers, who selected the 30th verse of the 4th chapter of the first Epistle General of St. John, for his text.

The following is the result of the election and appointment of office-bearers of the Lodge for the ensuing year:

AGRA.—G. Gouland, *W. Master*; Jacob L. Hoff, *Past Master*; J. M. D. Ceronio, *Past Master*; W. G. Lennon, *Senior Warden*; M. W. Woollaston, *Junior Warden*; H. Babonan, *Treasurer*; R. Lloyd, *Secretary*; D. R. Hodgkinson, *Senior Deacon*; H. B. Walker, *Junior Deacon*; J. C. Hoff, *Inner Guard*; J. Von Nather, *Steward*; M. Twoomy, *Tyler*.

This Lodge has been in existence for the last twelve months, having been established by about half-a-dozen individuals who brought up a dispensation from the Lodge at Allahabad, and has 23 members at present.

AGMERE.—Grain still continues very dear at Ajmere, grass and crops generally parched up; unless we get rain about Christmas, the prospect is very bad. Small pox raging badly—Upwards of 3,000 children have died of it within the last six weeks, as well as some adults.

CAWNPORE.—The Governor-general held a Durbar on the 21st, on his arrival at Cawnpore, and gave a splendid breakfast to the Prince of Oude on the 23rd—after which he was formally visited by several native chieftains from various parts of Hindustan. In the evening his Lordship honored a station dinner party with his presence. On the 25th the station gave a ball and supper to the Misses Eden, and the visit of the Prince of Oude was returned by his Lordship on the morning of the same day. The ladies left Cawnpore for Lucknow the following morning, and were to rejoin his Lordship at Futteghur. Sir Charles Metcalfe arrived in camp on the 31st, and resigned charge of the N. W. Provinces on the following day, the 1st January.

MADRAS.—A petty Rajah, of a place called Mahabar, has been convicted before the Sessions Judge of Bangalore of the wilful and unprovoked murder of an elephant-driver, whom he had tied to a post in a tent, and there, deliberately cut his body in pieces with a sword. The Sessions Judge had condemned the Rajah to suffer capitally, and referred the sentence to the Nizam Adawlat for confirmation.

MIRAPUR.—A project for a Joint Stock Bank has been set a foot here, with every prospect of success. The Bank will be formed chiefly on the model of the Union and Agra Banks, but will be of a more commercial character than the latter. The extensive money operations at this great trading town, will be highly favourable to it. This undertaking will defeat an intention at one time said to have been entertained by the Directors of the Agra Bank of establishing a branch of their institution at this place.

The Field Officer whose arrest was noticed recently drew down on himself the punishment, for declaring with a considerable degree of candour the strong doubts he entertained of the judgment and capacity of the Members of a Court of Requests, before which he was pleading as defendant. The case has, it is said, been forwarded by the General of the division to Head Quarters.

CUSBAB.—A native arrived from Cusbah, states that the rice crop of the present season has proved a good one in that zillah. The price of balam rice of fine quality is a rupee a maund, and that of a coarser kind, about fourteen annas. Dale sugar, too, is selling cheap; those who have made advances to manufactures are purchasing it from them at from three rupees and a quarter to three rupees and a half per maund.

BRINDABAN.—A native letter received from Brindaban states that corn of all descriptions has got exceedingly dear in and about that place, in consequence of a complete failure of the crops, for want of rain. Wheat and rice are selling at more than double the usual prices.

DELHI.—A bridge of boats has been made across the Ganges, a little above the fort at Futteghur, and another is to be constructed over the Ram Gunga for the passage of Lord Auckland and his suite, who proceed through Rohilkund via Bareilly and Meerutt to the hills.

A royal salute announced the departure from the Station of His Royal Highness Prince Henry and suite, on their return to Calcutta.

The season has not been so unfavourable in the lower part of the Doab, that is below Cawnpore, as in the Futteghur, Mynpoore, Etawah, Allyghur, and Agra districts. Grain is selling at Cawnpore,

Atta..... 12 seers per rupee.

Gram..... 13½ " " "

The crops in the vicinity of Futteghur promise well, which is entirely to be attributed to extensive irrigation.

The country between Delhi and Allyghur on both sides of the great road appears to be completely dried up, very little sown of vegetation.

Grain at Allyghur and Allah-Gunge is selling,

Atta..... 14 to 16 seers per rupee.

Gram..... 18 to 20 " "

At Futteghur.

Atta..... 10 to 11 seers per rupee.

Gram..... 11 " "

There is so much distress near Futteghur that instances have been known of people coming for relief to the almshouse and actually expiring from starvation before assistance could be afforded to them. Representations have been made to Government, and assistance to a certain extent afforded; but, alas! much more must be done before the present urgent distress can be effectually relieved.

The Futteghur treasury is so completely cleared out, that all payments have been stopped, and the authorities have been authorized to borrow three or four lacs of rupees; as usual, there is a difference of opinion about interest, the Government offering four, the sheriffs wanting six per cent.

The scarcity of money just now is principally to be attributed to the old coinage having been recalled and not a sufficient quantity of the new having arrived to replace it.

NATIVE STATES.

LUCKNOW.—The King is suffering from a dropsical attack, which it is expected, will be fatal. His Royal Highness Prince Henry of Orange, paid a visit to the court and city from Cawnpore.

KABUL.—Nawab Ubdool Sumud Khan, late commander-in-chief of foot troops of Ameer Dost Mahomed Khan, left the service, but with great disgrace, having been stripped of every fraction by the Ameer, for faults committed at Jilalabad. The Nawab is at present at Bhookarah in the employ of the Ameer of that city, and is raising 5,000 infantry, and is better off than when at Kabul.

The command of the 1st regiment fell on Colonel Rattray (now Fidah Mahomed Khan, Bahadour). The command of the 2nd on Mr. Harlan, as a temporary arrangement.

Mr. East left Kabul recently, not excepting employ there. His trip to Kabul has added nothing to his pockets.

Doctor Lord and Lieutenant Wool of the Navy attached to the British mission at Kabul, have proceeded at Koondun to Meer Moorad Beg, this Chief having invited them over to examine the illness he is suffering from. These are the first Europeans that ever went openly to this country. Captain Burnes and Lieutenant Leech, of the Bombay service, are at Kabul quite well and enjoy the fine winter of that place.

Mahommed Uthbur Khan, son of Dost Mahommed, lately visited the districts inhabited by the Ghulzaires and Populzaires, who received him with all proper respect and offered the usual tizzurs of fruits, vegetables, chickens, butter, milk, &c. with which he was well pleased. — He prosecuted his journey, beyond the territory of Cabool; but all the inhabitants ran away at seeing his army. In returning, the supplies were very short, and both men and cattle suffered severely.

JAYPOOR.—The Rawal Berce Sal is very ill, and not expected to survive his sickness. His death will open a gate for fresh intrigues in this town.

LYONS.—The news-writer mentions, that some zammeendars, dependants of Hurree Sing, had made a disturbance, and surrounded the fort Moolkhuzara; but had dispersed on the approach of certain neighbouring chieftains with their followers, and several of them were killed.

Hera Sing mentioned, that he had received a letter from Nehal Sing, Aloo Wala, mentioning that he was desirous of seeing the Maharajah. His Highness desired Hera Sing to write privately to Nehal Sing, to desire him to proceed with his whole force to the "presence" with as little delay as possible, as he wished to give him private instructions previous to sending him to Peshawar.

The merchants have discovered a new route between Cabool and the Company's territories, by adopting which, they will avoid many of the duties, delays and inconveniences, attendant on travelling through the Sikh states. From Cabool to Pashung, a distance of forty coss, through an uninhabited district, abounding in wood and water, from Pashung to Serai-sokin-elmar, there are a few houses, inhabited by Patans to be met with here and there. From Sokti-serai, to Serai Dunabund, in three days and nights, during which no animal even is to be seen. From Dunabund it is a four days' journey to Deliah Ismail Khan, where duty is paid to Runjeet Sing's Custom-house Agents. From Deliah Ismail Khan, the road leads through Mooltan; Bahawalpoore, to the Company's territories.

Ontala salih is said to have succeeded in quieting the Yuzofzaceans, who have returned to their employments as citizens.

In Cashmere rice is selling at one maund and thirty pukka seers for the rupee, other grain in proportion! The shawl weavers are in great distress, and regret very much having left Loodianah.

The Ameer of Bokharah is ready to assist the Ameer of Kabul with money and troops against the Sikhs. The Ameer of Kabul is thinking of proceeding to Peshawar in person after the winter or during it. The Ambassador from the Court of Persia to Kabul has taken the sulks at Khandar and will not proceed to Kabul in consequence of the English mission having arrived before him. He is still at Khandar and Mahomed Khan Paish Kismut has been sent to Khandar to learn what is the intent of the Persian Monarch's mission. The Ameer of Kabul has this year three missions to attend to—one of Bombay and British India, one of Persia, and one of Bokharah.

The Bokharah mission was to leave Kabul with persons of character sent by Ameer Dost Mahomed Khan to the ruler of that place, to relate the different treaties between the two Ameers against the Sikhs and Meer Meraud Beg, ruler of Koondus.

TONK.—It is stated that certain of the sameendars of the Wazeere tribe, with their forces, amounting to fifteen thousand men, made an attack on the Maharajah's army, and, notwithstanding the courage and good conduct of the royal troops, the Wazeeres gained the victory. It is said that fifteen hundred men were killed or wounded on both sides. Dowl Sind, an officer of Nehal Sing's army, was amongst the killed.

MADRAS.

SIREWAZEK.—On the 9th instant, the ship *Elizabeth*, bound from Bristol to Madras, while going very fast, ran on shore near Langa Chetty's Choultry, fifty-seven miles south of Madras. The weather was fine and very little surf at the time. At day-light the next morning the Surgeon of the *Elizabeth* and the Rev. Griffiths, a passenger, landed by catamaran and sought in vain for boats or assistance at Sathas. They walked the whole way for Madras and arrived at Mr. Carver's house on the 11th instant. Mr. Carver immediately hired a number of palankeens and started for the wreck the same night. A traveller who came up from the south on the 12th, states that all the passengers, 16 in number, with several ladies and children, were landed safely on the 11th and reached the Government Bungalow at Sathas. The *Elizabeth* is a new ship, and when the Surgeon landed had not suffered any damage in her hull. The cargo, it is supposed, will be landed with little damage, but there is no chance of floating the ship, as she has only four feet water under the bow at low water.

CORONEL STEWART. Accounts have been received from Hyderabad, representing the state of the health of the Resident, Colonel Stewart, being such, as to render his immediately proceeding to Bombay, and it was apprehended, ultimately to Europe, absolutely necessary.

BOMBAY.

THE SCHOONER EMILY.—The Government has purchased the Schooner *Emily*, to be sent to the Gulf for the use of the Resident there.

THE BERENICE.—The *Berenice* has met with another accident, the effect, it is supposed, of her monsoon trip. From the time the vessel left Bombay (30th November 5 50 p. m.) until $\frac{1}{2}$ past 8 p. m. of the 6th of December, she had run along at the rate of 10 or 11 knots an hour, when of a sudden a tremendous crash was heard, followed almost instantly by a second, which led to the supposition that a bugalow had been run down or that the vessel was parting asunder. All hands were instantly on deck to ascertain the cause, when it was found that the cover of the starboard cylinder was smashed in pieces, and the steam furiously rushing up. The engine was soon stopped; the starboard connecting shaft unshipped, and the larboard engine set on, by the aid of which and the sails she was able to run along at the rate of 8 knots an hour. On the following morning the piston was examined, and it was found that the lower plate was cracked right in two, with a large piece chipped out near the centre of it, some of the fracture appearing to have existed for some time. The starboard engine is completely disabled, although it is understood that it could be got repaired in Egypt, it is supposed the commander will not take upon him to delay the vessel in the Red Sea for that purpose.

BANGY DAK.—A Bangy Dak has been established on the Post Route leading through Tanana, Nassic, Maligaum, Dolea, Mundlaisire, and Mhow, for the purpose of connecting Bombay with Central India, and the Upper Bengal Provinces. One has also been established on the Post Route leading through Poona, Sholapore and Hyderabad, for the purpose of connecting Bombay with Madras; and one will shortly be established on the Post Route leading through Aurangabad and Nagpore, for the purpose of connecting Bombay with Calcutta.

BRITISH IMPORTS AND EXPORTS.—The Viceroy of Egypt has issued an order, prohibiting the imposition in the ports of Yemen of a higher duty than $\frac{1}{2}$ per cent. on British imports and exports, coffee included; and has directed that all coffee which may be purchased by the Egyptian Government shall be paid for at the market price.

DEATH OF BHAOO MAHARAJ.—Bhaoo Maharaj, the most respectable jahagirdar of Poona, died on the 25th of December at his house. Bhaoo Maharaj was descended from the venerable Brahmin family of the spiritual

tutors of the Raja of Kotapoor, in whose councils he took a prominent and useful part for many years prior and subsequent to the accession of the present chief. He was known to urge upon His Highness a respectful and obedient conduct towards the British Government, and it was this that led to his cruel persecution by the Raja, and induced him to seek a safe asylum at Poona. He had a jahagire of 40,000 rupees, besides a pension from our Government. He has left two sons.

BURHANPOOR.—His Highness the Scindia has lately heard the complaints of the poor ryots of this place, and the former Subadar, Madhow Rao Subajee, has been dismissed, and a Muhomedan Subadar from Guator sent in instead, who is taking proper steps for the protection of the ryots, who are much pleased. It is ordered that the sowcars should not sell sun dry gold, but should convert it into Burhanpoor mohurs and sell it at the rate of it. Respecting adultery, it is ordered, that every one who may be guilty of it, should be required to clean the Chowdies with chowdung, from morning to evening; and the female culprit should be made to bring water.

THE ARON LINDSAY.—The *Hugh Lindsay* expired on the 25th of December.

BURMAH.

The subjects of Therawadiah have commenced aggressions on our subjects by the deliberate murder of the head man of the village of Durray, situated on the north-west extremity of Biloo-k'own. It appears his house was surrounded by robbers on the night of the last day of the year. On becoming aware of their presence, he escaped from the house and was in the act of calling out to his villagers for assistance, when one of the villains fired and shot him dead on the spot. Durray is one of the largest villages in the province, but as the men were employed in their paddy fields, the robbers escaped with impunity. Their numbers have not been ascertained, but, they are supposed not to have exceeded ten, and as they came to the village by the creek from seaward, there can be no doubt of their being from Martaban; and, indeed, the whole transaction is consonant with what we have repeatedly heard is the intention of the Burmese on that side—to harrass our people by a constant system of dacoity, and to cause them to look for safety and protection only by abandoning us and placing themselves under Burmese rule.

The disposition evinced towards us by the authorities of Bilong and Martab in is said to have undergone a most complete change. Whereas formerly, any messenger from Moulmein was invariably treated with kindness and respect, an individual sent there recently with a letter from the Chief Civil Authority, and addressed to the Governor, was not allowed to enter the town, and was treated by the Governor with much indignity. The officer even proceeded so far as to tell him "Things are changed and are not as they were—I am old, but I should like to fight the English again."

It is further said that a kind of *levy en masse* had been ordered throughout the Burmese empire, and that the most active preparations for war were on foot.

Our position on this frontier seems to be fast verging towards hostilities, unless, indeed, it be intended quietly to put up with every insult and injury that may be offered to us. The terror and distress already suffered by our people, are sufficient warrants for vigorous measures towards breaking up this nest of villains now congregated at Martaban. Those who have gone up the Salween River declare that the state of the villages is most distressing. Women and children resort to the Jungle at night, whilst the men are solely occupied in measures for the defence of themselves, their families, and property.

By the brig *Elizabeth*, from Rangoon, some letters from that place and from Maulmain have been received. It appears that the Burmese Governor of Martaban, the town directly opposite to Maulmain, had songs sung at a public festival, grossly abusing the English and boasting that the Burmese would go and destroy Maul-

main! Reports also are being daily brought into Maulmain, stating that the Burmese were assembling a force at various places in the vicinity and making warlike preparations. A report had been brought down from Koukmoung stating, that the King intended to acknowledge our treaties so soon as his other affairs were settled, but that the last intelligence from Calcutta, which would soon have reached the King, was calculated to do much mischief. It was that the Governor-General does not much regard the King's disavowal of our treaties so long as the Burmese commit no aggression, and that as yet, our Government is of opinion it has no cause to quarrel with the King.

The *Buccan Bawn*, a schooner belonging to Messrs. Trill and Co. of Rangoon, had grounded on the John and Gargaret shoal and been deserted by her commander and crew; but hopes were entertained of getting her off.

PENANG AND SINGAPORE.

During the week have been received files of the *Singapore Free Press* to the 21st of December, and *Prince of Wales Island Gazette* to the 30th of the same month. In these papers are two letters from Mr. H. C. Pusep, to the merchants of Singapore and to the Chairman of the Chamber of Commerce at Penang, respecting the claims of the latter, on behalf of the merchants of these islands to be placed on the same footing as the purchasers of opium for the China market.

It appears by these documents, that the Government here wash their hands of having determined the scale of distribution by which the Bonus was paid, and throw the merit or demerit thereof on the China merchants. The Penang and Singapore merchants have won nothing by the measure they adopted. On the contrary the former are told somewhat coolly, that "the measures of Government were of necessity taken upon grounds furnished by estimates and general inferences, and the Governor-General of India in Council had not before him such precise information in regard to the state of the market in the Straights as has now been furnished; but his Lordship in Council cannot add the assurance, that if the present information had then been possessed, the Merchants of Penang would have been considered entitled to greater consideration in any respect than they have received."

THE SIR CHARLES MALCOLM.—The *Sir Charles Malcolm*, put back to Singapore on the 15th December (after being within a few miles of Macao) with the loss of sails, boats and top-masts, all her lower-masts sprung, and in a very leaky state, occasioned by a succession of very heavy weather experienced during the passage from Singapore towards China; but particularly from the 23rd November to 6th December; and it was not until they had scarcely another sail to set and found the water gaining on the pumps, that they bore up, the ship being so completely disabled, that it was quite impossible to make any way against a contrary wind and heavy head sea. The cargo was discharging partly-damaged, and after undergoing the necessary repairs the *Malcolm* was again to proceed on her voyage with the sound part of the cargo.

SINGAPORE.

During the week Singapore journals to the 7th of December last have been received. A proposition has been made, for a Monthly Steam Communication between the Straights and Calcutta, with a view of extending to that quarter, and in some degree to China, the benefit of the Steam Communication between India and Great Britain. In this point of view, the proposed plan has peculiar interest at this juncture, for it is another argument in favour of the comprehensive plan, by which alone the full advantages of a steam communication with England can be extended to the Straights. For that purpose, however, there should be, as has been proposed, branch steamers running between Point de Galle and the Straights.

There has been another severe typhoon in the China Seas, in which the *Cantata*, the *Bilbama*, the *Ariel*, and several other craft, were destroyed, otherwise damaged.

CHINA.

Canton papers to the 21 of December last, have been received. The intelligence they contain is important. Captain Elliott, the Superintendent, has been ordered to leave Canton and return to Macao, after having struck the British flag. The reason assigned for this proceeding by Captain Elliott is, that in consequence of express instructions received by him from the British Government, as to the mode in which he was to communicate with the Viceroy, he had endeavoured to carry these instructions into effect; but that the Government had declined to accede to the conditions demanded by Captain Elliott. Another edict has been promulgated against the shipping at Canton, in which the Superintendent is accused, in terms by no means equivocal, of con-

niving at the opium smuggling. The sale of the drug was consequently very much retarded. The Hingto Hong affairs remain unaltered.

By the *Sylyph*, *Canton Registers* to the 12th ultimo have been received. The difficulties in the smuggling trade seem to continue in full force, the deliveries for the first 8 days in December not exceeding 191 chests. As might have been expected, the attention of British Residents at Canton has been directed, under the unfavorable circumstances and prospect of our commercial relations with the Celestial authorities, to the utility of colonizing the Houn Islands, which, from their close neighbourhood to Formosa, Japan, LewChoo, and the Eastern Coast of China, would form a most convenient and desirable position. A small pamphlet on the subject has been written by Mr. G. T. Lay, formerly naturalist in Captain Beechey's expedition, and now Agent of the British and Foreign Bible Society.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Bazar Price Current, 27th January, 1838)

Indigo.—Notwithstanding the auction sale which took place on Wednesday last, there is very little yet doing in this important article, the clearances for France barely reaching 500 maunds, while at this period last year there had been upward of 15,000 exported to that quarter; as, however, the wants of the continent are known to be most urgent, we think, the longer holders remain firm the more likely are they to obtain ultimately fair and remunerating prices, a result which will be further insured should the Company, as is expected shortly, resume their advances.

The quantity put up for sale consisted of 392 chests, of which 296 chests found purchasers chiefly for the French market, as particularised below:

97 chests, A & Co. } Estate Alexander & Co., Bulleah B C } concern, Ghazeepoor, Mathews. Co.'s Rs. As.	
7 chests sold at.....	155 0 Per factory maund.
30 chests.....	152 8 "
10 chests.....	150 0 "
10 chests.....	145 0 "
10 chests.....	140 0 "
10 chests.....	132 8 "
10 chests.....	130 0 "
10 chests.....	127 8 "
97 chests, average about 143 8	
77 chests, A & Co. } Estate, Alexr. & Co., Sonabarah S } concern, Jessore, Dunlop. Co.'s Rs. As.	
20 chests sold at.....	195 0 Per factory maund.
20 chests.....	192 8 "
20 chests.....	190 0 "
10 chests.....	185 0 "
7 chests.....	172 8 "
77 chests, average about 180 0	
43 chests, M and Co., Estate Mackintosh and Co., Buxar concern, Mathews. Co.'s Rs. As.	
10 chests sold at.....	175 8 Per factory maund.
10 chests.....	162 8 "
10 chests.....	151 0 "
10 chests.....	132 8 "
3 chests.....	120 0 "
43 chests, average about 153 0	

10 chs., GRF } Packdanzah concern, French, Jessore, P } sold at 202 8 Per factory maund.
17 chests, whtd. awn.
6 chs., GC N. J. at... 175 0 "
3 chs., N. J. at... 192 8 "
7 chests ditto, at... 180 0 "
3 chests ditto, at... 170 0 "
3 chests ditto, at... 172 8 "
2 chests ditto, at... 162 0 "
2 chests S.F. only, N., 140 8 "
2 chests R.R. ditto, at... 142 8 "
8 chs., P. & Co. sold at 110 0 "
1 chest ditto, dust, sold at 150 0 "
10 chs. dust, wash, &c., 20 to 135 "

79 chests.

RAW SUG.—Transactions have been to a limited extent. The market is very heavy and prices are likely soon to fall to a safe standard again, which has not been the case for some weeks past.

SUGAR PIECE GOODS.—Active purchases have been made of Corahs for the English market, but the prices of the assortments are expected to give way.

COTTON.—Continues without enquiry. The prices asked in the interior, are much higher than the article is quoted here.

SALTPETRE.—Continues in limited operation, attributable to the same cause as stated in our last, and prices remain without alteration.

LAC.—The demand in both Shell Lac and Lac Dye is confined to a few parcels for the English market at former prices.

GRAIN.—A further slight advance is observed on the prices of all descriptions. The demand for Fine and Moonghy Rice continues; but operations are restrained from the want of tonnage.

OPIMUM.—The accounts per the *Sylyph* from China are of the same gloomy cast as their predecessors—although owing to the apprehension of the *Ariel* and *La-Hayes* being lost, prices were nominally more firm than could have been expected; when, however, these two vessels were known to be forthcoming and their arrival took place in conjunction with the *Ann*, *Syed Khan*, *Cowajee* and *Water Witch*, (all likely to reach within a week or two of each other), it was anticipated that a heavy fall would instantly follow, and on the whole we regret to say the prospects of the trade were fully as unpromising as ever.

THE
CALCUTTA MONTHLY JOURNAL.
 ASIATIC NEWS.

1838.

DINNER GIVEN TO THE HON. G. F. RUSSELL, ESQ.

The Dinner given to the Honourable G. F. Russell, Esq., at the Banqueting room, on Thursday evening, wore entirely the enthusiastic character we had anticipated for it. About 150 gentlemen assembled on the occasion, amongst whom were Lord Elphinstone (who presided at the entertainment), Sir Robert Comyn, the Honourable Mr. Sullivan, Major General Doveton, Sir Edward Gambier, the Honourable Mr. Lushington, Major General Vigoureux, with the heads of all departments, civil, military, and medical. A spacious tent was erected in front of the banqueting room to receive the thronging company, and a very well executed transparency was placed over the entrance to the hall displaying Mr. Russell's arms, supported on one side by the insignia of civil occupation, and on the other by military trophies amidst which the names of Kimey and Goussoor were intermingled, and the whole surmounted by the words, "Russell, Farewell!" This device had a very pleasing effect, and many a heart found a quickened motion when marking its token of adieu. Dinner was served up about eight o'clock in the usual *recherché* style found at the present day within the walls of that edifice which had been accorded for the entertainment; delicacies and luxuries covered the tables; the wines were cooled to a fault; and excellent vocal and instrumental music heightened the enthusiasm of the more stirring objects of the assemblage. We give below a list of the toasts, with the names of their proposers. Mr. Russell's health, it is scarcely necessary to say was received with the most rapturous cheering, and again and again did the burst of applause break forth, telling in its energy and enthusiasm how honest was the tribute to his eminent public character, and how sincere the appreciation of his private worth. The moment was one of proud gratification to the honoured and valued object of the warm offering; it told that, even amidst the proverbial indifference of Indian life, a geron of popular esteem and affection is still within attainment, and Mr. Russell must have felt that the convincing proof lay before him of his having nobly and truly won it. But the tide of recollection carried him back over thirty-five years of honourable service; he thought of companions in its long career, many of whom he beheld around him; he felt that he was about to part from those who had just proclaimed the warmth of their affectionate regard, and we need not wonder, that over come by his feelings, he was able alone to falter forth the expression of his thanks and the saddened words of farewell.

Several very neat and effective speeches were delivered in the course of the evening, and the party went off in the happiest manner, all evidently partaking in one common feeling on the occasion that brought them together, and communicating it to all the social *agrémens* of the evening.

Toasts.	Proposers.	Tunes.
The Queen.	Lord Elphinstone.	<i>God save the Queen.</i>

The Queen Dowager and the Royal Family.
 Ditto. *The Adelaide Waltz.*
 Mr. Russell. Ditto. *The last Rose of Summer.* —
Glee—When shall we three meet again.
 Mr. Russell returned thanks.
 Lord Elphinstone, Mr. Russell. *Garb of old Gaul.*
 Lord Elphinstone returned thanks.
 Army and Navy. Sir R. Comyn. *The British Grenadiers—Rule Britannia.*
 Major General Doveton returned thanks.
 The Chief Justice and Bench. Mr. Sullivan.
See the Lawyer Father see.
 Sir Robert Comyn returned thanks.
 The Civil Service, Sir, E. Gambier. *Money in both pockets.*
 Mr. Russell returned thanks.
 Sir C. Metcalfe. Mr. Sullivan. Mrs. Russell and a happy meeting with her Family. Mr. Morris. *Home sweet Home.*
 Mr. Russell returned thanks.
 Lady Sarah Maitland and Ladies of Madras, Genl. Doveton. *Bonnets of Blue—Green grow the rushes, O.* —
Song—Here's a health to all good Lasses.
 Merchants of Madras. Lord Elphinstone. Mr. Arncliffe returned thanks.
 Mr. Russell as a Soldier. Mr. McDonnell. Mr. Russell returned thanks.
 G. Vigoureux and all our homeward bound friends.
 Mr. Campbell. *Auld Lang Syne.*
 General Vigoureux and Mr. Annesley returned thanks.—*Spectator Jan. 20.*

We extract the following most deserved tribute to the Hon'ble Mr. George Russell's public service from last evening's Official Gazette.

"The Hon. G. E. Russell, Esq. has been permitted to resign his seat in Council and the Honourable Company's service, from the date of his embarkation to England on the ship *True Briton*.

The Right Hon. the Governor in Council cannot permit the Hon. G. E. Russell, Esq. to quit India without an expression of his deep regret at the loss which the public interests will sustain by the retirement from the service of an officer whose experience and ability, whose zeal, judgment and temper in circumstances of responsibility and difficulty have been repeatedly recognised by the Government.

The Right Honourable the Governor in Council requests Mr. Russell to accept his grateful acknowledgment of the assistance and advantage which the Government has derived from his services at the Council Board, and his best wishes for his health and happiness in his native country."—*Ibid.*

FREE PRESS DINNER AT THE TOWN HALL.

One hundred and ninety-six gentlemen sat down to dinner at the Town-hall to celebrate the emancipation of the Indian Press, and to do honor to its noble liberator, Sir Charles Theophilus Metcalfe, who had been especially invited as the guest of the evening the annual celebration, which is on the 15th of December having been postponed to the 9th of February on that account. Mr. Longueville Clark presided in the Chair and Mr. Henry Meredith Parker in the vice chair. At a quarter past seven, the Honorable Baronet arrived at the hall, and was received at the door by the stewards in a body and ushered upstairs. At half past seven the friends of the Free Press dinner was announced, Sir Charles sat at the head of the table, between the Chairman and R. D. Mangles, Esq. There were several native gentlemen present, among whom we noticed Rannauth Tagore, Prosonna Coomar Tagore, Rustomjee Cowajee, and Manikjee Rustomjee, Esqrs. The dinner and the wines were excellent and about nine o'clock the hall being cleared of the servants the first toast was announced.

THE CHAIRMAN.—A bumper, gentlemen, to our youthful Sovereign. Under ordinary circumstances I should have proposed this toast unaccompanied by any remarks, and have left it to be drank with that feeling of loyalty, which I believe is common to the breast of every subject of the British Crown. But the present are no ordinary circumstances: we are assembled here to commemorate a great political event, the liberation of the Indian Press, and this is the first meeting we have held since that Sovereign ascended the throne, who has proved her attachment to the principles we advocate, by continuing the Ministry, who gave reform to England. (*Loud cheering*.) Well then may she be dear to her people. Those whose proximity places them within the influence of the Royal and youthful fascinator, may be pardoned for that fervent enthusiasm, with which she appears to have inspired all ranks in England. Even we, whose feelings must be dulled by the distance which intervenes, gaze on her as a creature of a rare order, on whom endowments have been poured, which, collectively, are seldom attainable. Possessed of the love of her relatives, the affection of her friends, the esteem of the nation; rank, which makes her pre-eminent in the world. Fortunes which distance the idea of necessity; talents to rule in public; accomplishments to hallow retirement; beauty to fascinate; youth to enjoy: these are gifts individually estimable, in their union—unparalleled.

Quo nihil magus meliusve tuis
kata donavere, bonique Divi,
Nec dubitans, quamvis redeant in aurum.

Tempora prosequimur.

Up then, gentlemen, and with brimming glasses drink to the prosperous reign and happy life of our youthful Queen, Victoria. (*The toast was drunk with immense cheering.*)

Air.—"God save the Queen."

THE CHAIRMAN.—Gentlemen; it is now my duty to give you the most important toast of the evening. **THE FREEDOM OF HIS PRESS IN INDIA.** (*This announcement was received with the most tremendous applause, waving of handkerchiefs, and the demonstrations of enthusiasm lasting several minutes; the Chairman frequently attempting to continue his address, but swept by the reiterated shouts from all part of the room. When the burst of feeling at last subsided, he continued.*) So much has been said and written, and well said and well written, on the Freedom of the Press generally, that I shall not trespass on your time by descanting on the enlarged view

of the question, but confine myself to offering two remarks, the one regarding the origin of the periodical press, the other relating to the results to which it has led. To some of you it may not perhaps be known, that the Periodical Press of England owes its origin to the most despotic sovereign who ever swayed the British sceptre. Tyrannical as the race of the Tudors were, no one was more so than Queen Elizabeth. She protected her country from foreign aggression, but she was a despot over her people. Yet was she wise in her generation; and when she found, the liberties, the religion of the people were endangered by foreign invasion, and her crown at stake; she appealed to the nation for support, she roused its enthusiasm through the mighty engine of a Periodical Press, which was then for the first time established. But it was not more remarkable that the Periodical Press should have originated in the act of a tyrannical monarch to protect her empire, than were the results which that Press has produced. Look, gentlemen, at the map of the world, and dwell on the conditions of the countries, where the Press is fettered, and the Press is free. (*Loud cheers.*) Look, gentlemen, at America and England, and compare them with any other nation on the globe. In these two states the people enjoy liberty to a degree beyond that, which is any where else to be found: they are wealthy, they are enlightened, while the countries themselves have no rivals in power. It is the people which make the country; it is the Free Press which has made the people. (*Loud cheers.*) Gentleman; having briefly alluded to the origin and results of the Freedom of the Press, I now approach the immediate object of the toast, **THE FREEDOM OF THE PRESS IN INDIA.** (*Cheers.*) Those who are opposed to it, admit the excellency of the institution in other countries, but they allege, that India is not prepared to receive it, and that peculiarities exist here, which make its introduction dangerous. On this point I come to issue at once, and affirm boldly, that of all countries, British India most requires the Freedom of the Press. (*Cheers.*) I draw no nice distinctions; I admit the local peculiarities which are relied upon, and I assert that it is the existence of these very peculiarities, which imperatively requires that the Press of India should be free. In support of this assertion, I appeal to the former and present state of this country, when the Press was restricted, and when the Press is free. Many of you must remember the celebrated order of the 5th of April 1823, published by Government for the guidance and conduct of Editors. In that they were told, that they must not publish, nor republish any thing, nor even from the English papers,—which might through the conduct or hurt the feelings of the King or any of the Royal Family,—the Court of Directors, or Authorities in England connected with India,—the Governor General, Members of Council, the Judges, Bishop, Government Officers, nor disturb the harmony or unanimity of Society. It they could have relied on the veracity of the small note which followed, true it is, that they had slight reason to complain; for the order gravely assured them, that these prohibitions imposed no irksome restrictions on free discussion, or publishing information. (*Laughter.*) Ave, gentlemen, those who only read the order, may well laugh, but the working of it was not calculable to prove a matter of mirth to the proprietors of the two journals which were suppressed, or to the two editors who were banished. (*Cheers.*) Such, gentlemen, was the state of the country when the Press was fettered, but what is its state now? Why, the first great point is, that we have the same law for the Press here as exists in England. The English who have come to this distant clime, have not left their liberty behind them; and the natives of the soil find that the English have brought

liberty to them. (*Cheers*) I deny, gentlemen, that we are desirous of a partial despotism.* Englishmen would banish despotism altogether. I deny that we want an atmosphere of liberty of our own; but that liberty which is our birth-right we would not part with, and we would share it with our native fellow subjects. (*Loud cheers.*) In the present state of the country we do share with them the Liberty of the Press; and this is the first contrast between our present and former condition. The next contrast gentlemen, is, that a system has been introduced alike beneficial for the governed and the governed. For the governed it is beneficial, for it not only dissipates discontent, but it discloses it in the germ by exposing the causes by which it is generated. Well did my friend Mr. Funnell say, when speaking from this chair, no man commits treason in a newspaper; and well did he allude to the evidence of Sir John Malcolm, who disclosed the seditious libels which had secretly been circulated among the native soldiery, exciting them to mutiny and the murder of their officers. That, gentlemen, could never have happened in a newspaper. (*Cheers.*) But now, gentlemen, let me also recall to your recollection the peculiar situation of a Governor-General. In him the fault is not, but it is in the system. He may be the wisest, the most talented, and the best of men, yet when he lands on these shores, what does he know of the country, the people, their language, their habits, customs, or laws? He has to rule the destinies of eighty millions, without possessing those indispensable essentials for governing, experience, and local knowledge. He must either be a useless tool in the hands of those who surround him, or, if he be deaf to their advice, his ignorance is his only guide. To this vast evil one remedy has been found, the freeing of the Indian Press. If injustice be practised, there the injured can complain; if suggestions are to be offered, they can be the proclaimed, and canvassed by the public, who may support their merits, or point out their inutilty. What were the words of Lord William Bentinck to the deputation of which I formed one? I repeat them in the presence of many who heard them with myself. "THAT HE HAD DERIVED MORE INFORMATION FROM THE INDIAN PRESS, OF THE REAL STATE OF THE COUNTRY, THAN FROM ALL THE COUNCILS, ALL THE BOARDS, AND ALL THE SECRETARIES BY WHOM HE WAS SURROUNDED." (*Loud cheers.*)

Let me now, gentlemen, examine how far the Freedom of the Press conduces to the weal of the governed. First, it confers on us freedom of discussion, which is the birth-right of every freeman. The stajesty of the people is no idle phrase, for it imports that, which is really the case, that the true sovereignty is in the nation, and not in the ruler. All kings, all governors, are in fact but the servants of the state, placed at its head for their talents, their knowledge, and their virtues, justly respected for these qualities, and looked up to with gratitude for the benefits they dispense. I abate not one tittle from the honor which is their due, and yield to no man for the respect in which I hold them. Yet is the government of the state entrusted to their care, not because it is their property, not because the people are their serfs or slaves;—but in order that they may faithfully discharge the duties of governing. (*Cheers.*) Can it be endured then, that the people for whom they hold these trusts are not to question their acts, or that the rights of discussing the measures of their rulers is to be denied to the state, for whose service and weal they have been crowned? Hence, gentlemen, is it, that freedom of discussion is a freeman's birth-right; and by freeing the Press you benefit the governed; by freeing the Press you likewise extend the blessings of knowledge and enlighten the people,—a measure which all allow is of vital importance to India. In those countries where the Press is most free, is knowledge most

diffused. It not only imparts instruction, but excites to learning, and the man who is opposed to the freeing of the Indian Press, must be the foe to enlightening the natives. (*Loud cheers.*) But, gentlemen, a stronger argument still remains. Free the Press, and you strengthen the bond of union between the native and the British subject. (*Loud cheers.*) Free the Press, and you teach the natives what European countries are; what England is; you make them familiar with your laws, your manners, your arts, your sciences, your comforts, luxuries, wealth and independence; they draw the contrast between the state of things there, and in their own country here; they perceive the difference between the spear and sword, the rapine and violence of the Mahatta and Pindaree, and the protection of property and person by Law. (*Loud cheers.*) Tell me then, will not the native find himself drawn towards the land and the nation who give him security and justice, in exchange for destruction and plunder? Tell me, will not the bond of union be strengthened? And this is what the Freedom of the Press in India will assuredly achieve. (*Loud cheers.*) Gentlemen; have I drawn the sketch correctly?—Have I correctly portrayed the past and present state of the country, when the Press was enthralled, and when the Press is free? Have I shown you the blessings it bestows on the governors and governed? If your hearts respond to these sentiments, up, I say, and drink to the "Freedom of the Indian Press." (*The toast was drank with immense cheers.*)

Air.—"See the conquering hero comes."

VICE-PRESIDENT.—Gentlemen I have the honor to propose to you a toast that will not, I know, fail to be received with all those demonstrations of attachment and respect to which it is richly and honestly entitled. I have to name to you a nobleman who, though far away, cannot but view with interest all things bearing upon so vital a question as the Freedom of the Indian Press. Gentlemen; I will not for a moment allow myself to believe, that any one whose heart is in the right place, that any one who is upright, honest, benevolent, sagacious, and fearless of scrutiny into his public acts, full of a sense public duty, can be otherwise than a friend to the Free Press in India. If then, these things give a guarantee of such friendship, assuredly the illustrious person I now name to you, must be such a friend, for all the qualities I have enumerated are eminently his, gentlemen—THE GOVERNOR GENERAL. (*Cheers.*)

Air.—"Here's a health to those that's awa."

THE PRESIDENT.—Gentlemen; charge your glasses with a bumper. The toast I am about to propose to you, will speak for itself, and requires no introductory remarks from me. Gentlemen, I give you The Navy of England. (*Loud cheers.*)

Air.—"Rule Britannia."

VICE-PRESIDENT.—Gentlemen; it is my duty to propose a toast to you, and the labour is the labour of love, or I should say with greater truth, no labour at all, but a real pleasure. Gentlemen; my toast is the British Army. (*Cheers*) I know there has been discussion infinite touching the politics of the British Army. Whether it was Whiggish or Toryish, Reformatory or Conservative—whether it loved a Free Press or did not love a Free Press,—for my own part, I will own to you candidly, that I don't care one way what its politics are, or what its feelings are, on the question I have hinted at,—it is sufficient for me to know, that through long years of pain and gloom, the British Army fought and bled, that the hearths and the altars of their country might not be polluted by a foreign foe. (*Cheers.*) It is sufficient for me to feel that it placed between a terrible enemy and our pleasant fields and native homes, the iron barrier of its indomitable valour. (*Cheers.*) I can no more bring myself to care for the politics of our brave soldiery, than I can care for those of that glorious chief who led them crowned with victory from the rock of Lisbon to

* Alluding to the charge brought against the British Inhabitants by Mr. T. B. Macaulay on the debate on the India Bill in the House of Commons.

the gates of Foulouse, and from the wood of Songnes to the towers of Notre Dame. (*Cheers.*) But in this assembly my toast has a peculiar title to receive all the honors. The British Army, gentlemen, everywhere met and baffled the most despotic, the most formidable enemy of a Free Press which the world ever saw. Admitting all his greatness, all his magnificent and richest qualities, yet there never lived a fiercer hater, a more inexorable tyrant, where the liberty of the Press was concerned, than Napoleon Bonaparte. (*Cheers.*) But the hour of retribution came, and the murder,—I will call it by no other title,—the foul murder of the unfortunate Palm of the poor bookseller, whom the despot crushed in wrath and in scorn, was gloriously revenged on the Plains of Waterloo, by THE BRITISH ARMY. (*Much cheering.*)

Air.—"British Grenadiers."

THE CHAIRMAN.—Gentlemen; another bumper, and let this be the fullest you can fill. I have given you the freedom of the Indian Press; I have endeavoured to describe the immeasurable blessings it will confer on this country; but my toast now is the health of him to whom we owe that boon? our distinguished guest, Sir Charles Metcalfe. (*Enthusiastic cheering which continued for a long time.*) I shall not, gentlemen, detain you long, for more I cannot say, than what I have already uttered, regarding the value to India of the freedom of the Press, nor can I say more regarding our obligation to Sir Charles Metcalfe, than that it is to him, to his wisdom, his decision, his independence, we are indebted for that incalculable blessing. But surprising as are the claims of Sir Charles Metcalfe on us for this great act, how well are they supported by the history of his Indian life. (*Loud cheers.*) Look at him in every relation of Society; the hospitable host, the friend of the social circle, the charitable reliever of distress, the munificent patron of useful institutions, the assiduous officer of Government; the statesman who cared for the empire! (*Cheers.*) Were I to seek for that, to which I might compare him, I should find it in the striking feature of this country, where numerous and magnificent streams flow through, and fertilize vast tracts of land, till uniting together, they form a mighty river, bearing on its bosom the riches and commerce of the kingdom, and constituting the source of all its greatness. So with Sir Charles Metcalfe: his assiduity, his talent; his munificence, his charities, his judgment, firmness, and integrity, are the qualities resembling those rich streams, and uniting in him as they have done, they have given to India, that great statesman who has proved the pillar of her empire. (*Immense cheering.*) I give you, gentlemen, prosperity, health and happiness to Sir Charles Metcalfe, the liberator of the Indian Press. (*The toast was received as it merited, and many minutes elapsed before Sir Charles could obtain a hearing, so prolonged and enthusiastic was the cheering.*)

Air.—"Charlie is my darling."

SIR CHARLES METCALFE, rose and was again greeted with cheers, which were continued in one universal burst for about five minutes. The worthy Baronet seemed deeply affected, but recovering himself, he said:—Gentlemen, you have so overwhelmed me with your kindness, that I find myself quite unable to give expression to my feelings, or to return my thanks as I could wish. I possess not the eloquence of my friend, the president, to enable me to do so; but I believe with him, and with you, that a Free Press is a blessing in any country; (*Much cheering*) and I perfectly concur in all he has said in praise of it as applied to this. (*Cheers.*) We have ample proof of the vast benefits accruing from a Free Press in our own country and in America; and it was on this proof that I acted as I did here, respecting the Freedom of the Press. (*Cheers.*) I will proceed no further on the subject of the eman-

ipation of the Press. Were I before another tribunal, I might defend that measure; (*Defensive cheers.*) but to do so here, is evidently quite unnecessary—perfectly superfluous. (*Much cheering.*) You are all with me. (*Cheers.*) I shall conclude, gentlemen, with thanking you, first for the honor you have done me in inviting me to this party in celebration of the Freedom of the Press; (*Cheers.*) and, secondly, for the exceeding kindness with which you have just drunk my health. (*Much cheering.*)

MR. DICKENS.—Gentlemen; one cheer more to the honestest statesman we have ever had. (*Defensive and long-continued cheering.*)

C. R. PRINSEP, ESQ.—Gentlemen; we are met to celebrate the anniversary of the Liberated Press of India in the presence of its illustrious liberator; and I am not surprised when I consider it is the last time he will join in its celebration, that his presence should have been hailed with such enthusiasm. But we must not allow the interest of the occasion to divert our attention altogether from the grand object of our meeting, or to forget that much yet remains to be done. It is not enough that the Freedom of the Press should be declared by the statute or advanced by regulation, nor is it sufficient that it should be guarded by all the provisions that the ingenuity of man or of Law Commissioners can devise. No true friend of the Press will rest satisfied until he sees it placed under the safeguard of the sole palladium of civil society—Trial by Jury. (*Much cheering.*) I see, gentlemen, I have touched a chord that thrills through all your hearts. I am content with that expression of your feelings; but I cannot sit down without drawing your attention to the facts that the Press of India enjoys little of that security. It is only in the King's Courts that it can appeal to a jury at all, and in those courts it has no such appeal, except upon a criminal charge. All its civil liabilities are left to the absolute discretion of the Judges, which English principles and English practice have denounced as a most unsafe tribunal. I have done enough to draw your attention to the necessity of going a step further, and obtaining the security of jury trial in all cases where the Press is concerned. That point gained, all will be safe, all will be permanent. Tories may combine against it, Whigs may job, and Benthamites may blunder on; the Press shall bring its enemies to the ground one after another, when it shall be enabled to launch its weapons from underneath the Egis of jury trial. Gentlemen, let us, therefore, drink in a full bumper, Trial by Jury, the bulwark of the Freedom of the Press. (*Cheers.*)

THE CHAIRMAN.—Gentlemen; Mr. Prinsep has just touched a chord which has thrilled through your hearts; I will now cause a chord to be touched, which will thrill through your ears. Mr. Stocqueler, will you kindly commence?

Mr. Stocqueler, with much effect, sang

In the glorious old days of the glorious old Bess,
(Though she scarce would have suited the present,
I guess!)

The chronicles say that a Newspaper first,
On the wondering eyes of our Forefathers burst.

Sing Ballinamora Ora

Ballinamora Ora

Ballinamora Ora

Huzza for the Press is now free!

'T was a real "Court Journal," you all may be sure,
Telling only such truths as such Queens might endure,
For in those times in ink it was dangerous to dip,
When the ears were snipp'd off, if the pen made a slip,
Sing, &c. &c. &c.

Alas! little better, three lustres ago,
Were we of this land, as all present well know,
When the *Sensor* with witless and pitiless shears,
Lopp'd an Editor's brain though he cropp'd not his ears.
Sing, &c. &c. &c.

And in recenter times when the Licence so dread,
Like a sword was hung over each Editor's head;
Our hopes and our fortunes a breath had swept down,
If a word of reproof made a Governor frown.
Sing, &c. &c. &c.

But Freedom's fair hand hath our manacles snapt,
And the Press in her own sacred panoply wrapt;
And though despots may hate it and dotards may fear,
Yet to liberty's votaries that act shall be dear.
Sing, &c. &c. &c.

Aye, and still by her friends, through the world, shall
be lov'd,

His name, who that badge of our slavery remov'd;
And year after year shall resound in this hall,
The glory of METCALFE who freed us from thrall.
Sing, &c. &c. &c.

Then fill every glass with bright wine to the brim,
And freedom shall hallow the toast that's for him;
Let our hearts prompt our voices to thrice three times
three,
While we shout through the welkin "The Press is
made Free!"
Sing, &c. &c. &c.

THE CHAIRMAN.—Gentlemen; my friend, the Vice-Chairman, at the bottom of the hall, and my other friends under his care, have not been uniformly orderly in their proceedings this evening, and I feel a little jealous that at a festivity given in the cause of Freedom, they should have all the disorder to themselves. (*A laugh*). As I cannot set, I shall therefore follow the example, and break through the order of the toasts. We have drank, gentlemen, the Freedom of the Press and its Liberator, but there's another to whom the Press owes great obligations. If it needed any argument to recommend to you the object of my toast, I know I need but mention the high opinion which Sir Charles Metcalfe entertains of him, and the sincere esteem with which he prizes him as an enlightened statesman, and a friend of India. Gentlemen, it was Lord William Bentinck (*Loud cheering*.) I say it was Lord William Bentinck who first practically set the Press of India free; for from the moment that he landed on these shores, to the hour that he left them, the restrictions existed but in name. Let me recall to you also, gentlemen, his uniform support of the cause of Steam Navigation. It is he that has sent the boats to the distant provinces by inland navigation; it is he who is nobly advocating the scheme in England; and though he has left our shores, he has not deserted our interests. (*Cheering*.) I could dwell on many other strong claims he has on your gratitude, but need I do more than give our late Governor-General, Lord William Bentinck, the friend of the Press, the staunch advocate of Steam. (*Drank with loud cheers*.)

THE CHAIRMAN.—Gentlemen; previous to our proceeding to the next toast on the list, permit me to read to you a letter I have received from a gentleman now absent, but who is greatly respected and esteemed by you all; I mean my friend Dwarkanauth Tagore. (*Cheers*) Mr. Clarke then read the following letter:—

LONGUEVILLE CLARKE, Esq.,

Chairman of the Free Press Festival.

• MY DEAR SIR,—It is a severe disappointment to me that the departure of the steam packet, only two days before our meeting, deprives me of the satisfaction to which I had so long looked forward, in common with my brother stewards and the friends of free printing, of holding our yearly festival in the presence of Sir Charles Metcalfe. But there is no help for it, and I can only

beg you to assure the meeting and our greatly respected guest, that nothing but unavoidable necessity could have kept me away on such a great occasion as the celebration of the privilege of freely expressing our opinions of public measures and men.

It is my duty more particularly, as a native landlord and merchant, and more intimate than most of my countrymen, perhaps, with yours and with the nature of the Government under which this great and rising country is connected with England, to speak out on an occasion like the present. I sincerely believe that the liberating of the Press in India is one of the most valuable acts ever attempted by the Indian Government; it strengthens their own hands, and ears, and eyes, in ruling this vast region, and it is also a guarantee to the people that their rulers mean to govern with justice since they are not afraid to let their subjects judge of their acts.

Yours very truly,

DWARKANAUTH TAGORE.

Calcutta, 6th February, 1838.

THE VICE CHAIRMAN.—Gentlemen; I rise under feelings of no ordinary embarrassment, with a greater mistrust, indeed, of my own powers to address a public assembly, very limited as I have always felt these powers to be, than I ever experienced in my life. It can scarcely be otherwise, for while I feel that no words of mine can do justice to the excellence of the good man and good citizen I am about to name to you, I am nervously anxious that one whom I am proud to call a dear and valued friend, should receive full justice at my hands. Hence my mistrust, hence my apprehensions. I am sensible that the public and private virtues of this admirable individual ought to be themes for some tongue "less unworthy of mine," at the same time I feel that my own friendship, instead of inspiring, makes me full of doubts,—doubts lest I should fulfil neither my own ideas or yours of the honor due to the name I am about to propose—yet why should I feel thus apprehensive? It ought to be no very difficult matter to illustrate what is already illustrious. Thank God, the honor due to the name connected with my toast depends upon a more solid foundation than my feeble words! That name is inscribed foremost amongst the foremost on the roll of those most distinguished for mercantile liberality and commercial enterprise. It is amongst the first, if not the very first, on the list of active, able and munificent citizens to whom the whole community is indebted. The name of my friend is revered by many whom he has saved or established in life by his judicious advice or his liberal assistance. It is written in the hearts of thousands who have partaken of his inexhaustible charity, who have had cause to bless his boundless benevolence, confined to no caste, colour, or creed. It shines brightly surrounded with all that is urbane and kind and courteous, on the tablets of social hospitality. It is heard in the halls of our colleges, in the porticos of those literary and scientific institutions which he has supported and enriched. It shines gloriously through an act, a recent act, of charity so princely, so magnificent, that I tax my memory in vain to discover a parallel to it within my own knowledge and experience. Above all, the name of this admirable citizen is inseparably connected with that cause whose triumph we have met this night to celebrate. Gentlemen, need I say after this that it is the name of Dwarkanauth Tagore. (*Much cheering*) Here then we have in an individual,—though to a degree so eminent that we cannot expect it to be common,—the qualities and attributes which we desire to foster amongst his countrymen at large,—moral courage, integrity, liberality, self dependence, love of truth, a sense of right, a scorn of wrong, and a freedom from prejudice. (*Cheers*.) But what if we succeed in our endeavours to create analogous feelings, not only in those immediately around us in this metropolis, but in thousands, tens of thousands,

millions, of their countrymen. If we inspire the masses—Aye, there's the rub. The question is a grave one, and demands grave consideration, let us think of it. I do not now address that party, for many of whom I have the highest esteem, but whom I must be permitted to designate as of the Silver-stick and Burr Sahib school, in reverence for whose mighty attributes the worthy Hindoo backed his horse or his ass into a ditch, on the approach of the majesty of the services, in the person of our departed friend, Indophilus—(Cheers and laughter.) the last person in the world, God knows, to require such an act of homage which filled him with astonishment and pity. (Laughter.) I do not, gentlemen, address this party. They are at least consistent. They would still legislate for India not after the A. Z. fashion but from the Vedas and the Koran. They would be great in Sanscrit and Arabic. They would enlighten the universal mind of India with the philosophy of Aristotle and the science of the Jewish Alchemists. They would have the people remain in the same free and happy state as when the successors of Sevaug levied *chout*, and the dues of the state were collected from the zemindars by the simple and effective process described in Mr. Harrington's analysis, of tying up their blue legs in company with some half dozen of cats in a pair of loose pantaloons. (Laughter.) As for the Press; no doubt this respectable party would be well content to allow the Press as much freedom and influence as would have been accorded to it, had they ever thought about the matter, by those liberal minded potentates Surajah Dowlah and Tippoo Sultan. But let that pass. This party is at least consistent, and I in friend or foe I revere an honorable consistency. (Cheers.) But I turn from them to another party, full of magnets and dignitaries and Education Committees, and School book Societies and Friends of India, and every thing that is genteel and superb, both here and at home—a party which attempts to carry into practice the in-ounguous absurdity—I know not how to designate it—the vain imagination of enlightening and educating and civilizing the people of India,—of giving them a love of truth and knowledge, which is in other words a love of freedom, yet at the same time shackling the Indian Press with fetters of iron and manacles of steel. (Cheers.) Nothing appears to me more absurd than this singular delusion—it is to the Greek's foolishness. I trust and believe that this party will not succeed in their sacred efforts again to manacle the Press; but if they do, then it seems to me self-evident that they must be prepared at once, not only to discourage, but altogether to prohibit and put down the study and acquirement of the English language. (Cheers.) Gentlemen; the explosive tendencies of steam and of all the combustible gasses in the world are as nothing to those which would exist amongst a people conversant with the language of Milton and Junius, of Chatham and Brougham, of Franklin and Washington, yet prohibited by law from giving publicity to these sentiments with respect to the acts of their Government. (Cheers.) No; if the enemies of the Indian Free Press, to whom I now advert, wish to be consistent,—if they wish even for safety,—let them adopt in their projects of civilization, the civilizing language of Muscovy, or Cossack Tartary; but let them beware of English. For you shall as soon bind the light of the blessed sun with chains of iron as prevent a people familiar with the language of liberty from openly uttering their sentiments on the public moorings of public men. (Much cheering.) But we may be told, "When English is familiar to every man who can read or who thinks, we will then place at the disposal of the community the means of publicly expressing their thoughts on the important point of Government, to wit, the Free Press. Giving the party I advert to credit for this intention, yet still surely it is a miserable delusion, it is as if one were to say, here is our charcoal, and our sulphur, and our saltpetre; while they are in separate heaps approach them not, even with a rush light or a dark lantern; but when we have

mixed them, and grained them, and glazed them into gunpowder, then throw a lighted torch into the midst of the heap and it shall not explode. (Cheers.) Gentlemen; will these people never learn from experience,—are the lessons of history to be for ever lost upon them? What have we and our fathers seen for the past fifty years in France, in Spain, in Portugal, in Italy? Why, that wherever a Free Press has suddenly grown up amongst a people previously civilized,—mud, gentlemen, I say amongst a people previously civilized but yet wholly unfamiliar with its workings, wholly unprepared for it,—in other words, were the Free Press has not "grown with a nation's intellectual growth and strengthened with its strength,"—there it is no longer a beneficent spirit ministering to civilization, prosperity and happiness, but a revenging fiend "with Ate by her side come hot from hell" to cry "havoc and let slip the dogs of war," to spread strife, blood-shed, and misery. (Cheers.) Think not, however, that because I utter these opinions I undervalue the freedom of the Press. However introduced, its ultimate results are well worth a century of revolutions. I advert only to the facts, and in doing so I again ask, will the party I have alluded to never learn from experience? For I turn from the countries I have mentioned to another—I look "upon this picture and on this." I turn gentlemen, to the United States. They also passed through the terrible ordeal of civil war; they too saw party in every village, almost in every family; factions in every city,—foreign armies in every field. But what was the result? The storm rolled over, the fiery strife, bloody—mark me, gentlemen—bloody, with a few exceptions that history has almost forgotten them, only in the "fair field of fighting men." The holy strife died away, and left freedom, happiness, prosperity and national character, which has nobly manifested itself, in our latest accounts from Home are to be relied upon in the conduct of the American merchants during the recent trying monetary crisis. (Cheers.) Whence is the cause of the mighty difference which I have noticed? I answer confidently in the pre-existence of a Free Press in the present United States; (Cheers.) to the people being familiar with a Free Press in all its bearings, including those political and social benefits to Society to which a Free Press is essential, and which are as inseparable from its constant presence amongst a people, as harmony and beauty are inseparable from the work of creation. (Cheers.)

Gentlemen, I know not by what process of ratiocination it occurs, but the idea of a Free Press is invariably associated in my mind with Highland Whiskey. (Laughter.) I believe there are those here who will bear me out in the assertion, that as soon as the young Gael enters the world, he is made familiar with the virtues of "mountain dew." From thenceforward he never relaxes in the laudable attachment thus early fostered. It is good that it should be so. It is good for the Highland constitution, to enable the shepherd on the mountain, the fisherman on the lake, the hunter in the glen, to contend against the storms of a humid and severe climate. At the age of discretion a pint bicker or quigh, I believe, is the term of the veritable Farintosh, is but a comforting and wholesome draft; for the drinker hath ever been used to it. But give the same medicine to one who has not been taught to reverence the virtues of this *sluis vie* from his youth upwards, and instead of promoting a wholesome circulation, a cheerful glow through his entire frame, it makes him a mad, ungovernable savage. (Laughter.) Gentlemen; I pray of you to pardon this long digression, charitably think that I have inadvertently mounted my hobby horse and that he has run away with me. I return to the subject of my toast and I could return to none more worthy or more noble. (Cheers.)

Dwarkanauth Tagore, then, is inseparably connected with our good and just cause. (Cheers.) At the time when all was apathy or dismay; at the time of the passing of the Press Law, Dwarkanauth Tagore and his

illustrious friend, who sleeps with the just, alone stood forth to fight the good fight. (*Cheers*.) On the first celebration of this anniversary, we were told by no mean authority, that Dwarkanauth Tagore had spent thousands with no other object than the Freedom of the Press. They went to charges gentlemen,—heavy charges which, after all, is no bad test of men being in earnest. "Kill a man's family," says Byron, "and he may brook it," but keep your hands out of his breeches' pocket." (*Laughter*.) They went to charges, gentlemen, they entertained counsel to argue against the registration of the Law in the Supreme Court; they petitioned the Parliament; they stood, in short, like those described in the beautiful lines of Moore.

"Night closed around the conqueror's way."

Night, gentlemen, always closes round the way of any conqueror or who triumphs over the Press.

"Night closed around the conqueror's way,
And lightning shewed the distant hill,
Where those who lost that dreadful day
Stood few and faint but fearless still."

Manfully did this little band of patriots stand in the breach; manfully did they continue to hope when "Hope seems none." (*Cheers*.) In the hour of our triumph, let not these brave hearts be forgotten. One has, as the French happily express it "gone to immortality." But the noble, the admirable survivor, can still enjoy the applause of his fellow citizens, can still know that his name, "is in our flowing cups freshly remembered." (*Cheers*.) I call upon you, therefore, to pledge me with hearts and voices, with three times three and all the honors. "The principal survivor amongst the native champions of a Free Press, DWARKANAUTH TAGORE." (*Much and enthusiastic cheering*.)
Air.—"For Auld Lang Syne."

BABOO RAMNATH TAGORE.—Gentlemen; in consequence of the departure of Dwarkanauth Tagore from Calcutta, owing to his ill health, I regret extremely he has been unable to join with you to night for the purpose of drinking the health of our distinguished guest, the liberator of the Indian Press. (*Cheers*.) But as he is absent, I think it is a duty incumbent on me, being his nearest relation, to return you thanks for the honor you have done him in drinking his health. (*Applause*.)

J. F. LEITH, Esq.—Gentlemen; the toast which I have the honor to propose, is preceded by the name of a man whom living England honored, and whom dead India has cause to mourn! To you who know the moral and intellectual condition of the natives of this country—the boldness, the independence, the enlightened views of the late Rammohun Roy, (*Cheers*.) must be convincing proofs of his superiority over the great mass of his fellow countrymen. While these characteristics command for his memory unfeigned respect, they must induce you to admit the appropriateness of coupling his name with the present toast. "The enlightenment of the people of India." (*Cheers*.) It is no doubt true, that many of his youthful fellow-countrymen, with their present advantages, may soon rival him in mere extent of knowledge, but no other will draw to himself that wonder and admiration which Rammohun Roy's advent excited, at a time when, relatively speaking, moral and intellectual darkness spread itself over the length and breadth of the land. His is the praise of having first, by the inherent force of a superior intellect, burst the swaddling-bands of prejudice and caste, which keep the mind in a state of helpless infancy, to assume the full stature and to assert the natural prerogatives of a reasonable being,—a thinking man! (*Cheers*.) His name is linked to his country's history, and to the cause of freedom, and must, on account of his unwearied efforts to improve the political and social condition of the people of India, in after ages, ranked among the most honored names of his countrymen, although during his life it was his fate, like that of many now to be found occupying proud niches in the

Temple of Fame, to be treated by his country with neglect, if not with scorn. What pleasure would it have given his mind, had he now been alive, to have witnessed our meeting this evening, under the auspices of our honored guest, to commemorate the liberation of the Indian Press, an object most dear to his heart, and by him petitioned for and advocated! (*Cheers*.) To have witnessed also the impulse which has been given, by the praiseworthy exertions of Government, of Societies, and of private individuals, to the cause of education, the great means for the enlightenment of the people of India. By promoting education we make some return to the people among whom we live for the riches, which are drawn from their country; for through education we will teach them how to improve the natural, and how to create new sources of wealth, and will raise them, in a moral point of view, in the scale of nations. This is our duty. It ought also to be an object of our ambition, as no sure method could be adopted to falsify the prediction, "that were we driven from this country no monument of state or beneficence would be left behind." The enlightenment of the people of India will be a monument of our rule more gigantic and lasting than the Pyramids themselves. They are but a senseless mass to mark the place of sepulture of a few dead kings, ours will be a living monument to speak to latest ages of the *resurrection* of whole people! (*Loud cheers*.) I have only now to request you to drink to the memory of Rammohun Roy, and to bespeak your best wishes and exertions for "the enlightenment of the people of India." (*Drank in solemn silence*.)

BABOO PROSARNOO COOMAR TAGORE.—Gentlemen; as a friend of the late Rammohun Roy, and one who was glad to participate, though in a minor degree, in the persecutions he suffered, and as a native of India, I need to offer you my warmest thanks for the honor you have done to the memory of my late lamented friend, and for the interest you have expressed for the improvement of my country. When you hear that we complain of oppression on the part of Government as regards the improvement of our country and the cause of education, I wish you not to understand that we mean to say, that it has totally neglected to perform its duty, but that it has not done so much in this respect as it ought and could have done. The day when the distinctions of color, caste, and religion, and the difference between conquerors, and conquered will be totally banished, is, I am happy to say, fast approaching, when we shall be treated not as conquered but as fellow subjects of the British crown. (*Cheers*.)

Some have thought fit to surmise, that by the diffusion of education among the people of India, the connexion between her and England will ultimately be dissolved. These people, I say, are quite wrong; because, if gratitude be a feeling inherent in human nature, and if education and enlightenment tend to cherish that feeling, how can it be asserted, that if India owe to England, her mother country, a heavy debt of gratitude for her enlightenment, that she will prove an ungrateful daughter! No, on the contrary, education, and allowing to the people of India the exercise of the political privileges regarding the English, as at home, is the surest way of establishing British rule in India on the firmest basis.

Although, gentlemen, you perceive but a small number of my countrymen present this evening to do honor to the occasion, yet I have reason to believe, that it will not be long ere this cause of complaint against them will be removed. The day will soon come when in this hall and on such an occasion, your number will not command so overwhelming a majority, but rather be in the minority.

I cannot, gentlemen, proceed further. Though thought I have not language sufficient at command to express them, I therefore conclude with again returning

you my warmest thanks for the honor you have done me by the last toast. (*Cheers.*)

THE CHAIRMAN.—Gentlemen, you have drunk to two of the earliest and most staunch supporters of the Press; I have now to apologize for the absence of another old friend of the good cause, James Pattle. Domestic afflictions keep him away, or he most assuredly would have been here (*Cheers.*)

T. DICKENS, Esq., rose and was greeted with enthusiastic cheers, which seemed to affect and embarrass him very much. After a short pause he said.—Gentlemen; your kindness almost overpowers me, I rose to purpose to you the "Indian Press," wishing to dwell upon the subject, but I fear I shall be unable to do justice to it. Permit me to vivify and personify, as far as the past is concerned, that abstraction which we call the Indian Press, and recall to your memory a few, and but a few, of those whom I have known as its avowed and responsible conductors: all friends, I am proud to say, of my own, and all, as you will admit, worthy of the public esteem. The end and aim of the Press of India may be well judged of by a bare mention of the names of those who were engaged in it. Let me recall to you those of Fullarton, of Compton, of John Grant, of William Adam, of James Sutherland, (may I be pardoned for speaking too of myself as one of those men,) of my friend long since gone, Dr. Abel, whom many of you must remember personally, and most knew by reputation. Many recollections crowded upon and make me, however much I desire it, incapable of doing justice to this toast. From those names of its avowed conductors which I have given you, and to the list many more names equally worthy might be added, every one may judge of what has been the general character of the periodical Press in this country. I give you, gentlemen, the INDIAN PRESS. (*Loud cheers.*)

MR. SAMUEL SMITH.—Gentlemen; though labouring under rather severe indisposition, I rise with pleasure to express, as well as I am able, the acknowledgements of the Press, for the toast just proposed by Mr. Dickens, which has been so flatteringly received by this company. After the very eloquent addresses you have listened to from the excellent Chairman, Mr. Clarke, and other highly talented gentlemen, who have said all that can be advanced on the subject, it would be a vain endeavour to address myself to you on the value and importance of a Free Press. I shall not, therefore, make the attempt. Besides, on two former occasions when I had the happiness to meet many of the gentlemen I now see around me, to commemorate the glorious event of the *Emancipation of the Indian Press*, I had opportunities of which I availed myself freely and fully to describe the former state of the Press, and express the deep obligations of its conductors to its honorable and magnanimous liberator. (*Cheers.*) I shall not, therefore, now detain you by any repetition of the experiences of the olden time, when the unfortunates of the Indian Press dragged on a shackled existence, disgusting to themselves, and contemptible in the eyes of the public. From these shackles,—we acknowledge the boon with the most grateful feelings,—they were freed by the magnanimous Act of Sir Charles Metcalfe. (*Loud cheers.*)

It is true that we had long enjoyed by *sufference*, under Lord William Bentinck (and even under Lord Amherst, in a lesser degree,) nearly the same freedom of expression, we have since practised under the law; but none of us knew the day, the hour, when the death, departure or supercession of a liberal Governor by a Tory Lord, an enemy to liberal measures and freedom of discussion, might again plunge us into the depths of that disgraceful thraldom from which we have been liberated by Sir Charles Metcalfe. (*Cheers.*) The new Governor, finding a Press-gagging law on the books, might easily enforce it unobstructed by the difficulties which would attend the concoction of a new law. What would then have been our humiliating position?

Who that had ever tasted of freedom would again patiently submit to bondage,—to bondage of the most description,—to bondage of the mind,—to prohibition of the free expression and interchange of opinions between men, by nature and by habit free. Not I, for one, and I had accordingly looked forward gloomily to the daily expected arrival of Lord Haytesbury, and the departure of Sir Charles Metcalfe in 1835. But the bright star of the Indian Press was in the ascendant. Lord Haytesbury came not, and Sir Charles Metcalfe remained our Supreme Governor, long enough to fulfil his noble intention: he passed the glorious white act of 1835,—he gave Freedom by Law to the Press of India. For this one act, if for no other, his memory will live in the grateful recollection of all who prize freedom of thought, freedom of expression, Freedom of Press,—and who does not? England, to which happy land, the head-quarters of the Free Press, our liberator is now proceeding, will receive him with open arms,—will join the friends of freedom in India, in loud acclaim—will hail with joy the arrival on their shores of Sir Charles Metcalfe, the Liberator of the Indian Press. (*Much applause.*)

Gentlemen, as a member of the once shackled, now free Press of India, I thank you for the honorable mention of our tribe,—for your handsome reception of the toast, and I trust that the Press of India will never disgrace the good opinion which, after some years of trial, you appear to entertain of it. (*Cheers.*)

CAPT. T. J. TAYLOR.—(Madras Army).—The toast, gentlemen, I have now to propose, requires but few preparatory remarks on my part, for it is one which will at once strike home to every patriot breast. There is one country dear to every Englishman,—one people for whom our earliest sympathies are enlisted. Need I say that that country is Poland? whose heroic struggles, alike in the past and present century, are above all praise, and from the most touching portion of modern history. (*Cheers.*) On such an occasion as this, when met to commemorate the anniversary of the day on which, after a long but happily a bloodless struggle, the safeguard of our liberties, the palladium of our rights in this country, the freedom of the Press was achieved, the fate of that unhappy people demands our especial sympathy; for of all the sufferers in the cause of Freedom none have experienced such woes as Poland. (*Cheers.*) Who is not familiar with that tale of woe, and has not mourned over the fate of her gallant defenders? Who has not breathed a heartfelt anathema against the tyrant conquerors of her soil, of her princes, nobles, warriors? How many fell before the oppressor's sword, or expiated on the scaffold the crime of having defended their country! (*Cheers.*) How many were swept away to the snows of Siberia; others thrust into dungeons,—fit teneaments only for the adder or the toad,—how many linked in chain-gangs on the ramparts of Warsaw, while others hardly less wretched, and stripped of their possessions, were driven forth in banishment and poverty, to seek subsistence, as they best might, in foreign lands! Such was the treatment the men experienced, the women were treated worse. Every insult and outrage that rage could dictate or ingenuity invent has been wreaked on that ill-fated race. Females even of the noblest blood of Europe, were made to labour on the roads, the scoff of mocking soldiery, exposed to insult, outrage, the chain and the scourge; and of their offspring, sucklings were torn from their mother's breasts and dashed headlong from the ramparts of Warsaw, as if in derision of the walls so gallantly defended by their unhappy sires, while others of larger growth were sent off to Siberia or to military colonies thousand of miles distant, and—horrible cruelty!—their names were changed so as to prevent the possibility of tracing, in after years, their present destination. And the wretches all these miseries inflicted on this noble people, the bravest of the brave, the most injured of the oppressed? For what, but for claiming fulfilment of a constitution guaranteed to them by the

most solemn treaties, and for venturing to dream they might yet be free? They have failed for a time, and misery has invaded their hearts; but the spirit of that race is yet unbroken and the hour of retribution will surely come. It cannot be, that the moan of the widowed mother,—the cry of the fatherless child, or the groan of the patriot, calling in dying agony on his fellowmen to avenge his death, on his God to save his country, will have ascended to Heaven in vain! The hour will yet arrive, when overgrown, bloated Russia, that cradle of treachery and despotism, shall pay in tears of agony and blood for the infamous wrongs she has heaped on Poland. (*Much applause.*) That the hour of reckoning is not far distant; that Sarmatia may resume her proud place among nations, and justice be rendered to her chivalric but suffering sons, is the hope and wish of every true hearted Briton. Up then all classes, and with one heart and one voice let us fervently unite in the patriot's toast—"The Regeneration of Poland." (*Much enthusiastic cheering.*)

"Tyrolese Air."

VICER CHAIRMAN.—Gentlemen. Would that I could exchange my feeble voice for the inspiring eloquence of one of those old Spanish ballads of chivalry, which stir the heart as with the sound of a trumpet, while I propose to you our next toast. It is "The cause of Constitutional liberty in Spain and Portugal." (*Cheers.*) That this holy cause will ultimately triumph I cannot doubt, not for a moment,

"For freedom's battle once begun,
Bequeathed by bleeding sire to son,
Though baffled oft is ever won."

But ever while the struggle lasts it affords, if ever earthly events afforded it, an example and a warning to us in this country. The atrocities which have distinguished this fearful contest are the continual theme of liberty. Whence arise those atrocities? Again I maintain what I have but a short time since upheld, that they have their original chiefly in that state of darkness in which the people of Spain and Portugal have been kept for centuries, until now when their eyes are opened they cannot bear the light. I will put a question. Does any one believe that it by any strange chance, a Free Press had been granted on the institutions of Spain in the days of Charles the Fifth, when the intellect of the nation was comparatively young;—does any one believe, I say, that in such a case the revolutions of the few past years, or at least what has been most fearful and deplorable in those revolutions, would have occurred in the days of Ferdinand and Christina, in the days when the intellect of the nation has arrived at maturity in all but the first knowledge of a wholesome liberty? The thing strikes me as a mere impossibility. Bloody revolutions are the offspring of grinding abuses,—of abuses even more fearful than the frantic efforts under which they perish. But with a Free Press in Spain and Portugal exposing abuses from the days of Charles the Fifth, there could have been few or none to overthrow in the days of the two queens who now reign in those lands. Is not this a warning and a lesson to us in India? But the night wears and I will not allow myself to dilate upon it; I will only call upon you to drink, with the honor my toast assuredly deserves, "The cause of Constitutional Liberty of Spain and Portugal." (*Cheers.*)

Air,—*"Ca Ira."*

DR. JOHN GRANT.—Much more practised speakers than myself have expressed a diffidence of their own powers in addressing you, gentlemen; you may well believe me then, when I declare that it is with the most unaffected distrust of my own capability to do it justice, that in obedience to the command of the chair, I rise to propose a toast. This is the less surprising, since it is a toast of rather large proportions; reminding me somewhat of the three gentlemen rolled into one. (*A laugh.*)

I had hoped that I might be permitted to remain a quiet spectator,—a sympathizing listener on this occasion; for though second to no one in the sincerity and warmth of feeling due to it, yet I could have preferred for several reasons giving a silent vote, but one from the bottom of my heart, for the continuance,—the permanent duration of the inestimable boon which we owe to that great and good man, whose presence confers such a deep interest upon, and I may add stamps with a character of solemn parting tenderness, this eve of civic commemoration.

But it may not be; our chairman (who with such rare felicity fulfils his task) has issued his mandate that I should speak, and deeming as I do cheerful obedience to all just behests of the ruling powers, and a proper respect for constituted authorities, the very basis upon which genuine and rational freedom rests, I bow to the wish of our president. Let me not, however, be misunderstood; no lurking or unmanly timidity as to consequences,—no trimming hesitation in declaring openly and freely my honest opinions when decorously expressed (for such I hold to be my inalienable birthright, of which no man can legally deprive me),—I say that no such unworthy feeling entered into the reasons that inclined me to be a listener rather than a speaker here, but a downright diffidence of myself, a grave doubt,—a doubt which still oppresses me, of my own power, (all unprepared as I am and more especially at such a late hour in the evening) to do justice to the toast which I hold in my hand. I appeal to yourselves, gentlemen, if I had not just reason to shrink from the somewhat formidable task of proposing a toast, comprising such a magnitude of interests, such boundless potentiality of good, such sublime aspirations of hope for the well-being of universal man as *Constitutional freedom and civil religious liberty all over the world?* Do I suppose that there is one person in the room, nay in this great city, who would object to drink that toast? No, certainly, I cannot imagine such a thing possible; I may as readily conceive the weary sojourner in the parched wilderness of this life, preferring the bitter pools of Marah to refreshing draughts from the living rock of Truth! And yet when I look around me, numerous and respectable as this assembly is, I miss many whom I regret not to see among us. Why is this? They differ from us perhaps in mere shades of opinion; and yet I can scarcely conceive but they must concur in the same conclusion, that I am sure all here have arrived at, that constitutional freedom, as civil and religious liberty, cannot co-exist along with a gagged Press. Be that as it may, the march of improvement will on, and the time may come when they will, perhaps, be sorry for having absented themselves this evening. In my own case, I frankly confess that I should consider myself a recreant to a noble cause if I had not attended, not merely from respect to the cause itself but from my esteem and affection for the LIBERATOR. (*Cheers.*) I fear, at this protracted hour, after so many brilliant and excellent speeches, to trespass long upon your indulgence, but for this circumstance I should have taken a wide range (for this I might freely claim for the nature of my toast), and have glanced at a far gone epoch when civil and religious liberty were but obscurely understood, inadequately secured, and little practised. Tell me of a country where civil and religious liberty are not under the guardianship of a Free Press, and I will reply, that though mere animal happiness may be found there, yet in that country shall you find no high tone of moral enlightenment; no masculine consistence of character; no intellectual greatness! (*Cheers.*) Taking no advantage of the all-over-the-world freedom of my toast, did time permit, I might have carried you to Consular Rome. I might have asked of you if she was not continually impudently to their own selfish purposes by haughty iron-willed aristocrats, glozing, wily prators, and factious demagogues, the people having no Free Press to open their eyes to their true interests, or to keep them broad a-

to their own rights? I should then perhaps have carried you to Imperial Rome—and treated you to sundry school-boy reminiscences and historical clap-traps. I should have demonstrated to you that there is no Free Press, public opinion must be a nonentity; for that which is tongueless, bound, and fettered, despotism sees not, hears not, fears not, feels not, until some enthusiastic dagger or the drugged cup of death gives the first death-blow to that tyrant, that he has gone too far! I should have edified you with strictures on the dire cruelty, the nameless flagitiousness, the monstrous crimes, the gigantic vices, of the masters of the great Babylon and their creatures; I should have rung the changes on sundry Gibbomasins, and endeavour to follow them with illustrations of my own, proving as I went along that these horrors mainly emanated from the want of a Free Press. I should have refreshed your recollection with the sayings and doings of the dark unrelenting Tiberius—the mad Caligula—the stupid Claudius—the cruel Nero, the beasty Vitellius—the timid, inhuman Domitian and other sons of Belial, whose names have come down through the lapse of ages giving to the moral sense the perception of an oppressive sickening taint of foulest corruption, as hideous as the pestilential vapour of the burning lake of Sodom and Gomorrah!

I should then have taken a bound and alighted in merry England. Do you wish to know how she fared when she had no letters, no liberty of the Press? I content myself with a simple fact recorded by a writer of those times of one of the not worst of her Kings, (albeit he was rather stingy) Henry VII., in whose reign, the gallows was emphatically said to have *devoured* one hundred thousand souls! Think of that; there was no Free Press to suggest turning these poor wretches to better account than hanging. Bear in mind that they fell not fighting in battle for their country,—that they were not swallowed up in tempests by the roaring ocean, or swept off even by famine or pestilence. No; they were *devoured* by the gibbet!

Had time further permitted, I should have asked you if many a deed of blood and violence of which England was the scene, would have taken place had there been a Free Press? Whether the executions and the massacre that throughout Europe gave a red glare to the dawnings of the reformation would have occurred with even a limitedly Free Press, or at least whether they would not have been greatly modified by that controlling power? I should have applied the same reasoning to the frightful massacre of St. Bartholomew and the base revocation of the edict of Nantz. But these things some objector will tell me were done by Catholics! I say that they were done by ignorant and furious men and not by Catholics, because they were Catholics. That they were the doings of a dark and sternage when men were grossly ignorant, tremblingly fearful, and crassly superstitious, for nothing is so cruel as bigotry and suspicion in their hour of power. He who with impartial eye scans history will not bandy recriminations with his erring brother Christian, for be it borne in mind, that Protestants too, in their hour of ascendancy, could be suspicious, oppressive and cruel in their turn, as witness certain acts in the time of Elizabeth, and certain doings in England and Ireland that followed in the times of succeeding sovereigns, of the tyrant Stuart dynasty. Oh! no. Both parties, respected though unhappy, proceeding of days past away, should forget and forgive, and like Lockit and Peachum in the play, shake hands saying "Brother, brother! we are both in the wrong." What I would have asked brought Charles I. to the block but the want of a Free Press? I should have also given the usual touch in the bye-going to the cause for which Hampden bled in the field, and Sydney and Russell on the scaffold, and have summed up with the glorious revolution of 1688. Linking the whole as I went along with the liberty of the Press, rather its enslavement! And be assured, (for I have not forgotten it), that I would have paid a visit

to France and called at court during the reign of Louis the XIV., Louis the XV. and the Regency of Orléans. Oh! times of shame and overwhelming iniquity, when it was considered distinction by families calling themselves noble, a brilliant distinction, to have a lovely female of their house a king's harlot; when high ecclesiastics and ministers of religion, professing to be servants of the God of purity and holiness, cringed at the levees of unblushing coitezaas; and when soul dishonour, and fettering corruption polluted the depths of the fountains of social intercourse, bringing disgrace to every hearth; a monstrous perversion of manners big with lurid horrors to come, but which would have been checked or neutralized by the energy and corrective vigor of a Free Press.

But let us pause! Many of us view war and pestilence, tempest and earthquake, as special effects, and resulting from an over-ruling first cause. Shall we recognize the Eternal, who though he be the just, is also the merciful. Shall we recognize the omnipotent only in movements of chastisement and terror? Oh, be sure that whatever of the blessings of peace and freedom we enjoy, we derive from that everlasting first cause whose essence is love, and who works all second causes to fulfil the counsels of his holy will! So believing, am I extravagant in viewing the freedom of the Press bestowed on us by our late beloved ruler (God bless him for the act!) as the gift of Providence? And do I not exceedingly value it, so considering it and do you not all? To be sure I have heard some sinister reports respecting its abrogation; but I do not believe them. While a reform ministry is in power—while a reformer, ay, an ultra reformer, as I remember, presides at the India Board—while a liberal statesman sits in the chair of India direction, and while a reformer, and a reforming member of the council of India is on his way to watch over the cradle of our young freedom in England—while, I say, Mr. Macaulay, a staunch and declared friend of the liberty of the Press, lives to speak and I write for us—and above all, while we have the *liberator* of the India Press to be an advocate for us in our dear and common country to which he is about to return, and where I hope he will turn the powers of his masculine understanding and great experience to public account—For one I have no fear respecting the freedom of the Press. We have now substantially enjoyed this blessing for several years—under one ruler by sufferance, under another (our distinguished guest) by a free will grant! The large, respectable, and brilliant meeting of this night, I but of itself a proof that the benefit is properly appreciated, where is there any good reason why it should be cancelled. While I can legally and without impropriety avail myself of the opportunity to declare, that I feel convinced it has done, and is effecting a great deal of good. The cause of education and the general enlightenment, no less than of good and neighbourly feeling between native and Europeans, has made a more rapid progress within the short period that the Press has been free, than for many years before. I firmly believe that the repeal of this liberty would be a serious evil, for independent of the side lights that may be derived by authority from the working of the Press, I am convinced that it possesses in itself a latent power—a sovereign virtue of great force, from protecting the ties in a variety of indefinite ways, for assuaging the insolence of office, the law's delay and the spurns that patient merit of the unworthy takes, and curbing household and neighbour tyranny, and for ameliorating general demeanor and conduct. Depend upon it, that many a choleric man in his ire, and many a quarrelsome one in the effervescence of his ill humour, holds back his hand, when he recollects that there is Mr. Stocqueler over the way or Mr. Smith and thinks him twice how he indulges in undue violence or wrong. But let not our appreciation of the blessings of a Free Press evaporate amongst the wine cups. Show that you truly value it.

by holding a public meeting to that effect, and putting your sentiments solemnly on record. But I have detained you too long for which I beg your pardon; I return you my best thanks for the kind attention with which you have heard me out; I need not request you to fill a bumper to my toast, since you have already done so; let us drink then with all the honors *Constitutional freedom and civil and religious liberty all over the world.* (Much applause.)

THE CHAIRMAN.—Gentlemen; I call upon you to drink to a body, second in importance to none in this country—the Merchants of Calcutta. (Cheers.) To them India is so much indebted, for they have greatly aided in effecting all the improvements which have been made here. In fact, the freedom of commerce and the spirit of improvement go hand in hand. You all will join me in drinking to the Freedom of Commerce and the Prosperity of the Merchants of Calcutta. (Cheers.)

Mr. Patrick returned thanks.

W. P. GRANT Esq.—Gentlemen; I am about to propose to you a toast that I have great satisfaction in giving, and it were I have no doubt will be drank with great enthusiasm! The Trades of Calcutta, I am sure they are a very useful body, and the country should be greatly indebted to them. I confess, I conceive that any man who induce a Hindoo to stoop to put his foot into a new leather, does service to society; and I am sure that he who prevails upon a Mahomedin to huddle a saddle made of the skin of the unclean beast, deserves the thanks of the community. Gentlemen; I give you the trades of Calcutta and success to those trades.

Air—"Money in both pocket."

WILLIAM SPIER, Esq. Gentlemen; in addressing you on the subject of steam navigation, I shall at this late hour make but few observations, being satisfied that it has your best wishes. Already we experience its advantages in the regularity and rapidity with which the late mails have been received from and transmitted to England; but we regard steam navigation in a broader light, we look upon it as in America, peopling her shores with life and energy, and bringing into connexion the distant points of her immense territory. We anticipate the same results for India; nay, more, we anticipate steam navigation as traversing the globe, connecting together distant nations, facilitating the inter-communication of thought, and giving a new impetus to the growing improvement of mankind. (Cheers.) When we look back upon the history of our race, we cannot but be struck with the vast strides which have been made during the two preceding centuries, by which the earlier world has been left at an immeasurable distance. On adverting to the causes of such rapid progress we find the Press in conspicuous operation, (Cheers.) the sciences of chemistry also, giving new powers to man,—powers so amazing, as to be almost appalling. Commerce has done much in promoting civilization, and last of all, in steam navigation, a new principle is coming into play, and giving a fresh impulse to the world; by it nations, the most dissimilar in character are being brought into approximation; the ignorant with the enlightened, the barbarous with the civilized, the cowardly and enslaved with the bold and the free. Individual efforts may fail; the plans of public bodies may be paralyzed; but these mighty agencies bear irresistibly onward, and carry with them the advancement of the human race. (Cheers.)

To those reflecting on this advancement, it is cheering to remark, that these great general causes of improvement are yet in their infancy: commerce, chemistry, and steam navigation are but commencing;—the Press, if we observe its condition in most countries, is not yet free; some unaccountable influence pervading the fire still wraps it in swaddling bands,—some demon of hate still holds the gigantic infant in his grasp,—but good

and noble minded men have unloosened, and are unloosening its bands—and it will be free!

I will only mention in conclusion, that no one can have regarded the state of this country—no one can have listened to the appeal we have just heard on the enlightenment of its inhabitants, without wishing prosperity to steam navigation, and to every means of communicating knowledge and improvement to India. (Cheers.)

Air—"When Vulcan forged the bolts of Jove."

VICK CHAIRMAN.—Gentlemen; "Justice for Ireland!" I will not be confined afar of behind my very remote Vice Presidential table. No; I will come forward, as I hope the subject of my toast will come forward, into the midst of you and cry "Justice for Ireland!" (Much cheering.) Ireland one might have thought, had already suffered under every variety of injustice which a nation could endure; but no! the poisoned chalice is not yet exhausted, and another act of injustice has recently been hit upon of so strange a nature that I wonder it has not excited more universal attention. Whenever any liberal measure has been carried under any administration since the passing of the Reform Bill the cry enemy, nay of many from whom one would expect better sense, has been, "Oh, that was carried by the Irish Members!" In the name of Heaven what insanity, what tom-foolery is this! What do people mean by Irish members! I know of no Irish members, no Scotch members, no English members; I know only of the British members of the Imperial Parliament, the great council of the British people. (Cheers.) But the cry of "Irish members" of "O'Connell and his tail," and a thousand such absurdities, have gone through England and the same buffaloes, gullable people, my own countrymen, though they be, whom I found trembling in 1827 lest some half million of quiet English Catholics should rise up and massacre, and burn, put into thumb screws the entire English and Scottish nations, I now find crying out against every liberal measure that it is carried by "the Irish members." Shame on this folly. Hither the union with Ireland is an union in substance as well as form, or it is not. If it is, then are there no Irish members, all are British members of the Imperial Parliament. If it is not, for God's sake dissolve the union and let the Irish people legislate for themselves. (Cheers.) For own my part I shall never think justice done to Ireland until every title of right, every privilege, every atom of freedom, every form of municipal and local and general Government, is as fully established and as fairly administered in Ireland as in the Irish Kingdom. This is the last toast on record for the evening; were the words the last I should ever utter in this hall they should be "Justice for Ireland." (Much and long continued cheering.)

Air—"Eia go Bragh, and Patrick's day."

THE CHAIRMAN.—Gentlemen; Mr. Parker has just proposed to you the toast of "Justice to Ireland," and admirably and energetically has he depicted the qualities and capabilities of that fine nation which lies on the western shores of Britain. But there is another nation on our western shore more distant in situation, but not less nearly allied, which may be well called the child of England. They themselves term us the old or parent country, and well may we be proud of having such descendants. From us they have sprung, with us they inherit the love of liberty, the attachment to enterprise; while in the pursuit of all of what a nation should be proud, England has met with a forward rival in America. (Cheering.) She alone of all other states has rivalled us in arts, in literature, in commerce, in wealth, in independence, in gigantic strides towards national power, and fiercely and bravely has she battled with us on the ocean—our own—peculiar element. (Mr. Clarke stopped here for a short time, and then added.) I wished and ought to have said much more, but I have lost my voice from cheering.

it in filling this large hall; I must therefore apologize, and conclude with a toast which needs no recommendation to such enthusiastic lovers of freedom, prosperity gentlemen, to the United States of America. (*Loud and prolonged cheers.*)

DR. HUFFNAGLE.—I wish, gentlemen, for your satisfaction, that some one else was present to claim an American birthright; as the pleasing duty, however, devolves upon me, accept my sincere acknowledgements. It is hardly necessary to remark that in celebrating an event of such vital importance as that which you have met this evening to commemorate, you would have the hearty concurrence of every American. It has ever been the policy of the United States to facilitate the distribution of public journals, and their circulation there, is perhaps, much more extensive than in any other country; every man in America takes direct interest in political affairs, and every act of Government must daily pass under the public eye. We depend upon the diffusion of knowledge among our citizens for the security of our institutions, and we regard as our protecting "Aegis" the *Liberty of the Press* (*Cheers.*) I will not detain you, gentlemen, but while offering you assurances that your friendly feelings are cordially reciprocated, allow me to observe, that when the line of communication, by means of steam vessels over the western waters shall have been established, our respective nations will be brought comparatively close to each other. The reign of prejudice must then cease—the bounds of amity and relationship between Great Britain and America which must be strengthened, and the Atlantic which rolls between them must for ever prove a *Pacific Ocean.* (*Loud cheers.*)

JOHN GRANT Esq.—Gentlemen; you have already drunk to Sir Charles Metcalfe as the Liberator of the India Press; I now call upon you to drink to him again not as the liberator of the India Press, but as Sir Charles Metcalfe, one of the brightest ornaments of his age. (*Much cheering.*)

SIR CHARLES METCALFE.—Gentlemen, will you do me the favor to fill your glasses to drink to a toast I am about to propose. I give you, gentlemen, with the greatest pleasure, the healths of the talented chairman and stewards. (*Cheers.*) Before taking my leave of you this evening, I cannot refrain from expressing my full concurrence in the various sentiments expressed by the several talented speakers; and from the eloquence, independence and high manly spirit displayed, I look upon the proceedings of this meeting, as one of the greatest importance. (*Cheers.*) As far as these proceedings relate to myself, I will ever most fondly cherish the recollection of them; and consider this evening as one of the proudest moments of my existence; (*Cheers.*) and wherever I may pass the rest of my life it shall be my endeavour, in all my future acts and career, to preserve the good opinion, and to continue to merit the degree of estimation which has been expressed for, and shown to me by you all, on so memorable an occasion as the present. (*Much cheering.*) Gentlemen, I give you the healths of our talented Chairman and Stewards. (*Drank with much cheering.*)

The Chairman returned thanks.

About a quarter to one A. M. Sir Charles retired, and the greater part of the party, shortly afterwards, followed his example.

A knot of the party, comprising Messrs. Clarke, Leith, Stocqueler, Scott Thomson, Captain Forbes, Captain Harrington, Capt. Vint, Dr. Grant, &c. &c. then took to the high table, and with the help of devilled turkeys and champagne, spun out another hour—one of the "wee short" ones. During this period, Mr. Thomson proposed the health of "Capt. Williams, of the *St. George*, and a prosperous voyage to the ship that bears Sir Charles Metcalfe." Mr. Stocqueler proposed the healths of Messrs. Turton and David Hare, and numerous others were drunk until the festival was considered complete.—*Hulkart, February 12.*

DINNER TO SIR C. T. METCALFE.

About eight the company, which consisted of nearly 200 persons, having assembled, two of the stewards stood before the open door of the dining hall, to prevent any one entering it before Sir Charles, who was conducted to it by Sir J. P. Grant, the president, and the other stewards. After Sir Charles had entered the hall, the rush to obtain admittance was really so great that those who were in the midst of the throng were involuntarily borne forward. Sir Charles appeared to be in perfect health, and not in the least fatigued by having kept up the previous evening at the Press dinner.

After the company had done justice to the dinner, the president, who sat at the head of the table on the left of Sir Charles, rose and proposed the health of Her Majesty. It was not usual, he observed, to preface the toast of the Sovereign with many prefatory observations; on the present occasion he would deviate from that usual course, in consideration of the sex and age of the sovereign; and also because that was the first time on which he had the honor of proposing Her Majesty's health. Her Majesty had been called at a tender age to administer the affairs of a great nation, under the advice of able and experienced Ministers: but these Ministers were of her own young, Modesty, prudence, and firmness had already marked Her Majesty's early career, and there was every measure to hope that she would always sustain such a character. The toast was drunk with enthusiastic cheers.

The health of the Queen Dowager was next given from the chair, and drunk with all the honors.

In giving the health of the Duke of Sussex and Royal Family, the president alluded to the personal feelings of gratitude he entertained towards that branch of the family, arising from early associations.

Drank with the usual honors and much cheering.

The Governor-General of India in Council was next toasted with all the honors.

The health of Sir Charles Metcalfe was proposed by the president in a most eloquent speech, of which the following is a rough sketch. After some preliminary remarks, he said, that it was now about three years since he had the honor of occupying a similar position to the present in this place, except that on that occasion he had to wish Sir Charles a safe passage over the waters of the Ganges; but that now the same wish must be expressed in regard to the boisterous ocean. They had not met to consider the conduct of Sir Charles when he acted as the vice president, nor as the Governor General, nor as the Lieutenant Governor of the north western provinces. His conduct was well known to every class of the community, and each man would express his opinion on it. His conduct would be decided upon by the public, to whose judgment Sir Charles was too honest a man not to submit. They had assembled in order to bear testimony to his private character; to express their

sense of his conduct in all the social relations of life. They had assembled to bear testimony to the fidelity and the other virtues he possessed. They had assembled to bear testimony to that kind indulgence with which he always looked upon the failings of others, whilst himself practised the highest virtues. In short, they had assembled to bear testimony to the great excellence of his character, not as a statesman, but as a man. (Deafening and continued cheers.) Every society of which he had been a member had been promoted, and every individual who approached him in distress received relief. His munificence to every institution in the establishment for the happiness of man was well known. To every one he extended his assistance in relieving his distress to the utmost of his power. These things could not be recollected without considering Sir Charles as one of the best friends of this country; one whose memory should be cherished in the bosom of every man. He wished Sir Charles a safe voyage to England, a happy meeting with his friends, and a long life to enjoy the well earned honors he carries with him. (Deafening cheers repeated.)

Sir Charles returned thanks, and alluded to the splendid entertainment, with which he had been honored, and the warmth with which his health had been drunk, the recollection of which, after his departure from India, he said, would cheer him through the remainder of his life. He begged the company to accept of his most heartfelt thanks. (Cheers.)

The president then proposed the Bishop of Calcutta, with a few appropriate remarks. Drank with the usual honors.

The president would next propose the health of one who would gladly have been here if his health had permitted. He meant the Deputy-Governor of Bengal. Drank with all the honors.

The British Navy was the next toast.

Captain Crozier, of the brig *Victor*, returned thanks in behalf of the Navy, of which, he said, he was but an humble member. He hoped the British Navy would always maintain a high station in the estimation of this community. He hoped she would defend not only the shores of England, but also of all her colonies.

The Army, said the president, required as little preface as the Navy. He would, therefore, simply propose the Commander-in-Chief and the British Indian Army. Sir W. Cotton, as the senior officer in the room, returned thanks for the Army.

The Bengal Civil Service was the next given, by the president, who alluded to the high talents and integrity of its members. Mr. Rattray returned thanks.

Mr. R. S. Thomson here sang, "Oh! tell me how to woo the love."

The Ladies of Calcutta was the next toast given from the chair. It was one, said the president, to which every body he was sure would drink with great delight, and one which was well suited to the occasion. He would not enlarge upon their praises; for he feared he would not be able to do justice to the subject. He could not now express himself with so much warmth as he could some years ago. He would, therefore, simply propose, The Ladies of Calcutta.

Mr. H. M. PARKER.—He was sure there was not one in the room who would not readily lay down his life for the fair sex; yet it was strange that no one had arisen to speak for them. He would, therefore, try the experiment, though all the oratory he was master of could not come near the eloquence of their eyes. After a few more humorous observations, which we could not catch, owing to the great distance at which we sat from the speaker, he concluded by wishing the Ladies of Calcutta, health, happiness, and all the blessings that can follow.

The president would now rise to propose the health of a body to whom India, like other countries, owed her prosperity. Commerce was the cause of mutual intercourse between the different separated branches of the family of man, and of their civilization. In this city there were two great names connected with commerce, one a European and the other a Hindoo, who would have been here if business had not prevented. He meant Mr. Cockerell and Dwarkanath Tagore. One who had brought his wealth to this country from England; and the other, though a Hindoo by birth, was possessed of the intelligence and notions of Europe, and had established an agency house. He could not pass over the name of this noble individual, without alluding to his late munificent donation to the District Charitable Society. The president hoped that all the natives as well as Europeans would follow his example. Had he been in Calcutta, the president was sure he would have joined the company in celebrating such an occasion.

After a pause of some minutes, Mr. Johnstone sung the well-known national song.—"Auld Lang Syne."

Success to steam communication between India and England was then given from the president, who alluded to the exertions of Lord William Bentinck in this behalf, as one of the instances of that nobleman's devotion to the cause of this country and its future promotion. Commerce, he said, was the bond of union between distant nations, and steam navigation formed a part of the means of carrying it on. He recommended unity among the supporters of the scheme, and that differences should be set aside in this great undertaking. In conclusion, he proposed the health of Lord William Bentinck, and the firm establishment of steam communication.—Drank with loud cheers.

Sir Edward Ryan said, that as Mr. Parker had set the example of returning thanks for the ladies, he would do the same for the steam communication. He had always been an advocate for steam communication in India. His honourable friend, the president, had not, however, explained whether he meant the success of a small experiment, or the establishment of a general system which would open a communication between England and all the three presidencies of India. From the allusion to the exertions of Lord Bentinck in this regard, which were directed to the general scheme, he however concluded, that the toast must mean that, and in that sense he would acknowledge the compliment. He was glad to observe the question of steam introduced into meetings of this kind, for by constant agitation he thought every thing could be gained.

The Marquess of Wellesley was the next toast given from the chair. This was an appropriate toast for the occasion, in consequence of the friendship that subsisted between Sir Charles Metcalfe and his Lordship, whose conduct in India had now become a matter of history. There was, however, no man who had done more good to this country than his Lordship. The improvements made to this town were among the proofs of his exertions. But the greatest benefit he had done was to introduce Sir Charles Metcalfe into the Indian service.

Drank with all the honors.

The Duke of Wellington.—On the political opinions of the Duke, the president would offer no opinion. The military achievements of his grace were well known to all, and also that this was the country in which he was bred to the use of arms. Drank with all the honors.

There was no subject, said the president, which could interest those who came to this country from England more than the improvement of the natives; a cause in which Sir Charles had laboured with others. He gave the advancement of the natives of India in civilization, and their improvement in knowledge and morals. Drank as usual.

The president, I challenge any man to state an objection to the toast I am about to propose, which is a very appropriate one to the present occasion. I give Liberty all over the world. Drank as usual.

Mr. H. M. Parker proposed the Bar of Calcutta, which was drank with all the honors; and Mr. Longueville Clarke returned thanks, apologizing for his hoarseness, by saying that he lost his voice in a good cause the night before, viz. the Liberty of the Press. (Cheers.)

Earl Grey.—The president, without alluding to his political opinions, as he had done in the case of a great

soldier, would now propose the health of an eminent statesman and civilian. He meant Lord Grey, a man who had devoted his life to the service of his country and the cause of liberty.

Sir Charles Metcalfe proposed the health of the President, the Vice President, and the stewards, which was drank with all the honors.

The president returned thanks for himself and his colleagues; and hoped some of the stewards would better be able to return their own thanks.—*Herk., Feb. 13.*

METCALFE MEETING.

The meeting at the Town-hall yesterday afternoon was numerously attended, Sir Edward Ryan presiding. The chairman briefly opened the proceedings, stating, in the terms of advertisement, a preliminary meeting had been held at his chambers to consider in what manner all classes of society might best unite in doing honor by a public entertainment to the eminent public and private virtues of Sir Charles Metcalfe.

The Hon. Mr. Shakespear proposed a resolution, which was seconded by general Macgregor, and carried, that a public dinner be given, and that Sir J. P. Grant be requested to preside, and Sir W. Cotton to undertake the office of Vice-president.

Mr. H. M. Parker proposed a resolution forming the committee. He stated that the list comprised all classes. He alluded to the proposed dinner to be given to Sir Charles by those who appreciate his measure of freeing the Indian Press. But the dinner now under consideration was distinct from all political feeling; it was to show their regard for a great and good man, whose heart was open as day to melting charity, and whose hand was as open as his heart. Mr. R. D. Mangles seconded the resolution, which was carried. The following are the names of the stewards.

- | | |
|---------------------------|-------------------------|
| The Hon. Sir Edward Ryan, | Dr. Raleigh, |
| The Hon. H. Shakespear, | Mr. John Bell, |
| Mr. James Pattle, | Mr. H. Wollaston, |
| General Macgregor, | Mr. P. A. Cavorke, |
| Colonel McLeod, | Mr. James Prinsep, |
| Mr. Longueville Clarke, | Mr. E. Mollay, |
| Mr. O'Hanlon, | Capt. T. J. Taylor, |
| Mr. T. Holroyd, | Mr. D. Hare, |
| Mr. Alexander Colvin, | Bahoo Poshonoo Comar |
| Mr. W. P. Insep, | Tagore, |
| Captain Harrington, | Bahoo Ransomoy Dutt, |
| Mr. R. S. Thomson, | Mr. Rustomjee Cowasjee, |
| Dr. Ranken, | Dr. Goodvee, |
| Mr. Dove, | Dr. O'Shaughnessy, |
| Mr. W. A. Shaw, | Capt. D. R. Richardson, |
| Mr. M. Johnston, | Mr. H. M. Parker, |
| Mr. Wale Byrn, | Mr. Patrick. |

Mr. T. Holroyd moved that the Bishop of Calcutta, and the committee be requested to form a deputation, to wait on Sir Charles and to ascertain his wishes as to the time. The chairman intimated that the Bishop acquiesced in the proposal.

The proceedings were about to terminate when Mr. L. Clarke requested the attention of the meeting. He perfectly agreed with what had been proposed, but he thought, this was not sufficient. Something more was due in honor of the man whom they all prized as a private individual, as an officer of Government, and as the friend of every class. He proposed, therefore, that a subscription be opened for a piece of plate, that Sir Charles may carry from India as a token of our reverence, respect, and esteem. Mr. R. S. Thomson seconded the resolution, and it was put and carried by acclamation.

The following subscriptions were immediately put down by way of a beginning.

The Chief Justice.....	Rs. 300
Hon. Henry Shakespear....	100
R. D. Mangles.....	100
Dyca Sombra.....	1,009
Longueville Clarke	100
P. O'Hanlon.....	100
R. S. Thomson.....	32
P. A. Cavorke	50
Thomas Holroyd.....	100
William Patric	100
Captain Birch	100
	2,082

Englishman, Jan. 31.

MILITARY ORPHAN SOCIETY.

Pursuant to advertisement, a meeting of the subscribers to the Military Orphan Society took place, this morning, at the Town-hall. After some discussion the meeting elected Major Colnet to the Chair.

It was then proposed by the Captain Fitzgerald, and seconded by Captain Thomson, that the "report be read." This proposition having been put to the vote was negatived.

Captain Thomson then proposed that the meeting adjourn until Tuesday next at 11 o'clock, which being seconded by the Revd. Mr. Ruspin, was put to the vote and negatived also.

A vote of thanks was then proposed to the chairman for his able conduct in the chair, which was carried unanimously.

In the course of the meeting a proposition of some

kind or other was made by Dr. Corbyn, which the chairman declined to put, as it was not consonant to the tenour of the advertisement calling the meeting.

The meeting then separated; but it may be as well to explain that the negating of the proposition that the report be read, was owing to the majority of the meeting being of opinion that they could not proceed to any business, in consequence of the Maddock propositions requiring a quorum of twelve voters, whereas there were only twelve subscribers present altogether, of whom seven or eight had been or were still connected with the management of the institution, and consequently were not entitled to vote.

This is a sorry specimen of the working of the Maddock rules. Ere long we may become converts to the Duke of Wellington's opinion, that public meetings are "all a farce."

As the matter now stands the accounts have not been passed, and moreover they cannot now be passed as the period fixed by the Maddock rules has gone by; the last Wednesday in January is the day fixed upon by the rules; and consequently we presume that the meeting must adjourn to the last Wednesday of January 1839.—*Cal. Courier, Jan. 31.*

ANNUAL MEETING OF THE BENGAL CLUB.

At the Annual Meeting of the Members of the Bengal Club, held on Saturday last, the following gentlemen were present:

Lieut. Abercrombie.
 Capt. F. W. Birch
 A. Cumming, Esq. C.S.
 Jas. Colquhoun, Esq.
 Wm. Cracroft, Esq. C.S.
 Dr. Geo. Craigie.
 Sir W. Cotton, K.C.H.
 Capt. W. Cotton, A.D.C.
 J. A. Dorin, Esq. C.S.
 Jas. Dewar, Esq.
 Saml. Gaithing, Esq. P.C.S.
 Chas. Grant, Esq. C.S.
 Col. J. Harris.
 Capt. Alfred Jackson.
 T. H. Maddock, Esq. C.S.
 Robt. Molloy, Esq.

Capt. J. W. On eby.
 F. Osborne, Esq.
 Jas. Pattle, Esq. C.S.
 Wm. Patrick, Esq.
 Lieut. R. Pigou.
 Lieut. R. Robertson.
 Dr. Jas. Ranken.
 Dr. T. Smith.
 J. W. Salmon, Esq. P.C.S.
 Chas. Trower, Esq. C.S.
 Dr. J. Turner.
 Robt. Torrens, Esq. C.S.
 Capt. R. Thornhill.
 Col. F. Walker.
 Col. A. Watson.

Major-General Sir Willoughby Cotton, K.C.H. was requested to take the chair.

The following Resolutions were proposed and carried:

1st.—Proposed by James Pattle, Esq. C.S. seconded by J.A. Dorin, Esq. C.S. and resolved unanimously;

That the Committee's Report be now read by the Secretary.

2d.—Proposed by Wm. Cracroft, Esq. C.S. seconded by Col. F. Walker, and resolved unanimously.

That the report which has been read be adopted by the Meeting, and that it be printed, together with the Abstracts of Accounts, which are highly satisfactory, and circulated to the Members of the Club.

3d.—Proposed by Jas. Pattle, Esq. C.S. seconded by Chas. Trower, Esq. C.S., and resolved unanimously.

That a special committee to consist of seven members of the club, be nominated to take into consideration and report on the proposition of Mr. Dickens, or any other party, to provide a suitable club house on the terms he proposes, and that the following gentlemen be requested to form the above Committee; viz.

Jas. Pattle, Esq.
 Col. McLeod.
 J. A. Dorin, Esq.
 R. Molloy, Esq.

Captain Ouseley.
 Lieut. Abercrombie,
 and
 Dr. Geo. Craigie.

4th.—Proposed by Wm. Cracroft, Esq. seconded by Dr Geo. Craigie, and resolved unanimously.

That in order to prevent any sort of altercation or interference with the servants of the club, all expression of dissatisfaction or any communication that members may require to make to the cook or any other servants must be through the Secretary.

5th.—Proposed by Chas. Trower, Esq. C.S., seconded by Robt. Torrens, C.S., and resolved unanimously.

That owing to the insufficient number of sleeping apartments in the present club house, additional and sufficient accommodation be hired for that purpose when required.

6th.—Proposed by Dr. Craigie, and seconded by J.W. Salmon, Esq.

That with reference to the requisition alluded to in the report of the committee, para. 6, and in confirmation of the Resolution of the committee on the subject which followed, the Committee of Management be authorized to expend a limited sum monthly for the purchase of standard works, and more particularly of books of reference maps, &c. with the view of forming the nucleus of a small library for the Club.

This proposition, at the suggestion of the chairman, was withdrawn for the present, on the understanding that it was to be considered in Committee, with reference to the state of the club funds.

7th.—Proposed by Wm. Cracroft, Esq., seconded by Jas. Pattle, Esq., and resolved unanimously.

That the thanks of this meeting be given to Mr. Dorin, and the gentlemen of the committee for their services during the past year.

8th.—Resolved unanimously. - That the thanks of this meeting be given to the chairman.

The following gentlemen were elected by ballot members of the Committee Management, for the year 1838.

President.

Charles Metcalfe, Bart. G.C.B.

Vice Presidents.

Sir W. Cotton, K.C.H. | Chas. Trower, Esq. C.S.

Members.

J.A. Dorin, Esq. C.S.
 Capt. Alfred Jackson.
 Wm. Cracroft, Esq. C.S.
 Dr. Geo. Craigie.

Dr. Ranken.
 T. H. Maddock, Esq. C.S.
 Thos. Braken, Esq.

WILLOUGHBY COTTON,

Major-Genl., Chairman.

Hurkaru, Feb. 1.]

EXAMINATION OF THE NATIVE MORNING FREE SCHOOL.

(From a Correspondent.)

The examination of the above school took place at the Benevolent Institution, Bow Bazar, last Saturday, the 27th instant. There were five or six Europeans present and a large number of native youth and gentlemen.

The boys were examined by Messrs. Delanougere and Mackenzie in spelling, reading, explanation, grammar, and geography, and acquitted themselves to satisfaction, considering the short period they have been under scholastic exercises. Two of the best students recited Cato's soliloquy and Noval's address to Lord Randolph. Their names are Pronkisto Chuckerbutty and Rowsbuck Boraul.

As the public are not aware of any circumstances regarding this school, it may be interesting to state that it was established in August 1836, by the young men from the Oriental Seminary, Baboo Madhob Chunder Bysack and Seeb Chunder Dutt, and has been conducted, with the exception of one teacher from the General Assembly's School, entirely by the pupils of the first named seminary.

A small subscription is monthly raised for the expenses in books, charts, tables, &c. &c.

The school is held in the outer rooms of Baboo Hurry Mohun De's premises in Jorshanko, Kutian Sircar's, Garden street, who has given the use thereof for the purpose free of charge. — *Ibid.*

BANK OF BENGAL.

There was a special general meeting of the proprietors of the Bank of Bengal, on Saturday, convened in compliance with a requisition to take into consideration 'the severe losses and peculiarly hard case' of Ruggoo Ram Gosain.

On the failure of Palmer & Co. the bank held certain of their notes which the bank had discounted. On four of these notes, principal amount Sa. Rs. 50,000, 40,000, 60,000, and 15,000, Ruggoo Ram's name appeared, and he became bound for his name. Palmer & Co. were, on their failure, also liable to the bank for certain sums of money advanced on, and secured by, deposits of Company's paper. These advances, with interest, the bank paid itself from the proceeds of the Company's paper, which, conformably to one of the conditions of deposit, the bank sold to satisfy itself. But, after satisfaction of the bank's claim for principal and interest on account of the advance secured by Company's paper, there remained a considerable surplus from the proceeds; between two and three lacs, the Bank claimed to hold, and did hold, by way of set-off, against the discounted promissory notes of Palmer, & Co. in the bank's hands. And the bank proposed to apply the said surplus to, in the first instance, the liquidation of such of Palmer, & Co.'s promissory notes as it (the bank) thought the least secured. As this time Ruggoo Ram Gosain came forward to the directors with a representation of his heavy losses, by the failure of Palmer & Co. and with a proposition that the directors should, in consideration of those losses, apply, under his guarantee to hold the bank harmless for applying, the surplus proceeds of the Company's paper, to the liquidation in the first instance of three of the four promissory notes bearing his endorsement of Seebchunder Doss, a man of large property. To this proposition of Ruggoo Ram Gosain the bank agreed, and under his sureties (guaranteed to indemnify the bank for the act, and to pay the fourth note in three years, should Seebchunder Doss not have done so before) applied the surplus proceeds to the payment of the other notes bearing Ruggoo Ram's name. The remainder of the surplus was held against the remaining notes of Palmer and Co. but there still was left a balance due on the aggregate amount of those notes. Meanwhile the assignees of Palmer and Co. had demanded from the bank for the general creditors of the estate, whole of the surplus proceeds of the Company's paper, and the bank resisting the demand of the assignees, proceeded to an action at law in the Supreme Court, and a verdict was given in favour of the bank. Against this decision the assignees appealed to the Privy Council, by whom the judgment of the Supreme Court was reversed, and the

surplus proceeds decreed to the estate of Palmer and Co. Consequent on this decision of the Privy Council, the bank made its claim of Ruggoo Ram and his sureties on undertaking to indemnify the bank for the appropriation of the surplus to the notes of Palmer and Co. bearing endorsement as already mentioned. Ruggoo Ram, having already settled for the amount of the fourth note (that one bearing Seebchunder Doss' endorsement and on which note the bank relinquished its claim for interest) the bank's demand against him was now but for the balance of principal and interest on the three remaining notes, and for law costs on the appeal. Ruggoo Ram having previously defrayed the costs of the action in the Supreme Court. The bank's claim on account of the appeal costs was afterwards on a representation from Ruggoo Ram given up, and the bank's demand against him remained :

On account of principal....	Rs- 86,980
Ditto interest.....	34,112
(Add fractions) total.....	121,093

Ruggoo Ram has paid the amount of principal, and the interest, as above, Rs. 34,112, he now appealed to the proprietors.

The following extract from the directors' proceedings of the 10th of August last, will give the directors' opinion of their claim against Ruggoo Ram, less their demand for law costs, any claim for which the directors, as already stated, have abandoned.

'Agreed, that the bank's demand is legal, just, and equitable; and that the parties from whom the bank claims that demand are equal to pay it in full.

Agreed, therefore, that the directors, as for the bank, that is, the proprietors, cannot abate aught from that demand, and that the proprietors alone are competent to make any abatement.

'But agreed, to allow indulgence in taking payment of the bank's claim, viz. receiving half of the principal in cost, the remaining half at six months, bearing five per cent. per annum interest, and the amount due on account of interest on the whole at twelve months, bearing the same rate of interest:—Ruggoo Ram and his sureties executing and being at the cost of such legal undertaking to the foregoing effect, as the bank's law officers may draw.

Further, the directors expressed themselves favourably disposed to make the concession, and Ruggoo Ram was at liberty to appeal to the meeting now convened.

The chairman, Mr. Pattle, addressed the meeting. As we understood, he was inclined to concede the interest mainly on the ground that the individual most interested is a native, and, therefore, his severe losses are entitled to particular consideration. But Mr. H. T. Prusep took the ques-

tion on its merits, and proposed a resolution, in substance, that the interest be remitted. This was seconded by Mr. Callen and carried, no one opposing or disagreeing. There were about fifty proprietors present. This is the first remission of the kind made by the bank.—*Englishman, February 5.*

SUN INSURANCE OFFICE.

We attended the annual meeting of the proprietors of the Sun Insurance Office yesterday. Mr. W. Bruce was in the chair. Mr. Rustomjee Cowasjee, Mr. Ezekiel Mushlea, and several foreign gentlemen composed the meeting, which was conducted in a very brief, business-like manner. The balance sheet of the eighth half year exhibits.

At credit of the society	Rs. 3,31,970	
Debit amount of premium on risks (amounting to Company's Rs. 24,16,466) supposed to be outstanding at above date....	58,406	
Amount reserved to meet contingencies.....	50,128	1,08,324
		<hr/>
Above par..... Co's Rs.		2,23,345
Equal to Rs. 2,233 per share.		<hr/>

This office was established 1st January 1834 No deposit made. On the 23d January 1835, a dividend was declared of Sa. Rs- 500 per share. Again on the 1st August 1836 of Sa. Rs- 500 per share. And on the 21st February 1837, for Co.'s Rs- 500. And at the meeting above noted, it was resolved that a dividend be made of £50 per share, in bills on the London agents and Rs- 500 in cash. This is very satisfactory.

Messrs. W. Bruce, G. Apar, J.D. Dow, K.R. Mackenzie, and Rustomjee Cowasjee were requested to continue their services for the ensuing six months. The meeting separated after deliberating about thirty minutes.—*Ibid.*

SAILORS' HOME SOCIETY.

Last Tuesday evening the half-yearly general meeting of the Sailors' Home Society was held at the Town-hall, Sir J. P. Grant in the chair.

The report, which was a very interesting statement of details, dressed in plain language and somewhat in the phraseology of sailors, having been read,

The Rev. J. Charles rose to move the first resolution, That the report be printed and circulated.

The learned Divine stated, that when it was announced to the public that it was in contemplation to establish such an institution, every person of right feelings and correct judgment whom he knew, at once concurred in the desirableness of the project. It appeared to him to be a happy conception, a most felicitous idea. He believed the meeting was already aware that the institution owed its origin, and, in a great measure, its successful operation, to the worthy secretary (Rev. T. Boaz). For his own part, he regarded the institution as now fully established; and it was matter of congratulation that so much could be said of it within or short a period of its existence. It was matter of surprise with him that the interests of sailors had so long been neglected or so little cared for, both in England and in this country. They are an interesting people, comprising, as he had somewhere read, one-twentieth of the population of the mother country. This simple fact, the reverend gentleman considered, ought to have awakened on their behalf a deeper and more general spirit of philanthropy. But they are not less an important than an interesting class; to them Britain owes her naval glory; through them, the fame of her arms, of her science, of her literature, and of her politics has reached the utmost bounds of the earth. They are the instruments of her commerce. By their means she lays the whole world under contribution to her wants and wishes; they minister to her luxury and to her wealth. They are not, however, generally, what they should be, and what, as a matter of highest duty, we should endeavour to make them,—a fair specimen

of Britain's virtues,—living epistles of her morals and of her glorious faith. Landsmen can exercise their influence, at best but over a limited surface,—within a defined circle. The conduct of sailors exerts an influence for good or for evil on large classes of men,—men of various nations, kindreds and tribes. This influence partakes at present more of the nature of vice: it should be made to bear with the force of moral and religious habits. The reverend gentleman after adverting to some particulars stated in the report, and having repeated his remark that the institution could no longer be considered in the light of an experiment, but as deserving to be ranked among the established Benevolent Institutions of the country, sat down amidst suppressed cheers.

The resolution seconded by H. Walters, Esq. C. S. was carried unanimously.

Rev. Mr. Morton proposed the second resolution, appointing a new committee, and returning thanks to God for his blessing, and to the last committee for their services.

He considered that there was no question but that the meeting would adopt the sentiments contained in the resolution he had the honour to propose. If the institution has done good—and the report states that it has done much good,—if it is a desirable institution,—and the reverend gentleman who preceded him had shewn that it was a desirable institution, and moreover that it was an institution now fully established,—he was of opinion that all the good that has been effected, and all the good that the institution promised to effect, was owing to the exertions of the last committee. But the resolution in his hands contained more—*viz.* an expression of thanks to God for what has been done. He believed that all present would agree in the sentiment with the Church of England, that, "all that is wise, and good, and true, comes from God." A higher authority than the national church has also said, "every good and every perfect gift proceedeth from the father

of light." The reverend gentleman felt assured that none would dissent from these sentiments, and therefore that the meeting would not only unhesitatingly, but cheerfully and warmly adopt his resolution.

Mr. Morton stated, that he was unexpectedly called upon to take a part in the business of the evening, and that he was not intimately acquainted with the details of the Home. He was not at Calcutta at the time of its formation: he had, however, learned a great deal from the report which had just then been read. He considered the existence of such an institution in this country to be a blessing. The reverend gentleman here adverted to the mischief and ailments to which sailors are exposed in this port, and to the unfavourable impression which their conduct has produced, and is calculated to produce, on the native mind. If, said he, we desire to see the native population converted from their debasing superstitions and practices, we should seek to elevate the character of our own countrymen; and if we are at all concerned for the spiritual welfare of our brethren, consistency requires of us not to neglect their temporal comforts. The reverend gentleman stated that, according to the view he took of the subject, he considered that chaplains and missionaries had as great an interest in the welfare of sailors as merchants and ship-captains.

This resolution was seconded by Captain Martin of the *Duke of Buccleugh*, and carried unanimously.

The thanks of the meeting were proposed and accorded to the chairman.

Sir J. P. Grant rose to say, that he took a very deep interest in the objects of the institution. That institution was yet in its infancy, and he believed the Rev. Mr. Charles would agree with him in this view, although he was of opinion that the success of the institution was no longer problematical, and that as such, it required to be nourished and tended and brought into vigorous and healthful exercise. His Lordship fully concurred in the views expressed by Mr. Morton. He considered that exertions should

be made to raise the moral and religious character of the seamen who come to this port. Sailors, said his lordship, are exposed to numerous temptations in this country; and not the least of their dangers, is, that they regard the class of the native inhabitants into whose hands they fall to be a simple and ignorant people. We know, his lordship observed, that this is not the case. Cunning and villainy soon rob them of their money and their health. The crimping system too was till lately in active operation to complete their wretchedness. His lordship regarded with cordial pleasure the extent and salutary nature of that influence, which the Home had exerted, in rescuing sailors from the cunning and power of these landsharks. His lordship congratulated the meeting on what they had heard, and concluded with stating, that though he could not take any very active part in the management of the institution, of which he had been constituted the president, his best wishes attended all its operations. His lordship then proposed thanks to the secretary, Rev. T. Boaz and J. W. Alexander, Esq. and to Dr. Maxton for his gratuitous medical advice to the inmates of the Home.

Mr. Boaz rose and expressed his very grateful sense of the vote of thanks accorded to him. It was his heart's desire to see the institution prosper. He considered its prosperity very much depended on the share the community of merchants and ship-captains took in it; with out their hearty aid, he was not very sanguine of success. He begged them to come forward to the help of the committee, both from a consideration of their own interests, and of the benevolent objects of the institution.

The meeting was very thinly attended, but a spirit of cheerfulness and deep interest appeared to pervade it.

P. S.—We have the pleasure to state that the number admitted in the Home during the last half year was 303, out of which 296 have been provided with births. All the departments have prospered as far as they have been tried. — *Englishman*, Feb. 8.

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A general meeting of this Society was held at the Town-hall, on Wednesday morning, the 14th February, 1838, at half-past 9 o'clock.

The Hon'ble Sir E. Ryan, President, in the chair.

PRESENT:—The Hon'ble Colonel Rebling. Dr. Wallich. Dr. Huffnagle, W. F. Gibbon, Esq.; Dr. A. R. Jackson, F. T. Fergusson, Wm. Storm, R. Smith, A. Dobbs, M. Staunton, A. Harris, and G. F. McBlintock, Esqrs; Dr. D. Stewart, R. Watson, M. A. Bignell, and John Bell, Esqrs.

The proceedings of last meeting were read and confirmed.

The following gentlemen, proposed at the last meeting, were duly elected members of the society, viz.

L. Sagar, W. Vansittart, Thomas Gibbon, James Cosserat, J. H. Bridgman, G. A. Gregg, P. Sutherland, and R. S. Strickland, Esqrs; H. H. Spry, Esq., M. D. Captain W. N. Forbes, William Mackenzie, Esq; Captain F. W. Birch.

The following gentlemen were proposed as members:

W. Moran, Esq., of Tirhoot, Thomas Parkerly, of Kishnaghur, and J. H. Savi, Esq. of ditto, proposed by C. Deverian, Esq., and seconded by the secretary.

The Rev. C. F. Driberg proposed by Dr. Wallich, and seconded by the secretary.

Thomas Blacken, Esq., and Charles Oman, Esq. of Jessore, proposed by Samuel Smith, Esq., and seconded by the secretary.

J. Louis, Esq., C.S., proposed by Sir E. Ryan, and seconded by the secretary.

J. B. Elliott, Esq., C. S. proposed by W. Crocroft, Esq., and seconded by Dr. Wallich.

R. Scott Thompson, Esq., and Captain H. J. Wood, proposed by the secretary and seconded by Dr. Wallich.

William Rushton, Esq., proposed by Dr. Huffnagle and seconded by W. Storm, Esq.

T. B. Morrall, Esq., proposed by William Storm, Esq., and seconded by W. G. Rose, Esq.

Motions disposed of.

The notice of motion submitted at the last general meeting, proposing to solicit Government to send one of their own vessels to Orabette for the purpose of bringing a supply of sugar cane, was brought forward and discussed.

Moved by Dr. Wallich, seconded by Mr. Storm, and resolved—That it is not desirable to adopt the

measure proposed by Mr. Beattie, sufficient means having been already adopted to obtain supplies of sugar cane.

Notices of Motion.

1st.—Proposed by the Agricultural Committee, (on their report of the 8th February 1838.) That with reference to the particular interest which Dr. Montgomerie of Singapore has taken in the proceedings of this society, by sending from time to time supplies of sugar cane from that island, the society's gold medal be awarded to Dr. Montgomerie.

2d.—Moved by Sir Edward Ryan, That the expense of publishing a pamphlet on the subject of Cochineal, prepared by Mr. Bell, be defrayed by the society.

3d.—Moved by Dr. Wallich. That with reference to a letter from Lieut. Kirke, of Deyrah, a small sum be allowed for the purpose of enabling Lieutenant Kirke, to supply the society with seeds raised in that neighbourhood which are said to be equal to English seed.

Read the following communications :

From Mons. Richard, Superintendent of the Botanical Garden at Bourbon to Dr. Wallich, dated Nov 9th 1837, intimating that under directions from the Bourbon Government, he had despatched by the *Alcide*, two cases of cactus covered with the cochineal insects.

From Captain Charlton to Dr. Wallich, dated 23d January 1838, stating his intention of forwarding a quantity of cochineal insect, in living state brought by him from the Cape of Good Hope, on the ship *Sesostris*.

The President drew the particular attention of the meeting to these communications, which had given rise to a difference of opinion as to any of the insects, being the true Mexican cochineal or "*grana fina*."

The insects from Bourbon and the Cape, had arrived in a very satisfactory and healthy state, and had been seen by Mr. G. A. Priusep, at the Botanic garden, on their arrival, who pronounced them to be all the wild variety, called in Commerce "*grana sylvestra*."

Mr. Bell had subsequently inspected the insects, and pronounced those from Bourbon to be the true "*grana fina*," and those from the Cape to be the "*grana sylvestra*," and as it was considered advisable to have the insects examined by a committee before this time, he (the President) would read a report drawn up, and unanimously adopted by that committee, which, however, did not decide the question at issue, as none of the members had seen the living insect before, and their deductions were drawn only from the remarkable features which characterize the two varieties.

The insects were exhibited at the meeting.

On the report being read, Dr. Duncan Stewart proposed, seconded by A. Dobbs, Esq., and resolved, that it be confirmed as the report of the society.

Moved by the president, and resolved, that the committee's report be published, for general information.

Read a letter from John Guilding, Esq., dated Baranagore, January 12th, giving it as his opinion, that the Bourbon insect is the true *grana fina* of Mexico.

Read a letter from Charles Devering, Esq., dated the 12th January, stating that the Bourbon insect is different from any living cochineal he has seen in India.

The president mentioned that Mr. Bell had collected some information in elucidation of the question at issue, which he had thrown into a pamphlet, and suggested that its issue should be kept back, until the committee's report could be added thereto, when it would be at the service of the committee, and members who might feel interested in prosecuting enquiry.

Resolved, that the present committee be requested to continue their labours, and that all questions and

communications addressed to the secretaries be referred to them, and hereafter embodied in a separate pamphlet.

Resolved, that any incidental charges incurred by the secretary, in forming a small experimental Nopalarie, be defrayed by the society.

Resolved, that Monsr. Richard be solicited to send the society a supply of the description of cactus, in which the insect has been imported.

Moved by Dr. Wallich, seconded by Dr. Jackson, that especial thanks be returned to the Bourbon Government and to Monsr. Richard, for the courteous and prompt manner in which they have carried into effect the society's wishes in regard to a supply of the cochineal insect, and that their further, co-operation in this important matter be solicited.

Moved by Mr. Bell, seconded by Mr. Storm, that the special thanks of the society be returned to Captain Charlton, for having imported from the Cape the cochineal insect which, although of the wild variety had been presented at a moment that renders it an object of valuable and interesting comparison.

Read a note from Mr. Marchman of this date, for warding one copy of vol. 5, Society's Transactions, and promising to send more in the course of the day.

The secretary wished to have the society's sanction to pay the charges of publication.

Moved by Dr. Jackson, seconded by Dr. Wallich, that as Mr. Marchman executes our printing on the most economical scale, the secretary be authorized to pay his bills on presentation, and the receipt of the works for which each bill is made out. Resolved accordingly.

Read a letter from Monsieur Richard of Bourbon to Dr. Wallich, dated 29th November, advising despatch by the "*Robert le Diable*" of 18 cases of *Batavia* sugar cane, intended for the society's nursery.

From Dr. Montgomerie, of Singapore, to the secretary, dated 23d December, enclosing a receipt for seven bundles of sugar cane, part of which he presents to the society.

From Dr. Wallich, dated 25th Jan. and 2d Feb., enclosing separate reports from Mr. Masters on the sugar canes received from Bourbon and Singapore, which are in good condition.

From His Excellency Sir B. Caple, Naval Commander-in-Chief, dated Trincomalee, 14th January, acknowledging receipt of secretary's letter of the 23d December last, requesting his aid in procuring supplies of sugar-cane from the island of Otaheite.

States in reply, that he would be most happy to meet the society's wishes, but that the period of his command is so near a close, he can do no more than recommend the measure to his successor Sir E. J. Maitland.

Read reports of the Agricultural Committee, dated 17th January and 8th February, 1838.

Resolved that these reports be confirmed.

A letter from Major Sleeman, dated 18th January, acknowledging receipt of secretary's letter of 15th idem, intimating the result of a resolution of the society, at a general meeting on the 3d Oct. last, having for its object the presentation of the society's gold medal, for the introduction by Major Sleeman of the Otaheite sugar cane. Returns thanks for the same.

From Lieutenant H. Vetch, dated 12th January, Fezpora. Acknowledging receipt of society's letter of the 22d December, and in reply to it, expresses his gratification at the flattering mark of the society's approbation in the offer of a gold medal for a mound of caoutchouc of the same description and quality as that recently approved of by the committee. Promises to send a mound superior to that before forwarded.

From Dr. A. Campbell, to the secretary, dated Nepal, 28th January, advising despatch of a box containing specimens of the agricultural productions of the Valley of Nepal, each specimen sufficient to sow four or five cottahs of land, and enclosing a list of the same.

From the same, dated 26th January, advising despatch of a parcel containing "Ouah" or the beardless barley of Thibet, and promising to send down, if required, a larger quantity, by next cold season.

From W. R. Cane, Esq., dated Calcutta, 25th Jan., forwarding for presentation to the society a bag of Bourbon cotton seed, considered to be of good quality.

From T. O. Crane, Esq., secretary to the society at Singapore, dated 4th January, intimating the partial failure this season of a large plantation of Bourbon cotton plants, owing, it is supposed, to a blight, occasioned by the excessive dampness of the soil; mentioning that he has drained the ground and sown in ridges, which may tend to remedy the evil.

From Dr. Wallich, secretary to the Tea Committee, dated 13th February, forwarding by direction of that committee a pamphlet by Mr. Bruce, entitled "Account of the manufacture of black tea, as now practised at Suddya," and stating that a number of copies will shortly be placed at the disposal of the society.

From the same, dated 13th February, forwarding for presentation to the Society on the part of Mr. Mosely, supercargo of the American ship *Norfolk*, a copy of No. 9 of vol 3 of the Horticultural Register and Gardiner's Magazine, and 9 copies of "New England Farmer and Gardener's Journal," for July, August and September published at Boston.

From the same, dated 15th January, giving some information on the subject of a specimen of tea, presented to the December meeting, by Mr. H. Walters on the part of Mr. Wise.

From the same, dated 15th January, enclosing a note to his address from Captain Jenkins, under date the 30th ultimo, forwarding a sample of Moongah silk of a superior description, on which he is anxious to have the opinion of the Silk committee.

From Mr. Veterinary Surgeon H. C. Hulse, dated 12th November, Muttra, transmitting plan of a horse breeding establishment, and conveying much information on the subject of the same.

From Captain Corbett, dated Almorah, 2d January, from W. Limord, Esq., secretary to the Chamber of Commerce, dated 15th January, conveying, in reply to the secretary's letter of the 4th instant the best thanks of the Association, to Dr. Campbell, Offg. Resident at Nepal, for specimens of Nepalese Paper, forwarded by that gentleman through this society.

From J. F. Sandys, Esq., dated 12th January, enclosing copies of two papers lately received from F. Sandy's, Esq., of Arrah, the first containing observations on queries regarding the two models of machines for raising water, the second conveying a few practical hints on the erection of No. 2 model.

From Dr. A. R. Jackson, dated 27th January, acknowledging receipt of the several packages of books, &c. intended for societies in England and Scotland, alluded to in the secretary's letter, and promising to forward them to their respective addresses on his arrival in England.

From Messrs. Lyall, Mitheson and Co., advising receipt of a bag of seeds for the Assam Agricultural society, which they promise to despatch immediately.

From J. Vaughan, Esq., librarian American Philosophical Society of Philadelphia, dated 5th August, returning thanks on the part of that society for the 2d volume of our transactions.

From Lieut. G. Poolay, R. N., secretary to the Royal Hon'ble Society of Cornwall, dated 3d July 1837, acknowledging receipt of the 2d volume of our transactions, and forwarding in return, a volume containing the first five reports of their institution. Desiring to maintain a mutual correspondence in matters of interest.

From Mr. E. Norris, Assistant Secretary to the Royal Asiatic Society, dated 1st September 1837, annexing an extract of a minute of the committee of correspondence of the Royal Asiatic Society, relative to the different breeds of cattle known in India, and requesting the assistance of this society in obtaining information on the subject.—(Referred to the cattle committee.)

From Dr. C. Huffleagle, dated 2d September, enclosing a paper drawn up by Mr. J. H. Haines, relative to the cultivation and manufacture of sugar in the districts of Benares, Mirzapore Western Ghazepore and Jaunpoor.—(Referred to the Committee of Papers.)

From Lieut C. Barnett, Adjutant Mhairwarrah local battalion, dated Beaur, 1st November 1827, forwarding by the hand of Dr. Maclean, the several packages of cotton, alluded to in his letter of 27th November last, and requesting an opinion as to their quality.

From D. F. McLeod, Esq., dated Bancoorah 3d Feb., advising despatch by *dik banghy* of the following obtained at that station; viz. three skeins of tusseo silk, two cocoons containing the living chrysalis, a small quantity of eggs and a piece of cloth made of the silk, stating that the texture of the cloth is superior to any he has met within the parts of India.—(Referred to the silk committee.)

From James Prinsep, Esq., dated 27th Jan., forwarding a gold medal, and requesting to be informed if any more be required.

From Mr. J. W. Masters dated 9th Feb., enclosing a paper containing a few remarks on the "food of plants"

From G. A. Prinsep, Esq., dated 9th Feb., offering a few hints for the better preservation and propagation of the cochineal insect.

From Dr. Wallich, dated 12th Feb., 1838, enclosing a note to his address from Mr. Masters containing some observations on certain specimens of soils received from Mr. C. Manly, of Keerpooy, forwarded for presentation to the society, the specimen alluded to, as also some articles of pottery-ware made from them.

From Samuel Smith, Esq., dated 13th Feb., 1838, presenting to the society 400 copies of a report of the anniversary dinner of this society, which he was prevented from inserting in this daily paper, owing to indisposition until it was too late.

From Capt. H. Kuke of Deyrah, to Dr. Wallich, dated 23d Jan., on the subject of the growth of sugar cane, &c.

Dr. Jackson presented a supply of seed barley for the use of the Agricultural Society.

JOHN BELL, Secretary.

Agric. Society's office. Town Hall, }
Calcutta, 14th Feby. 1838. }

Report of a committee, convened at the requisition of the president, Sir Edward Ryan, to examine certain samples of living cochineal, brought from the Island of Bourbon, and the Cape of Good Hope.

PRESENT.—Dr. Strong in the chair.

Dr. Evans, Dr. Goodeve,
Dr. A. R. Jackson, Mr. W. Storm,
Dr. Huffleagle, Mr. D. W. A. Speed.

Inspected two samples of living insects, the one brought from Bourbon, sent (under directions from the

Island Government) by Monsr. Richard, Superintendent of the Botanical Garden, on *Robert le Diable*, the other brought from the Cape of Good Hope, by Capt. Charlton of the Bengal Service, on the *Sesostris*.

The committee are of opinion, that a most decided difference exists between the samples before them.

The Bourbon insect is clothed with a coat of powdery substance, is perfect in form, and large, having only a slight appearance of filament about the tail, which rubs to powder between the fingers.

The Cape insect is completely enveloped in down, and has none of the mealy deposit about it, which so strongly marks the character of the other.

As far as your Committee can decide, the insects before them are as distinct as the *grana fini* of commerce is described to be different from the *grana sylvestra*.

The Committee beg to annex an extract of a letter from Monsr. Richard to Dr. Wallich, dated St. Dennis, Isle of Bourbon, 29th November, 1837.

“ Je suis bien impatient d'aroir des nouvelles de nos voyageuses cochenilles. S'il en arrive de vivantes à

Calcutta, comme je le pense, elles seront peut être convertes deleur, parcequelles auront été enfermées et pour ainsi dire, privées d'air ; mais ceci ne doit pas vous faire prejurer de leur mauvaise qualité car quand elles sont sur les Nopals, au grandair, elles deviennent presque nues lorsqu'elles sont ta leur grosseur.”

This extract, your Committee consider fully borne out by the present appearance of the insect, and, although they do not feel competent to say with certainty, that the larger insect is the *grana fina*, (none of your committee having seen the insect alive) they have observed enough to convince them that it appears far superior to what is described, by the best authors, as the *grana sylvestra*.

The Committee request that the cochineal be left in the hands of Mr. Bell, for further experiment.

Signed F. P. Strong,

“ W. Storm,

“ H. H. Goodeve,

“ A. R. Jackson,

Agric. Society's Office, Town Hall, }
Calcutta, February 8, 1838. }

Signed George Evans,

“ D. W. H. Spred,

“ Chas. Huffnagle,

[Hark., Feb. 16.

AGRICULTURAL AND HORTICULTURAL DINNER.

About sixty gentlemen attended the Dinner at the Town Hall on Monday evening, Sir Edward Ryan in the chair. The chairman immediately after the cloth had been removed proposed (the first public opportunity he had had of doing so) the national toast. He did so with the greatest delight—“ *The Queen, and God bless her!*” The party responded to the chairman's enthusiasm, and the cheers were loud and long continued.

The toasts followed in quick succession. The chairman again rose, and in proposing the health of the *Governor General* congratulated the society that in the successor of Lord William Bentinck, of whose services it was not necessary to remind them, they had found another great patron of the institution. Sir Edward prefaced the next toast with what he pleasantly termed “ a little parish business.” He noticed the state of the society's finances, and the successes which have attended their efforts to bring forth the resources of the country. As to the finances, he had good grounds for saying they were in a flourishing condition, exhibiting a large increase on the current year, arising from the rapid augmentation of the number of members. But if their receipts had increased, so also had their disbursements, for the society did not hoard money. He noticed two large items in the latter, occasioned by the publication of the third and fourth volumes of the *Transactions*, and the reprint of the first volume, strongly recommending these to notice. As to the number of members, he remembered, he said, something on the last occasion with regard to the little encouragement the society had at that time received from the commercial community of Calcutta. On that occasion his friend opposite (Mr. A. Colvin) had taken to himself the observation, and glad he was to say, if they conveyed any reproach, his friend had since done his best, and the mercantile community had entirely freed themselves of censure. In 1836 there were two merchants only on the list; in 1838 there are thirty-two. The civilians had ever shown a warm interest in the society. He had thought it his duty to express this opinion on a former occasion; but if, up to that time, they had done well, they had since done better. In 1836 there were eleven members civilians; in 1837 the number increased to forty-seven. This was matter for congratulation; nevertheless there was another side of the picture, which gave occasion for much regret. He alluded to the

want of co-operation on the part of the Indigo planters, who, of all others, the natives excepted, were the most interested in the society's proceedings. He complained of the absence of these gentlemen, to whom he had not alluded on the last occasion, an omission on his part, to which cause alone he hoped he might justly attribute their indifference. However, he now entreated them to add to the number of the society, and expressed a lively hope that they would imitate the example of the merchants. It was a subject of much regret that so few natives had joined the society. They were the parties most interested in its success, and though their feelings would not permit them to attend the commemoration of the society's anniversary, it was expected they would join and aid the monthly meetings by their subscriptions and influence. He noticed the extension of Auxiliary Societies: last year there were six, at present there were twelve in various parts of India. He noticed the Society's *Transactions*, alluding particularly to the very valuable papers of Dr. McClelland and Dr. Griffiths. But he would not trouble the party longer with “ parish affairs,” which was indeed unnecessary, as the whole would be stated in detail by the excellent secretary. In conclusion, the chairman gave “ *Prosperity to the Agricultural and Horticultural Societies of India.*”

The next toast was proposed by Dr. Wallich, the vice president. He recurred to his early associates, and feelingly exclaimed “ what would Dr. Carey have said had he seen our prosperity, and the improvements our influence has produced?” He entreated the meeting to join in drinking, in solemn silence, the memory of that great and good man.

Mr. Cracroft proposed the health of Sir Edward Ryan, to whose exertions the society are not a little indebted for their present flourishing condition. The toast was drunk with much applause. Sir Edward returned thanks, and took that opportunity to inform the members present in what manner the medals had been distributed. We regret much we are not in possession of the correspondence between Major Sleeman, and the society on the subject of the Mauritius sugar cane, which, we understand, in consequence of the perseverance of that gallant officer, now shoots up luxuriant on the banks of the Nerbudda. Major Sleeman's opinions have been adopted by the society. His observations on the

flowering of the bamboo well merited consideration. His exertions in other matters are well known, but they were foreign to the objects of the society. To Major Sleeman is awarded the society's gold medal. To Mr. Bell, the silver medal for his cultivation of guinea grass, and to Lieutenant H. Vetch a gold medal for his preparation of caoutchouc.

In conclusion the chairman noticed the report of the Committee on Australian Cattle, and a communication from the Royal Asiatic Society requesting information (as we understood,) regarding the "white bullock of Assam."

There were numerous other speeches and toasts during

the evening, of which our reporter regrets he has no record. The "Agricultural Association of the United States" brought forward Dr. Huffleagle, who made some very pithy allusion to the entwining of the young hickory twig with the shamrock, the rose and the thistle; also to the friendly co-operation of the cultivators of New Hampshire and of those of the valleys of the Mississippi. Sir J. P. Grant repeatedly addressed the meeting, and Mr. S. Smith returned thanks for "The Gentleman of the Press." But the greatest interest was excited by Dr. Egeston's announcement of Lord Auckland's answer to the Steam Meeting memorial. It was afterwards read from the chair, and received the hearty cheers of every one present.—*Englishman*, Jan. 31.

ASIATIC SOCIETY.

At the monthly meeting of this society, on Wednesday evening, there were present: D. Hale, Esq., in the chair; Colonel Canfield, Captain Sanders, Dr. McClelland, Dr. Evans, Messrs Jas. Pinsep, Cracroft, Dobbs, Stoqueler, G. A. Prinsep, Bignell and Kittoe.

Major Sleeman, Mr. J. W. Grant, Mr. G. A. Prinsep, Asst. Surgeon Arnott, and Dr. Bonsol were severally balloted for and elected members.

Mr. C. F. Asser and Mr. M. Ommaney were proposed as members, and Monsieur Jaubert, the distinguished French *littérateur*, as an honorary member.

The proceedings of the previous meeting having been read, the secretary called the attention of the meeting to several new books that had been presented to the Society. Among others, were the *Sankhya Karitta*—a translation from the Sanscrit, begun by Mr. Colebrooke and concluded by Professor Horace Wilson:—*Elements de la Langue Georgienne*, (from the Asiatic Society of Paris,) Captain Baulau's Narrative, the Report of the Committee for investigating the Coal and Mineral resources of India, &c.

A letter was read from Professor Wilson, suggesting that Chantry's proposal to furnish a copy of the bust of

Mr. Colebrooke (now in the E. I. House) be accepted. It appears that the work will only cost £60. Mr. Jas. Prinsep suggested that a private subscription be raised for the purpose of engaging Chantry to perform the task. Capt. Sanders seconded the proposition, which was carried.

Among the numerous letters (of small importance) read to the meeting, was one from the Court of Directors, ordering forty copies of the *Journal of the Asiatic Society* from the commencement onwards. The secretary stated, that the early numbers were all out of print. Some conversation ensued as to the practicability of reprinting the whole work, but nothing was decided.

The secretary intimated that Government had granted 1,500 rupees for the printing a vocabulary in the Cochinchinese and English languages.

The receipt of numerous stuffed birds from Capt. Pemberton (obtained during the march to Bootan) was announced. Numerous copies of inscriptions derived from temples, pillars, stones, &c. were laid before the meeting, together with some spears and arrows from Cuttack and the Goomsoor country.

The meeting broke up at an early hour.—*Eng. Feb. 9.*

NATIVE INFANT SCHOOL.

The examination of the children belonging to the Native Infant School, which took place at the Town-hall yesterday, seemed to have excited greater interest this year, than the last. The attendance of ladies and gentlemen was decidedly a more respectable one, but very few of the friends and relatives of the pupils, if we could so call them, were seen amongst the audience, perhaps owing to the hour being a little early for Hindoos in general. The number of boys appeared to have been much increased during the past year, and their improvement, indeed exceeded our expectations, in a great measure. Although there was not one amongst them, who was more than six years old, yet the answers they returned to questions put to them, seemed to astonish the whole audience. A bit of brass wire being held up, they described all its properties, namely, that it was flexible, elastic, &c. They went to say so far that it was not partly yellow but yellowish. A nose-gay of roses being handed over by the Right Reverend

Lord Bishop, they said what colour the flowers were as also their leaves. They did all this in English, which few children of their age could do in their own language; great credit is therefore due to Mr. Perkins and his assistants for the improvement they have made. They repeated the Bengali alphabet, and the tables of weight and money current in this country. They sang a number of little infantile songs, and their performance was exceedingly well considering their age, and the time they have been in the institution, which is only a little better than a year old.

The Lord Bishop spoke highly of the regularity of their movements and their correct pronunciation of English, and touching upon the advantages likely to result from such an institution, expressed a hope that the ladies and gentlemen present would contribute subscriptions so that funds might be raised for the purpose of establishing similar institutions in other parts of the country.—*Hurkars*, Feb. 13.

METCALFE TESTIMONIAL MEETING.

At a public meeting of the subscribers and intending subscribers to the Metcalfe Plate.

JAMES PARTLE, Esq., in the Chair.

Proposed by H. T. Prinsep, Esq., and seconded by Dr. Grant.

Resolved.—That this meeting enters cordially into the feelings expressed by the meeting of the British Inhabitants at Agra, in their resolution expressing their desire to erect a statue in honor of Sir C. T. Metcalfe, and to present him with a service of plate, and doubts not that the community of British India will co-operate effectually in the promotion of these objects.

Proposed by Mr. Longueville Clarke and seconded by Dr. J. R. Marm.

Resolved.—That by combining together the different public subscriptions which are now raising to offer testimonials to Sir C. T. Metcalfe, it would enable the whole Indian Community to express in a more distinguished

manner their appreciation of the merits and esteem for the character of that eminent man.

Proposed by Mr. H. T. Prinsep, and seconded by Mr. William Patrick.

Resolved.—That a committee consisting of the following gentlemen, the Hon'ble the Chief Justice, General McGregor, Mr. H. M. Parker, Mr. C. R. Prinsep, Dr. John Grant, Captain T. J. Taylor, Mr. Longueville Clarke, Mr. R. J. Bagshaw, be formed, to collect the subscriptions of the residents in Calcutta, and put themselves in communication with the committees formed or to be formed at the other presidencies and stations, in order to receive the sums that may be forwarded; and that it be an instruction to the committee to call another meeting on our convenient day after not less than two months, and to report the amount available for the purposes in view, with their recommendation as to its disposal, in order that a final resolution may then be come to in respect to the appropriation of the funds.

Hurkaru, Feb. 20.

CAWNPOOR RELIEF SOCIETY.

The Committee of the Cawnpore Relief Society have much pleasure in submitting to the subscribers, and the public in general, the report for the past year, presenting as it does, so favorable an account of the society's funds, and such decided testimony to the efficiency of its operations. They feel grateful that their call for confidence has been so liberally responded to, and that thereby they have been enabled to release many from suffering, and from the horrors of starvation. This exhibition of confidence has not only placed their successors in a position to relieve, but has also encouraged them to the work; and the state of the country, from the failure of both the khurreef and rubber crops such, that both funds and encouragement are amply needed.

The money now available, even under the most economical and judicious application, will scarcely meet three months' demand: the committee therefore entreat a continuance of that reliance which they have hitherto experienced.

To the all-wise God alone, who doth not willingly afflict the children of men, is known the extent to which the present distress will range; appearances indicate a lengthened duration, and unless Christian philanthropy exert its genial influence, the sufferings of the past will not bear contrast with those of the future, the contemplation of which is sufficient to unnerve the sternest mind.

The present is not the time to argue the question whether the establishment of relief societies be desirable or not, (the gratuitous support of the halt, the blind, the decrepid, and the detection of the worthless vagrant, intuitively recommends itself to our best feelings,) but it is the time to act; and the labourer is without hire, the energies of life are sinking, and the land is filled with emaciation; casting aside, then, the question of the expediency of such institutions, the committee beg that each individual will, during the present grievous affliction, give a portion of his monthly income to meet the exigency—be it only a fiftieth, if universal, it will be sufficient. They are aware that there are some who, though, they do not throw aught into common fund, distribute for purposes of relief to a great extent: but, it may be asked, how can that charity be discriminating and efficient, by which some receive abundance and others not enough? The better half of charity is investigation; indiscrimi-

nate alms-giving is often, nay seldom otherwise than baneful, and but a very equivocal evidence of benevolence; that alone is entitled to the dignified name of charity which first assures itself of the existence of distress, and then relieves it;—examples as numerous as revolting could be adduced to support the above assertion, if support it need; but, perhaps it may be enough to testify, that the most abandoned and worthless have practised with much success on the liberality of the Christian public.

At the close of the year 1836; the balance in favour of the society was Rs. 6,074.9.3; at the close of the past year amounted to Rs. 5,625-8-9 exclusive of dependencies not then realized. The statement below exhibits the nature of the receipts and disbursements.

RECEIPTS.	
Monthly Subscriptions	Rs 818 0 0
Sacramental Collections	2,752 7 6
Donations	2,832 15 0
Anomalous	1,437 7 10
	7,840 14 4
In hand on the 1st January, 1837.	6,674 9 3
	Total receipt's.... 14,515 7 7
EXPENDITURE.	
Travellers.....	108 4 0
Monthly Pensioners (located).....	731 0 7
Assistant almoner's pay and chowkedars' ..	154 7 2
Sundries	1,455 1 11
Paupers from other districts	6,421 1 2
	8,839 14 10
In hand on the 1st January 1838	5,625 8 9
	Rs- 14,515 7 7

Under the term anomalous is included the Government allowance of Rs. 900 per mensem, and under that of Sundries, the purchase of tools for the emigrants, temporary hospitals and additional servants for the sick, &c. &c. Government have, at the request of the Committee, engaged to provide for the able bodied to an

unlimited extent ; and, it is hoped, considering the amount of the sick and weekly not less than 1,300, the former whom are receiving medical aid, that they may be induced to assist towards the support of these also.

The plan of relief hitherto pursued is that of employing those able to labour in some work of acknowledged public utility, paying to each of the men 4 pice, which, in the present scarcity can barely procure a daily meal, and, to all others, as many cowries according to the load and distance to which is carried, as will enable them, by a little exertion, to gain sufficient to supply the demands of nature. The labour has been employed on the public road, parades, and the ground in the neighbourhood of public buildings ; and the work now in hand is the excavation of a large tank near the Diagoon and Artillery Hospitals, and the filling up of the low ground in their immediate vicinity. The number of deaths from exposure and starvation, which have come under the cognizance of the society, may be estimated at 600 since the 1st of September last, and including those throughout the station, at 1,200 by the lowest calculation ; and the average number relieved daily 1,300.

Seven houses capable of holding 14 individuals have been built during the past year, on the premises of the society, which now can afford shelter to 41 persons.

The number of located paupers perfectly helpless is 30.

Respecting their endeavours to suppress vagrancy, the committee have every reason to feel satisfied that they have fully succeeded: the vagrant is known, his wanderings noted, and his trade checked: all that is required to complete the efficiency of this branch of the society's operations is a reliance on the judgment of the committee, by referring every petitioner unrelieved to them. The system of monthly returns of travelling applicants is maturing, and, will tend materially, combined with the confidence of the public, to frustrate the worthless vagrants' speculation. The number of travellers relieved is 32: the number of these considered unworthy 10.

In closing their report the committee desire to express a fervent hope that Almighty God may, of his infinite mercy, bless the means adopted to the attainment of the end designed, and interpose to prevent the aggravation of the present unparalleled suffering from the continuance of the present drought.

J. RICHARDS,

January 1st 1838.

ALMONER,

Cal. Courier, February, 22.

CORONER'S INQUEST.

An inquest was held on Tuesday afternoon last on the bodies of a Chinaman named Fasha, and of a native who was in his employ. The circumstances of the case were briefly these: About one o'clock that morning, Fasha and two of his countrymen, taking a servant with them, embarked at the Custom-house ghaut on board a boat, to proceed to Barrackpore. When off Nimtullah street, in consequence of the violence of the tide, and it being extremely dark then, the boat went fowl of a sloop, and was capsized. The accident was noticed almost immediately after, by the police boats, and they hastened to the assistance of the inmates of the boat. After a short chase they succeeded in overtaking the boat which was floating up, near the Baug Bazar bridge: and after hawling it ashore, it was discovered that Fasha, and his servant were dead in the

cabin, the latter completely jammed up under one of the seats. The companions of Fasha had succeeded in getting out of the cabin by breaking through one of the windows, and thus escaped a watery grave. All the crew had also been saved.

After due examination, the jury returned a verdict of "accidental death."

About twelve o'clock the same day, a ferry boat from Ghosry, was also capsized at Coomartory ghaut. There were a number of people on board and all being in a hurry to get to land at once, the boat tilted and turned over. Amongst the passengers there were three *Sooniassees*, who were the only individuals that met their deaths by the accident. On the boat being soon after pulled ashore, their bodies were found under the *chopper*. —*Hurkaru, Feb. 2.*

METCALFE LIBRARY.

(Correspondence between Government and the Committee.)

H. T. PRINSEP, Esq., Secy. to Govt. Genl. Dept.)

Sir,—Under appointment as a committee for carrying into effect the resolutions of a meeting of inhabitants of Calcutta to commemorate that act of the legislative council which establishes the freedom of the India Press, by the erection of a public building to be called the "Metcalfe Library,"—we beg that you will oblige us by submitting to the Right Honourable the Governor of Bengal, that an amount of subscriptions for the above purpose is raised, which we have reason to hope would provide for the erection of a commodious edifice, but which would certainly not be adequate to the purchase also of a sufficient quantity of ground upon which to build it in any eligible situation.

We are induced, therefore, to request that Government will liberally extend its aid towards the accomplishment

of an object of great utility, by granting to the inhabitants a piece of ground upon which to raise this monument of public gratitude for one of the earliest acts of the Indian legislature.

We take the liberty to suggest, that the whole of the enclosure to the north of the tank in Tank-square, being unoccupied, that space would afford ground for the building, desirable in every respect; it being so centrally situated as to be accessible to all classes of the community, and most especially to those to whom the establishment of a library is calculated to be of the greatest service; while it is at the same time sufficiently retired from the most noisy parts of the city, and in a situation where a simple but elegant building of the kind proposed might be made highly ornamental to the place.

The objects of the institution will render it of importance to consult the convenience of many classes of persons, to which we believe no other site would be so

well adapted. We trust that the consideration will plead as our apology for having taken the liberty to point it out as that which would best answer the purpose contemplated. And we have further to request that should that ground not be available, His Lordship will be pleased to grant some other spot in that neighbourhood for the erection of the "Metcalfe Public Library."

We have the honor to be, Sir,
Your most obedient servants,

(Sd.) J. Pattle,	(Sd.) W. Carr.
H. M. Parker.	J. Kyd.
T. E. M. Turton.	Dwarkanauth Tagore
T. Dickens.	Russomoy Dutt.
W. N. Forbes.	

July 14, 1836.

(No. 986.)

To J. PATTLE, Esquire,

And others, a committee for carrying into effect the resolution of the inhabitants of Calcutta, for the erection of a building, to be called the "Metcalfe Library."

Gentlemen,—I am directed to acknowledge the receipt of your letter, dated the 14th instant, soliciting the grant of a piece of ground upon which to erect the edifice to be called the "Metcalfe Library," and suggesting the enclosure to the north of the tank in Tank-square as a place well adapted for the purpose, and to request, before the Right Honorable the Governor of Bengal can decide whether to allow the proposed building to be erected on the site mentioned, that he may have the opportunity of inspecting the plan.

I have the honor to be, Gentlemen,
Your most obedient servant,
H. T. PRINSEP.

Secretary to Government.

General Department, Fort William, the 20th July, 1836.

H. T. PRINSEP, Esq. Secy. to Govt. Genl. Dept.

Sir,—We have the honor to acknowledge the receipt of your letter of the 20th ultimo; and, as requested, to hand you herewith a plan for the proposed "Metcalfe Library," which has been drawn by a professional builder with reference to the extent of funds that will be at our disposal.

In having this plan before the Right Honorable the Governor of Bengal, we shall be obliged by your explaining that it is submitted solely as exhibiting the scale of building, which the subscriptions would enable us to erect. The plan itself has not been decided upon nor considered with reference to eventual adoption, as it is our intention, should the Right Honorable the Governor of Bengal accede to the request contained in our letter of the 14th ultimo, to advertise publicly inviting plans and tenders. This however we should not feel fully at liberty to do until we are favoured with the reply of Government to our request.

We have the honor to be,
Sir, your most obedient servants.

(Sd.) T. Dickens.	(Sd.) W. Carr.
T. E. M. Turton.	H. M. Parker.
W. N. Forbes.	Russomoy Dutt.
Dwarkanauth Tagore.	J. Pattle.
J. Kyd.	

Calcutta, 11th August, 1836.

(No. 1264.)

To J. PATTLE, Esq.

And others forming a Committee for carrying into effect the resolution of the inhabitants of Calcutta for the erection of a building to be called the "Metcalfe Library."

Gentlemen,—With reference to your letter of the 11th ultimo, and to the previous correspondence on the subject of the "Metcalfe Library," I am directed by the Right Honorable the Governor of Bengal, to inform you

that His Lordship has obtained a report from the civil architect upon the site in Tank-square which has been requested for the "Metcalfe Building," and though objections have been stated to the proposed appropriation of the ground in question, yet it appears to his Lordship to be the most eligible of the sites which have been pointed out and that which may be most properly disposed of.

2. His Lordship has also learnt with much pleasure that the curators of the public library are of opinion that it would be of great benefit to their institution to have the use of such a building, and looking therefore to the just and liberal feeling with which the subscribers to its foundation have come forward, and to the general advantage which will be derived from a public library, they will be willing to waive all objection, and to grant to the committee the site in question as soon as he shall be satisfied that a sufficient and substantial building will be erected upon it on condition, in consideration of the inhabitants of the square, that the building do not exceed one story in height and that it be appropriated to no other purpose than that of a library open upon liberal conditions to the public.

3. The plan is herewith returned.

I have the honor to be, Gentlemen,
Your most obedient servant,
H. T. PRINSEP, Secy. to Govt.

General Department, Fort William, the 28th Sept. 1836.

(No. 411)

To J. PATTLE, Esq.

And others forming a Committee for carrying into effect the Resolution of the inhabitants of Calcutta for the erection of a building to be called the "Metcalfe Library."

Gentlemen.—With reference to my letter, No. 1264, dated the 28th September last, I am directed by the

Right Hon'ble the Governor of Bengal to transmit for your information copies of correspondence noted in the margin by Mr. E. D. Barwell, on the subject of the assignment of a piece of ground in Tank-square for the site of a public library, and to state that His Lordship leaves it to you to determine, whether with reference to these objections and claims you think it advisable to persist in the selection of this spot for the proposed edifice.

Letter from Mr. Barwell dated 24th Feb. 1837.

Ditto to ditto dated 1st March.

Ditto from ditto dated 6th ditto.

Ditto to ditto dated 8th ditto.

His Lordship leaves it to you to determine, whether with reference to these objections and claims you think it advisable to persist in the selection of this spot for the proposed edifice.

I have the honor to be, Gentlemen,
Your most obedient servant,
H. T. PRINSEP, Secy. to Govt.

Genl. Dept. Fort William, the 8th. March, 1837.

H. T. PRINSEP, Esq. Secy. to Govt. &c. &c.

Sir,—Understanding that application has been made to Government for the assignment of a piece of ground within the enclosure on the north side of Tank-square, to be appropriated to the erection of a public library, I take the liberty of addressing you for the purpose of soliciting information, whether it is intended to comply with the application, and should such a measure be contemplated, I would humbly request permission to bring to its notice circumstances which would, I trust, induce the Government not to grant the assignment in question.

I have, &c.

(Signed) E. D. BARWELL,
Advocate of Supreme Court.

2, Old Post Office-street, February 24th, 1837.

(No. 349.)

To E. D. BARWELL, Esq.

Sir,—I am directed by the Right Honorable the Governor of Bengal to acknowledge the receipt of your

letter dated the 24th ultimo, relative to the piece of ground on the north side of Tank-square, to be appropriated for the erection of a public library, and in reply to communicate to you a copy of the letter addressed under His Lordship's orders to the committee for erecting a public library under date the 28th September last.

2. The right Honorable the Governor of Bengal cannot believe, that an ornamental building of the kind proposed to be erected under the conditions imposed by His Lordship would be other than an improvement to the square, and to the property in the neighbourhood.

3. His Lordship will, however, be prepared to receive, and give attention to any objections that may be urged by yourself or any other parties interested.

I am, &c.

(Signed) H. T. PRINSEP, *Secy. to Govt*
Genl. Department, Fort William, March 1, 1837.

To H. T. PRINSEP, *Esq. Secy. to Government.*

Sir,—I was honored on the afternoon of the 4th ultimo, with the receipt of your letter bearing date the 1st of March, and relating to the proposed assignment of a piece of ground in Tank-square for the site of a public library.

As to the mere question of local improvement, it would ill become me to venture an opinion in opposition to the one so strongly intimated by His Lordship, the Right Honorable the Governor of Bengal, but I certainly was not without apprehension, that the sale of the property called Writer's Buildings, which has for a length of time been contemplated, would be materially prejudiced by a structure raised so immediately in front of it.

I have, however, much more forcible objection to submit to the consideration of His Lordship, viz that the title to the ground proposed to be granted is (unless they have been divested of it in some way of which both the other member of my family in this country and myself are ignorant) in the trustees of the will of Mr. Richard Barwell, formerly of Calcutta, and of Stansted Park, in the County of Sussex, it will not, I apprehend, be necessary at present for me to disclose this title, further than to state, that up to this time Mr. Richard Barwell's estate, pays the ground rent to Government for upwards of eight beegas north of the tank and south of the great road running in front of the Writer's Buildings, as will appear by entries in the office of the Collector of Calcutta. I also find, on searching among some old papers, that reference is made to an agreement by Thos Lyons (from whom Mr. Barwell purchased the property) not to erect a second range of buildings south of the 19 houses during the lease No. 52, to which Mr. Barwell was bound. This agreement I presume, remained in force during the subsequent tenancy of the buildings by the Company, which tenancy as to the greater part of the premises ceased with the expiration of the last charter.

I have to beg that you will convey to His Lordship, my humble and thankful acknowledgments for the readiness with which he has accorded the request contained in my former letter and hope that the nature of my present communication may be such, as to convince His Lordship, that I have not been guilty of any wanton intrusion upon his valuable time, should he require further information, and be pleased to allow me the honor of an interview, I might perhaps put him in possession of what little I know about the matter, in a shorter time than it would take to commit the same to writing.

I have, &c.

(Signed) E. D. BARWELL,
 2, Post Office-street, 6th March, 1837.

(No. 410.)

To E. D. BARWELL, *Esq.*

Sir—Your letter dated the 6th instant, has been laid before the Right Hon'ble the Governor of Bengal, and I

am directed in reply to state that the circumstances mentioned by you in respect to the title of the ground, within the enclosure of Tank-square, north of the tank, will be made the subject of particular enquiry, and in the mean time the Committee appointed for carrying into effect the resolution of the inhabitants of Calcutta, for the erection of a building to be called the "Metcalfe Library," will be made acquainted with the nature of the objections and claims preferred by you.

I am, &c.

(Signed) H. T. PRINSEP, *Secy. to Govt.*
General Department, Fort William, 8th March, 1837.

(True Copies.)

H. T. PRINSEP, *Secy to Govt.*
Courier, February 5.]

To H. T. PRINSEP, *Esq. Secretary to Government,*
General Department.

Sir,—We have the honor to acknowledge the receipt of your letter of the 8th, instant No. 411, to the address of James Pattle, Esq. and others forming a committee &c. transmitting copies of correspondence with Mr. E. D. Barwell on the subject of a piece of ground in Tank-square, for the site of a public library; and stating that the Right Honorable the Governor General of Bengal has been pleased to leave it to the committee for the proposed edifice to determine whether they consider it advisable to persist in the selection of the spot in question.

We are directed by the committee for the Metcalfe Library to reply to your favour above quoted, and to request you will be so good as to submit to His Lordship then wish to adhere to the selection referred to; since they cannot find any situation in Calcutta so well adapted in every way for the purpose as the one referred to in Tank-square. The committee, therefore, solicits that His Lordship will obligingly authorize the proper Government officers to put us in possession, that the further necessary steps for the proposed building may be adopted.

We have the honor, to be, Sir, your most obedient servants,

(Signed) CARE, TAGORE AND CO.
Secys. to the Committee for the Metcalfe
Library Building.

Calcutta, 25th March, 1837.

To H. T. PRINSEP, *Esq. Secretary to Government,*
General Department.

Sir,—By direction of the committee of the Metcalfe Library Building, we take the liberty to beg your attention to our letter of the 25th March last; and as we have not received any communication from the proper Government officers, who we anticipated would put us in possession of the spot of ground in Tank-square, selected for the site of the proposed building, we solicit the favour of your intimating to us the necessary measures to be taken, and the authority to be applied to for the purposes of having the ground in question regularly made over for the purpose contemplated, the committee having, in obedience to the desire expressed by the Right Honorable the Governor of Bengal, submitted their wish to adhere to the selection of the ground referred to, no better situation in Calcutta occurring to them.

We have the honor, to be, Sir,
 Your most obedient servants,

(Signed) CARE, TAGORE AND CO.
Secys. to the Committee for the Metcalfe
Library Building.

Calcutta, 10th July, 1837.

No. 986.

To MESSRS. CARR, TAGORE AND Co.
Secretaries to the Committee for the
Metcalf Library Building.

Gentlemen,—I am directed by the Right Hon. the Governor of Bengal to acknowledge the receipt of your letters, dated the 25th March last, and 10th instant, on the subject of the piece of ground in Tank-square, selected for building the edifice for the "Metcalf Library," and in reply to state, that the matter has been referred to the Government law officers.

I am, Gentlemen, your obdt. servt.

H. T. PRINSEP, Secy. to Govt.

Gen. Dept Fort William, }
the 12th July, 1837

To H. T. PRINSEP, Esq. Secy. to Government,
General Department.

Sir,—We have the honor to acknowledge the receipt of your letter of the 12th instant, informing us that our application in behalf of the Committee to be put in possession of the ground in Tank-square selected for the site of the proposed building of the Metcalf Library, has been referred to the Government law officers.

In reply the Committee authorize us to solicit that should any difficulty or inconvenience present itself in making over the spot of ground referred to, for the purpose contemplated, that Government will be pleased to point out any other spot where they can accord sufficient room for the erection of the proposed edifice.

We are, &c.

(Signed) CARR, TAGORE AND Co.
Secs. to the Com. for the M. L. B.

Calcutta, 2d August 1837.

No. 193.

To MESSRS. CARR, TAGORE & Co.
Secretaries to the Committee for the
Metcalf Library Building.

Gentlemen,—Your letter dated the 2d instant to Mr. Secretary Prinsep having been referred to me to learn whether I can suggest any other ground for the Metcalf Library Building than the position first proposed for it in Tank-square; previous to making my report to Government on this subject I am desirous of being informed whether your committee can point out any situation that would be eligible for such a structure, as I am not aware of any ground belonging to Government, that is not used for public purposes, and the giving up of which would not be attended with inconvenience.

I have the honor to be, Gentlemen,
Your obedient servant,

W. R. FITZGERALD, Civil Architect,

Fort William, Aug. 16, 1837.

CAPT. W. R. FITZGERALD, Civil Architect.

Sir,—We have to apologize for the unaccountable delay which has taken place, in replying to your letter of the 16th August last.

The Committee for the "Metcalf Library" request us to state with reference to your communication, that they would be content and thankful did the Government permit them to build the proposed edifice on the semicircular space of ground before the Town-hall, or opposite to the Ochterlony monument, immediately to the south of the Durrumtollah tank, opening upon the new cross road, or adjoining to the new reservoir near Chandpaul ghaut.

You will oblige us by ascertaining the pleasure of Government on this communication, and informing us at your earliest convenience of its decision.

We are, &c.

CARR, TAGORE AND Co. Secs.

Calcutta, 21st Oct. 1837.

No. 332.

To MESSRS. CARR, TAGORE AND Co. Calcutta.

Gentlemen,—Your letter dated the 21st ult. to my address, having been submitted for the orders of Government, I beg to forward a copy of Mr. Secretary Prinsep's reply to my communication, for the information of the Metcalf Library Committee.

I have the honor to be, Gentlemen,

Your obedient servant,

W. R. FITZGERALD, Civil Architect.

Fort William, 9th Nov. 1837.

No. 1486.

To CAPTAIN W. R. FITZGERALD, Civil Architect.

Sir,—I am directed to acknowledge the receipt of your letters, dated the 4th and 25th ultimo, the latter enclosing the copy of a letter from the Secretaries to the Metcalf Library Committee to your address, proposing the semi-circular spot of ground before the Town hall, or opposite to the Ochterlony monument, immediately to the south of the Durrumtollah tank opening upon the new cross road, or adjoining to the new reservoir near Chandpaul ghaut, as sites on which to erect the Library.

2. In reply I am directed to state, that the Deputy Governor of Bengal cannot consent to assign ground beyond the existing line of buildings towards the Esplanade of the fort.

I am &c. &c.

(Signed) H. T. PRINSEP, Secy. to Govt.

General Department, Fort William, the }
1st Nov. 1837.

(True copy) W. R. FITZGERALD, Civil Arch.
[Englishman, Feb. 6.]

SIR CHARLES METCALFE'S VISIT TO ALLAHABAD.

Sir Charles Metcalfe and suite reached Allahabad on the 15th instant, and the steamer *Megna* having arrived on the following day, and discharged a miscellaneous cargo of matrons, maids and packages, was immediately prepared for his reception. Mr. Colvin gave a ball to Sir Charles on the evening of the 17th, on leaving which he embarked on the steamer, and sailed early next morning.

We have much pleasure in presenting to our readers the valadictory address of the residents of Allahabad to Sir Charles Metcalfe, and His Honour's reply. A large body attended on the presentation of the address, which was read by Mr. Bird.

Pursuant to resolutions adopted at a meeting held on a former day, for the purpose of considering on a public address to Sir C. Metcalfe, on the occasion of his

relinquishing his high functions of Lieutenant-Governor of the north western provinces, the residents of Allahabad, comprising all the heads of departments and many of the uncounted servants of Government, with some of the officers of the station, proceeded at noon, on the 17th instant, to the Honourable Baronet's tent, which place he had appointed to receive them.

After a few words expressive of his entire approval (individually) of all the Lieutenant-Governor's public acts, and of his pleasure at having been selected as the organ of communicating the sentiments of the meeting, the Chairman (Mr. R. W. Bird) read the following :

ADDRESS.

HON'BLE SIR,—We, the residents of Allahabad and its vicinity, desire to wait upon you on this occasion, with our assurances of regard for your person, respect for your character, and sorrow for your departure.

The immediate cause of your withdrawal, in the full vigor of your strength and faculties, from the discharge of those high functions in which you have evinced so deep and constant an interest, we have learned from your published reply to the address of our fellow-countrymen at Agra, on quitting the seat of your Government. On this point, thus openly declared and set at rest, it would hardly become us to inquire or to remark further.

But under any circumstances, we must deeply regret the loss of an experienced, high-minded, and able Governor, whose established reputation, intimate acquaintance with the concerns of every public department, sound and extended policy, and tried administrative skill could not fail to secure to you the fullest confidence of all under your authority, and, especially, to stimulate and encourage those who have been entrusted with the subordinate conduct of the various branches of the public service.

We beg you to accept our grateful thanks for the hospitality and social virtues displayed during the brief period of your sojourn at this station; for your ready aid to every benevolent object; for that kindness and courtesy, as well in official as in private intercourse, which never fails to conciliate affection, and command esteem, and which will not speedily be effaced from our remembrance.

Your judicious measures for the relief of the distressed population during the present calamitous year, and strenuous exertions to obviate the threatened scourge of the last, form a suitable close to a long career of enlightened benevolence, and cannot, we feel, fail to call down on you the blessings of those who were ready to perish.

We now, with all regard and regret, bid you farewell. We trust you may long be continued to be a blessing to all those within the sphere of your influence. We feel assured that, whether you may again engage in public, or enjoy the quiet of private life, you will possess that assurance of the confidence and affection of those over whom you have been called to preside, and that satisfaction in the recollection of a life spent in the service of mankind, which, to a benevolent mind, is a never-failing spring of pleasing recollection and present enjoyment.

SIR CHARLES METCALFE'S REPLY.

To the Residents of Allahabad.

SIR,—I beg you to accept my warmest thanks for the honour conferred on me by this address.

The assurance of approbation and esteem, at the close of a long public life, is the most gratifying reward of honest service. The expression of such sentiments in this conspicuous manner, is a high distinction, and a manifestation of personal regard, for which I must ever be grateful. The recollection of this testimony of your friendly feelings, and of the other marks of kindness which I have received from all classes of the inhabitants of these provinces, on the occasion of my departure, will be a never-failing source of pride and comfort to me, whatever may be my future course of life. The same

would overwhelm me with shame and sorrow, should I ever do any thing unworthy of sentiments which you have so generously expressed.

Among those who have honoured me on this occasion, are some of the most eminent of my fellow servants; who are at the head of the great branches of the public administration in these provinces; and whom I have always regarded as colleagues in the government entrusted to my charge. With such efficient co-operation, the task of administration was easy, and was cheered with every prospect of success. The government is now in the stronger hands of the Governor-General, and I entertain a confident expectation that with his Lordship's beneficent and enlightened views, and with such powerful aid as he will derive from the controlling authorities to whom I have alluded, and from the integrity, zeal and ability pervading every grade of the public service, the prosperity and happiness of these provinces will be greatly advanced; provided, as I humbly hope, it may please the Almighty Giver of all good to grant more favourable seasons, and remove the drought and dearth, which prevail to a most painful extent in some districts; but here, I am happy to see, in a less degree, than in those from which I have recently come.

My administration in these provinces has been exclusively civil; I have not had the usual authority of a Governor over the army. It is only, therefore, to those officers, military, as well as civil, who have acted under me in a civil capacity, that I am at liberty to express the thankfulness which I feel, for their valuable assistance and support. I notice this circumstance, partly because it precludes me from paying officially the tribute due to the merits of the military branch of the public service, for which I have always entertained heartfelt respect and affection, and to which we owe the acquisition and preservation of our Indian empire; and partly because I am proud to state, that, notwithstanding the want of those powers which are usually attached to the administration of a Government, I have invariably received from the officers of the army, consideration, attention, and courtesy, to the utmost extent that could have been expected, if the military as well as civil powers of government had been vested in me—I may say to a greater extent, for there has been more than mere respect for station—there has been the greatest personal kindness, such as I must ever acknowledge with gratitude. This grateful feeling, although the expression of it is called forth on the present occasion, by the friendliness which I have experienced in these provinces, extends beyond local limits. It is not confined to one presidency, nor to any one branch of the army, nor to any particular description of force. Wherever I have served in India, I have always found, on the part of every portion of the army, without exception, in public duties the most zealous co-operation, and the most hearty desire to uphold the civil power; in social life, uniformly, the utmost hospitality, cordiality, and kindness. The impression made on me by what I have witnessed in these respects, can never be effaced, and I trust that it is not presumptuous in me to avow my sense of it. The greatest part of my life has been passed in situations, in which the society has been for the most part military; and the consequence of the intimate intercourse has been on my part a degree of admiration and attachment, which I cannot adequately describe; but, nevertheless, cannot wholly refrain from declaring, on the last opportunity that I may ever have, of giving public expression to such sentiments.

I beg you all, gentlemen, again to accept my grateful thanks for your kindness, with my fervent wishes that every blessing may attend you, and that this Country may be rendered prosperous and happy, more and more, by that devotion to the public interests which does honour to every branch of the public service.—*Cal. Courier, February 6.*

ENTERTAINMENT TO Æ. R. McDONNELL, Esq.

The public entertainment given to Æ. R. McDONNELL, Esq., on Saturday last, by the Native Gentlemen of Madras, was in every respect as creditable to them as it must have been most gratifying to their honored guest. We may say without being accused of flattery, since he will have quitted our shores before these remarks appear, that no man ever spent a long life in India more universally and deservedly admired and esteemed by all classes than Mr. McDONNELL; and the Hindoo community in publicly testifying their approbation of his conduct, have "won golden opinions from all sorts of people."

The fête given to Mr. McDONNELL, by his numerous Hindoo friends was a "Subscription Nautch," at the residence of C. V. Juggarow, in Vepery.—All the roads leading to the scene of festivity were lit up with torches for the occasion; and the garden and house were one blaze of light. At half past eight o'clock, the guests, European and Native, began to arrive; and in half an hour the hall was pretty full. The European gentlemen were about sixty in number, principally of the civil and military services; and several ladies were present also.—The following programme exhibits the order of the entertainment above-stairs.

Programme of the Nautch, given to Mr. McDONNELL, Feb. 3, 1838.

First.—A set of three Mahomedan dancing-women, dancing in a circular form round the hall.

Second.—A young Hindoo girl dancing on the sharp edges of swords, which are fixed in a ladder, at the same time cutting pieces of sugar applied below her feet.

Third.—A set of eight Hindoo dancing-women, each of whom separately holding a string fixed in the ceiling; dancing in different ways and forming the strings into nets, ropes, &c. at the same time singing and beating time with their feet and hands.

Fourth.—A set of three Hindoo Dancing girls dancing in the Carnatic form.

Fifth.—A Hindoo dancing girl, dancing in the Hindoo form to an English tune.—Music with European Instruments.

Fiddlers, songsters and some dancing girls form the sixth.

About the middle of the entertainment, Mr. McDONNELL was approached by C. Strenavassay Pillay and G. V. Juggarow, and, whilst the former stood by bearing the cup to be presented to Mr. McDONNELL, G. V. Juggarow addressed that gentleman to the following effect:

"The Hindoos, whom you have this day so highly honoured by your acceptance of the entertainment prepared for you, are proud to number you amongst the warmest of their European friends. It has devolved on me to express the feelings excited by the recollection of your kindness to them. I cannot attempt to say any thing more than simply to allude to the deep regret which pervades our minds at the prospect of being deprived of your presence at Madras, even for a season. In the mean time, however, while we indulge the warmest hopes of seeing you return to us, at no distant period, with increased honours, we beg you will carry with you this trifling memorial of our sincere regard and esteem. We wish you a safe voyage to England, and all possible prosperity." (*Loud cheering.*)

The Cup presented to Mr. McDONNELL by his native friends is a hand some silver vase, with cover and

salver. The cup surmounted with a raven, the family crest, and the coat of arms engraved on one side, with the following inscription on the other as well as on the salver:

PRESENTED
TO Æ R. McDONNELL, Esq.
BY HIS HINDOO FRIENDS AT MADRAS, ON THE
OCCASION OF HIS DEPARTURE FROM INDIA,
AS A SLIGHT TOKEN OF THEIR SINCERE
REGARD AND ESTEEM.
3D FEB. 1838.

Mr. McDONNELL replied to the following effect

"I regret very much that I cannot sufficiently express my feelings at the entertainment given by my native friends. When a man's heart is full he is unable to utter a word. Nothing could have gratified me in this world more than the honour done me this evening. I have been in India for thirty years, and from the situations I have held in the Revenue department, I have had opportunities of being much associated with the natives, and I have liked them very much. Pray accept my thanks for the piece of plate which you have done me the honor to present to me; and which will be preserved in my family from posterity to posterity."

Almost immediately after the presentation of the cup, G. V. Juggarow proposed Mr. McDONNELL'S health in a glass of champagne, which was drunk by the European friends with enthusiastic and deafening applause, Mr. McDONNELL then proposed the health of C. Strenavassay Pillay and the Hindoo gentlemen of Madras, in a brief but very appropriate speech, which was also drunk by the same portion of the Company, with hearty cheers.

The entertainment was kept up with unbounded hilarity until midnight. Two sets of dancing girls exerted their powers for the amusement of the company, at the same time, in very different costumes and received great applause. To persons who never witnessed the sight before, nothing can be more entertaining than the novelties, and, to some extent, the grace of a Hindoo dance; and, in spite of what has been alleged to the contrary, nothing can contrast more favourably than it does with the *legerette*. To use the mildest word of our own Opera-house. It was said that the value of the jewels on three of the girls who were dancing together, could not have been less than ten thousand pagodas! They were literally covered with brilliants, not excepting their noses, which were positively tortured with precious stones.

The rather alarming exhibition of a young girl dancing on the sharp edges of swords, which formed the second set, was repeated late in the evening; but on the second occasion she cut limes with her heels instead of sugar cane. It appears hardly credible that a delicate little girl should be able to stand on the edge of a sharp sword, and at the same time, by pressing with her heel, cut a lime in two on the same instrument.

We must not omit to notice, that throughout the evening the European guests, and especially the ladies, experienced the most polite and unremitting attention from the native gentlemen who gave the entertainment. A room was laid out with every luxury to gratify the palates of our-omnivorous countrymen—wine cooled to a fault; and, indeed, nothing omitted which could render the entertainment worthy of the occasion.—*Herald Feb. 7.*

STEAM COMMUNICATION.

To the Right Honorable LORD W.C. BENTINCK, G.C. B., M.P. and the Home Committee of the Bengal Steam Fund.

My Lord,—I have the honor of enclosing for your Lordship's perusal, a copy of a letter, which, on the 20th September last, I addressed to the Secretary to the New Bengal Steam Fund, in which you will perceive that I expressed an intention to suspend to my retirement from the service of the subscribers to that fund, until they had been afforded an opportunity of considering the vindication of my conduct, which I had felt it a duty to address to them. I was not then aware of the communication which had been made to you, and reflection upon the nature of that communication has induced me to judge that a departure from the course which I had designed to pursue, will, under these circumstances, be more advisable than an adherence to it.

The Calcutta committee having referred the selection of an agent entirely to your judgment, I feel that it would be improper that I should persevere in any measure that might embarrass your proceedings, or interfere, in the slightest degree, with the most perfect freedom of choice.

I therefore beg leave most respectfully to tender my resignation of the office which I have now exercised under your control for nearly a year and a half, during the whole of which period, it is satisfactory to reflect, that I have had the good fortune to meet with your entire approbation and cordial support.

I take the liberty to enclose a copy of correspondence arising out of some libellous remarks in the *Calcutta Courier* on my conduct as agent.

I have the honor to be, my Lord,
Your most obedient servant,

(Signed) R. M. GRINDLAY.

16th Nov. 1837.

Dear Sir,—We have to acknowledge the receipt of your letter of the 16th instant, in which you tender your resignation as agent to the subscribers to the New Bengal Steam Fund, in consequence of the letter lately addressed to us by the committee at Calcutta.

As the mere agents ourselves of that committee, we should have felt bound to have acted upon the instructions conveyed to us, although opposed to our own opinion, if we did not possess information and personal knowledge as to your services to that cause, which the Calcutta committee are anxious to promote, beyond what was, or could be possessed by them at the date of their letter of the 1st of May last; and which we cannot but believe would have occasioned a very different feeling from that by which, under a misapprehension, they seem to have been actuated towards you at that period.

Under these circumstances, and with the strong impression we entertain, that when they shall become as thoroughly aware as we are, of the zeal and ability with which you have endeavoured to promote the adoption and success of the comprehensive plan of steam communication direct to each presidency, the Calcutta committee will be anxious to do you full justice; we believe that we best study the interests, and the probable future wishes of our constituents, in declining to accept your resignation, until we shall have an answer to the communication which we shall think it our duty alike to them and to yourself, immediately to address to them on this subject; and in requesting you as a personal kindness to ourselves to continue your valuable services to us and to the cause in the intermediate time as our secretary.

That we may, however, persevere the instructions which we have received from Bengal, so far as they do not make us parties to what appears to us an injustice to yourself, we have to request that you will favor us with a statement of your account with the New Bengal Steam Fund committee, that we may transmit forthwith for their inspection and approval.

We remain, dear Sir, your obedient servants,

Wm. Bentinck. Win. Crawford.
Thomas M. Turton. G.G. de H. Larpent.
J. Mackillop.

London, 17th Nov. 1837.

[*Englishman*, Feb. 6.

Proceedings of the ninth half-yearly meeting of the Subscribers to the new Bengal Steam Fund, held at the Town Hall, on the 19th day of February, 1838.

WILLIAM SPIERS, Esq., in the Chair.

The Report of the Committee having been read by the Chairman,

It was proposed by Mr. Colvin and seconded by Mr. Smith, and carried unanimously:

That the Report including the accounts, be received, approved and published.

It was then proposed by Mr. Colvin and seconded by Capt. Vint, and carried unanimously:

That Mr. Edward Harding be appointed a member of the Committee in the room of Mr. Benjamin Harding, gone to England.

On the motion of Captain Forbes, seconded by Captain Birch,

The thanks of the meeting were voted to the Chairman.

WM. SPIERS, Chairman.

Town Hall, Calcutta, Feb. 19, 1838.

REPORT.

Of the Committee of the New Bengal Steam Fund to the subscribers to the Fund, and to the petitioners at the ninth half yearly General Meeting convened under the 10th Regulation of the Original Meeting of the subscribers to the Fund, held on the 22d day of June, 1833.

The Committee of the new Bengal Steam Fund, at this the ninth half yearly Meeting of the subscribers under the 10th Resolution of the original meeting held on the 22d June, 1833, are happy in being able to report that the cause of a comprehensive steam communication is advancing, if not so speedily as might be wished, yet with certainty towards eventual success.

Since the last report presented to the meeting, held on the 19th August last, the evidence taken before a Select Committee of the House of Commons, obtained by Lord William Bentinck, has been received and reprinted for circulation in India. Consequent on that evidence, and the recommendation of the Select Committee of a "continued and zealous attention to the subject on the part of her Majesty's Government and the East India Company," a general meeting of the inhabitants of Calcutta and its neighbourhood was held on the 4th ultimo; at which a renewed petition to the House of Commons, and memorials to the Board of Control were passed, as also an address to the Right Hon'ble Lord Auckland. The petition was entrusted to the Committee to obtain signatures, and to forward to Lord William Bentinck for presentation to the House of Commons. Six thousand and nineteen signatures were affixed to the petition, when it became necessary to

despatch it by dak banghy, so that it might be sure of reaching Bombay in time for the *Atalanta*.

The Hon'ble the Deputy Governor was requested to allow it to be despatched free of charge, with instructions that it might be specially entrusted to the Commander of the Steamer with directions to cause it to be speedily delivered to Colonel Campbell, in order to its certain despatch by the first Alexandria steamer; this was most readily granted. The duplicate copy was at the same time despatched by the *Repube*. The Committee have addressed Lord William Bentinck, and, according to the tenor of the second resolution of the meeting, of which copy has been forwarded to his Lordship, have solicited his Lordship's continued exertions.

The memorials were forwarded to the Hon'ble the President in Council by the Hon'ble Sir Edward Ryan, the chairman of the meeting, with the request of the meeting, that they might receive such support as the important object might seem to merit. His Honor in Council in reply, has given assurance that they will receive his earnest recommendation. In reply to the address of the inhabitants of Calcutta, Lord Auckland has expressed himself in terms the most favorable towards the extension of the communications to the three presidencies. The Committee congratulate the subscribers most sincerely on this powerful accession to the cause.

They are happy also to be able to report the deep interest taken in their proceedings in another high and influential quarter. The agents of the Committee at Colombo, Messrs. Partlett and Co., report as follows, under date 15th ultimo. "We have detained addressing you to the present time in order to be enabled to report to you for the information of the Committee, the result of an interview we had on the subject with his Excellency the Governor."

"We beg you will be good enough to state to the Committee that his Excellency has authorized us to communicate that, in the event of the plan of steam communication which they contemplate being matured, his Excellency will recommend that the executive Council of this colony should authorize to Government to bear a proportion of the expenditure. His Excellency further expressed his wish to promote the completion of the comprehensive scheme as far as lay in his power"

The Committee feel assured that it is wholly impossible the home authorities can resist the force of the evidence taken before the late Select Committee of the House of Commons, backed as it is by the united support of all the Indian Governments. They refrain from expressing as they feel, the value of this support, and especially of that of the Governor-General. They know it to be given under a conscientious sense of its being due to the cause; and they feel satisfied that it must be so received at home.

The Committee have also the satisfaction of reporting that the feeling in favour of the extended communication is gaining ground to the Eastward. Messrs. Syme and Co. have requested, with reference to the enquiries made at Singapore, that 50 copies of Dr. Lardner's pamphlet might be sent to them for distribution. Only twenty copies being left; they have, together 50 copies of the evidence taken before the Select Committee, been forwarded to them by the *Sylph*.

The Committee did not receive any communication by the last mail from the Home Committee, and they are ignorant whether or not it was the intention of Lord William Bentinck to follow up the report of the select Committee by any motion in the House of Commons. They rely, however, entirely on his Lordship's zeal and judgment; and they feel assured that his Lordship's parting pledge to procure the attainment of the object by every means in his power, as it has been so energetically followed up, so it will never be lost sight of until success is achieved,

The accounts are as usual laid on the table for the inspection of the subscribers. The only items on which any remark seems necessary are those for printing and advertising, and especially the latter.

The first item is, Rs- 1,088 for printing. Of this Rs- 888 are on account of the reprint of Dr. Lardner's pamphlet, and Rs- 200 are for the reprint of the evidence taken before the Select Committee of the House of Commons. For this latter a further sum of Rs- 453,8 will be required.

The advertising charges amount to Rs- 1,587-3-11, and between three and four thousand rupees are still due. This heavy charge has been chiefly incurred in advertising the conditional scheme throughout India; as well as in giving notice of the reprints of Dr. Lardner's pamphlet, and the evidence taken before the Select Committee of the House of Commons. Measures will be taken hereafter to reduce this charge, should extended advertisements be again required. The actual balance amounts to Rs- 49, 910 12 7, exclusive of £300 in the hands of the Home Committee. The balance, however, is subject to a letter of credit in favour of the Home Committee for £1,000.

By order of the Committee,
C. B. GREENLAW, Secretary.

Town Hall, Calcutta, Feb. 16, 1831.

Summary statement of receipts and disbursements on account of the New Bengal Steam Fund, from 1st August 1837, to 31st January, 1838.

To balance as per last account dated 16th August, 1837, published in the <i>Bengal Harkara</i> of the 21st August, 1837, Company's paper Sa. Rupees 51,200, or Co.'s Rs.....	54,613	5	4
Cash.....	11	15	1
	54,525	4	5
Interest received on Co.'s paper.....	665	9	6
	55,290	11	18
Less Cash due to the Union Bank as per last account.....	3,	77	2 7
			52,183 11 4

DISBURSEMENTS.

By Secretary's Office Clerks pay from 1st Aug. to 31st Dec., 1837.....	176	4	6
Stationery purchased 12 12 6 parchment for the petition and memorials ditto 24 rs. at 2 each..	41	0	0
Hire of peons, coolies, dingies and palankeen.....	46	15	0
Section writers work.....	112	8	0
	396	8	0
By Postage, amount paid on this account.	330	8	6
By Freight, amount paid on a parcel to Galle to the address of T. Twynam, Esq..	4	0	0
By charges general, paid for printing sundry papers.....	8,088	0	0
Paid for lithographing ditto.....	618	0	0
Paid for advertising charges.....	1587	3	11

Paid for new papers.	8	0	0
Paid fees for re- newing Co.'s Papers.	5	0	0
	<hr/>		
	3306	3	11
By interest, amount debited the Fund up to 31st December last, due to the Union Bank.....	134	2	8
	<hr/>		
	4,171	7	1
Balance on the 31st Jan. 1838, Co.'s Rs	47,942	4	3
Composed of the fol- lowing balance as per last account.....	51,418	1	10
Interest since receiv- ed, cash in secretary's hands.....	661	9	6
	37	12	6
	<hr/>		
	52,141	7	10

Less cash due to the Union Bank since 1st August last.....	4,209	3	7
	<hr/>		
	Co's Rs	47,942	4 3

Besides this balance, Co's Rs. 1,968-8-4, were received on the 1st instant, being a return from Messrs-Harding and Thacker out of £500 remitted to them for the purpose of promoting the object at home, making the balance in favor of the fund, Co.'s Rs. 49,910-12-7, the whole balance is subject to £1,000, on account of a letter of credit granted by Messrs. Cockerell and Co: in favour of the Home Committee.

Errors Excepted,

C. B. GREENLAW, Secy. N. B. S. Fund.

Calcutta, Town Hall, Feb. 16, 1838.

Hurkaru, Feb. 21,

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta held at the Asiatic Society apartments the 3d Feb. 1838.

Letters from the following gentlemen were read:

From J. Furnell, Esq., requesting to withdraw from the Society, because he could not afford the expense of forwarding the *Quarterly Journal* to his station.

From the brother of the late Mr. Twining to J. Hutchinson, Esq., expressing the gratitude of himself and family for the marks of respect shewn to the memory of their deceased relative by the Medical Society. The writer requested also that they would furnish his friends in Canada with some memorial of Mr. W. Twining, a collection of his writings, his picture, or some similar token.

It was resolved by the meeting, that a set of the Society's Transactions, a copy of the inscription and drawing the monument erected over the late Secretary's grave, and one of the busts taken after his death, should be forwarded to his brother at Halifax.

The following communications were presented:

Sketch of an epidemic congestive fever that became contagious in a gang of convicts in Macnab, Esq. M. D.

Accounts of the cholera which lately prevailed in the Camp of the 2d Troop 3d Brigade Horse Artillery, during its march from Mhow, by G. Brown, Esq., Surgeon of the troop.

1st. The discussion of the Library question was then resumed, and it was resolved, upon the motion of Dr. O. Shaughnessy, seconded by Dr. Goodeve, that it would be better not to form any determination upon the subject until the continuance or abolition of the *Quarterly Journal* shall be decided by the votes of the Mofussil members.

It was resolved also, that it was not necessary to consult the Mofussil members with respect to the transfer of

the Library from the Asiatic Society's apartments, should it hereafter be deemed advisable to resort to that measure.

The Secretary then stated to the meeting, that in compliance with the resolution passed in January, he had applied to Mr. G. Hill to know upon what terms he would perform the duties of Treasurer to the Society. That gentleman replied that the ordinary terms were ten per cent. upon the collections, but he should prefer a small salary from 25 rupees per month. He stated that he did not wish to make any profit by the office. It was more with a view to increase his connexions that he wished to accept it, and the sum above stated would only suffice to cover his necessary expenses.

The Members present considered that this would be to serve a drain upon the funds for such an object. The Secretary then stated his willingness to receive charge of the duties, which it was proposed to transfer to Mr. Hill, rather than put the Society to any unnecessary expense, although the Office of Treasurer was by no means the most agreeable part of his avocation, and he would gladly have freed himself of the task if circumstances had permitted him to do so.

It was proposed by Mr. Egerton seconded by Mr. Corbyn, that Dr. Goodeve's offer be accepted with the thanks.

It was then proposed by Mr. Hutchinson, seconded by Mr. Allan Webb.

That, with a view to restore the Society to its pristine state of prosperity, those members who have ceded from it up to this period, be invited to rejoin, without being called upon to submit to the formality of a ballot. This was carried, unanimously.

Mr. R. O'Shaughnessy's account of the cases, where-in the artery was successfully tied by him, was then read and discussed.

H. H. GOODEVE, M.D.

GRAND BALL TO SIR CHARLES METCALFE.

The Metcalfe festivals are at length over, the public and their distinguished fêted one will now have a little rest, and "gentle dulness" will now re-assume her reign in the place of popular excitement. Well, all earthly things, as some grave philosopher has observed, "have their drawback," and Fame has certainly a share, ay more than its share, of disagreeable appendages. To be the lion of season is one of those enviable distinctions exceedingly beautiful in prospect but very harassing in reality. We think that we shall like it, but find we don't, and fame instead of being a blessing is discovered to be a dead bore. And now could we discourse most excellent wisdom upon this same subject of popularity, but as it is our business to write about a "ball and supper," we shall bring our morality to a close, leaving the philosophical reader to carry on, in his own mind, the train of speculations here suggested whilst we devote ourselves entirely to *L' Allegro*.

Three public dinners and a huge *omnium gatherum* ball we should conceive to be full as much as any mortal being, with ordinary faculties of enjoyment, could go through with satisfaction, to himself in the brief space of one week. We doubt not but that Sir Charles thinks the same, and he must now be cordially rejoiced that these things have become matters of retrospect, and that they are now no more of those irksome affairs hanging over his worthy head. The "grand ball" of Monday was, as Sir Charles said at supper, the closing scene of his Indian career. It is very difficult to say whether it were, or were not, the thing that is usually called "a good party." They who esteem quantity above quality must have been fully satisfied by the aspect of the room about 11 o'clock. We have seldom or never seen the Town-hall more densely crowded at a party of this description, nor do we ever wish to see it so again. It was intended to be a fancy ball but there were very few fancy dresses and most of the distinguished present were in their ordinary costumes.

Sir Charles Metcalfe arrived about 10 o'clock, and was received by a phalanx of stewards who escorted their honourable guest into the ball room and then opened their ranks for the burra sahib to pass up to his seat at the extremity of the room. Every third gentleman seemed to be a steward, for wherever we turned our eyes we saw a ribbon and a round non-descript appendage, with certain letters worked upon it which might have been C. T. M. Dancing commenced immediately after the entrance of Sir Charles Metcalfe, and was kept up "with great spirit," (we believe that is the phrase) till a tumultuous rush to the supper room about 12 o'clock put a stop to the Terpsichorean proceedings.

We shall take advantage of this break in our narrative to say a few words concerning the two or three fancy dresses which appeared to us worthy of notice. There was a clown, who jumped about considerably; a Paul Pry who played on the castanets, and a Neapolitan Minstrel looking gentleman, who played some airs on a guitar. The Fantastic certainly prevailed over the elegant in costume on Tuesday night. Mr. Wynyard was admirably dressed as Pam, or "his Nob"—in other words he knave of clubs, and looked precisely like the incarnation of that redoubtable card in some Broblygnagian pack. Dr. Evans, as Mother Goose, trotted about on high heeled shoes arm in arm with Moll Eraggon, who found an excellent representative in Doctor Watson. Mr. Aubert was well dressed as Massaroui, or some other conspicuous Brigand. Mr. Henry Palmer in an excellent costume as that arch scoundrel Sir Giles Overreach, and Mr. Pigou as that famous gentleman in the *Fortunes of Nigel*, the monosyllabic Master Jem Vin,

Of the ladies we know none to particularize; for there were but very few in fancy-dresses, and with those few we have not the honour to be acquainted. It seemed for some reason or other, to be the prevailing notion that it was more distinguished to go in ordinary attire, and consequently amongst the multitude assembled there was but a small sprinkling of fancy displayed.

The supper was plentifully sufficient to feed a moderate sized army after a long march. But we did not see any-body in our neighbourhood attempt to diminish the quantity on the board. A sit-down supper is at best an intolerable nuisance, and we had hoped that the system was almost abolished in the City of Palaces. However as it gave the ladies an opportunity of hearing Sir Charles speak in public, perhaps we may find an excuse for it upon this late occasion. Sir Charles sat at a table in the centre of the supper room, somewhat elevated above the others; a small table, which was occupied by some half dozen of the most distinguished demizens of our Indian Community—Miss Ross, Mrs. Shakespeare, Mrs. Cameron, Mrs. McGregor, Sir Edward Ryan, Mr. Cameron, and Capt. Prescott. When the assembled numbers had partaken of a little ice, a little jelly, and a glass of champagne, they began to turn their eyes towards the burra table in expectation of the coming oratorical display. Sir Edward Ryan soon rose, and, in a fine clear voice, made a speech well adapted to the occasion. People thumped the table and made a noise—generally at the wrong time—and Sir Charles's Health was drunk with vociferous acclamations from every side. The honorable Bannet then rose and, labouring under considerable emotion, returned thanks *sotto voce* for the honour conferred upon him, spoke very feelingly upon the subject of parting from so many kind friends, and in conclusion proposed—"The ladies," a toast, which uniformly carries with it a considerable degree of self-negation, for it invariably makes all their heads ache, owing to the noise which it always elicits. Shortly after this Captain Taylor drew the attention of the company to a circumstance in the life of Sir Charles which reflects upon him no little honour. Among the many characteristics of their distinguished guest, (said Captain Taylor) to which public attention had been directed at the recent entertainments in honour of his departure, there was one which had hitherto escaped notice, a characteristic, which men respect, but which the ladies love, he meant Sir Charles Metcalfe's gallantry. (*Applause.*) The public would have seen in the papers of the day that Sir Charles had served at the storm of Deeg, but Capt. T. had heard since he entered the room, an anecdote connected with that event, which he thought ought to be publicly stated. In the first Maharratta war in 1804, Lord Lake having been induced to believe that some civil servants in camp did not sufficiently appreciate the dangers, or had spoken slightly of the difficulties with which he had to contend, observed one day at dinner that it was all very well for civilians to treat such matters lightly, as they had a precious easy time of it! Sir C. Metcalfe was present at that period, a very young man, and to show Lord Lake that the civil service are not those gentlemen of India who live at home at ease, but were made of somewhat sterner stuff than his Lordship seemed to think, he volunteered for the storm of Deeg, and to the admiration of the whole army, entered that fortress sword in hand, among the foremost of the storming party. (*Cheers.*) Captain T. added, that it was a remarkable fact, and one on which he dwelt with peculiar satisfaction, that the two most distinguished statesmen the Indian civil service had produced, Mr. Elphinstone and Sir Charles Metcalfe, had always been soldiers where ever they could

be so. (*Cheers.*) The former, the statesman of Poonah, was a soldier at Assaye,—the latter, the statesman of Delhi, was a soldier at Deeg. (*Loud cheers.*) Having mentioned Mr. Elphinstone's name, he might well pursue the parallel between these distinguished men, for in very many points the resemblance was striking, but that the attempt would lead him to too great length; on no one point however did they more especially resemble each other than in princely liberality and remarkable amenity of disposition and manner to all classes. It was," said Captain Taylor, "my good fortune to be present at the entertainment given to Mr. Elphinstone at Bombay, when that gentleman was then to quit India for ever, as Sir Charles Metcalfe is departing now, amidst the regrets, the tears, and blessings of assembled crowds. In respect to Mr. Elphinstone, it was then well remarked that he had given a useful lesson to all gentlemen who might hereafter rise to high stations in public life in India, by showing that universal kindness so far from being incompatible with dignified office, is sure to command universal goodwill, and that in his own case it would yield him the rare felicity of relinquishing power without the loss of a single friend. (*Cheers.*) Unless I am greatly mistaken," said

Capt. T., "that rare felicity' is not less the portion of our honoured guest, than it was of Mr. Elphinstone—for without I have misinterpreted the manifestations of public feeling here and elsewhere, of the hundreds present, of the thousands absent throughout India, Sir Charles Metcalfe has descended from his throne of power without the loss of a single friend.—(*Loud cheers.*) Captain. T. concluded by requesting the company to join him in drinking Sir CHARLES METCALFE'S health with all the honors—as "THE SOLDIER OF DELG." (*Great cheering.*)

Sir Charles then rose, but would not "own the soft impeachment," and said that Captain Taylor had been partly misinformed upon the subject, although something of the kind certainly had taken place; however, it did not much signify as Captain Taylor spoke exceedingly well, and the company very vigorously applauded. Shortly after this the supper room was vacated, and we, who decidedly agree with Leigh Hunt, that all writers

—who would cherish their powers

And hope to be deathless, must keep to good hours; took our departure instantly as did many others of the élite! Dancing, however, was resumed and carried on—we know not to what hour. Perhaps they are dancing still.—*Hurkaru, Feb. 15.*

REPORT OF THE GENERAL COMMITTEE IN AID OF THE SUFFERERS BY THE GREAT FIRES IN CALCUTTA IN 1837.

By the publication of the Resolutions of the 9th, 12th, 15th, and 16th May last, subscribers were made aware of the mode of operation determined upon. The Committee, divided into several sub-committees, have patiently endeavoured to act up to those resolutions, and to observe the course of proceeding therein laid down: but they have been obliged to proceed with extreme caution and reserve, having from the first met with considerable difficulty from the desire shewn by many of the people burnt out to take advantage of the benevolence of the subscribers, from their apathy even in their own behalf, and from local considerations affecting individual cases. It has been found that many who solicited aid at first proceeded shortly to build huts for themselves, shewing that they were not in real distress. In several parts, especially in the districts of the town, under the first and second sub-committees, there appears to have been little or no necessity to aid the personal efforts of the inhabitants themselves. The committee at an early date made an arrangement for furnishing tiles in any required quantity to the poor sufferers, a measure by which good materials were placed at their disposal at an uniform and reasonable rate; grants of tiles have been accordingly made to individuals on certificates from the sub-committee, instead of pecuniary assistance, and with beneficial effects.

Finding that the setting in of the rainy season rendered it impossible satisfactorily to carry on their operations, the General Committee resolved the execution of the main object of their association, the erection of tiled huts in place of those burnt down, until a more favorable state of the weather should enable them to resume it.

During the rains the plan pursued was to bestow assistance on such persons as were actually without shelter, to enable them to cover in their huts with any description of available materials, restricting such assistance to those who were in real distress, and only granting the smallest sums necessary for the object. When the season permitted, the operation of tiling and of substituting tiles for the temporary thatching was resumed.

The committee avail themselves of this opportunity to explain their reasons for not making loans of large amount to individual sufferers: in the first place no applicant for a loan has yet offered any sort of security for the repayment of the money, or for its being made good in case of their decease—besides which, the terms of repayment offered by such individuals, are small instalments

by the month, extending the period of repayment over one two, or three years; an arrangement obviously inconvenient and difficult to be entered into on the part of the committee, especially when it is remembered that the money subscribed was for the benefit principally, if not entirely, of the very poorest class of sufferers, and not for those whose situations in life secure them comfortable salaries, by means of which loans might be effected in the ordinary way, without application to this committee.

But the principal consideration with the committee is, that although previous to the rainy season their outlay was not very considerable, owing to the causes above assigned, yet as the rains approached and set in, the people without shelter became more desirous of entering into the views of the General Committee, and latterly the applications for assistance became so numerous, that, after the personal observation which most of the members have had of the extent of distress among the poorest people still remaining to be attended to,—the general committee are persuaded they will require the whole of the means at their command for distribution among that class of the sufferers alone.

Early in January 1838, a sub-committee was appointed for the purpose of enquiring whether it might not be possible advantageously to lay out the remaining funds in the erection of lines of tiled huts, across spaces generally occupied by thatched huts, or in tiling small clusters of thatched huts, still found in spaces chiefly occupied by tiled huts. The sub-committee was composed of the following persons; D. McFarlan, Esq., Capt. R. J. H. Birch, Capt. W. Birch, Dr. Vos, Capt. Vint, Baboo Russomoy Dutt, Rustomjee Cowasjee, Esq., Mr. Balston, Mr. Lindstedt, and Baboo Ramdhone Ghose; and they reported that after having inspected a considerable space occupied by native dwellings in the neighbourhood of Fenwick's Bazar, the Free School, Colingah, and Dhurumtollah, they were unanimously of opinion,

"1st. That the funds at our disposal would not enable the committee to adopt the course proposed in the first alternative in more than one or two considerable spaces occupied by thatched huts, and that the appropriation of the money to such lines would be to give pecuniary advantage to individuals not standing in need of it and generally to appropriate to special localities selected (referring to the time and labour we have to bestow on the subject) mainly by chance what was in-

tended in the first instance for the relief of the poor in whatever part of the town they might happen to reside.

"2d. That it would be proper to adopt the 2d alternative proposed in the resolution in all cases where the sub-committees considered it desirable. It will ordinarily be found that the inhabitants whose huts are proposed to be tiled, will willingly execute the improvement on being furnished with tiles, and in general we think the gradual appropriation by the sub-committees of the funds at our disposal to such cases, and those of great poverty, or in other words, a continuance of the plan hitherto followed by the sub-committees would render, under all the circumstances, be the best course to adopt."

In these sentiments the General Committee concurs, and it is accordingly resolved to proceed as heretofore till the sum remaining in hand shall be entirely distributed on the plan originally laid down.

Subjoined is a statement of what has been done and of the present amount of the funds.

J. GREGORY Voss, M. D.
Cal., Jan. 26, 1838. Secy. District Charitable Society.

Divisions.	From the General Committee.				Division Disbursements.				Numbers of persons or families assisted.	Number of tiles given.	Number of huts built entire.	Number of huts tiled only.	Number of huts in progress.	Number of huts remaining burnt down.
	Amount of money given to charity.	Amount of money given to build huts.	Contingen-ces.	Balance in hand.	Amount of money given to build huts.	Contingen-ces.	Balance in hand.							
1st Division.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2nd Division,....	50	0	0	60	0	0	0	0	0	0	0	0	0	0
3rd Division.....	11,786	14	0	4,567	14	0	0	1,740	493	285	0	31	1,000	0
4th Division,....	1,500	0	0	526	0	0	392	347	34	572	150	10	0	0
5th Division.....	4,150	0	0	3,666	11	9	125	292	229	0	19	0	0	0
6th Division,....	1,338	5	3	1,217	4	0	20	153	61	876	160	1,031	0	0
	18,775	3	3	9,577	13	9	593	2,532	930,657	575	817	876	1,031	0

Subscriptions advertized to 17th March 1837.	13,654	10	8
Deduct receipt No. 106, twice inserted.....	50	0	0
	13,604	10	8
Government donation.....	20,000	0	0
The Right Honorable Lord Auckland, G. C. B. & Co.....	1,000	0	0
Kirk Collections.....	2,280	12	5
St James' Church.....	100	0	0
Old Church.....	511	3	9
St. Stephen's Church, Dum-Dum.....	81	14	0
Cathedral.....	488	8	9
St. Peter's Church.....	336	8	0
Select Vestry, lapsed pensions from John Barretto's charity.....	2,234	10	0
Howrah church.....	981	14	6
Principal Roman catholic church.....	466	2	7
From John Barretto's charity through Dr. St. Leger.....	2,234	10	8
Dyce O. Sombre, Esq. through ditto ..	500	0	0
Colonel J. Caulfield.....	100	0	0
Lieut. R. G. MacGregor.....	50	0	0
Kesrhand Roybhun.....	25	0	0
Seetaram Jewanram.....	25	0	0
Poorunchund Moolchaund.....	25	0	0
Hauaremul Henutram.....	25	0	0
W. P. Grant, Esq.....	50	0	0
Narain Persaud Bullubdoss.....	200	0	0
Colonel D. McLeod.....	100	0	0
J. L. Russell, Esq.....	50	0	0
R. J. Bagshaw, Esq.....	100	0	0
T. Barlow, Esq.....	25	0	0
Baboo Gudadbur Mitter.....	100	0	0
H. Colquhoun, Esq.....	50	0	0
Afchd. Sconce, Esq.....	50	0	0
Baboo Harroghunder Bose.....	25	0	0
Baboo Nundgopaul Bhuttachargee.....	5	0	0
Baboo Rajchunder Sen.....	2	0	0
Ramrutton Gupto.....	1	0	0
Baboo Narain Dutt.....	1	0	0
Baboo Nilmoney Gupto.....	2	8	0
Baboo Ramcomar Bose.....	2	8	0
Baboo Gunganarain.....	2	8	0
Baboo Budden Mitter.....	1	0	0
Baboo Koonjoobeharry Mitter.....	50	0	0
Baboo Ruggooram Gossain.....	100	0	0
J. S. Smith, Esq.....	20	0	0
R. Scott Thomson, Esq.....	16	0	0
Samuel Smith, Esq.....	16	0	0
C. Brownlow, Esq.....	4	0	0
Mr. T. E. Thompson.....	8	0	0
Messrs F. Burkinyoung and Co.....	16	0	0
Mr. W. Grant.....	4	0	0
Mr. T. Ostell.....	8	0	0
Mr. T. Black.....	4	0	0
Mr. Lowrie.....	5	6	0
Mr. H. F. Schneider.....	16	0	0
Mr. Jas. Jacob.....	10	0	0
Mr. L. Cooper.....	6	0	0
Mr. W. Price.....	1	0	0
Mr. R. W. Allan.....	6	0	0
Mr. J. Holmes.....	8	0	0
Mr. R. Campbell.....	16	0	0
Messrs. Hamilton and Co.....	100	0	0
Mr. T. Allardice.....	8	0	0
Messrs. Pittar, Lattey and Co.....	16	0	0
Messrs. Pittar and Co.....	20	0	0
Baboo Gopaul Mullick.....	20	0	0
Mr. W. W. Robinson.....	16	0	0
A. D. Parker, Esq.....	16	0	0
Cash through R. S. Thomson, Esq.....	20	0	0
R. J. Colvin, Esq.....	50	0	0
C. Dearie, Esq.....	50	0	0
H. Moore, through MacIntyre & Co.....	100	0	0

STATEMENT.

Baboo Woodychurn Pyne.....	1	0	0	J. Richards, Esq.....	50	0	0
A. St. L. McMahon, Esq.....	42	10	8	W. C. Hurry, Esq.....	20	0	0
C. Fagan, Esq.....	32	0	0	Johu Jackson, Esq.....	50	0	0
Mr. J. Spence.....	20	0	0	An old Neelwollah.....	5	0	0
A. F. Colvin, Esq. Allahabad.....	150	0	0	J. Abbott, Esq.....	20	0	0
G. F. Brown, Esq.....	100	0	0	Baboo Cossinouth Mullaick.....	210	0	0
Mr. R. Smith.....	5	0	0	H. P. Bell Esq.....	20	0	0
Capt. H. B. Henderson.....	25	0	0	Baboo Sreenath Meekerjee.....	8	0	0
Baboo Dissumbhur Sen.....	100	0	0	— Alexander, Esq.....	16	0	0
R. O'Dowda, Esq.....	50	0	0				
John Franks, Esq.....	50	0	0		47,679	2	8
R. Walker, Esq.....	25	0	0	Interest from Union Bank.....	261	1	9
J. Hanken, Esq.....	25	0	0				
T. Bracken, Esq.....	16	0	0				
A widow through the Rev. J. Charles..	16	0	0				
Biboo Kisson Mohun Dutt.....	5	0	0				
Brigadier E. Curtwright.....	50	0	0				
					Ca.'s Rs. 47940	4	5
					J. GREGORY VOSS, M D.		
					Secy. Dist. Char. Socy.		
				Hark, Feb. 19.			

TRADE OF THE UPPER INDUS.

By CAPTAIN A. BORNES.

Definition of Derajat.

1st. The country on the right bank of the Indus, below the salt range, till that river is joined by the waters of the Punjab, is known by the name of Derajat. It is so designated from the two principal towns in the tract, Dera Ghazee Khan, and Dera Ismael Khan. Derajat being the Arabic plural of the word Dera. The lower part of the tract, bears the local name of Sindh, and the upper that of Damun (or border) from its bordering on the mountains of Sooleeman. The country itself is flat and in many places fertile, particularly in the vicinity of the two Deras, but to the westward of the river, even at a distance of a few miles, there are no wells, and the soil is entirely dependant on rain, and water from the hills, without which, there is no crop. On the opposite bank of the river in Leia, the Indus overflows to the east, and the land which is exceedingly rich, yields heavy crops, and is known by the name of "Cuchee." From Leia the great ferry of Daheeree conducts the merchant beyond the Indus into Deerajat, and as the mountains are crossed by caravan route that lead to Cabool and Candahar, and as it is here that the greatest of the Indian Caravans assemble before passing to the west, the Derajat is invested with a high degree of commercial importance.

Caravan of the Lohanees, Camels, &c.—Its Route.

2d. From Calcutta, by Lucknow, Delhi, Hancee and Bhawalpore: from Bombay, by Paloo, Beacauer, Bhawalpore, Multan: from Umrut: by Jung and Leia, and from Dhera Ghazee Khan itself on the south, by Bhawalpore; all these routes join at the small town of Drabund, about 30 miles west of Dera Ismael Khan. At this point, commences the well known road by the Goomul river to the pass of Goolaire, which is always traversed by the Lohanee Afghans, some of them enter the mountains higher up west of Tak, and also by an inferior pass named "Cheeree," lower down; but all eventually join, about 45 miles from Drabund. These people are pastoral and migratory, and many of them proceed annually into India to purchase merchandize, and all assemble here in the end of April, their families having wintered on the banks of the Indus, to pass into Khorasan the summer. They effect this in fixed order by three divisions or "Krees," which, I believe, simply mean migrations, and these bear the names of Na-seeer Kharoutee, and Meesankhly, which is that of the branches of the tribes conducting them. The first is the most numerous, and with it, go from 50 to 60,000 head of sheep, but it is with the last, that Hindoo merchants and foreigners generally travel. The extensive

nature of the traffic will be best explained by observing that the custom-house books shew, that 5,140 camels laden with merchandize passed up this year, exclusive of those carrying the tents and baggage of the people, these are rated at the enormous number of 24,000 camels, the Nasseers having 17,000, the Meesankhly 4,000, and the Kharouze 3,000. The tract which they pass, leads by broken rugged roads, or rather water-courses of the Goomul, through the wild and mountainous country of the Wuzarees, but the Lohanees have arms and numbers to protect their property, and that of strangers. They all reach Cabool and Candahar by the middle of June, in sufficient time to dispatch their investments to Bokhara and Herat, and in the end of October as winter approaches, they descend with the same arrangements into the plain of the Indus, bringing horses, dyes, fruits, and productions of Cabool, in return for the goods of India and Britain. The channel of trade is ancient, for in the year A. D. 1505, we find the Emperor Baber campaigning in the Derajat, and stating that he had fallen in with Lohanee merchants, and plundered them of "a great quantity of white cloth, brown drugs, sugar (both candied and in powder) and horses," which were the very articles of trade in those days, though 322 years have since elapsed. It is due to the Emperor to state that if he then plundered, in his own civil duties, he afterwards clothed the Lohanee merchants in dresses of honor, when firmly established on the throne of Cabool.

Other Caravan routes from India.

3d. Having given the routes of the Lohanee caravan, I ought now to note the whole of the other roads leading from India to Cabool, but it would be impossible to do justice to the subject by any verbal description. There are three great roads leading from India, the first by Lahore and Attock, the next from the Darajat (already described) and the last by the Bolan pass, from Shikarpore to Candahar, intermediate to these lines lie various routes, some of which have been used even by large bodies of armed men, and, though, therefore, very important, need not detain us here, as they are not at present used by the merchants. I may only observe of that leading from Dera Ghazee Khan across the Sukhee Surwar pass, by Boree, to Candahar, that it has been used in modern times by the kings of Cabool to supply the luxury of mangoes, and that I met persons who had seen the fruit arrive by it at Candahar from the Indus, in 8 or 9 days. The climate of Goree is described in very favorable terms, both by Mr. Elphinstone, and all the natives I have interrogated; and by this route Baber passed up to Ghuzni with his force after the campaign of 1505, already alluded to. His horse suffered from the

want of grain, but as a caravan route, this seems not inferior to the Golarce pass, and only to have been deserted of late years; and at the present hour is used by couriers Cossids to bring speedy information to and from India. From Dera Ismael Khan, north to Peshawur, there is no direct traffic. The roads are bad, the people are predatory. From Dera Ghazee Khan, south by Dajel and Her and, there are roads leading over low hills to Bag Dalur, and the Bolan pass, which have been used by large Caravans within these 25 years. Dera Ghazee Khan, indeed, and shikarpoor, as I stated when writing on that mart, are always spoken of by the people, as two gates of Khorassan.

Dera Ghazee Khan described.

4th. In a neighbourhood so advantageously situated, the merchant exports the native productions of the soil with profit, and the manufacturer converts them, and the imports from other countries into cloth which accompanies these and the foreign goods that pass through it in transit. Dera Ghazee Khan itself is a manufacturing town, but it is surpassed by Multan and Bhawalpoor, which lie in its neighbourhood; on these two marts I shall be silent, as their commerce has engaged the attention of Lieutenant Leech, whose reports will convey every and the fullest information of Dera Ghazee Khan. I need only speak at one time, its trade with the west and even with east, was brisk, and though it does not now exhibit its former prosperity, from the great influx of British goods, its native manufactures are yet healthy and thriving. It is celebrated for its goodbaddeas and durmees, or striped and plain silken cloths, which being sought for, and admired, are yet annually exported to Lahore and to Sindh, and considered to surpass those of every other country. To the east it sends its silks, deriving the raw material from Bokhara, and the west. To the west it sends its cotton, and the greatest of its exported manufactures, is coarse white cloth, which is sent to Khorassan, and yet stands its ground with English cloth, as far as demand goes, though far its inferior in quality. The demand for British calicoes has decreased by one of this year; on this account last year, the sales effected amounted to 50,000 rupees, and for this, it is under 24,000. Chintzes of different descriptions, with soosee, halta, and some coarse loongees, complete the list. There are no woollen manufactures. The value of all these may amount to about one and a half, or two lacs of rupees, and the greater part is exported. A coarse kind of cutlery, swords, scissors, knives (such as are used by sailors) is made at Dera Ghazee Khan and exported. The bazar consists of about 1,600 shops; 530 of which are engaged in weaving and selling cloth. I annex a list of them. The town has a prosperous appearance, which is a together attributed to the protection of Monsieur Ventura, who was lately in charge of this district. It may have a population of 25,000 people. It is said to have been built by a Belooch about 300 years since, and its name long fluctuated between "Ghazee Khan," and "Hajee Khan." It was completely subject to the crown of Cabool, and fell into the hands of the Sheiks, about 25 years ago. They farmed it to Bhawal Khan, who had no interest in protecting it, and his officers were guilty of gross extortion, but since it was resumed in 1832, it has greatly recovered itself.

Productions, Prices, Revenues of Dera Ghazee Khan.

5th. The country around Dera Ghazee Khan is very rich; the town is pleasantly situated in a flat country about four miles from the Indus and surrounded by gardens and lofty trees, among which the date predominates. It is said indeed that there are 80,000 date trees around Dera. By far the most valuable production of the place is Indigo, 2,000 maunds of which were this year exported to the west. I am informed that this is the full resource of the district. The best sort now sells for 65 rupees per maund, the next for 50, and the most inferior for 32, so that this export alone amounts to

about one lac of rupees in value. The dye is inferior to that produced in Bhawal Khan's country, but it is cheaper and has a ready sale in Cabool and Bokhara, besides being nearer at hand. The cotton of Dera Ghazee Khan is superior, being soft in staple, 25,000 maunds are procurable, it is at present exported. Sugar is cultivated, but in small quantities, and only of late years.—The place is rich in grain, the wheat and barley are superior, but the rice is red and indifferent. The price of grain in June 1837, was as follows, the currency being that of Shooja Ool Moolk, and much the same as the Company's rupee, and the maund as that of Shikarpoor already described.

Rice per maund of 40 seers, 80 rupees to a seer	3 Rupees.
Rice, 2nd sort, 1½ maund.....	2 to 1½
Wheat, 1½ maund.....	1
Gram 70 seers.....	1
Oil, or Mohree, 2 maunds.....	1
Moong, or Mash, 50 seers.....	1
Ghee, per maund.....	8½
Oil, per ditto.....	4
Salt per ruja, or piece of 1 maund 25 3½	
Native salt, 2 maunds.....	1
Goor or molasses.....	3½
Sugar candy per maund.....	26

Under Cabool, Dera Ghazee Khan yielded a yearly revenue of about 12 lacs of rupees, it now produces 8½ or 9 lacs, and that only within these two or three years.—The country which gives this includes the district of Sungur on the north, and Hunand Dajel on the south, also Bachee across the Indus. It is farmed to the same person who is now Governor of Multan, and it is improving daily. The number of villages around Dera Ghazee Khan is exceedingly numerous; they are nearly all peopled by Mahomedans, and in the town of Dera Ghazee Khan the two tribes are about equal, there being in it 125 Hindoo temples and 110 mosques, great and small, every description inclusive.—The duties leviable in Dera Ghazee, on all sales of cloth are, 1 pice per rupee, which paid at the Custom-house (Chubootra) immediately after the transaction. This is called the old tax mohsool (1/4d. per piece) and paid by citizens, —foreigners pay double.

Communication and Transits to and from Cabool, &c.

6th. Dera Ghazee Khan communicates with all the countries around it, by good roads except those to the west, where it is necessary to qualify that term: a list of the marts or places of note may not be useless, and I may prefix to it that goods of every description, quitting Dera Ghazee Khan, pay an *ad valorem* duty of 2½ per cent. to Asnee, Hunund, Cutch Gaudava, Mitthen, Shikarpoor, Bhawalpoor, Khyrpoor, Ullah Yar, Hyderabad, Multan, Lahore, and Umruksir, all merchandise whether cloth or groceries, is taxed in this manner. But since the most important route in this line is that of the great caravans to Cabool, I shall particularize the duties there leviable. At the outset, the first charge is as above.

<i>Ad valorem</i>	2½ per cent.
At Sungur, per maund	13 annas.
At Kot Fuga, per camel....	2 rupees.
At Drabnd...do.....	2 ditto.
At Tuk Sewares Khan ditto..	2 ditto.
At Soolemad Khuel...ditto..	1 ditto.
At Ghuznee, per camel.....	8 ditto.
At the gate of Cabool "Goo-shi" or <i>ent</i> tax per camel.....	2 ditto.

Landed at the caravaneries of Cabool, one in forty is taken in pieces of cloth; Indigo, and groceries are compounded for, at 20 rupees per camel load. This is the whole duty of the road. In effecting sales, a brokerage of 1 per cent. is paid, and another rupee is expended in

caravansaria hire and postage. On returning from Cabool the duties are as follows on quitting the city.

- Ad valorem..... 1 1/4 per cent.
- At Drabund per man of every kind (if to any but a Shikarporee, the charge is 10 rupees)..... 6 rupees.
- At Dera Ghazee Khan per man if advanced from this.... 10 annas.
- At Bhawal Khan's frontier per camel..... 3 rupees.
- At Bhawalpoo (though the usual route here is *via* Multan) 3 to 5 1/2 per cent.

Nothing therefore is more complicated in appearance than these duties; and one is surprized at the novel mode of weighing cloth and levying duties accordingly. The Hindoo merchant of Shikarporee, it will be seen, has a great advantage over the Mahomedan, which arises from its being advisable to give encouragement to a great dealer. The duties in conveying goods to Khorassan are heavier than in returning, probably from the greater value of the articles: the expenses of an investment to, and from Dera Ghazee Khan, to Cabool, and Candahar, are rated at 35 per cent. the profit in excess is calculated at 25 per cent. and this is generally realized. From Dera Ghazee Khan, to Drabund, 90 *cos*, the hire of a canal is 3 rupees; from that to Cabool, it depends upon the supply, varying from 20 to 30 rupees per head.

Of Dera Ismael Khan, its Trade, Revenue, &c.

7th. Dera Ismael Khan, is in these parts next in importance to Dera Ghazee, but is only a third of its size, and labours under disadvantages from its position. About 12 years ago, the town was washed into the Indus, and on a new site about three miles from the river, the inhabitants have again fixed themselves. Till lately the place was held by a Mahomedan Chief, who laid out the new town with order and regularity, having wide streets and a good bazar, but the Sheiks possessed themselves of Dera Ismael, a year ago, and are not likely to work out his plans of improvement, as yet the houses are built of sunburned brick, and the town has an deserted look, but it is said to be a place of much stir and bustle in the winter, when the Athgans return from Khorassan to its neighbourhood. There is a large caravansaria in it, where they transact their business and dispose of much of their goods, for Dera Ismael is their bazar town. It contains 518 shops, but there are no native manufactures here, as in the Lower Dera. The wool of the Lohanees' sheep is not sold here, but in Cabool, where an agent, if dispatched, might procure the article in abundance, and, at the same time, the means of transporting it. The transit of coarse white cloth, from the Punjab through Dera Ismael to Drabund is great, amounting to no less than 3,000 camel loads a year. Each package contains about 600 yards of cloth, the *guz* and English yard being the same, so that we have an export of 1,800,000 yards of this fabric. It is manufactured at Meengana, Jung, &c. also at Rohan, and might be made in Britain. Most of these goods are crossed at the ferry opposite Dera Ismael, and pay much heavier duties than lower down; 2 1/2 rupees being exacted on every maund of weight, while 7 to 10 annas is the demand at Kaheeres, which readily accounts for the caravans crossing at that ferry. The revenue of Dera Ismael Khan amounts to 4 1/2 lacs of rupees per annum, of this 2 lacs and 8,000 are derived from the taxes and town duties from Kaheeres south, to Eesa Khyal north, and the rest from the lands subject to Dera Ismael Khan. Grain and the necessities of life are more expensive than in the Lower Dera, the supplies are also received by the river from Murwut which is a grain country.

Water Communications—Boat-hire.

8th. The Derajat, as I have stated lies along the Indus, and the advantages of the river are so obvious a coven not to have escaped the people. The productive soil of Syngur, 50 miles to the north, under the hills from which that district is watered, supplies more wheat

and grain than is required, and it is therefore shipped for Dera Ghazee Khan, which contributes still further to keep down the price of provisions at the town. The salt of Kala Bagh a also used all along this line of the river, and brought down by boats, but a few cargoes of it supply the population. The pilgrim boats likewise take in a little cargo, for which I find there is a regulated charge, but as this is unknown to Government, it may be considered a kind of smuggling. So organized however is it, that a weight of 8 maunds may be sent down to the following rates—Dera Ghazee Khan to Mitthen 2 rupees, to Shikarpoor or Roree 5 rupees, to Sehun 7 rupees, to Hyderabad 9 rupees, and to Gora Barre 12 rupees, all this is indicative that there is a channel of trade by the Indus. The only instance however of upward communication, of a late date, is in a Shikarporee merchant freighting a vessel with molasses or goor from Dera Ghazee, to Dera Ismael Khan, about four years ago, and bringing salt in return. The cold season was selected, and the voyage performed in 15 days, the distance being about 160 miles; the down ward voyage occupied four days. The speculation was profitable, and the same merchant has since forwarded goor to Shikarpoor. At the opposite season it may be as well to state, that the voyage from Mitthen to Dera Ismael Khan, was made in 19 days, during May and June. The road distance, is about 250 miles, perhaps a quarter more by the river, and as the swell is near its height, the result in a commercial point of view, is encouraging. In navigating the Indus above Mitthen it will not be omitted in the calculations of the merchant, that both men, and boats may be hired for one half the sum paid in Sindh. The contrary of this is stated in my printed work, and I am glad of an opportunity to correct the error after finding it out by actual experience.

Camp at Attock, 5th August, 1837.

THE BAZAR OF DERA GHUZEE KHAN ON THE INDUS.

	Nos. of Shops.
Sellers of cloth.....	115
Sellers of silk.....	25
Weavers of white cloth.....	128
Weavers of silk.....	112
Cleaners of cotton.....	25
Sellers of cotton.....	17
Dealers in grain.....	219
Foot and shoe makers.....	55
Ditto Hindoos.....	25
Cap makers.....	15
Tailors.....	50
Butchers.....	15
Dealers in vegetables.....	40
Dealers in fruits.....	32
Dealers in milk.....	30
Confectioners.....	75
Cooks.....	40
Hakeems.....	10
Grocers passarce.....	30
Dealers in ivory, glass, &c. munyaur.....	30
Black smiths.....	45
Cooper smiths.....	25
Jewellers.....	60
Cutlers.....	12
Tinners.....	9
Shroffs.....	30
Saddlers.....	20
Washerman.....	50
Painters.....	15
Dealer in tobacco and bang.....	30
Dealer in salt and mate.....	12
Pipe sellers.....	18
Paper sellers.....	18
Shops shut up and consequently unknown.....	165
Total.....	1,597

Dera Ghazee Khan, June 19, 1837.

A PETITION TO GOVERNMENT.

We have been informed, that a petition, very numerously signed, the signatures being native, has been recently, within the last day or two sent in to Government. The prayer of which is that measures be taken for the institution of schools to be devoted exclusively to the study of Sanscrit, as a foundation for the formation of one general language, consolidating or superceding the various dialects of Bengallee which now obtain. This petition, which has been handed over by Government to the Education Committee, is worthy, we understand, of serious attention, from the great number of its signatures, amounting, we are told, (for we have not seen it) to *thousands*, and must be taken therefore to be the expression of opinion prevalent with respect to the great evil now to be deplored, *i. e.* the want in Bengal of one fixed and generally understood language, having one known character and common to all classes of the inhabitants of this vast and fertile district. The answer of the Government to this petition will be of much interest. Here is a clear admission that in the opinion of many, there is an absolute and crying demand for a national language; we presume, however, that the objects of the petitioners will not be carried into effect; and for many reasons. The new language founded on the Sanscrit, or rather regulated by it, and consisting as we presume it would of a consolidation of the Bengallee dialects, improved by a larger infusion of Sanscrit than is now traceable in the Bengallee, would be to the many an unknown tongue, and would be open to all the objections now raised against the Persian on this score and to more besides. The Persian is not an unknown tongue; it is on the contrary as familiar as Hindoostanee, to a very large portion of the educated Hindoos, and to all or almost all the Mahomedan subjects of Empire. To all that portion, in short, of the inhabitants of the country likely from their position, rank and property to constitute the principal suitors in the Courts of Justice, or likely to be called on to fill situations as officials in these Courts. The only class not likely to know Persian are the lower classes of traders, and the ryots, by far the most numerous, of course, but inasmuch as the new language proposed by the petitioners would be a sealed book to them, to the same extent that Persian now is, we do not see what *they* would gain by the change. And to the Mahomedan inhabitants, the substitution of the new language for Persian would be a positive evil, as great as the present measure of Government, the substitution of the vernacular in Bengal for Persian. To the poorer class of the population of Bengal, we fear that the present state of education considered, the language of the Courts of Justice must for a long time to come, remain an unknown tongue, be it Persian, or be it an improved modification of the Bengallee on the Sanscrit model. We are told, moreover, that the people themselves if polled, would be found perfectly indifferent to the change. And that to the majority, the Roobicarry, &c. of a Court of Justice, is about as intelligible in Persian as it would be in Bengallee. The knowledge of the written language in this majority of the poor classes being confined to the limited, familiar and colloquial phraseology, appertaining to the dealings and transactions of their particular calling—and comprehending necessarily but a small section of the words, expressions, and idiom constituting the language itself. That the result therefore of their evidence should be taken down in Persian in a Court of Justice, or written out in Bengallee or Oordoo must be, we suppose, a matter of indifference to them; they must under any circumstances confide in the fidelity of the scribe, without having any control over his version of their deposition; and if the scribe be disposed to falsify evidence, he can write one thing for another in

Bengallee as well as in Persian, the only difference being that he will be about three times as long in taking down the evidence in Bengallee, as it would have taken him to do it in Persian, with the additional advantage of there being fewer persons capable of understanding what he may have written. In either case the poorer classes, as it appears to us, gain nothing by the change. The proceedings are lengthened by it; the Mahomedan population alarmed and displeased at it; and the labours of the officials about trebled by it, and rendered less efficient withal. Under the present system, by which the exertions of the Civilian are taxed, beyond the power of performance in very many offices, all that he could do is to exercise an active supervision over his subordinates—for the most part of course natives—as it is, it would appear, that with all the brevity and simplicity of the Persian it is generally admitted, that he cannot check the propensities of his Umlah, &c. to deceive him, and the suitors. How, we will ask, will this supervision in the superior be carried on, when he shall come to have the proceedings of his Court, written in Bengallee or Oordoo? by which his labours of inspection will be increased nearly threefold; and his attention will be called to instruments, and the minutes of the transactions of the day, written in a character infinitely more complicated than the Persian, and in which in nineteen cases out of twenty, we will venture to say, and we speak on the information of persons well knowing the fact, the Civilian himself, is less well read than in Persian. The correspondent of the *Hurkaru*, X. Y. Z. to whose letter the latter of these observations in some sort apply, has one singular enough argument, upon which he grounds his advocacy of the abolition of the Persian, *i. e.* that any deficiency, or omissions or mistakes in a Persian document may be concealed from the facility of changing one letter or phrase into another. Now if the credit of the functionary is to depend upon the falsifying of documents, at his pleasure or necessity, to answer the exigencies of a particular case, and that this system of substitution and forgery is the general rule of conduct of officials; it appears to us a matter of indifference in what language the proceedings of the Courts are carried on; because roguery of this sort can be practised in any written character, whether written in a sort of short-hand like the Persian, or in good honest vernacular, such as English or Bengallee. And as the Bengallee character is less generally known than the Persian, we presume detection would be more difficult. This argument, however, if such it must be called, is surely an argument from a particular circumstance, to a general conclusion. Persian documents may have been falsified in some few instances; but the general rule we must presume is that they are not falsified; and to make any thing of this argument it ought to be shewn, that public functionaries generally, are in the habit of concealing gross negligence, by the alteration of the proceedings of their Courts, after they have been registered and signed; and that the practice will be put a stop to only by the substitution of the vernacular for Persian, which vernacular cannot by the same falsifying process be made to exhibit the same result, *i. e.* the falsification of a document. This is, if we understand the correspondent of the *Hurkaru*, the amount of his argument in favour of the vernaculars; and we need not say, that to us it appears in the light of nonsense. We do not at all question, that under the present system, the ends of justice have frequently been frustrated by designing officials; but that the use of the Persian is to be held the cause, we cannot admit—corruption must be laid to the door of the system, and not of the language. The mode of taking

evidence attested to by X. Y. Z., and liable, as he states, and we believe states truly, to so much abuse, is in itself vicious—a mere farce, by which it is pretended that the witness is examined *coram iudice*, when in point of fact the deposition presented to the Judge, may or may not be the man's evidence. But this evil cannot be cured by the substitution of one language for another. A *videlicet* examination by the magistrate would obviate this evil, but this the press of business does not admit of. The only check then is in the improved morality of the native scribe; which is not much affected, we pre-

sume, by the character in which he writes, be it Bengallee, Persian or English. In conclusion, we will ask any body whom it may concern, how many Civilians or natives fit for employment, or capable of carrying on the current business of the country, can write a *Rou-bicarry* in the Bengal vernaculars? For that is the question which most presses at present, and is more germane to the measure of substitution than the query of the *Hurkaru* about Bengallee and the understanding of the "great bulk of the population."—*Courier*, February 23.

SUPREME COURT.

THURSDAY, Feb 1.

(Before Sir Edward Ryan and Sir J. P. Grant.)

CONYLOLL v. POOROSOTHUN DOSS AND ANDIRH.

In this case the bill stated that in 1818, three partners, Toolseram, Mohuloll and Seteram, possessed establishments as bankers and traders at Patna, Calcutta, Muzapore and Cosimbazar. The first mentioned partner was entitled to a six-anna share, and the other two, who were brothers, to the remaining ten anna share. After the death in 1818 of Mohuloll (who left only a widow surviving a short time) the business was conducted by the two other partners. Seteram died in 1820, leaving three sons, one of whom died without leaving any widow or issue, and the other two, Poorosothun Doss and Naran Doss are the defendants in this suit. The survivor of the three original partners, died in 1821, leaving an only son, Conyoll, the present complainant, who attained his full age about 1830. The bill alleged fraud during the minority of Conyoll, misappropriation by the defendants of a sum amounting to four lacs, and a falsification of the partnership accounts, whereby a balance was falsely stated against the complainant. The prayer of the bill was that an account might be decreed, and the title of complainant declared to the original six-anna share of the partnership property.

A plea was filed by the defendant, setting forth an instrument bearing date January 1834, whereby the parties had agreed to a reference to three arbitrators. The plea further alleged that a prior parol agreement between the parties, directing the payment of certain sums of money and settling the respective rights of the parties, was produced before the arbitrator, who made their verbal award, in February 1836, by which the above agreement was adopted and carried into effect as their solemn award.

This plea having been set down for argument, the case now turned entirely upon its validity.

Mr. Clarke and Mr. Leith for the defendants.—It is difficult to conjecture what precise ground of objection is intended to be raised against the plea. This is, in effect, a plea in bar of a verbal award, made by arbitrators duly appointed; and *Cox v. Macclesfield*, in *Dyer's reports*, establishes the validity of a verbal award. Then the plea covers the whole bill, because the prayer of the bill is confined to the property which is the subject matter of the award. As to the prayer for a discovery,—the right to a discovery is dependant on the title to relief and this plea expressly negatives such title.

The *Advocate General* for the complainant.—The objection to this plea is matter both of form and substance. Although the bill distinctly alleges fraud against the defendants, these allegations are not met either by plea

or answer. It is quite immaterial whether the instruments set forth be called an award or a release; probably the latter term is more correct: but whatever it be, if fraudulent, it cannot be supported. Now fraud positively alleged in the bill, and not being positively contradicted by the plea, must be taken to be admitted. There ought to have been an answer positively negating fraud. The case of *Wright v. Prout*, 13 Vesey, lays down the general principle that a transaction will be set aside between parties standing in a certain relation to each other, as guardian and ward, or trustee and cestuique trust, whenever the transaction has arisen out of the influence of that relation. Such has been the case here, and such the relative position of the parties during the infancy of the complainant. But the case chiefly relied upon is *Roache v. Morgan*, 2 Scholes and Lefroy, where it was held that where fraud is alleged a release pleaded does not prevent the Court from decreeing a new account, unless the defendant by his answer fully meets the charge of fraud, and it is declared to be immaterial that the bill itself does not state the release. This brings the case precisely within the analogy of the present.

Mr. Cochrane on the same side.—It is a general principle, which requires no authority, that the right of parties cannot be barred either by a reference to arbitration or by release, until a full and true account has been rendered. Now it is admitted here that no account has been rendered at all. But further, a distinct and specific charge of fraud is made out. The books relating to the partnership accounts are alleged to have been tampered with and falsified and to contain fraudulent and forged entries, by means of which a balance is falsely made out against the complainant. Now these are the very books which were produced before the arbitrator, and upon which their award was founded. That award, therefore, must be void. The case of *Helps v. Sproule*, 1 Mylne and Keen, decides that a plea of a settled account is no bar, unless fraud is negatived, and according to *Walker v. Simons*, 3 Swauston, protection is to be extended after the party has obtained majority until proper information has been obtained.

Mr. Clarke, in reply.—The case of an award stands upon its own peculiar grounds, and is not touched by any of the arguments advanced or the authorities cited. It is to a certain extent equivalent to a judicial decision, *Pitterson v. Peat*, 3 Ark., and it is final and binding upon all the parties unless impeached by fraud and collusion on the part of the arbitrators. Now there is no presence or allegation whatsoever of such misconduct in this case.

Sir E. Ryan—Would it not be a good ground for setting aside an award that it had been made upon the authority of false and fraudulent documents?

Sir J. Grant—It surely is law that an award is vitiated by fraud not only when practised by, but also when practised upon, the arbitrators!

Mr. Clarke—This is admitted. But in such a case it would be necessary to set forth all the particulars of the alleged fraud, and to connect them with the award. The bill must be brought expressly to impeach the award and not attempt to get rid of it in this vague and indirect manner. How are the allegations of fraud, connected in any way with the award? It does not appear on the face of these pleadings, but that all the circumstances of the case were fully before the arbitrators; so that even if the books were falsified to any extent there might be other evidence produced before the arbitrators, quite sufficient to enable them to arrive at a just decision. An award is of the same force as a judgment or decree, and a plea of judgment recovered would surely never be held had upon a simple suggestion—a vague assertion that there had been *prior* fraud. It would be necessary to connect that prior fraud with the subsequent judgment, and show expressly how it influenced such judgment. That is not done here. From the circumstances, therefore, of the present case nothing more can be inferred than the existence of fraud at some prior period; nothing is shown to affect the validity of the award. The Court, after a short consultation, postponed judgment.—*Hurkaru, Feb. 2.*

SATURDAY, FEB. 3 1838.

This was the last day of term, but the last cause on the board having been heard on Friday, the Court only took common motions and rose at an early hour. Judgment has not yet been delivered in the appeal case from the Insolvent Court, and some other cases argued during the present term.

Mr. William White Burkinyoung, who arrived from England last week, was admitted an Attorney of this Court.

Monday, (this-day) is the first day of the sittings. At present fourteen causes have been entered on the Plea side, and one on the Equity side.

MONDAY, FEB. 5, 1838.

Before Sir E. Ryan and Sir J. P. Grant—Sittings after First Term of 1838.

JOHN LUCAS versus GEORGE KALLONIAS AND OTHERS.

In this cause a motion was made on notice on behalf of George Kallionias, one of the defendants, against whom an *ex-parte* decree had been obtained, of the date of the 24th July 1837, for substitution of attorneys without payment of costs, and also to set aside the *ex-parte* proceedings on payment of all costs by the defendant's solicitor. The motion occupied the court the whole day, and excited great interest.

Mr. Cochrane for Kallionias.

Mr. Prinsep and **Mr. Leith** for the solicitor, **Mr. Shaw**.

The *Advocate General* and **Mr. Clarke** appeared to represent the interests of Lucas, the complainant in the original suit, but were not heard on this motion.

Mr. Cochrane, in support of the motion, put in affidavits of his client and the correspondence which passed between him and his solicitor, **Mr. Shaw**, to prove gross and culpable negligence on the part of the latter. In the early part of the correspondence **Mr. Kallionias** appeared to be labouring under the impression that he was not within the jurisdiction of the Court, and that there was a conspiracy to draw him within it; but it was alleged that at a subsequent period positive instructions had been given to the solicitor to put in an answer and proceed regularly in the cause. All the letters which passed on both sides were admitted, except two, alleged to have been written and sent by **Mr. Kallionias**, but

denied to have been ever received by the solicitor. **Mr. Cochrane** contended, that there was both direct and circumstantial proof of their receipt. Letters were read from the deputy post master general, and an affidavit of the Post Office peon, by which it appeared that two letters were received at the post office by the Dacca mail about the time in question, with the address named, and delivered accordingly. It was hoped that if these facts were made out to the satisfaction of the Court, the motion would be granted, and the defendant allowed to come in—and that the Court would not suffer him to be ruined without any dereliction of his own. The defendant was an ignorant man, unacquainted with the forms and technicalities of law, anxious to defend the suit, and furnished with a complete ground of defence, but barred therefrom entirely by an act over which he had no control.

Mr. Prinsep for **Mr. Shaw**, put in counter-affidavits of his client and of persons employed in his office, positively and expressly contradicting all the charges and especially denying the receipt of the two letters in question. It appeared, moreover, that several instances had occurred, and were specifically alluded to, where mistakes in the delivery of letters at **Mr. Shaw's** office had taken place. An offer of arbitration had been made to **Mr. Kallionias**, but rejected. As to his alleged ignorance of legal matters, it was proved that he had been in an attorney's office. Collateral affidavits were also put in, contradicting some of the matters sworn to by **Mr. Kallionias**, and throwing discredit on his statements. **Mr. Prinsep** was proceeding to answer the case as regarded the charges of corruption and collusion, contained in the affidavit of **Kallionias**, and asked what possible motive could be assigned for the conduct attributed to his client. A wild notion that all the world is conspiring to injure a man, is frequently a forerunner and index of incipient insanity!

The Court here intimated that as the only point in the case related to alleged neglect on the part of the solicitor, the charges of corruption must be abandoned.

Mr. Prinsep then went over the correspondence between the parties. The earlier instructions are so vague and contradictory that no one could safely act upon them. First, the party directs that the jurisdiction should be pleaded in bar; then that no answer should be put in at all; afterwards, that his solicitor should wait until he received further instructions. Nothing definite is contained in any of the letters admitted to have been received. As to the two missing letters, it is not denied that they may have been written, but only that they have ever been received. An agent is not to be mulcted in heavy costs because his client's letter has miscarried. But further, no proof is given of the identity of the letters sworn to have arrived about the time in question by the Dacca mail. Again the circumstance of an arbitration having been offered and rejected, is a strong presumption that the present application is not made in good faith. Surely the Court will not grant such a motion as the present upon such slender and unsatisfactory grounds.

Mr. Leith, on the same side, was not called upon.

Mr. Cochrane, in reply, admitted that the only point to which the case was now reduced, had reference to the receipt or non-receipt of the two letters in question. The evidence is sufficient to establish their delivery and receipt. If they had not been received, surely the solicitor would have written to enquire the cause of the delay, especially when the consequences to his client were so momentous. The case is not one merely of oath against oath—the whole line of transaction, the whole internal evidence of the case, bear out the statement of **Mr. Kallionias**. It is not a very usual thing for a single letter to miscarry by the general post, and it is a very strange coincidence that these two important letters should be successively lost. Again, it is a suspicious

circumstance that the solicitor's dak-book has not been produced, that it might have been examined in open court, to ascertain whether no entries had been made.

Sir E. Ryan.—A motion to change the attorneys in a cause without payment of costs, being contrary to the usual course of proceeding, can only be granted upon proof of fraud or gross-misconduct. The second part of the motion cannot stand on light grounds, but only on strong equitable circumstances; now the charges of collusion and corruption are abandoned, and the only question is whether a case of negligence has been made out. With reference to the whole admitted correspondence between the parties, no definite instructions whatever appear to have been given to Mr. Shaw, and he is not therefore guilty of any negligence in declining to act upon them. Then the whole question turns upon the two missing letters. Now here one affidavit is consistent with the other, for one party cannot deny that they were written nor the other they were never received. The proof derived from the circumstances of the cause is incomplete, and at all events can never amount to such a probability as to satisfy such a motion as the present. Unless a case is very clear, the Court will never summarily interfere, but leave the parties to their ordinary remedies.

Sir J. Grant, entirely concurred in opinion with the learned Chief Justice. Mr. Shaw has fully answered the charge of negligence, and no imputation rests on him whatever.

Motion refused with costs.

TUESDAY, FEBRUARY 6, 1838.

ASSIGNEES OF FERGUSSON AND CO. v. DWARRANAOUTH LAGORE AND OTHERS.

The judgment of the Court in this case was delivered this day by the chief justice.

The case was argued in the third term of last year. The action was brought upon a policy of insurance for Rs. 50,000 granted to the insolvent; there was an agreement to prolong or renew the policy if required. After the insolvency of Fergusson and Co. the policy was renewed to the common assignees, who paid the premium when it fell due. The defendants in their plea set off a promissory note, drawn by Fergusson and Co. before their insolvency and indorsed to the defendants. To this plea of set-off there was a general demurrer.

The argument for the plaintiffs was, that the contract upon which the action is brought, is entirely a contract between the assignees and the defendants, whereas the set-off relates to a matter between the insolvents and the defendants, and that such a defence therefore amounts to setting off a debt due from one party against a claim made by another. To this the defendants answered that the assignees are entirely as the representatives of the insolvents, and that the renewal of the policy was but a continuation of the original contract and not an entirely new agreement. But the Court were clearly of opinion that the debt could not be set off, and that there must be judgment for the plaintiff. They cited the cases of *Cor v. Listard*, 1 Douglas Rep. *Evans v. Mann*, Cowper's Rep. *Widd v. Pryce*, 2 Bingham's reports.

Judgment for the plaintiffs.

HOWLAND GRAHAM testat JUGGUTCHUNDER MOO. KERRY AND OTHERS, EXECUTORS OF SOMBOOCHUNDER MOOKERJEE.

This was an action for work and labour done, and for money paid by the plaintiff in his capacity of attorney for the testator. Judgment had been obtained for want of a plea, and evidence was now adduced to assess the amount of damages.

Mr. Leith and Mr. Grant for the plaintiff, were about to prove jurisdiction under the New Rules, but the Court said, that this was necessary only when the case was heard *ex parte* in order to obtain a judgment, and not after judgment by default.

The attorney's bills were put in and proved to have been duly taxed, and copies delivered to the executors who promised to pay the amount.

Verdict for the plaintiff for the full amount claimed sicca rupees 784.—*Hurk. Feb. 7.*

WEDNESDAY, FEB. 7, 1838.

Before Sir E. Ryan and Sir J. P. Grant.

DYCE versus DYCE.

Mr. Prinsep moved, that this cause should be set down *pro forma* on the Equity board, with the consent of parties, for the purpose of obtaining an order for the immediate trial of an issue of law therein. The ground upon which the motion was made, was, that the principal witness, Sir Charles Metcalfe, is about to leave the country immediately.

Motion granted.

BUCKET versus BUCKET and BEEBEE PHICKEY versus HURANARAIN.

In these cases heard *ex parte* yesterday, the Court intimated this morning that the parties could take nothing by their judgments against the parties in default, on account of the omission to give notice under the New Rules to those of the defendants against whom judgment by default had been obtained, that damages against them would be assessed at the time of trial.

DOE ON THE DEMISE OF THE EAST INDIA COMPANY versus RAJCOOMAR SEET AND ANGLEER.

The Advocate General and Mr. Couchrane for the lessors of the plaintiff.

This was an action of ejectment brought to recover possession of one cottah and eight chutarks of land, called the old Jorahbagann thannah, in the town of Calcutta. In 1836, an ejectment had been brought for the same premises by the defendants against the present plaintiffs, who then suffered judgment to go by default, and in 1837, the defendants recovered Rs. 1,988 in an action for mesne profits. The Company claimed the premises by virtue of long and uninterrupted possession, but the defendants sought to establish ownership by shewing that their title had been acknowledged by the payment of rent.

Several *Thannadars* and *chowkeydars* were produced as witnesses, and proved that the thannah had stood where it was for the last half century. This evidence was corroborated by *W. C. Blaquiere, Esq.* who has been employed in the Police Establishment since 1789. On cross-examination, it appeared from this gentleman's evidence, that the assessments were paid by the owners of the soil.

Mr. Clarke (with whom was *Mr. Leith*) for the defendants, stated the grounds of their title. He would produce evidence to shew that the defendants were in possession of all the surrounding land, that they had continually paid the assessments for the identical property in question, and that they had received rent from the Company, who now sought to disprove their title. The receipts for rent unfortunately could not be produced, as in the year 1831 the defendant's *cutcherry* was robbed, and their ancestral papers and documents lost. Since the death of the father of the present defendants, it was admitted that no rent had been paid, by reason of the defendants being then *under age*, and the consequent

had management of the estate during their infancy. But it was contended that the recovery of the rents and profits, in the action for mesne profits, was equivalent to receipt of rent.

Captain F. Birch, superintendent of police, was called as a witness, and proved the receipts for assessments from the defendants for the land in dispute. The collector of rents and other witnesses were called to prove payment of rent on the part of the Company; but it did not appear distinctly from their evidence whether the rent was paid for the thannah in question, or only for a cook-room attached thereto.

Sir E. Ryan.—There must be judgment for the lessors of the plaintiff. The proof of the defendant's title has been attempted to be made out; first, by proving that they have paid the assessments to Government, and secondly that they have received rent from the Company, for these premises. Now, as to the first point, it proves nothing. The assessments are made payable by the owners or occupiers of land, by a public Act. 33 Geo III c. 52, and no proof can be drawn from the circumstance that a house has been wrongly assessed. As to the second point, no rent has been proved to have been paid for the thannah, within the last twenty four or twenty five years, to the least, so that during that period there has been a continuing adverse possession against the defendants. The statute of limitations had begun to run during the lifetime of the ancestor of the defendants; it therefore continued to run notwithstanding their intermediate infancy.

Mr. Clarke then applied for leave to move the Court for a nonsuit, on the ground that the statute of limitations did not apply to Mahomedans and Hindoos at all.

Sir E. Ryan.—You can move, but we will not reserve leave, as the Court is quite clear on the point.

Judgment for the lessors of the plaintiff.

The next case on the Board is *Deo d. Jaun Bebes v. Abdoolah Barber*.—*Hurkarn, February 8.*

THURSDAY, FEB. 8, 1838.

DYCE *versus* DYCE.

Mr. Prinsep applied to the Court for decretal orders, to consolidate the original and cross suits, and to direct the trial of more issues at law. This application was made on consent of all parties. The only two points, which required to be ascertained, were, 1st; whether a certain paper, purporting to be a receipt or acknowledgment, was executed by the Begum Sumroo in her life. 2ndly; whether such document was delivered to the complainant in the original suit, as a receipt or acknowledgment.

Mr. Clarke, Mr. Leith and Mr. Grant, were instructed to consent on behalf of the other parties interested.

Order granted accordingly.

DOE ON THE DEMISE OF JAUN BEFREE AND OTHERS *versus* ABDULLAH BARBER.

Mr. Grant opened the pleadings in this action of ejectment. There were five counts, laying a joint demise by all the four lessors of the plaintiff, and a several demise by each. The premises sought to be recovered, consisted of a house and grounds appurtenant, and other land situated in Mangoe Lane and in Collingah.

The *Advocate-General* stated the case. The question turned chiefly on a Mahomedan pedigree. Kaloo Khansamah, the common ancestor, who died about forty years ago, left two sons and a daughter, of whom one son died unmarried, the other, Toraub, left representatives (who were the plaintiffs in this action) and the daughter married and left a son (the present defendant.) The

family of Toraub consisted of three widows and three children, one of whom had since died: two of the widows with the two surviving children, were the lessors of the plaintiff in the present action. These representatives of Toraub claimed two-thirds of the estate; because according to the rules of Mahomedan Law a brother is entitled to double the share of a sister (McNaghten's Mahomedan law of inheritance).

Mr. Clarke (with whom was *Mr. Leith*) for the defendant, did not dispute the pedigree of the plaintiffs. He should adduce evidence to shew, that Toraub, who was very young at the time of his father's death, had always lived extravagantly, and had never had done any thing to increase the ancestral estate, that his mother had paid off his debts on several occasions out of her dower estate, that in lieu of the marriage settlement to which she was entitled, he had released his right to the property by a deed of gift. That the premises in Mangoe Lane were purchased under a bill of sale, in the name and with the money of the mother, and, finally, that she had duly executed a deed of trust, by which she conveyed the legal property shortly before her death to the present defendant.

Evidence to this effect was gone into great length. The deed of gift was held sufficiently proved by calling a subscribing witness, who being blind was unable to swear to his own signature, but proved, that such an instrument has been executed in his presence, and by adducing further evidence to shew, that the instrument in question had been uniformly acted upon. It appeared in the course of examination, that one of the lessors of the plaintiff was born before the marriage of her mother had taken place.

The *Advocate-General* endeavoured to impeach the deed of gift executed by shewing fraud.

But the Court said that this would place him in a peculiar predicament. It was through Toraub that the plaintiff claimed, and even if it was competent for them to shew fraud against him, it would tend at the utmost to establish a case available only in a Court of Equity.

The *Advocate-General* then considered the points which had arisen on Mahomedan law, and contended, first that by the law of the Mussulman community, one born out of wedlock, is legitimized by the subsequent marriage of the parents, and is not excluded from the inheritance. This point, however, was not material to the case, as it affected only one of the plaintiffs. The learned counsel then cited McNaghten's Law of Inheritance, to shew, that by the Mahomedan law, a co-heir cannot oust another of the whole of his share of the inheritance without the consent of the latter (which is not likely to be very readily obtained;) and that a testator cannot dispose of a larger proportion of the estate than one-third in legacies and bequest. Upon these grounds, he contended, that the plaintiffs were at all events entitled to a judgment quoad part of the property in question.

Sir E. Ryan.—There must be a verdict for the defendant; but we shall reserve leave to the *Advocate-General* on the point of law to move the Court that judgment, *pro tanto*, may be entered up for the plaintiffs. The deed of gift or release and the instrument of sale are valid and genuine, the deed of trust is admitted to be genuine, but its validity in law is contested. This, therefore, is the only point remaining for consideration. It may be observed, however, that the whole property is not conveyed away in this instance, for some interest is expressly reserved to the whole family, and the defendant, though possessed of the legal estate, is only a trustee in equity.

Verdict for the defendant, with leave to move that a verdict may be entered for the lessors of the plaintiffs.

Mr. Clarke applied to the Court at its rising, that the case of *Walker v. Bruce* might be fixed for tomorrow, as it stood next but one on the board and was likely to occupy the whole day. This case relates to an important

question of insurance, and several mercantile gentlemen have been subpoenaed to give evidence. The Court appointed it for Monday, as a case is especially appointed for to-morrow.—*Hurk, Feb. 9.*

SATURDAY, FEB. 10, 1838.

The Chief Justice came into Court this day at twelve o'clock to take common motions. In the case of *Miran Mahomed Mehedy Misley v. Hadjee Ally Teharaney*, a verdict for the plaintiff was taken by a consent. His Lordship afterwards sat in the Insolvent Court.

The case of *Walker v. Bruce* is specially appointed for Monday. It is on action on the case brought by the consignees against the insurers for granting a policy of insurance upon goods which were never shipped at all, whereby the plaintiffs were induced to make advances to the pretended consigners. The principle is novel.—*Hurk, Feb. 12.*

MONDAY.

(Before Sir Edward Ryan, and Sir J. P. Grant.)

DYCE VERSUS DYCE SOHRAE.

Mr. Prinsep moved, that the defendant may be at liberty to examine the Hon. Sir Charles T. Metcalfe, Bart., in Court, on Tuesday next, *de bene esse*, and that the depositions may be used in the issue directed in this cause.

It was suggested and acquiesced in by the court that this was a motion on the equity side.

Motion granted.

J. A. WALKON AND OTHERS VERSUS W. BRUCE,

RUSTOMJEE COWASJEE, AND ANOTHER.

The Advocates General, Mr. Prinsep and Mr. Clarke for the plaintiffs.

Mr. Leith and Mr. Grant for the defendants.

The Advocate General stated the case. The defendants carry on business as insurers under the title of the Union Insurance Company. They have boats and peons of their own, and state in their policies that the goods insured have been received on particular vessels under the charge of particular peons. In July 1834, one Dear Christian applied to the plaintiffs to advance money on a consignment of saltpetre and other goods, and transmitted at the same time four policies granted by the defendant's agent at Dinapore upon the goods in question, in which the receipt of the goods was acknowledged, and they were stated to be embarked on four specified vessels, and in charge of particular peons. Upon the faith of these policies the plaintiffs accepted four bills of exchange to the amount of Sa. Ra. 7,500 drawn by Christian, and paid the same when due; but it would be proved that no goods were ever put on board at all, and that the pretended consignors on receiving the money absconded. The plaintiffs therefore brought this special action on the case against the defendants, to indemnify them for the loss sustained by reason of the implied guarantee in the policies that the goods in question had been embarked. Upon these grounds it was contended that the defendants were liable to make good the loss.

The learned Advocate further contended, that the plea of the general issue only put in issue the point whether the goods were or were not embarked on board the vessels, and not any of the facts stated in the indictment.

Sir F. Ryan said, that the Court would not decide before hand what is or is not necessary to be proved. The plaintiffs must make out their own case, and it

will be for the defendants afterwards to take objections to the sufficiency of the proof.

W. C. Blaquiere, Esq., produced the policies of insurance, and letters relating to the transactions, under a subpoena *duces tecum*. These documents had come into the possession of this gentleman as Justice of the Peace in Calcutta, before whom one of the partners in plaintiffs's house made a charge against Christian of obtaining money on false pretences to the amount of Rs. 7,500

W. H. Jones examined. Is agent for the Union Insurance Company at Dinapore. Was very intimate with Dear Christian in the way of business. The peons are employed by the Insurance Office, and the number of the particular peon entrusted with the charge of the goods is always specified in the receipt. Witness signed the policies in question on behalf of the Company. The goods in question never were laden on board the vessels, but this he did not learn until the time of Christian's absconding. The reason why he did not immediately notify the intelligence to the consignees, was that he did not know who they were.

Cross-examined. The boats are not the property of the Insurance Company, but of the parties applying for policies. Christian was in good credit at the time, and had extensive dealings in the way of business. Witness suffered great personal losses through Christian's default. He had no reason whatever to believe at the time that the goods would not be shipped. He was told that he should be allowed to see the goods weighed, otherwise he should not have granted the policies.

The payment by the plaintiffs of three out of the four bills of exchange was proved.

Several merchants and agents were called to prove the general course of dealing in transactions relating to insurance. It appeared from their evidence that policies are sometimes granted before the goods are shipped; the insurer does not always take the trouble to inquire, but takes it for granted that this is or will be duly performed. His business is only to ascertain that the vessel is seaworthy. The policies are granted according to the terms of the invoice, which generally states to whom the goods are consigned. By the custom of the Calcutta merchants, policies of insurance are considered negotiable instruments, but not until adjustment. The insurance office in the event of loss pays the amount to the indorser, whosoever he may happen to be. Generally speaking, banks decline to discount, until they have ascertained from the Insurance office that they have no claim or set, off against the insured.

Mr. Leith addressed the Court for the defence. There is no evidence either of fraud, injury or damage. The case amounts to this, that the plaintiffs by the misrepresentations of the defendants have been damaged. Now the nature of the instrument is not calculated to mislead any party, and even if the plaintiffs were misled, it was entirely through their own negligence. It never can be supposed necessary for every Insurance office, whenever they grant a policy, to examine and inquire accurately whether the goods are on board exactly as described. They may do this indeed for their own information and satisfaction; but they are not called upon to guarantee the fidelity of the transactions for the security of third parties. There is no privity whatever between the plaintiffs and the defendants. The latter might just as well bring their action against the present plaintiffs, and allege that they were misled by credit being given to this pretended consignors. The plaintiffs so far from being accessory to any fraud, are themselves the dupes. Then as to the injury which the plaintiffs allege they have suffered, this does not appear from the evidence adduced. Non constat but that Christian, the defaulter, is at the present

moment able to pay the amount which the plaintiffs claim. It is submitted, without calling any evidence for the defence, that their must be a verdict for the defendants.

Sir Edward Ryan. This is a case of very considerable difficulty and importance. We shall give a verdict for the plaintiffs, with leave reserved to the defendants' counsel to move the Court to enter a non-vit. The objection raised that there is no proof of damage sustained, has no weight with us. A mere possibility that the defaulter has now funds in his hands to meet the claim, amounts to nothing. The question simply is, whether there has been fraudulent or negligent conduct on the part of the defendants. Now we are clearly of opinion that no fraud whatever has been established, the case therefore is reduced to this point, whether there has been such culpable negligence on the part of the defendants as to mislead and damnify the plaintiff, even with the exercise of a due degree of precaution on the part of the latter. The Court is of opinion that there has been such negligence, and that this has caused loss to the plaintiff. It is clear that the policies were granted without sufficient precaution, and it is equally clear that except upon the faith of those policies the plaintiffs would not have accepted the bills. All that remains, is, whether upon this negligence, without proof of fraud, the action is sustainable. [The Court cited *Pasley v. Freeman*, 3 Terms Reports 51. *Haycraft v. Creddiu*, 2 East Reports. 92]

The payment of only three out of the four bills of exchange was proved by the plaintiffs, owing, to the accidental absence of a witness; but the Court suggested to defendants' counsel, that as it was a question of right to be tried, they should admit the fact of payment, provided they were certified of its reality.

Verdict for the plaintiffs, with leave to move for a nonvuit. - *Hark Feb. 13.*

TUESDAY, FEB. 13, 1838.

(Before Sir E. Ryan and Sir J. P. Grant.)

DYCE V. DYCE SOMBRE.

Sir C. T. Metcalfe, whose evidence was to be taken *de bene esse* in this issue, entered the Court this morning in company with their lordships, and was accommodated with a chair beside the bench. The Court immediately called upon the defendant's counsel to proceed with the examination. *Mr. Prinsep* requested permission to confer with his client for a few minutes, as the result of the conference might dispense with all necessity for examining *Sir C. T. Metcalfe*.

After the common motions had been disposed of, *Mr. Clarke* rose and stated to the Court, that by consent of parties, a verdict for the defendant would be taken in this issue, that the cause would be set down on the Equity board, and a decree taken by consent, dismissing the suit.

Sir Charles then retired, their lordships and the bar rising on his leaving Court.

BROWN V. DYCE SOMBRE.

In this suit between General Brown (the executor) and the defendant in the above suit, *Mr. Leith* moved for an attachment for want of answer to the amended bill. No further time for putting in an answer is allowed, after a amending the bill, and by the new Equity rules, a fresh subpoena is unnecessary.

Motion granted.

RAJNARAIN ROY V. JADAUB CHUNDER.

Mr. Prinsep opened to pleadings.

The *Advocate General* stated the case. The plaintiff resides at Calcutta. He was returning one night at a

very late hour to his own house, after having made merry with some friends, and on getting out of his carriage, was attacked by the defendant, assisted by five or six others. The assaulting party beat him severely with a stick for ten or fifteen minutes, and endeavoured to take a gold chain forcibly from his neck. The plaintiff retired into an adjacent dwelling house, and could not venture out for some time through fear of the defendant's violence. For this outrageous assault, the action was brought.

Two witnesses were called to prove the particulars of the *fracas*. It appeared that the night in question was very dark. One of the witnesses was himself assaulted, and had brought an action in which he recovered judgment *ex-parte*. The plaintiff had been subjected to a similar assault before, but he and the defendant were occasionally on tolerable terms with each other.

Mr. Clarke and *Mr. Leith* for the defence were not called upon by the Court.

Sir Edward Ryan. - There must be a verdict for the defendant. *Mr. Advocate*, we do not believe your witnesses.

Verdict for the defendant.

J. WIMBLE V. A. R. JACKSON.

Mr Grant opened the pleadings.

Mr. Prinsep stated the plaintiff's case. This was an action of a-*sumpsit* brought by Captain Wimble, the master of the ship *London*, against Dr. Jackson for breach of contract. The defendant had agreed to take three cabins to England for the sum of Rs. 6,500, and the ship was fixed to sail early in January 1838. On the application of the defendant, who wished to remain until the arrival of Dr. Grant in the *Seostris*, the day of sailing was afterwards changed to the 12th; but afterwards requiring further time, he again applied to the plaintiff for an extension of the delay, but as a steamer had been already engaged by the plaintiff to tow the vessel down the river, he was unable to comply with this request. After some correspondence on the subject had passed between the parties, the defendant intimated that he should not be able to sail in the *London*, and Captain Wimble accordingly, with the view of lessening the sum to which the defendant would be liable, endeavoured to let the vacated cabins. It would be proved that this was done with the sanction of the defendant, who, himself wrote out and paid for the advertisements. One of the cabins was afterwards let, and the plaintiff was, of course, willing to subtract this sum from the whole amount of passage money for which the defendant had agreed. This action was brought to recover the difference.

The correspondence between the parties was put in and read, on admission in the cause.

R. C. Paton was called as a witness.

The *Advocate-General* endeavoured to establish his incompetency, by a preliminary examination whether he had not given security for costs, but in this he was unsuccessful.

Witness proved that the vessel was consigned to the old firm of Bagshaw, Allan and Co. One of the three cabins was afterwards let to Mrs. Liptrop for about £200, on account of Dr. Jackson. Captain Cunningham was also allowed to go in one of the vacated cabins (the awning cabin) but he had already taken a lower one, which was not afterwards let to any one else. The *London* sailed after all on the 7th January, because Captain Wimble was positively informed that Dr. Jackson did not intend to sail with him.

J. H. Stocqueler proved that an application was made on the part of Dr. Jackson to advertise the vacated cabins in the ship *London*. An advertisement, was

afterwards inserted in the beginning of January, by Allan Paton and Co. These advertisements were put in and read.

Captain Liptrap proved that one of the cabins was engaged for his lady, on the 28th December. He communicated on the subject with Messrs. Allan and Paton. He was referred by Mr. Stocqueler to Dr. Jackson.

The Advocate-General (with whom was Mr. Leith) then submitted that the plaintiff must be nonsuited. No ownership whatever has been proved in Captain Wimble, and even if he was part owner, the other owners ought to have been made parties.

Sir E. Ryan.—There are two answers to your objection; in the first place, Captain Wimble has such an interest in the vessel as to enable him to sustain the present action, and no other owners appear upon the face of these pleadings. But again, under the New rules, the only question on these pleadings simply is, whether this contract was entered into between these parties, and whether either had a title to make it.

Sir J. Grant, would say nothing upon the second reason assigned by the learned Chief Justice, but he fully concurred in the first.

The Advocate General then proceeded. It has been proved that the plaintiff agreed to delay until the 12th if not the 15th of January. Now it is absurd to say that this is only an alteration, and not an abandonment of the original agreement. The second contract was clearly entered into, in lieu of the former.

If so, the contract has not been performed by the plaintiffs. The ship sails after all on the 7th of the month, and, moreover, one, if not two of the cabins are let to other parties. By this act of the plaintiff himself, the defendant is absolutely incapacitated from fulfilling his part of the agreement. But it is further contended that the contract has been rescinded altogether, and Dr. Jackson wholly released from his responsibility. All the evidence goes to prove that Mr. Paton, in letting the cabin to Liptrap, acted not as the agent of Dr. Jackson, but entirely on account of the ship.

The learned Advocate here called witnesses, by whose evidence it appeared that Captain Wimble had been heard to say that he had agreed to remain until the 15th of the month, but he had altered his intention because one of his passengers made violent objections to the delay. It further appeared that Captain Cunningham had paid 800 or 1,000 rupees, in addition to the passage-money for the lower cabin which he had engaged, for leave to occupy the awning cabin vacated by the defendant.

Mr. Prinsep, in reply, contended at considerable length, first, that the second arrangement was no specific contract, but merely provisional qualification of the former, for the convenience of the defendant. There was no consideration for entering into such an agreement; it was essentially through special favour towards the defendant, and upon his making default even after these advantageous terms had been offered, the matter naturally reverted to the original arrangement. Again, there is no proof whatever that the contract was rescinded; all the subsequent arrangements were made on behalf of Dr. Jackson, as being still interested in the matter. The fact that was let to Liptrap was let under the sanction of the defendant himself. As to the objection that one of the other cabins was let without authority to Cunningham, this rests on very vague proof. But even if it were positively proved that this was the case, that the Captain had let an empty cabin just as the ship was on the point of sailing, surely

this does not annul the contract altogether. Whatever money Captain Wimble may have received ought at most to be subtracted from the amount of damages. Lastly, it was contended that even if the plaintiff had omitted to perform some minor particulars, it was competent for the defendant to bring a cross action.

Sir Edward Ryan.—This case is somewhat entangled by the pleadings, but the justice of it is quite clear. There are four issues before the Court arising upon the general plea of *non-assumpsit*, and the three special pleas. We think the first issue must be for the plaintiff because under the new rules it merely puts in issue the general contract, and that contract has been clearly proved. The 3d issue as to rescission of the contract, and the 4th as to inability on the part of the defendant through the plaintiff's own act must be found for the defendant, though we are of opinion that these third and fourth pleas had better not have been pleaded. We next come to the 2d issue, and this raises the real merits of the case. The second plea ought in strictness to have stood alone, and upon this the defendant is entitled to a verdict. If the vessel had remained until the 12th, the plaintiff would have been entitled to recover, but by sailing on the 7th he has damaged the defendant to this extent, that he has deprived him of the opportunity of getting rid of the cabins during the intervening period. It stands thus therefore;—the first issue must be found for the plaintiff, the three others for the defendant, and the defendant is of course entitled to general verdict.

Verdict for the defendant.

At the rising of the Court, the Chief Justice intimated that he should only take motions to-morrow and that the Equity Board would be taken on Thursday and Friday.

The case of *Horechunder Saha v. Macpherson*, set down yesterday on the Law Board by special order, is appointed for Saturday, the last day of the Sittings.—*Hurkaru*, February 14.

FRIDAY, FEB. 16, 1838.

(Before Sir Edward Ryan and Sir J. P. Grant.)

Some contested motions, which had stood over, were taken this day, but they involved nothing of public interest.

IN THE MATTER OF JOYKISSEN BYSACK.

The Advocate General moved for a commission *de lunatico inquirendo*, to be directed to John Farley Leith, and Richard Marshall, Esquires, Barristers-at-law, to enquire concerning the state of Joykissen Bysack. Affidavits were put in, stating that this party was a member of a joint Hindoo family, that for several years past he has been in a state of mental imbecility, and totally incapable of managing his affairs. The family are jointly entitled to considerable property, and an Equity suit has been long pending, in which Joykissen Bysack is a party; but no steps can be taken for want of a committee to manage the estate. It may be recollected, that in the recent case of *Unnomeny Dossay v. the Bank of Bengal* reported in the *Hurkaru*, witnesses were examined with reference to the state of mind of this very individual, who was a party interested, and the nonsuit of the plaintiffs was owing entirely to the unexpected evidence given in this matter.

Motion granted.

The case of *Horechunder Saha* and another, v. *Macpherson*, is specially appointed for to-morrow.—*Hurk.* Feb. 1.

SUDDER NIZAMUT ADAWLUT.

CIRCULAR ORDERS, 1838.

No. 198.—ADOPTION OF A GENERAL REGISTRY OF FINES.

The Sudder Nizamut Court have been pleased to direct the adoption by the Judges and the Courts subordinate to them of a general register of fines. The object of the Court in prescribing the use of the registry, is to provide against the misappropriation, on the part of any of the ministerial officers, of monies paid into Court, but it is not intended to present the

adoption of any additional checks which the Judges may consider necessary.

That Court have requested that due attention be paid to the entry in the register of all fines immediately they are imposed,—to the issuing of *peiwannahs* to the Nazir to realize the amount of such fines,—and to the examination of the Register at the commencement of every month by the head Clerk, *Shenistadar*, Nazir and Treasurer of the Courts.—*Mark. Feb. 21,*

INSOLVENT DEBTORS' COURT.

HEARING.

Remanded from Saturday, the 27th January to Saturday, the 10th day of February, 1838—*Joseph Snibson Morton* of Sooterkin lane, in Calcutta, veterinary surgeon and livery stable keeper.—*Mr. Cartiaddell, Attny.*

“No Creditor shall be allowed at the hearing to oppose the discharge of a prisoner, unless he shall have given notice of his intention to the chief clerk, three clear days before the day of Hearing.”—*Office of Examiner, 2d February 1838.*

MISCELLANEOUS.

CALCUTA.

DEPARTURE OF SIR CHARLES METCALFE.—At 7 o'clock on the evening of the 15th instant, Sir Charles Metcalfe embarked at the Cooly Bazar, on board the *St George*, for England, under a salute from the fort. By some mistake H.M. “Cameronians” were drawn up at Chandpaul-ghaut, where also several gentlemen took their station, to pay the last compliment to the respected Baronet. A numerous assemblage, however, in spite of a most untoward morning (for the fog was very thick) were ready to receive Sir Charles and accompany him to the beach. The scene was most impressive; Sir Charles himself, in wishing his friends “good bye,” was completely overpowered, and in many, who might have been supposed to be made of “sterner stuff,” there were evident symptoms of the deepest emotion on parting from a long known and valued friend. Here admiration for the statesman, indeed, was lost or forgotten in affection for the man. The feelings seemed too deep for utterance; and, in silence and sadness, the chief ornament of British India, after a distinguished service of near forty years, departed for his native country.

DONATIONS OF SIR C. METCALFE.—Sir Charles Metcalfe has given a donation of one thousand rupees to the Parental Academic Institution. Sir Charles is patron of that institution, and the Committee of Management, with the sanction of the constituent body, have endowed two “Metcalfe Scholarships” to mark their grateful sense of the warm interest Sir Charles always took in the welfare of that institution. The Metcalfe scholars now are, masters Cook and Knox, especially appointed by Sir Charles.

One of Sir Charles Metcalfe's last acts here, was to bestow one thousand rupees upon the District Charitable Society.

By day of the 23d instant accounts of the final departure of the *St. George* from the Sand-heads, on the 17th instant, were received. The following extracts from vessels on the station will shew that Sir Charles Metcalfe was honoured to the last moment.

“EASTERN CHANNEL.—On the ship *St. George* making her appearance, I dressed the * * * * in all our flags, and on her passing, manned the yards and fired a salute of fifteen guns, which was acknowledged.”

“SAND HEADS.—I regret to state I could not pay my respects to Sir Charles Metcalfe to the extent I had intended, on account of the state of the weather (blowing hard from the N.W. and being under reefed-top-sails). We were, however, enabled to salute him with fifteen guns, under the union jack at the main, which was acknowledged by the ship. The floating light also saluted him with the same number of guns, dressed out in all her flags.”

ACCIDENT ON THE RIVER.—Capt. Wootton, H.M. 44th, proceeding to join his regiment at Ghazee-poor, had embarked with his lady on board a pinnace lying at Clive Street ghaut. About one in the morning of the 30th ultimo, he providentially awoke and on putting his foot out of bed, was surprised to find it immersed in water half leg deep. Immediately awakening his wife they rushed out of the cabin, but before they could reach the door, the vessel fell on her beam ends. Both were floating. The gentleman nevertheless lost not his presence of mind, and with great exertion dragged his unfortunate lady to the side of the vessel above the water, and in a dinghy sent her to a friend's boat alongside himself remaining to try and secure anything that might float up. In the state in which he had left his bed, he remained for two hours on the wreck, till, with his own hands, he secured the vessel with a hawser to the shore, and then rejoined his wife, with the melancholy conviction that everything they possessed in the world was lost. Capt. Wootton had just returned from England via Sydney, and all his outfit and that of Mrs. Wootton, laid in at some expense, was in an instant snatched from him, grateful that their lives were spared. The dandies ran away one and all, and were never seen the whole night. The manjee, it appears, had never slept on board. One wretch, in trying to escape, seeing Mrs. Wootton clinging to the side of the boat, deliberately put his foot on her shoulder as a stepping-stone and

pushed her under the water, from which her husband again saved her. The next morning Capt. Harrington, Master Attendant, sent his boats and assistant and righted the vessel. Every thing recovered, as may be readily supposed, was immediately spoiled, and the unfortunate officer ruined, after travelling so many thousand miles, by the carelessness of the serang and crew; for it appears they having neglected to haul the boat out by the anchor stern at the ebb tide, she had grounded by the head, and on the rush of the flood, immediately filled. The serang, though he had tremblingly acknowledged his absence to Capt. Wooton, in the presence of a friend, declared at the police office that he was on board and, that the pinnacle sunk in consequence of the "bore," when there was none took place that night.

STEAM NAVIGATION.—The steam petition, with upwards of 6,000 signatures, was despatched on the 4th instant, one copy by the Bombay dak for the *Atalanta*, the other by the *Rapulse*. Additional names were in course of being added daily. The Steam Association is progressing rapidly. The shares amount to 2,471 held by 702 individuals.

IRON STEAMERS.—The following is an extract of a letter, dated *Jeltinghes* accommodation boat, off the mouth of the Goonty, thirty miles below Benares, 6th February, 1838. "We left Ghazepore on the evening of the 4th, and brought too a little below the reef of rocks which run across the river above Ghazepore. We passed these on the morning of the 5th through the only navigable channel now left, and were making excellent progress with fresh easterly wind till 2 p.m., when we were run into shoally water about 100 yards below the mouth of the Goonty. The steamer stuck and when her Captain had nearly been successful in extricating her and us, after an hour's exertion, the main shaft of the engine snapped in two, leaving us and her self perfectly *hors de combat*. Had a spare shaft been on board, we might have proceeded with a few hours' delay; as it is, however, the only alternative left us, is to warp and track the flat up to Benares, there shifting for ourselves in the best way we can.

The freight for Allahabad, it is believed, will be forwarded by hackery from Benares.

February 7th, 10 A.M.—We shall be at Benares this evening, being now only ten miles from it. We have about 500 coolies on our goon. We have had a refreshing shower of rain this morning. The banks of the river from Buxar up to this appear highly cultivated and the crops are very forward."

UNION BANK SHARES. The sale of shares of the new stock of the Bank not claimed by absentees and other parties through neglect or want of means, went off with great spirit on the 16th instant. The business began at noon, and some few of the shares were sold at 310 premium; the bidding, however, rapidly rose to 325 and then steadily, but gradually, advanced to the maximum; the last share was sold at a premium of 370, and several previously at 360 and 365. The average was 337, and the whole number of shares sold was 48. In many cases parties who were entitled to, and who have lost the opportunity of claiming shares at par, have nobody to blame but themselves, and have done so through mere neglect and want of ordinary attention to their own interest.

COMMERCIAL INSURANCE COMPANY.—The fourth half yearly meeting of the Commercial Insurance Company, was held on the 19th instant.

They have assets in the hands of agents in London, Bombay, Madras, Singapore, Canton, Mauritius, Calcutta, and funds otherwise available amounting to Re-

Deduct average ascertained but not adjusted, and premiums on outstanding risks Re-

Total (add fractions

showing funds equal to a dividend of Re-800 per share, leaving the society available assets amounting to two lacs, a standing capital according to their deed of copartnership. This dividend was ordered to be made forthwith, payable in Calcutta, and not in London, as heretofore.

The society has been in existence two years. It consisted at its commencement of one hundred shares of Re-1,000. At the end of the first year the profits, one lac, were added to the Company's capital, making it two lacs. At the third half yearly meeting a dividend of £50 sterling, payable in England, was declared.

MEETING OF THE PROPRIETORS OF THE SUN INSURANCE.—We attended the annual meeting of the proprietors of the Sun Insurance Office on the 31st of January, Mr. W. Bruce was in the chair. Mr. Rustumjee Cowasjee, Mr. Ezekiel Mushlen, and several foreign gentlemen composed the meeting, which was conducted in a very brief business-like manner. The balance sheet of the eighth half year exhibits.

At credit of the Society Re-3,31,970

Debit amount of premium on risks (amounting to Company's Re-27,36,466) supposed to be outstanding at above date 58,406

Amount reserved to meet contingencies 50,128 1,08,324

Above par Co's Rs. 2,23,345

Equal to Re-2,233 per share. And it was resolved that a dividend be made of £50 per share, in bills on the London agents, and Re-500 in cash. This is very satisfactory.

Messrs. W. Bruce, G. Apcar, J. De. Dow, K. R. Mackenzie, and Rustumjee Cowasjee were requested to continue their services for the ensuing six months.

FIRES.—Several fires have occurred during this month, but, through the activity of the fire-extinguishing department, they have all been put out before they had done any great damage.

FIRE RELIEF COMMITTEE.—The report of the General Committee to aid of the sufferers by the great fires in 1837, has been published. It appears that the sum subscribed, including the donation of Re-20,000 from Government, was little short of Re-50,000; but a very small proportion was furnished by the higher class of natives. There are a few honourable exceptions, but compared with the number capable of contributing, they exhibit a contrast most deplorable. The committee have exercised a sound discretion in not making loans of large amounts to individual sufferers, and have done much good. The main object of the subscription was certainly to relieve the poorest, those whose position was not likely to afford the means of saving from their earnings or wages.

DESTRUCTION OF PROPERTY BY CANNON BALLS.—During the practice of the artillery at Dum-Dum, between the hours of ten and three, on the 14th instant, several trees were injured and some houses slightly damaged at the village of Kaduty, which is situated to the north-east of Dum-Dum. The number of balls that fell amongst the habitations of men is estimated at about thirty; much risk of life and property was therefore incurred; and, indeed, it is feared that some casualty or other would possibly have taken place, had not all the people, run out of the village at the sight of the first ball, and placed themselves beyond the reach of the shot. Fifteen or sixteen families have since removed their homesteads elsewhere, never to return to that village again.

MONSIEUR DUPUIS' FANCY BALL.—This long advertised entertainment was given at Monsieur Dupuis' Rooms in the Durrumollah Road, on the 30th ultimo.

4,77,036

1,05,004

2,80,244

At about a quarter after eight o'clock p. m. we entered the rooms and were quite dazzled with the blaze of beauty which greeted our sight.

The young Masters and Misses, fancifully dressed, excited our highest admiration, and to see them trip through the mazes of the dance, was really a pleasing sight. There were in this picturesque group a few over-grown youths, who presented a sad contrast to the younger dancers, and whose movements only excited our risibility. The two ball rooms were thickly crowded, almost to suffocation, by upwards of 1,000 persons, which in convenience was increased by the unusual warmth of the weather.

There were some lovely faces and forms that adorned this assembly; and many who did not covet entertainment from the dance, contented themselves with gazing on features surpassingly fair. We regret to add that there were a few persons, however, who, wishing to procure the utmost for their money, were ever and anon quaffing plentiful potations, the free use of which caused them to conduct themselves in such a brutal manner as to excite this disgust of every body present; and some of these would-be-thought gentlemen, we have been told, on being turned out, stript and had a very serious warfare with their fists, in the spacious court-yard of the premises. This circumstance caused many of the fair damsels to quit the ball room, to the regret of the lovers of dancing.

We are really surprized to find persons who lay claim to the title of gentlemen, and who would be ready to call any person to a serious account for disputing their right thereto, so far brutalize themselves as to behave in the manner in which the individuals we have alluded to did.

Oh! would some bard the gift give us
To see ourself as others see us.

However exalted or lowly the station of a man may be, it cannot excuse his conduct.—indeed the more exalted the position, the more reprehensible does the misdeed appear.

Honor or shame from no condition rise—
Act well your part, 'tis there the honor lies.

The remainder of the company retired at three a. m.

Excepting the very juvenile portion of the assembly, we only perceived two young ladies in fancy dresses. They wore in the costume of Swiss peasant girls; but amongst the gentlemen fancy dresses were more numerous. We noticed the following costumes. Charles the 2d, Orlando, a Greek Peasant, a Vakeel of the Sudder Dewanny Adawlut, the Red Rover, a Sailor, a Spanish Peasant, Glenalvon, some Turks and some in dominos; but by far the greater portion of the Company, wore plain full dresses.

SMALL POX.—The small pox is now extremely prevalent in Calcutta, and its suburbs; especially amongst our native fellow subjects, numbers of whom have been bereaved of their relatives by this destructive malady. Several families have lost their children through it, and one particularly had no less than six children, all of whom were taken sacrifices to the distemper.

SMALL POX.—Small pox is not so rare in Calcutta as was formerly the case; and the vaccine department, established under the superintendence of Doctor Duncan Stewart, takes ready to check the distemper, which is, as usual, introduced by the native inoculators.

ERECTION OF A SANATORIUM AT ARRACAN.—The sickness and mortality which at certain seasons prevail at

Arracan, and the consideration of the great expense to which the officers are subjected by continually moving to more congenial climates, has induced the Government to sanction an expenditure of about Rs. 12,000 for the erection of a sanatorium. The site selected by the medical officer is an elevated position contiguous to the sea shore, about two or three miles distant from the station of Akyab, and is considered, after a careful investigation, extremely suitable for so desirable a purpose.

NATIVE LIBERALITY.—A native gentleman by name Nilmoney Day, has forwarded Rs. 500 through Government for the use of the poor in the Bindabun, near Muttra. The monies are to be expended in purchasing common food; and this good man has been persuading his intimates to follow his example.

DONATION OF DYCE SOMBRE, ESQ.—Dyce Sombre, Esq., has presented the managers of the Parental Academic Institution with a donation of ONE THOUSAND RUPEES, for which, the only return they have had in their power to make, has been a letter expressive of grateful acknowledgments for the same.

PRINCELY DONATION.—On the 5th instant, Dwarkanauth Tagore, bestowed upon the District Charitable Society, the magnificent sum of one lac of rupees! to be secured to the society on good mortgages and placed out at interest for the benefit of the numerous poor who are maintained from the funds of that excellent institution. The donation is to form a separate fund and to be called the "Dwarkanauth Fund," that the memory of the princely donor may thus be associated in perpetuity with the noble object he always had at heart.

FREE SCHOOL.—The report of the free school shows that this most useful and benevolent institution continues most fully to deserve the patronage of the public. Upwards of 400 children of both sexes, the offspring of indigent Christian parents, are supplied with lodging, food, clothing and instruction. They are admitted between the ages of five and nine years, and are instructed in English grammar, writing, arithmetic, history, geography, and the elements of Christian knowledge; besides which the girls are taught straw bonnet, lace and needle work. An unsuccessful application has been made to the Government through the Bishop of Calcutta, to relieve the institution from the expense of the Church attached to it.

THE SAILORS' HOME.—This institution, by the last report, seems to be in a flourishing condition.

PRINCE OF ORANGE.—Prince Henry of Orange, arrived from the mofussil on the 13th instant, and left Calcutta for Holland, on the 17th instant.

PRINCE HENRY OF ORANGE.—It is said that His Honour the Deputy Governor has received letters from His Royal Highness Prince Henry of Orange, and from Captain Arriens of the *Bellona*, off Kedgerie, expressing their acknowledgments, in the warmest terms, for the kind and hospitable reception, both public and private, which that party has experienced. The Prince speaks highly of the attentions which he received from Captain Caine, his A.D.C., temporarily appointed during his visit.

COURT MARTIAL.—The young officer who was tried at a court-martial in Fort Williams the other day, and whose case excited considerable interest in the military circles, has been honorably acquitted.

ARTILLERY REVIEW.—The artillery was reviewed at Dum-Dum on the 12th instant, by Major general Sir Willoughby Cotton, and gave great satisfaction.

JUDGESHIP OF THE SUDDER DEWANNY—It is said, that Mr. W. Cracroft and Mr. P. Nibbet are the candidates for the vacancy in the Sudder Dewanny and Nizamut Adawlut, occasioned by the retirement of Mr. C. Harding, one of the Judges of that Court, who proceeds to England on furlough.

THE DROUGHT.—The great drought which prevails threatens the most disastrous consequences to the poor. The tanks around Calcutta are now as much dried up, as they usually are in the month of May, and almost all agricultural operations being suspended, grain is daily rising in price, so that the inhabitants of the suburbs, have the uncheering prospect of experiencing great inconvenience from hunger and thirst during the next warm season.

FAMINE.—The want of rain has caused the most disastrous results throughout the whole of the upper provinces, and a most severe famine prevails. The following is an extract of a letter from Tirhoot on the subject :

"In verity and truth we are threatened with the most calamitous season ever known. Here is the middle of January without a drop of rain since October ; with three-fourths of our lands not yet prepared for lack of moisture, vegetation actually withering, and, in short, every prospect not only of no indigo, but really of a famine for want of means to cultivate the first necessities of life for the inhabitants. The scarcity is already severely felt, and the natives are crying out that this must be such a season as that of the great famine about twenty-five years ago, when no rice could be sown, and all that was, became inundated before the end of June. I look on this season for planters as one of those that fix an era of—alas ! what we meet most frequently—unmitigated destruction and ruin."

THE OPIUM SALE.—The second opium sale of the season took place on the 5th instant, at the Exchange, and went off very steadily, although the attendance appeared much less than that of the sale last month, and the number of bidders much fewer. The quantity put up was 1,500 Patna and 800 Benares, besides six chests Benares of last year's provision : eighty chests Patna and fifty chests Benares of the French privilege, belonging to the January sale this year.—Prices of Patna ranged from 700 to 725 Co.'s rupees, Benares from 610 to 615 Co.'s rupees.

THE BLACK ACT.—The following is an extract of a letter from Mr. Tutton, to Mr. Dickens, in reference to the Black Act.

"Things as to the Black Act remain precisely in the state they were three months ago ; but I am preparing for my Parliamentary campaign, and hope by next month to have something to communicate. I fear it will not be favorable.

I am most anxious, as you may suppose, to hear what you and the Committee think of my attempt to get into Parliament. I am now going to endeavour to open the return at Worcester, a very radical place, and think I should be nearly certain of being returned for it, if the present election is set aside. Crawford, you know, has lost his return for Preston. We the Indians, have been exceedingly unkindly on this occasion. Crawford's return would have been a great thing for us ; for he is well acquainted with Indian matters, has taken up the Black Act business *con amore*, and has helped me, without any apparent jealousy and dissatisfaction. I have written a letter to Dworkanauth, and in it stated rather more fully

what I am about at Worcester ; but I have been so interrupted that I have not time to write to you as I had intended. I am much better in health than I was."

COAL SURVEY.—The survey upon which Mr. Homfray was employed last year, on behalf of Government, to ascertain the practicability of bringing coals from the Coal and Soane river districts, left off with an urgent recommendation for its being continued in the present year, and in hopes from some very promising appearances, of establishing the connexion of the great Palamoo and Coal river coal fields, with several sites along the banks of the Soane both to the north and south of the Coal river. These sites have been again explored, and some of them ascertained to contain coal. The samples which have been dug, although not of the very best description of coal, are said to be sufficiently so to encourage the continuation of the research in those parts of the country below the range of hills which skirt the south-east bank of the Soane. There are a vast number of distinct deposits of carbonaceous black slate with admixtures of coal, in various proportions, on both banks of the Soane. There is also that interesting deposit of the lias, which was also noticed and identified to be the long suspected and true lias limestone—perhaps one of the most valuable acquisitions to the present internal resources of this hitherto unexplored country. There is also a bed of thick carbonaceous black slate in the nullah near to Bidjgur, but nothing of the character of true coal has yet been discovered.

SOUTH AMERICAN COPPER.—The practical effect of double legislation is beautifully illustrated by the position of the two American ships, which have lately arrived, and which must away to sea again, under the late order or regulation of the Court of Directors with their cargo unbroken ; or, at all events, if they remain, can only do so, with the most valuable part of it unsold, viz. the South American copper, unless the President in Council will sanction infringement of the regulation, on the ground of its taking the parties affected so completely by surprise. Indeed it may be questioned whether under the commercial treaty with the United States, which was laid upon the table of both Houses of Parliament, the prohibition against American vessels bringing the produce of other countries can be legally enforced. The case is now before the Government, on the representation of the Collector of Customs for its decision.

A BURLARIN SHIELD.—It has been stated, that the commander of the ship *Strathisla*, which vessel lately arrived at this port from the Malay coast, brought out a shield which had been captured from the savages in Torryls Straits. The shield is in the shape of a tortoise, and in it are set, in a state of preservation, the heads of the captain of a ship which belonged to this port, and was lost some time since, and seventeen of his crew and passengers. The heads bear all the scars of wounds which were inflicted on them. The captain's head is put in the place representing the head of the tortoise and a boy's is at the tail, and either of the crew's on each side. A facsimile of the horrid shield, as drawn from the original, is in the possession of Messrs. Sheldon and Co.

EXHIBITION OF VEGETABLES.—The show of vegetables at the Town Hall, on the 29th of January, far exceeded anything that could have been expected, with reference to the unusually unfavorable season. The Cauliflower was beautiful and would have vied with any in Covent Garden. The cabbage was also very fine. The peas were excellent, and there were two fine baskets of English or rather Cape broad beans. Carrots from Cape seed were superior to preceding years, onions and

backs, though few were large and good and the red beet and salad were in good season. Only two baskets of artichokes were visible. Potatoes very fine. Of native vegetables, the pure white and red brinjals were most conspicuous; the celery, though good, was not sufficiently blanched. The scene was altogether attractive, and the number of ladies who graced the ball, rendered it doubly so.

In the evening the members of the society dined together, when several toasts were drunk & speeches made.

ADVANCES ON SHIPMENTS OF GOODS TO EUROPE.—A report gains ground that the Government are about to resume the system of advances on shipments of goods to Europe.

THE OCHTERLOONY MONUMENT.—Government have sanctioned the estimate completing the plastering of the Ochterloony monument and repairing it. The amount is about Rs. 460.

LORD CARDIGAN.—Lord Cardigan forfeited his passage in the *Repube*, and took up cabins in the *Juliana* for Madras, from which place his Lordship and the Countess proceeded to Bombay. This change of plan arises from a desire on the part of the Lord to be present at her Majesty's coronation, which he would have in all probability missed, had he sailed in the *Repube*.

COLONEL COCK.—Colonel Cock, it appears, has been appointed to the command of the Dinapore division of the army, with the rank of brigadier, during the absence of Major General W. Richards, C. B., or until further orders.

Government have come to the resolution of issuing new Company piece and receiving old sicca piece, in exchange for Company rupees—sixty-four of each denomination of piece to the rupee. This will be a great relief to every class of persons who pay or receive money in fractional part of the rupee. The words "and further orders" are of course mere words of form, for it would be doubly cruel in the poor ever again to leave them at the mercy of the polars, so long at least as the old defaced piece remain in circulation.

THE GOVERNOR'S PRIVATE SECRETARY.—The appointment of private secretary to the Deputy Governor, is given to James Hutchinson, Esq., for whom Ross D. Mangles, Esq., has been hitherto officiating. Mr. Hutchinson, has just returned to Calcutta from the Cape.

MR. A. DOWNS.—Mr. Downs, the Master in Equity, has returned with his health perfectly restored. This gentleman took the oaths to Her Majesty, and resumed office on the 29th inst.

ANNUAL MELAH AT SAVOOR.—The annual melah or fair at Savoor, commenced at the end of December and continued up to the 20th of January. A party of the 24 Pergunnah indefatigables, an European officer, and the full guard, attended. The business, all sizes and descriptions far exceeded the past year's assemblage, and were estimated at so many as seventy thousand, and the number of speck at as many as six hundred thousand; and it would be articles of Asiatic produce were sold, and exchanged to so large an amount

as twelve lacs of rupees. The assemblage was, as usual, comprised of natives of Lahore, Delhi, Oude, Seringapatam, Bombay and the lower provinces, and a great many from the Nepal and Burmese states. No remarkable accidents occurred beyond a large boat laden with tobacco having suddenly foundered; all lives on board were however saved. No affrays, or assaults have been reported, and from all accounts the melah was conducted very quietly.

FAILURE.—The failure of an eminent Shroffing and Banking House, trading in the Burra Bazar, occurred on the 1st instant, under the name of Tarachund Day and Madob Churn Day. Their liabilities are reported at twenty lac. of rupees.

QUARANTINE AT MALTA.—The severity of quarantine at Malta is greatly mitigated, indeed done away with. Passengers arriving in the Alexandria steamer, provided they do not land, are shipped into the London steamer, in the port, and proceed at once on their voyage, saving thus the delay of twenty or thirty days, which is the period for performing quarantine allotted to even clean bills of health.

PECHERBAUM EXPEDITION.—A letter from Assam states that the commissioner and Major White arrived at Sudea on the 29th of January, and that Lieut. Miller had gone with seventy-five men to endeavour to take the Pecher Gaum, who had been fighting with the Let Gaums. It is expected that Lieut. Miller will have some trouble.

AQUEDUCTS.—Just before the Chief Magistrate left Calcutta in November, several estimates for additional aqueducts were submitted to Government through the Military Board; but the one nearly finished in Lyon's Range, New China Bazar Street and Clive Street was especially recommended for sanction, and the chief Magistrate ordered its immediate commencement pending sanction; that it was sanctioned either last Tuesday week or the Council day before it, and the sanction forwarded the other day by the Military Board to the Conservancy Department; the Deputy Governor rejected the remaining projects submitted with the exception of that for an aqueduct along Baitakhana, from Wellington Street to the Circular Road, but suspended his sanction for that work until he should receive the estimate.

DACOITY.—The treasure belonging to the Stud depot at Buxar, has been attacked and carried off by a band of dacoits accompanied by a party of horse. The gang is understood to have amounted to about fifty or sixty men altogether; and the guard allotted for the protection of the treasure being very small, it made no resistance. The attack was quite unexpected, so much so that the sentry was disarmed, and the chookeedar who alone offered to oppose the party, was speared in the head, and disarmed. The dacoits, it appears, had been hovering about the town of Buxar for the purpose of carrying off a large sum of money which a Mahajan expected from Patna, and of which the dacoits had received intimation; but, being disappointed in that, they attacked the stud treasure and carried off an iron chest containing twenty thousand rupees in cash, and about five thousand rupees in bank notes belonging to the stud; and about two thousand rupees worth of silver plate, the private property of Captain Thomas, in charge of the depot, who had lodged the same in the treasury for greater security.

ARRAYS.—There are rumours in town of a serious affray, attended with loss of life, in the neighbourhood of Sheerghetty on the Benares road, in which some European soldiers are implicated. A collision has occurred at Kedgee between some sailors of H.M.S. *Victor* and the Custom-house authorities; and the former were kept on shore in confinement during the night. Jack was rather "glorious" and pretty considerably pugnacious. The Custom-house officers acted, it is said, with much judgment, having seized their refractory visitors, three in number, and bound them hard and fast in the tent, before they could obtain assistance from the rest of the boat's crew, who put off to the ship, in ignorance of the "durance-vile" of their most unfortunate, and unwary mess-mates.

ACCIDENT.—A dāk boat with seventeen packets on board, while rowing up to Hooghly on the 29th of Jan., capsized opposite to Bullopre by the violence of the bore. Ten of the packets were recovered; but no trace of the rest was discovered. It is said the native merchants have lost a good deal of money by this sad accident.

ABOLITION OF PERSIAN.—The use of the Persian language in judicial and revenue proceedings, is abolished in the Bengal division of this Presidency, by order of the Deputy Governor under the recent act. The measure is to be carried into effect gradually, but the change is to be completely effected by the 1st January next.

MELANCHOLY ACCIDENT.—One of those distressing accidents which it is but very little to say throw a gloom over the whole meeting, took place on the Race Course on the 31st of January; they really make us wish at the moment that there were no such things as races to permit of the possibility of their occurring. A horse may be spared, but the highest gratification derived from racing is far too dearly purchased at the expense of a man's life.

After the start for the second heat for the Cup, a loose horse was observed galloping about. *Absentee* and *Lieutenant* went round the Course at tremendous speed, were neck and neck past the hospital, and vating it for the turn is, when the horse, which had been gradually making for that corner, and which some riders had vainly endeavoured to stop, rushed clean across the racers, and the whole three, with the (two) riders, were instantaneously on the ground. The horses recovered themselves, but *Hardy*, who was riding *Lieutenant*, never moved again. His appearance indicated some dreadful concussion of the brain, and the medical gentleman who first saw him, pronounced him at once dead.

MOFUSSIL.

DEATH.—Hobberies are of daily occurrence in Delhi, and the soldiers are the principal sufferers, some of them having been robbed of property to a large amount.

MISERY.—An extraordinary case of prolific parturition occurred in the Regimental Bazaar at Meerut recently, the wife of a native of the weaker caste, at her second confinement gave birth to three children, a male and two females, none of whom survived until the next day.

On the 20th instant, some serious accidents occurred at Meerut in the second *Bugala* of Heavy Artillery, when at least six or seven of the N. C. Commissioned Officers was thrown completely forward from his horse which falling over him occasioned his being carried off the plain in a senseless state. One gunner had, while in the act of loading, the extremities of his right arm entirely carried away and the right side of his face thereby

disfigured; he was conveyed to the hospital in a very pitiable state. This accident was at first attributed to the injudicious management of the gunner serving the vent, but the wounded appearance of his thumb, must exonerate him from the censure justly attached to neglect of duty at his very responsible station.

SAUCON.—The crops are fair to Saugor this season, than they have been for several years past.

NATIVE STATES.

Lucknow.—Advices from Lucknow, of the 26th January, state, that the late Hukeem Mehdee has been succeeded in his office of Minister of Oude, by Mowlave Gholam Ghaya; formerly a moonshee, on a salary of twenty-five rupees. Ahmed Ally Khan, nephew of the late Hukeem, still holds the appointment of General in the Oude service; but being rather on bad terms with the present minister, intend shortly to leave Lucknow for Futehgurh; but it is questionable whether the King will permit him to do so. The King is carrying on his economical measures, discharging the servants of the state, and clipping the salaries of those that are retained. Nawab Rowhwoodowleh, the ex-minister and his son, Sobhan Ally Khan, are still confined to their houses, but fell confident of being reinstated. The former made an offer to his Majesty of 25 lacs of rupees for a re-appointment to the Premiership; but Lucknow, the King thinks, has had too much of his ministerial measures already. Nawab Tuhower Jung seems to be enjoying himself. The Resident gave him the use of one of the King's palaces to reside in, with elephants, chobdars, &c. He has been to all the palaces, gardens and other places of public resort, and is said to like the city and the people of Lucknow. On the 19th of January, the Resident introduced him in form to the King, who was surrounded by his principal nobility and gentry. The King shewed him much civility and attention, and on his taking leave made valuable presents. Nawab Tuhower Jung, it is said, intends leaving the city shortly, with an intention of visiting the whole of Upper India. The King was so ill that he would not see any one, unless on urgent and pressing state business.

LAHORE.—It is reported that the Maharajah received letters from Cabul, stating that Captain Burnes was endeavouring to persuade Nawab Dost Mahomed Khan to make peace with Runjeet Sing. The Maharajah hearing the contents was quiet for a time, but afterwards said that he would not make peace with Dost Mahomed Khan unless he gave Peshawar as a Nuzurabali.

The Maharajah being desirous of getting about one hundred European soldiers in his service; asked Mr. Cantell, how he was to procure them. Mr. Cantell said that the Maharajah could not entertain them without the sanction of the British Government, agreeable to the existing treaty.

A shookee was sent to the Kamdar of Derah Ismail Khan, ordering him not to be afraid of the Zamindars, but to endeavour to bring them to submission.

A Shookee was sent to Mirs Reop Ball, ordering him to go to Indura Mahooval with five hundred Sowars, and there to settle impartially the case of Kund Sing and Runjeet Sing, Loodhiana and if they do not set upon his decision, he should dispossess them of their jagheer, and report it to the Nazoor.

His Majesty received an order from the Ucker Nuzers of Huzara, which stated that Ibrahim and

Mahomed Khan Zemindar, of the districts skirting the Hills, are instigating the other Zemindars to keep up a disturbance.

An urzee from Sarva Mull, Nazim of Multan, was received, the contents of which were that as Bohram Khan, Muzaree, had formerly kept up a row in this district, it is now, by his Highness's kindness, brought into subjection. A shooka in reply was sent to him desiring him to give to the said Bohram Khan, a valuable khelut and send him to the presence; when something would be done for his support.

An urzee from the Ukhar Nuweers, of Cabul, was received, stating that Dost Mahomed Khan, the ruler of Cabul, has an intention of coming over to Peshawur. His Majesty said that when he will march against us, some sows and artillery will be sent, who will prevent him from crossing the river Attock. Deena Nath represented that the Frenchmen of His Majesty's army were a great obstacle to his coming.

HERAT.—By the letters received from Herat, it appears, that the invincible forces of Iran have marched from Mushed and encamped at the fort Kooryan, which is in the territory of the ruler of Herat, where both rulers had a great fight, and the ruler of Iran gained the day. He has established his thanah there. The Ruler of Herat fought incredibly well, but being short of ammunition gave up the field, and retreated into the fort of Herat, to which the Persians have layed seige. It would be well for the Herat chief if he will negotiate with them because he is not able to escape, and they will ruin him.

KAFRISTAN.—The customs of the tribe of Kafree are quite different from those of Hindoos and Mussulmen; they are called *Atih Parust*, fire worshippers; their places of living are in the hills of Bejore, Teran, Budukhsan, &c. &c.; they earned their livelihood by cultivating those hills; and they were never subject to any people, but a few years ago the son of the Ruler of Cabul subdued them, consequently knowing that they were under subjection, they assembled in a body and hut their gates against him and he, has left their boundaries and pitched his tents near a place called Bumean.

BHOJAL.—The Government have at length enforced the Salic law in this country, and the Nawab has been installed in security on his throne, in spite of the pertinacious efforts of the Begum to supplant him.

MADRAS.

THE CREW OF THE ELIZABETH.—The crew of the wrecked ship *Elizabeth*, who had behaved in a very obstreperous manner, after making free with the beer barrels on board, have been reduced to obedience by the Assistant Collector without military aid, and they are to be sent up to Madras forthwith.

SALE OF THE WRECK OF THE ELIZABETH.—The wreck of the *Elizabeth* was sold by public auction on the 2d of February, for the ridiculously low price of four hundred and fifty rupees. This was not from want of bidders, however, as there were many natives present prepared for the purchase, but the wreck lies so far out, and is so completely broken in pieces, that there is little prospect of any part of it being saved. The *Walt* was lying off the wreck, making preparations to bring up the remainder of the cargo, rigging, square-head, &c. &c. which have been saved by the diligent and able exertions of Capt. Stanley and his crew.

HYDERABAD.—The sickness and consequent mortality among the European soldiers, have almost entirely disappeared, and the measures which Government have at length adopted will effectually prevent their recurrence, for the barracks are undergoing alterations on such an extensive scale that they will in a few months assume an appearance superior to any on this side of India.

CHOLERA AT ADNER.—Intelligence from Adner of the 27th of January, states that cholera had ceased for seven or eight days previous, in Her Majesty's 63d regiment; but the disease was still very prevalent amongst the natives all around the station. Orders have been received by the officer commanding to encamp H.M. 63d, if the cholera should continue amongst them.

SECUNDERABAD.—A private letter from Secunderabad dated the 22d of January, states that the present cold season has been the most sickly ever known; cold, coughs, and fevers were so prevalent that there was scarcely a house which had not a patient in it. No fatal cases, however, had occurred up to that time, from the influenza which was raging. On the 15th January, a thermometer exposed in the garden early in the morning, fell to 50d. during the day it seldom rises above 72d in a closed room.

His Highness the Nizam left the city of Hyderabad on the 20th January, on an excursion to Injapoor, a place about 8 or 10 miles distant, accompanied by his Ameer, his Court, and some of his relatives.

MURDER.—A seacunny belonging to the *Lady Flora*, lost his life on the 29th January, by being stabbed and otherwise wounded, under very distressing circumstances. A Coroner's inquest returned a verdict of wilful murder against the party who inflicted the wounds.

SALE OF COMPANY'S PAPER.—There was a sale of Company's paper at the office of Messrs. Arbuthnot on the 2d of February, amounting to nearly three lakhs of rupees, belonging to the late Laudable Society. The attendance at the sale was very numerous both of natives and Europeans; and the bonds fetched about 2 per cent. above the previous nominal rates. The highest premium of the loan of 1825 and 26 was 6½ per cent.

ON DITS.—The orders have either been received by the last overland mail, or an intimation given that such are coming out, to sanction a continuation of full batta to the native troops stationed at Hyderabad, Nagpore and Jaulnah; that Major Robison has been instructed to return to his duty, thus stamping with illegality the course pursued in his removal; that Captain Sprye, the Deputy Judge Advocate General, is to receive £ 500 as a compensation; that Captain Alexander, the Fort Adjutant, has been relieved from the heavy sum for which Sir Frederick Adam's first rendered him responsible; that Mr. Langley, late of the 3d L.C., is permitted to draw a Captain's pension or a special pension of £ 100 a year, and declared eligible for such official situations as that he was prevented continuing in.

EXECUTION.—On the evening of the 27th of January, the sentence of death passed upon the private of the 14th regiment for shooting the subadar-major, was carried into execution. There was no parade or show made but merely pickets from the two regiments under the Captain of the day to keep the peace and prevent the encroachment of the crowd, which was immense. The culprit, was brought from his place of confinement in a bandy drawn by buffaloes, and to the very last maintained

the most cool and determined obstinacy and doggedness of manner, declaring his innocence and calling the officers murderers. The act of lashing him to the gun was the work of a few seconds. The signal was immediately given by the officer commanding the artillery dropping his glove, and as instantly obeyed by the men with the post-fire, and the murderer was no more. On the day of his death he stated to an officer of his regiment, that his enemy was the former subdar of his company; from which it may be inferred that he intended to shoot this native officer, but the bang with which he was intoxicated misled him.

THUGS IN MADRAS.—A noted thug has been taken to Madras in custody, who states that about two hundred of his craft are quietly following their vocation in the town of Madras!

DEPLORABLE LOSS OF HUMAN LIFE.—A short time since a party of about sixty convicts were on the march from the district of South Arcot to the Bangalore road in hupleat to be employed in repairing the roads, suddenly, and without any known cause, the whole party commenced an attack on the peons in charge, and a desperate affray ensued; nine of the convicts were killed on the spot by the peons, about twelve men desperately wounded, and a number variously stated at thirty or forty escaped altogether. This occurrence took place about fifty miles from Madras, and it is not reported whether there was a military guard or whether the convicts were ironed in the usual manner.

MR. RUSSELL.—The Honorable Mr. Russell has been splendidly feted at the Banqueting Room by the society of Madras.

BOMBAY.

THE COMMANDER-IN-CHIEF.—Report says that the Commander-in-Chief, Sir J. Keane, will go to the Cape by an early opportunity on sick certificate. His Excellency not having sufficiently recovered by his late voyage, to stand the fatigues of another court-martial campaign, which has already commenced with unusual briskness. An entertainment has been spoken of, or hinted at, as a tribute of respect to this able and excellent functionary.

COURT-MARTIAL.—A Court-martial was held on Brevet Colonel J. G. Baumgardt, at Bombay, for scandalous conduct, unbecoming the character of an officer and a gentleman, in the following instances, charged by Brigadier Staff:

- 1st. In having, unknown to me, communicated in a letter to Major General Willshire, of Her Majesty's 2nd or Queen's Royals, commanding Poonah brigade and station, dated 1st July, 1837, that I had called on Lieutenant Cuyler, of that regiment then under arrest, and had privately listened to his reflections on the character of another officer of the same regiment, such statement being malicious, unfounded, and injurious to my character as his immediate commanding officer.
- 2d. In not having taken the means of contradicting or making known to me the malicious and unfounded report contained in his letter aforesaid, dated last July 1837, to Major General Willshire; although the falsehood of it had been made known to him, and he had been repeatedly recommended by the latter officer to communicate the same to me.
- 3d. In falsely insinuating in a letter to Major General Willshire, dated 20th August 1837, that I was

aware of the injurious report in circulation against me, but that I had shown no disposition or wish to institute any inquiry or take any notice of it.

The court having found the prisoner guilty, adjudged him to be reprimanded in such manner as His Excellency the Commander-in-Chief may be pleased to direct.

COURT OF ENQUIRY ON COMMANDER LOWE.—The Court of enquiry on Commander Lowe of the *Berenice*, has terminated in the honorable acquittal of that officer from all blame. So far from there having been any carelessness in the management of himself and the other officers, the utmost vigilance was displayed by all on board. At the time the vessel struck, the presence of mind of Captain Lowe prevented the accident from assuming a much more serious complexion.

ASSAULT AND ROBBERY.—A Frenchman living in Bombay was walking along with a warrant officer of the *Artemise* from the Apollo bunder to the Fort. They were followed from the bunder by eight parsees, and when they had got as far as the corner of Forbes-street, close to the office of Messrs. Jeejeebhoy Dadabhooy and Co., one of the men laid hold of the former Frenchman, and made a grasp at his pocket. The other parsees surrounded the man; and when he saw his situation and felt himself seized, he raised an umbrella and struck the person who had hold of him. Upon this he was attacked by the whole party and knocked down. A small bag containing money fell out of his pocket, and four-rupees which rolled out of it were snatched by one of the parsees. His companion interfered, for his defence and was also knocked down in the attempt, he too losing several rupees. The parsees after this made off, finding that nothing further could be done quietly in the affair. The Frenchman, as well as they could, communicated to two police peons who were standing quietly looking on at a few yards distance from the scene of the scuffle, which had taken place, showed them how they had been treated, and pointed out where they had been attacked. The peons, however, remained where they were, and would not stir a foot to endeavour to secure the offenders.

EXPORTATION OF SALT FREE OF DUTY.—It is said, that Government has come to the resolution, pending a reference to the Government of India, of allowing all salt taken for exportation, to any port within the territories included under the Honorable Company's Charter, to be shipped free of duty, or in other words, on the same terms as before the introduction of the new law.

THE BERENICE.—The *Berenice* reached Bombay on the 24th of January, but not the harbour, having struck upon the south-west prong, in attempting to enter the port. The *Berenice* was standing towards the harbour about 7 P.M., her distance being at that time, about four-teen miles, and the night extremely dark. At this moment two lights were observable in the direction of the port, but which was the true one could not be ascertained, there being nothing to distinguish the one from the other. Upon the two lights being so discovered, Capt. Lowe directed the purser to go below and address a letter to the Superintendent of the Indian Navy as to the circumstance of such two lights being visible, and the impossibility of distinguishing the true one. Capt. Lowe being extremely anxious to discharge his duty by landing the mail as early as possible, the vessel continued to stand in until about 9 P.M., when the water suddenly shallowed to eight fathoms. At

order was instantly given to put her about, but before the next throw of the lead she bumped and upon going round took the rock and stuck fast. It was soon discovered that she was on the south-west prong, but as far as could be ascertained she had sustained no damage from the concussion.

DISTRESSING FIRE.—On the 22d of January last, the village of Khandalah took fire, and the whole of the native part of it was reduced ashes. The bungalows in the neighbourhood were not affected by the conflagration, but the distress which this said calamity must have inflicted upon the poor inhabitants of that delightful spot, will be very severely felt.

MARINE POLICE.—The Government has nominated as committee composed partly of the principal merchants, to take into consideration the question of a marine police.

THE CHOLERA.—The cholera still prevails in Her Majesty's 63d regiment at Arnee. The wards of the hospital are stated to be quite full, there being therein no less than eighty patients.

SINGAPORE.

A *Singapore Free Press* of the 4th of January, state that the *Water Witch*, from pilot the 13th of December, had arrived at Singapore on the 1st of January. The Dutch, it appears, had perfidiously captured the Boonjal chief, who had made such a stubborn resistance to their inroads into the interior of *Sumatra*, and had sent him to Banda, the state prison of the Dutch in India.

PIRATES.—The pirates have again commenced their depredations in the vicinity of Singapore. A raft, on which were seven persons, was attacked by these sanguinary wretches off Passoris, a village situated a mile or two beyond the Red Cliff on that Island. The pirates on their first approach called out for some tobacco, and being told there was none to give, discharged several blunderbusses at the raft and killed two of the people. The rest attempted to escape in sampans, four going in one, and only one in the other. The latter was soon overtaken and murdered by *kris*es, notwithstanding his earnest supplications for mercy, which were heard by his companions, who were enabled, however, to reach the shore and conceal themselves in the jungles. All their property was plundered.

PERSIA.

Letters received in town on the 18th instant, from Persia, speak of the successes of the Shah in his expedition. One or two strong holds had fallen, and it is supposed that the Shah is by this time before Herat.

BURMAI.

The following news has been received from Burmah.

On the 12th January, a despatch-boat reached Rangoon in five days from the new capital, Umerapoor. The intelligence brought down was at first carefully concealed, but some of it at last transpired. It appears

that the Shans of Monary, to the east of Ava, have refused to submit to the new King of Ava; that His Majesty, imputing this refusal to the mismanagement of the officer whom he had appointed as Governor-General over the Shans, had with his usual haste and recklessness of human life, ordered the said Governor-General, and six of his principal officers to be executed, and despatched a force under a Woondook to coerce or cajole the Shans. The late Woongee of Rangoon, who had once before been confined and squeezed, has been again imprisoned. A Rangoon officer of the former Government has been executed for travelling through the country, and the chief of the lower chokey in the Rangoon river, is ordered to be embowelled, because he claimed, as his hereditary right, the fees of office belonging to that chokey. The late King is on the river off Umerapoor guarded by 500 men, and his son, the young prince, is without any followers. Mentaggee and the other ministers and officers of the late King, continue in prison.

Mr. Blundell, the Commissioner of Moulmein, deputed Dr. Richardson to proceed to Bileng, the seat of the chief Burmese Governor in that quarter, and demand redress for the late murder and dacoities, in our territories. Dr. Richardson was treated in a more inhospitable and ungracious manner than what any British officers ever experienced before in this quarter. The petty officers of Maribour stopped him; and when he at last reached the neighbourhood of Bileng, he was met by a party of soldiers, who would not allow him or his followers to enter Bileng, and kept them outside under a strict guard. The Governor pretended not to be a Bileng, and Dr. Richardson was obliged to return to Moulmein without having seen the Governor or accomplished any of the objects of his mission, except communicating the demands of the Commissioner to a subordinate Burmese officer, who, of course, denied all knowledge of the parties that had committed the late murder and robberies.

The good people of Rangoon, now that the Commissioner has clearly proved that these late incursions into our territories were committed with the knowledge and at the instigation of the Governor of Bileng, pretend that that chief has turned rebel against the new King of Ava, and that he has been acting contrary to the orders and wishes of his Majesty! It is however said, that the present governor of Bileng is a very old and confidential personal friend of the present King's, and that his son is in immediate attendance on his Majesty and in command of his body guard!

AKYAB.—Letters have been received from Akyab, dated 12th instant. The steamer *Experiment* arrived there on that morning, and fired a salute, which was answered from the shore. At the instance of the medical officer of the station, a dispensary is about being established at Akyab, where natives will receive medicine, and medical advice, or attendance gratis. A subscription had been raised for this humane purpose, and the worthy commissioner was, as usual, foremost with his purse. Surveying had been carried on at Akyab with some activity, and the impression seemed to be that, in the course of next year, a harbour wharf, a light-house, and sanatorium—now matters merely visionary—will be objects of reality. Scarcely any sickness prevailed at Akyab by the latest dates. Those officers who had been ill, had all recovered.

REVIEW OF THE CALCUTTA MARKET.

INDICO.—The market now evinces considerable animation, and purchasers finding that the holders will not give way, have been buying pretty freely at the recent sales, where prices have ranged from similar rates to five rupees advance on the previous currency. The continued drought is much against the sowings for the coming season, and loud complaints of want of rain are coming in from Tirhoot and all the upper provinces.

RAW SILK.—Prices are giving way and there is very little enquiry for the article, the exports to Great Britain have however been extremely heavy since the commencement of the year.

SILK PIECE GOODS.—No amendment has yet been remarked on the quality of *corahs*, and until that is the case they promise no good in English markets. The prices of the assortment remain as reported in our last.

COTTON.—Without enquiry, and remains without alteration.

SALTPETRE.—From the limited operation consequent on the scarcity of tonnage, and the accumulation of a large stock in the market, prices continue to give way. The transactions reported, are principally on French and American accounts.

SUGAR.—Is also in limited enquiry, but we have no change to notice on our last quotations. A few pur-

chases have been made during the week for shipments to Liverpool.

SHALL LAC.—Very little yet doing for the English market, and we have no change in prices to notice. The purchases reported, are principally on American account.

LAC DYE.—Dull of sale, and prices continue low.

DRY GINGER.—Remains at last week's currency. The transactions reported, are for France and America.

HIDES AND HORNS.—Are in limited enquiry, and operations are confined to a few parcels to America. The stock in the market is large, and prices are giving way.

OIL SEEDS.—A few transactions in *linseed* continue to be made; but prices have experienced a slight fall since our last.

SAPFLOWER.—Without enquiry, and remains without any change in price.

GRAIN.—The scarcity of tonnage, has suspended operations in rice, and the prices of the day are reported at a decline on Patna, Patchery and Moonghy rice.

OPIMUM.—So little of the new drug remains in the hands of the Bazar speculators for sale on the spot, that prices are quite nominal. Old Benares has declined considerably, and is in fact unsaleable on any terms.

THE
CALCUTTA MONTHLY JOURNAL.

ASIATIC NEWS.

1838.

ARRACAN.

Aeng, 20th Dec. 1837.—In entering on the subject of my present communication, I am not ignorant that a very able and excellent report on our eastern frontier has been written by Capt. Pemberton, and was published on a limited scale at the expense of the Supreme Government in 1835. It is, therefore, with extreme diffidence, I venture my crude observations before the eye of criticism.

The only value, I may flatter myself, that is likely to be felt for my "pencilings by the way," is the novelty they possess. It is probable that no description of the pass of Aeng has appeared in print since the publication of Capt. P.'s report, and it is on this supposition I send you the communication in hand.

During my progress I took daily notes of every thing worth recording, and, knowing general taste is never satisfied by a mere route description, the physical characteristics of a country, I have endeavoured to blend the amusing with the useful, thus designing the captivation of readers of every calibre.

Those few who have already perused or have in possession Captain Pemberton's description of this celebrated pass, will, I have no doubt, grant me an especial indulgence, and I beg them particularly to consider me, in reference to the captain, as a cockle-shell following in the wake of a seventy-four. However, if I cannot be so instructive, my style of description may be more pleasing to the general mass of newspaper readers, than it is possible for an official report to government to render him; he must walk steadily the plank. I may vault from earth to heaven, digress from this point to that, "without any circumstance whatever," as Mr. Weller senior has it. But a truce with thy nonsense to thy noyes, Oh! Mugh.

On the 12th of Dec. L—— and your correspondent left Aeng and proceeded on foot towards Jeddinchakain, the first halting place *en route* to the Yoomadong mountains.

Our camp consisted (coolies included) of near 150 men. The cooly of this country is generally of the Keyn tribe, and as coolies they are very useful, neither bullock, nor wheeled vehicle of any kind, being procurable. The road for about a mile runs through partially cleared jungle, among which the gurjun and jarool trees flourish as grandees of the forest. After completing this distance, we crossed the Aeng river by a bamboo bridge. The river here was not fordable, and the tattoos were obliged to swim half the distance across; in width it appeared about 100 yards. On the right bank is situated the new village of Aeng, by Captain Pemberton denominated Yodowest, but I could find no native who knew the place by this name, they all call it upper or new Aeng; and of the two villages this has by far the

most respectable appearance and the best bazar. The Sogree is himself a Shan, and all the Shan itinerant merchants bring their goods to the market of the new village, instead of to the old as formerly. The site is, of course, more convenient for all traffickers coming from the east; it not only saves them a trifling distance, but the passage of the river.

Here we paid a visit to the Sogree, whose person and establishment deserves to be honoured by an elongated paragraph, much more prolix than his worship is likely to receive from me: however, I shall expend a line or two on him, and proceed on my journey.

My friend the Sogree, as I have stated, being a native of the Shan country on the north-east frontier of Burmah, has much the appearance of a Chinese. Though venerable from apparent age, his person is ridiculous; he looks more like a skeleton *vivant* than a man (as one in authority should be) prone to obesity. He has further the misfortune to possess but one eye, which gives his cadaverous visage a most grotesque expression, resembling nothing that I know of either in heaven above, the earth beneath, or the waters under the earth; but if I could not help smiling at the figure the man in office displayed, I was not the less pleased by his activity in procuring us tattoos for the journey: this being our principal object in paying him a visit. Whilst the old gentleman was thus usefully employing himself in our behalf, I could not but regard with admiration the commanding presence of his lady, who strutted about to and fro with the dignified demeanour of a Lady Mayoress, little suspecting the sly flirtation carried on betwixt his daughter, a damsel of promise, and a gentleman who shall be nameless. At length the tattoos were brought, the one for L — had the semblance of an ancient European saddle on its back; that destined for your humble servant was equipped, according to the most approved primitive, or antideluvian style, on each side dangled two rusty implements probably intended to do the office of stirrups, the base of whose angles I could cover with the breadth of three fingers, and so unsatisfactory was the *tout ensemble* that I did not on the present occasion attempt to mount, rather preferring to pad the hoof or mount the elephant which accompanied us. Accordingly, we again pushed forward as we had come, for L — was as much inclined to walk as myself.

The road on this march runs over tolerably level ground, but two bridges are required to replace those now in decay over two small nullahs, whose banks are very precipitous. The road, generally speaking, was good, but impracticable for wheeled carriages for want of bridges over the nullah above noted. We crossed the Aeng river by a bridge similar to that at the new village of Aeng, at a place called Zademow ghaut, but the stream was here fordable; on the other side there is

a small village peopled by expatriated Burmans. On the line of road, I observed wild plantains and a creeper resembling, in all but the aroma, the hop. On the breasts of the hills adjacent, grew a considerable portion of bamboo mixed with jungle tree of various kinds, though no other particular change showed itself on the general features of the country. About a mile and a half in advance of Zademo, we again found the river crossing our path at a place bearing the appellation of Khongwa Zukan. Here we exalted ourselves on the elephant, there being no bridge, but the river was not deeper than two or three feet over this passage. About two miles from this place we reached our halting ground, Zennet Chakain, where a shed has been erected capable of receiving and giving shelter to perhaps one hundred men.

The river runs close by, and a bath after our journey being determined on, we enjoyed ourselves luxuriously, for the water was clear as crystal, and as cold as we could conveniently bear it. On the reverse side was a high rocky bank, overhung by a luxuriant vegetation, which gratefully shielded us from the rays of the sun. The encamping ground is (including the space covered by the shed,) not larger than two hundred men can conveniently bivouac on.

At noon the thermometer was 90° in the sepoy's pall and 85 under the shed. Feeling the heat rather unpleasant, we made a retreat into the jungle for the purpose of enjoying a little refrigeration, but were soon driven out again by an army of musquitos, who seemed desirous to monopolize the shade themselves to the exclusion of all intruders.

We were now beyond the influence of the tide, and as the old village of Aeng is forty-five miles from the mouth of the river, I expect the tide, excepting at spring, does not flow many miles above. As it was here I first made the observation, I may as well describe some peculiarities regarding the Kyens, who acted as our coolies. They are a hill tribe and little better than savages; however, they are very useful in carrying burthens up and down hills, where men of the plains find a difficulty in carrying themselves. Every article that can be put in a basket is carried in one of an oblong formation, having a loop fixed to the top made of split cane, and a strip of split cane goes round the centre, the former, the Kyen puts over his head, fixing it round his temples, while he fastens the ends of the strip below round his waist, this keeps the basket in a firm and proper position, and gives the man the free use of his hands while travelling. Other articles such as tents, beds, &c. are either slung on a bamboo or carried on a kind of bamboo ladder, supported by two or more men according to the weight.

As soon as night began to approach, I noticed the simple people making a shed for themselves from the bamboo covered by its leaves, to arrest the heavy dew that invariably falls in this climate. This would be the best plan for sepoy's when marching in this country; to suppose a tent can be carried for an army of any size, would be entirely out of the question. The coolies receive here three annas a day, so high is labour on account of the thin population of the province. The encamping ground here is capable of being made available for a regiment, supposing we bivouac and bring no tents, or at least do not pitch any. The jungle is not of such a nature, but that if every man carried a dow or axe of the country he might soon cut a convenient place to esconce himself in for the night; and, in marching a regiment through this province, it would be desirable that every man should carry a dow on his knapsack: it seems to be a *sine qua non* among the people of the province. At sun-set the thermometer was at 72°.

13th.—Two hours before sunrise ther. at 62°; marched at day break for Surrowah, supposed distance eight miles. The whole of this march is through a bamboo jungle,

in many parts forming an arch over the road, which was saturated with dew dripping from the foliage above. We now seemed to have left what little civilization we had before seen, entirely behind us, for only a single Kyen but perched here and there on the side of a hill, partially cleared of its bamboos and other jungle, was to be observed the whole of this march. We passed two steep ghats, one at an encamping ground called Peenozukan, the other immediately on our approach to Surrowah, besides two small hill streams, whose banks were very muddy and precipitous. From Peenozukan we enjoyed an extensive view of the hills around us, embellished with all the beauty of light and shade derived from the lustre of a rising sun. I had mounted the elephant at the foot of the last hill that intervened 'twixt us and our journey's end, but found the descent so very precipitous on arriving at its summit, that I preferred trusting my own legs for the slippery adventure of descending; the hill being of a red, firm, clay soil, was of considerable advantage, or I might have gone down considerably faster than would have been desirable. At the foot of the descent, we crossed the Surrowah river by a bamboo bridge, though it was fordable, being no where over the part where the bridge was erected more than four feet if quite so deep. This brought us to Surrowah or Thorowah, as it is pronounced by the natives. Here the Arracan locals have a post for the protection of the inland trade between Arracan and the countries at the Yoomadong Mountains. A number of Shan travelling merchants were here on our arrival, and I made some trifling purchases of cloth, twenty-five hauts for the rupee, and of Shan pawn boxes at one rupee each; these are japanned, with fast, or pukka colour, and so perfectly pliable to the pressure of the hand. The bathing place here I thought preferable to that at Zeunetchakan where the rough pebbles form an uncomfortable footing; here the bottom was composed more of fine sand than pebbles. Here I relieved the old detachment by the new, and right glad were the former to leave the jungle, some having been located here upwards of two years. I found ten sick; these were permitted to proceed in diagsies to Aeng; the river being navigable as far as the Thorowah, by small boats of this kind, at this season of the year. Here I should have ended my labors and have returned, but for circumstances which it behoveth me not to mention; at least I am not aware I am at liberty to make public the reason of my advancing further towards the frontier. Thermometer at noon 88°.

14th.—Thermometer at 4 A.M. 72°, altitude of Thorowah 147 feet: march at daylight accompanied by a guard of 1 havildar, 1 naik, and twelve sepoy's, for our especial protection through the dangerous country we had to pass. At the very commencement, we encountered a hill that set us all piping, and before we reached its brow I was too glad to ascend the summit on the elephant, who was sorely put to it, he-self, for, instead of walking she bent on each knee at every step upwards. There were but few trees of any size to be seen on this portion of the road, bamboo being predominant every where. About half way on our descent of this vast branch from the great line of the Yoomadong Mountains, we crossed a hill rivulet well situated to refresh cattle and the wayward traveller. After the fatigue of the ascent on either side, crossing this small stream, we still kept descending for half a mile, when we had another steep ascent before us; indeed these ascents and descents formed the principle features of the road on every march, excepting that we had more of the former than the latter to plod over, ascending on an average one foot in twenty. Two halting places were noticed on this march, both on high ground, but no water, excepting at considerable distances below; on these places grew a few trees, but bamboo jungle abounded the sight as far as the eye could reach. At the last of these open halting spaces called Mengzukon, we

had a very extensive and magnificent view of the hills, including parts of the Yoomadong principal range.

The road on this march in many parts was excessively narrow, not more than two or three yards wide in many places. Much clearing is requisite, and my progress on the elephant was considerably retarded by branches of trees and bamboos intercepting the passage. On the descent from Mengzukon, we met about 100 laden bullocks, going to Aeng with merchandize from the Shan country, which lies on the north-east frontier of Burmah. The cattle were in fine condition, but the loads did not appear heavy, and it is usual for the conductors of this trade to be ten or eleven hours on a common stage of ten miles; they make it a custom to rest at almost every convenient spot to smoke, &c. and that they may always stop when they are inclined, they take the necessary precaution of carrying water with them in large hollow bamboos, tied in bundles of three or five; these they take in such quantities as to serve for themselves and cattle for at least as many rests as they require, where water, as on this road, is a scarce article. About half past eight, arrived at Guatcha or Netzazokan, on the ridge of a connecting link overlooked by a steep ascent, on whose summit a large encamping ground is found, but we preferred for our small party the lower ground, on account of the water being nearer. Descending to the right, I found the spring. Very little water was procurable, but were the rock, which is of a soft slate, scraped, and a cistern formed, enough water would be found for the cattle of a considerable camp. A temporary dam of mud and bamboos alone partially retained a very small pool at the foot of the spring. The water for our own use we caught from a split bamboo thrust into the fissure, from whence this valuable element flowed, or rather dribbled: by this means we increased the flow, and at the same time avoided the contamination we must have incurred by drinking the water from the muddy pool below, into which one of our niggers unceremoniously trod, disturbing the secreted sediment at the bottom; to say nothing of the agreeable tincture his foot must have given so small a body of aqueous fluid. The descent to this spring is of necessity serpentine in formation, and a mere foot-path through the bamboos, its distance from the road may be computed at about 200 yards. Distance of Guatcha from Sorrowah computed at about five miles. Not even a Keyn hut visible, or one resident inhabitant since leaving Thorrwah. Thermometer at noon 84°, altitude above the sea according to Pemberton, 1,476 feet.

Start at about three p.m. and proceed as far as Waddai or Waddat, immediately at the base of the ascent on leaving Guatcha, a fall of the hill above has taken place, carrying part of the road with it, and rendering the passage unsafe, or apparently so for an elephant, ours however managed so well as to get by without falling down the precipice on the left. The road must be cut farther into the side of the hill to make it safer, or on the first shower the mere foot-path now remaining will assuredly descend into the deep ravine below. The ascent after the first part became more gradual, the road running round the shoulder of the vast hill we were advancing over; the road was tolerable and passable for artillery excepting at the place above mentioned, where a new road of about fifty or sixty yards must be made. Arrived at Waddai about five o'clock, visited the spring which is on the right of the road; more abundant than at Guatcha, but a greater distance by 100 yards.

Our ground was on the road, as most of the encamping places are; before us for our especial comfort and contemplation, we had the view of a steep ascent, upon whose steep and rugged sides it would behoove us to wend our way on the following morning. Face of the country, covered with bamboo unlimited to sight.

15th.—Thermometer daylight 64°: commence our march to Karowkee by winding up the hill before us;

find the road little better than a watercourse or ravine, intercepted occasionally by blocks of sand-stone of considerable gravity; on the summit of this elevation is a large open space capable of encamping a brigade, but no water nearer than from whence we came below, or probably at the foot of the hill, in front; among the ravines formed by the inferior roots of the great eminences around. The road from this point is much better, and no considerable descent is made. Our old friends, the bamboos, we now remarked, became scarce, and superseded by fine forest trees at about three miles from Waddai. And now, Mr. Editor, while we traverse about two miles of tolerably level road, let us discourse of the sporting qualities of the country. Until we had attained this point, our guns had not once reverberated among the hills, or startled silent nature by a report. This march, however, we took the precaution of leading or heading our small and trusty band, making the baggage follow in the rear, supported by a naick and four. We had just cleared the brow of the hill, when we espied a gallant cock strutting on the verge of the road, but the gaily plumaged hero was wide awake to the villainous effect of the saltpetre compound, and after a vain pursuit we advanced gun in hand. Alas! there was little use in this, for the only birds that fell in our way afterwards, were four chickorees, one of which I sent ever the precipice far into deep jungle, where no mortal foot e'er had or could have trod, save for his own protection. A sportsman on this road had better leave his gun in case, for although there are a few fowls and chickorees, yet the thick jungle and the steepness of the hills on every side almost prevents the possibility of bagging. On leaving the bamboos, we got into a more open jungle, and gradually into a magnificent forest, the altitude of many of the noble trees we saw was immense. Most of these were on the side of the Nodong mountain, around whose colossal form our circuit lay. I here note some angiospermous shrubs from whose white bulbs I pressed a number of black round seeds. I regret I have not brought any with me, as the colour of the plant was very agreeable. Here also we made acquaintance with a variety of mosses encasing the trunks of trees and clothing stones with their verdure. A species of palm tree was here discernible. My geological notes only refer to the nature of the road itself, and that part of the soil which was exposed on the side of each hill around which the road has been cut; at this height about 3,000 feet, in a depth of incision of about four feet, a stratum resembling fuller's earth embraced another of the depth of two feet, consisting of ferruginous soil, winged with slate approximating the appearance of coal; detached masses of this slate rock, by exposure to the air, had become of a lighter complexion. The road requires much clearing, the trunks of several trees now lying across it, inconvenience the traveller very considerably. On reaching the highest part of Nodong, we began to breathe much pure air, and it was evident to our sense of respiration, that we had attained a considerable elevation above the close jungle of the minor hills. Here too, we enjoyed a more extensive view than hitherto, shut in only on north-east by the still greater altitude of the Yoomadong range and the cone of our supporting height, which intercepted the picture to the south-west. After resting here awhile, we made a considerable descent over a very bad road impracticable for artillery in its present state, but capable of being made available at no great expense of time or labor.

After overcoming all obstacles without any accident occurring, a gently rising ground brought us to the foot of Natyagain or Naregain, at a halting place called Karowke, at an elevation of 2,165 feet above the level of the sea. Here we found water and a better ground for our camp than that generally used, by making a descent to our left; here we were within 100 yards of the spring which issued from the interstices of the magnificent Natyagain, beneath whose commanding presence, we

were encamped, shaded by the lofty and gorgeous foliage of a forest whose mighty tenants bent gracefully their sun-gilded boughs to the mountain breeze.

But amid romantic scenes, the little wants of life will force themselves upon our recollection, as well as in the crowded city or the solitary cell. Soon therefore had we the satisfaction of watching the arcana of our breakfast preparations, while the truant smoke ascended, courting in wantonness the morning air. Well might human nature be a prey to appetite, after such a wait as we this morning had taken.

After discussing eight or ten eggs mingled with some thin slices of an especial basket of my own selection, and making an addenda of sundry sardines, plum jams, and Wilson's biscuits, confirmed by no given quantity of Bass's imperial; we lit our mantillas and began contemplating the ascent of Natzagain, whose lofty and o'erthrowing brow we had fully determined on forming an acquaintance with. Accordingly, taking a few men with us we set out about twelve o'clock for the purpose. And here Mr. E., I must confess, I became amenable to the Martin act, *id est*, had the circumstance occurred in Great Britain or Ireland. I have no where stated that I had urged or exacted assistance from the miserable looking tattoo, whose garbure had the honor of my previous notice. But to ascend Natzagain I had no alternative, for had I attempted to scramble up, I should (like merry Jack) have so larded the lean earth, that every soul who might attempt to track me, would have made as much progress as a turnspit at work, a squirrel in a trundle-cage, or a gentleman at the tread mill. I determined to mount the aquine quadruped out of mercy to my fat sides, and for stirrups, I supplied my extremities with supports by stringing a small rope double over the saddle; inserting my feet in the dependant loops. Thus the shalow of a Hudibras in horse equipment and person I marched me up the hill, nearly finding my way to the ground, though on more occasions than one my villainous apology for stirrups and leathers, not being properly made fast on the saddle, began trimming like a member of parliament who cannot make up his mind as to which side he may find it his interest to support, first on one side, then on the other, according to my preponderance of pressure. At length, by dint of a most strenuous exertion on the part of my tattoo, who was much better and stronger than his looks at first led me to suppose, I found myself safe on the summit of the mountain, and 4,590 feet above the sea.

Here a most splendid panorama presented itself, for on one side at a distance, perhaps of sixty miles, like a reflector, interspersed by numerous blemishes, lay the Bay of Combermere, with all its connected estuaries resembling streaks of silver on an emerald ground; above and about us, rolled vast volumes of murky clouds, obedient to the sightless couriers of the air, ever and anon unveiling the mountainous region below to our wondering gaze. Having satisfied our curiosity on this side the mountain we made an advance 'over the border' and there we stood, as Moses stood, and viewed the landscape o'er, though the atmosphere on this side was misty. We children of the mist' saw with admiration the vast champagne country, as it were, flowing with milk and honey before us. The descent on this side is much more precipitous than on the other, averaging one foot in ten. From the point on which we obtained our observation, the Irrawattie and Man rivers are distinguishable, gliding through what possessed the appearance of a highly cultivated country. The highest eminences on the Burmese side extend but a short distance from the great range, at least by the coup d'œil with which I was obliged to content myself, such was the impression effected.

We now returned to our own side the boundary, and drank success to the next war.

The few sepoy's we took with us seemed to look with envy on the fine plain of the Irrawattie, so different was the aspect of their own country, compared with what they beheld on the Burmah side.

On the summit of Natzagain, a few posts, and a double trench, still mark where the Burmese had a line of blockade for the defence of the pass, while a hollow, whether natural or artificial, I could not determine, has evidently served for a reservoir for the retention of rain water. The only inhabitants of these hills appear to be apes. While we were ascending, we heard them making a kind of barking noise, but did not get a sight of any. The ascent to the summit is carried up the face of the mountain in a zig-zag formation, but is very difficult on account of the looseness of the ground and slate rock, with which it abounds. About half way on the ascent, was a large pile of stones, and every man as he passed by, added to the heap, by throwing a stone on the monster. I enquired the reason, and was informed, that it was a species of devotion paid to the spirits of the mountain, by the observance of which they hoped for strength to overcome the difficulties of the ascent. After enjoying ourselves in the cool mountain air for half an hour, we made the best of our time in descending; the only difficulty being in keeping a proper equilibrium, and a firm footing on our precipitous path. Thermometer at moon in tent at Karowkee 70°, sunset 65°. On the 16th at daylight 62°. This morning returned to Waddi, but having exhibited the general character of the country on my advance route, and noted every difficulty worth recording that may be expected by others, whose lot it may be to follow this track hereafter, recapitulation is unnecessary and uncalled for, I shall therefore conclude by a few general remarks, with an addenda of some particulars obtained from native report, of a route called the Paing, or Peang road diverging in a north easterly direction from Waddi, across the Yoomalongs into Ava as far as the banks of the Irrawattie. In the course of narration I have had occasion to mention a hill tribe called Kyens, but there is one practice current among them which has not with neglect from my pen. In former times, report says, the women of this tribe possessed an uncommon share of loveliness which rendered them objects of attraction to the oppressors of their country, and led to the abduction of the fairest and most beautiful among them, by the ruthless hands of foreign despots. To prevent these occurrences the chiefs and elders of this oppressed clan devised the cruel operation of tattooing the faces of their female offspring, deeming the beauty of women, as nothing compared with the loveliness of chastity. I made no particular enquiries, but give it as my opinion, that no matron had a voice in the conclave when the tattooing act was passed, and the young ladies were positively excluded. The process of creating fire by friction, also came under my inspection; but this is an act of savage life very generally comprehended, I merely notice the circumstance in a casual manner, as being a means of ignition generally in use among these, as with savages in other quarters of the globe.

On the inland trade from Shan and other states tributary to the Burmese monarch, I must quote rather from report than ocular demonstration. The number of bullocks annually visiting Aeng, or Yowadeat averages 10,000. The imports, consisting of the following variety, viz, bees' wax, scented juice, khut, an astringent taken with pawa, showshah, a bark used in the arcana of a lady's toilet apparatus, cotton, kapas, threads, red, black and white, shan pawa boxes, sweet oil, a small kind of onions, tall ka goor, a coarse sugar, Burmese dhows, for wood cutting; silks of various patterns,

* Aeng in P.'s report stated to be only 3,000 in the year 1831 and 1835.

some very pretty, and resembling Scotch plaids, mustard seed. The returns are mostly, salt, dried or salted fish and beetlenut.

The silk appears common enough, (not in texture,) for every man who can afford it generally glories in a silk. At Akyah I have noticed chupkuns in addition, made of black velvet, richly flowered, generally worn by the Mughs on high days and holidays; these I presume are imported from China.

Of the road commonly called 'the Paing road,' I have learnt the following particulars from those who have passed over it, viz. the Shans.

Route from Waddi in Arracan to Choungprewguine on the Irrawattie; so pronounced by the natives to me.

ARRACAN.

1st. Dubbrubang—on the Aeng river, distance four miles, encamping ground small.

2d. Tantoban—water scarce, distance ten miles.

BURMAN.

3d. Shakaguen—village and chokie twenty-five huts fourteen miles.

4th. Ihenahun—village and chokie, twenty huts, eight miles.

5th. Paieng—300 huts, on the Khekeong nullah four miles.

6th. Mongkeong—road, or in the bed nullah, eight miles.

7th. Keothewah—Keong, road ditto, distance thirty-six miles.

8th. Chungprewguine—Irrawattie river, distance twelve miles. Distance from Waddie to Chungprewguine, by native calculation of two miles to the koss, about..... 96 miles.

From Aeng to Waddie about..... 24 "

By this route total. 120 "

Distance from Aeng to Memboo } 102 "
the Irrawattie via Nazagain } "

N. B.—In the above distance, both may be made *ad. lib.*, the road being along the bed of the nullah, from which water can be procured in the driest season.

Here are two branches by which two divisions might debouch on the plains of Ava, by regulated marches at one and the same time. But I have reason to suspect the Paing pass is not practicable for artillery or wheeled carriages of any kind. The Shans, whom I questioned, said it was too rocky way; thus we may easily suppose when one half the route has no better claim to the name of road than what the bed of a hill stream may chance to afford. However, in the case of a rupture with the Burmese, there is every probability that a light division may traverse this route if capable of carrying provisions for twelve days, leaving a depot at Waddie, where a stockade may be formed, as a support to the advanced divisions on either route. For this purpose, there is a very advantageous site at Waddie, commanding a watering place, and immediately on the main road. The only disadvantage of this position is on account of its being commanded by the steep ridge in its immediate front, though the distance is so great as to be scarcely within the range of musketry. But once our divisions ahead, there would be no fear of an attack on the depot, in their rear especially, if both the Paing and Nazagain routes are in occupation.

I shall here bring my account to a conclusion by remarking, that the probable expense requisite to make the Aeng Pass on the Arracan side practicable for the passage of artillery, and to build woollen bridges over five hill streams flowing between Aeng and Surrowah, to obviate the obstruction formed by them at all seasons, would not exceed Rs- 5,000 and it is to be hoped, when an official report of the present state of the road shall have been made to Government, that honorable body will be sufficiently alive to its own interest, and the protection it naturally owes to its subjects, to accede to the just claims this (politically speaking) important province, has on the distribution of money from the public purse.

'If it be done, 'twere well 'twere done quickly.'

—Or write me down a—

Englishman, Jan. 24, 25 & 26.]

MUGH.

DISTRESS IN THE UPPER PROVINCES.

It has rarely, if ever, been our lot to record the proceedings of a meeting so highly honorable in every way to the humanity and public spirit of the inhabitants of Calcutta, as that which took place yesterday afternoon at the Town-hall, having for its object the consideration of the best means of alleviating the distress of the population of the western provinces. Notwithstanding the numerous calls which have been lately made upon the finances of the community, for worthy and honorable purposes, every body seemed to feel that the present was an occasion which left no excuse for parsimony, founded upon past liberality and indulgence. But we must briefly record the proceedings.

At about half past four the meeting began to assemble, and by five, upwards of one hundred and fifty persons, comprising the principal inhabitants of the town, and a great many natives, had collected.

The Lord Bishop being called to the chair, at the instance of Sir Edward Ryan, seconded by Mr. W. W. Bird; His Lordship obeyed the call, and addressed the meeting at some length, expatiating upon the condition of the perishing thousands—stating what the Government had done towards the mitigation of suffering, and what it now behoved the public at large to do. His Lordship was glad to see so many natives assembled on the occa-

sion, and in his own simple but impressive manner exhorted them not to be backward in the work of benevolence at a crisis so momentous to thousands of their countrymen. Mr. R. D. Mangles, to whom had been entrusted the first resolution, rose when the Bishop had concluded, and, after elicitingly adverting to the obligation imposed upon men of all creeds and kinds to perform the offices of charity to the poor and the hungry, read the following paper, which sufficiently explained what had been done by the Government of the north western provinces, and what was expected from the private bounty of the community at large:

NOTE.

By J. Thomason, Esq., officiating secretary to the Lieutenant-Governor, north western provinces, dated

The efforts of Government for the alleviation of the distress in the north western provinces have been directed:

First.—To a suspension of the demand for the Government jumma.

Secondly.—To the employment of the able-bodied destitute on works of public utility, such as the construction of roads, the excavation of tanks, &c. &c.

Thirdly.—To the preservation of the public peace, and more especially to the protection of the trade in grain.

First.—The regulation of the demand on behalf of the Government has been left chiefly to the Sudder Board of Revenue, in whose views on the subject, the Government coincide. They entirely suspended the first kist or instalment, and made the two next very light, throwing the weight of the collections on the latter kists. As, however, the year has advanced, the agricultural distress in the centre of the Doab and along the right bank of the Jumna has greatly increased, and of course all attempts to realize the heavier kists will be abandoned. In the districts where the settlement has not been revised, the suspended demand will be allowed to lie over till the revision of the settlement, and will then be recommended for remission or realized according as the circumstances of each village require. In the districts where the settlement has been revised, an attempt will be made to recover, during the latter years of the lease, the suspended demand of this year, in conformity with the principle on which the settlement was made. The realization of this expectation evidently, however, depends on circumstances which cannot now be foreseen. *Tacavee* advances for seed grain have also been largely given, and this mode of relief may be here appropriately mentioned.

Secondly.—The employment of the able-bodied destitute, on works of public utility. This was at first restricted in amount, but as the distress increased, the magistrates have been empowered to grant employment to any amount with a view to the support of the people, and not with any expectation of a profitable return for the capital laid out. Inclination to work was in fact adopted as the test of degree of destitution. Gratuitous support of the infirm was not given, as this appeared a more appropriate object for the private charity of individuals, which was generally and liberally bestowed throughout the country.* It did not also appear practicable to lay down rules which should admit of this mode of relief by the Government, without liability to very great abuse. The officers employed in the construction of the grand trunk road, were also empowered to expend each Rs-2,000 per mensem, in the employment of the destitute, and a supply of blankets to the most deserving was sanctioned. In the Cawnpore district, where the revenue and magisterial functions are performed by different persons, the deputy collector has been especially empowered to employ the destitute in the distressed pergunnahs of his district, as far as may be practicable, in the neighbourhood of their villages. It is anticipated that this may be advantageously performed through the agency of the *tahsildary* establishments, under the personal superintendence of the deputy collector.

Thirdly.—The preservation of the public peace, and more especially the protection of the trade in grain, extensive disorganization of the agricultural population, has been the natural result of the distress. It first arose in Rohitkund, but was checked there by a timely fall of rain. It then broke out in the Allypore and Farruckabad districts, and last of all in the Delhi division. In the last case it was quickly and entirely suppressed, but in the former, although its extreme violence lasted only for a short time, a frightful increase of crime has continued for a long period. Stores of grain, boats laden with grain, and *Bsingerry* bullocks, have been the main objects of attack; but in many cases, violent and desperate men have been able to work on the necessities of their fellow creatures, and engage them in more general schemes of depredation. The natural liability to disorders of this kind was heightened by the freedom of the trade in corn,

proclaimed and enforced by the Government, and some unaccountable impression which obtained currency amongst the people, that crimes of the kind would be forgiven at. The distressed districts are mostly con-growing countries, where large quantities of grain are usually stored in the several villages by capitalists, who buy up the surplus produce of plentiful years. An ignorant population were driven to exasperation, when they saw these stores opened before them, and the grain for the want of which they were starving, exported to a better market.

As soon as occurrences of this nature were foreseen or reported, full authority was given to the commissioners to strengthen the police sufficiently to provide for the public peace. The energetic measures which were consequently adopted, proved successful, and confidence was soon re-established.

Subsequently events have confirmed the soundness of this policy. As the season advanced, although the distress increased, and prospects became more gloomy, the grain merchants opened their stores as soon as they were assured of protection, and price fell rather than rose. It only remained by affording employment to the destitute to place within the reach of the food which was exposed for sale.

It is hoped that these measures may have some effect in lessening the injury which the country will suffer from this heavy affliction, and it is gratifying to hear from every quarter, that wealthy landed proprietors are emulating the example of the Government and not merely abstaining from any demand on their tenants, but even expending large sums for their support. It must, however, be some time before the country can recover. The cattle have perished in numbers; the people have emigrated, or been swept off by the diseases which want and exposure engender, and time will necessarily elapse before the cattle can be replaced or the villages re-peopled.

(Signed) J. THOMSON.

(A true copy)

W. H. MC NAUGHTEN,

Secy. to the Govt. of India with the Govr. Gen.

Mr. Mangles mentioned that the revenue remitted by the Government amounted to not less than *sixty lacs* of rupees. He added that what was now required of society was not grain—for of that there was sufficiency—but money wherewith the local authorities might purchase food for those who were without it. Mr. Mangles finished by proposing the following resolution, which was seconded by *Russooy Dutt*, who earnestly dwelt upon the importance of his countrymen's coming forward on the present occasion. "The Government," said the worthy Baboo, "has done its duty"—the Europeans would doubtless do their's;—it was for the natives to shew that they were not backward, when so serious a call was made upon their bounty.

Resolved, that authentic information has been received of the existence of the extreme distress, in consequence of the draught in certain parts of the north western provinces, and that, under the orders of the late Lieut. Governor, measures for the relief of this distress have been taken by Government by the remission or suspension of the public demand for revenue, and by directions given to the civil authorities to afford employment without limit to all persons willing to work. But the Lieut. Governor did not deem it expedient to sanction the grant of eleemosynary aid from the public coffers to persons unable to work. That this meeting is of

* The native inhabitants of Farruckabad deserve special mention. They have formed themselves into an association, who systematically and carefully distribute the largess which they raise by subscriptions amongst themselves.

Erkandly ignorant of the first principles of political economy.
Fajoldeen Hastein Khan in Cawnpore, Lohmer Singh, Agra, Pethum Singh, Muttra and Allypore I happen to remember.

opinion that it is the office of private charity to step in to supply the void above alluded to, by affording, as far as possible, the means of support to the aged and the young, and to those too infirm to labor."

The resolution having been unanimously carried, Sir J. P. Grant addressed the meeting with his usual good sense, good taste and feeling. He recapitulated some part of what had already been laid before the meeting—added thereto some facts of which no mention had been made—urged expedition in the collection and transmission of subscriptions, and by way of encouraging all who had the means of contributing in ever so small a degree, not to be deterred by the smallness of their donations: he spoke of the acceptability of the "widow's mite," and mentioned two or three instances of large accumulation through trifling donations. Sir John then proposed the following resolution which was seconded by Rushtumjee Cowasjee :

"That with this object, a subscription be opened at both the banks, books be circulated and other measures taken to invite the contributions of the public, and especially of the native community for the relief of the dreadful distress known to exist in the north western provinces."

Baboo Prosonno Comar Tagore proposed the third resolution, prefacing it with the highly gratifying information that his friend Neilmony Day, on hearing of the prevailing distress had sent up to Government 500 rupees, to be applied to the purposes of relief, and the munificent Dwarikanauth Tagore (whose bounty is as boundless as the deep) had authorised the subscription of a similar sum, if any attempt should be made in Calcutta to assist the sufferers in the western provinces.

3d Resolution—That the following gentlemen be requested to form themselves into a committee to realize the subscriptions, and to dispose of them to the best advantage for the contemplated object :

Mr. Thos. Holroyd, Mr. W. Bird, Capt. Birch, Mr. W. Martin, Mr. Tucker, the Archdeacon, Mr. W. Prinsep, Mr. George Alexander, Rev. Mr. Fisher, Rossomoy Dutt, Prosonno Comar Tagore, Ramconul Sen, Kadacant Deb, Nilmony Deb, Rushtumjee Cowasjee, Muttyloll Seal, Mr. J. W. Alexander, Mr. Lindeman, Mr. E. Macnaghten, Dr. St. Leger, Rev. Mr. Charles, Mr. Alexander Colvin, and Mr. A. De Souza.

The business of the meeting having now nearly concluded, Sir Edward Ryan proposed, the thanks of the assembly to the respected chairman, our amiable Diocesan, whose promptitude to answer the calls of distress, Sir Edward very happily and justly eulogised. Mr. W. Bird seconded the proposal with much becoming warmth, and in the course of a well-delivered speech did the Press the honour to acknowledge its instrumentality in directing public attention to the subject which the meeting had assembled to discuss. Sir John Peter Grant then, with much good humour, deposed the Bishop, and usurping the office of Chairman, put the resolution of thanks to the vote. The resolution being carried by acclaim, the Lord Bishop remarked to the meeting, (which was then dispersing,) that he thought the business of the day could not be better finished, than by every person present putting his name down at once for as much as he felt disposed to subscribe. The hint was promptly taken, and in the course of a few minutes, nearly fifteen thousand rupees were subscribed on the spot; the Bishop and Mr. Maddock subscribing one thousand each; Mr. G. Cheap, Mr. Wm. Prinsep, Mr. James Prinsep and Mr. W. Carr (by Mr. W. Prinsep) 500 rupees each; Sir Edward Ryan, Col. Powney and Mr. T. Smith, 300 each; Mr. Shakespear 200, Mr. Mangles 250, Mr. W. Ainslie 200, Mr. Hutchinson

200, and numerous others 100 rupees and 50 rupees each, while many natives of humbler rank and limited means, gave their gold mohurs. We should mention that when Sir Edward Ryan was addressing the meeting, he put in the following paper, containing subscriptions raised by Rushtomjee Cowasjee, the perusal of which elicited loud applause :

Beneram Udditram Hemut Bahadoor, vakeel of the Guicowar.....	Rs. 2,000
Rushtomjee Cowasjee.....	1,000
Dadabhoj and Manacjee Rushtomjee of Canton	500
Walljee Rushtoujee and Cullenjee.....	500
Baboo Bunseedur Monohur Doss, of Mirzapoor..	250
Runcherdoss Munjee.....	25
Pallorjee Dorabjee.....	50
Jotha Rutchra.....	25
Monohurdoss Ameerchund.....	25
Moolchund Premjee.....	25
A. Apar.....	25
R. Bellios.....	15
M. S. Owen.....	16
E. J. Einin.....	16
A Friend to the Poor.....	5
P. J. Sarkies.....	25
A Friend to the Poor.....	10
Ditto ditto.....	5
M. A. Vertanes.....	10
P. A. Cavorke.....	16
A. Friend to the Poor.....	8
C. W. Lewis, Junr.....	5
A Poor Man.....	5
Mirza Mahomed Mendie.....	50
Gorochurn Poramanick.....	50
Ramanauth Tagore.....	100

Total.....4,761

When all present had signed the subscription paper, the meeting broke up, Mr. Mangles suggesting that it be an instruction to the committee to send up authority to the relief committees in the interior to draw monies for the purposes of buying grain to the extent that may at any time be subscribed. He seemed to think, and with good reason, that expedition in the present case is half the battle.

We are too much pressed for time to go further at present into the question of what is required of the country in this great emergency; but we shall not fail to recur to the subject until every Englishman and every native has done his duty.

We conclude by announcing, for the guidance of such of the committee as were absent at the close of the proceedings, that the committee will meet this afternoon at the Town-hall at four o'clock.—*Courier*, Mar. 31

MEETING AT THE SAILOR'S HOME.

At about quarter past 9 o'clock the meeting at the Sailor's Home took place where the number present amounted to ten gentlemen, among whom we noticed Messrs. Colvin and Cragg, Captain Vint, Balston, Frazer, and the Reverend Mr. Boaz. It was moved by Captain Vint, and seconded by Mr. Colvin, that Captain Frazer be requested to take the chair. It is necessary to say that several others joined afterwards.

Captain Frazer opened the proceedings of the day, by observing that when he was last in Calcutta, about three years ago, when an establishment like the Sailor's Home was acknowledged by many of his nautical friends to be greatly needed, and it rejoiced him considerably to find on his recent arrival, that a Home had actually been established. This intelligence was the more acceptable under the peculiar circumstances which brought him to Calcutta. The men of that unfortunate ship the *Royal William*, lately commanded by him, had now a comfortable home to receive them, where they were perfectly happy, and from whence they might hope to obtain respectable employment. He would not trespass further upon the time of the meeting with any observations on the utility of such an establishment, to which he was happy in giving his personal testimony.

Mr. Colvin stated that to give stability to such an institution, and successfully and permanently to promote its interests and usefulness, required the mutual co-operation of the commanders, owners and agents of vessels. That an unanimous determination on the part of commanders would render the assistance of others of secondary importance, and he hoped to find them associated together for this exceedingly useful and beneficial purpose.

The Reverend Mr. Boaz conceived that before proceeding any further in the business for which the meeting had assembled, a brief relation of the causes which induced the establishment of the Home, would be of service to it, and profitably occupy the attention of the gentlemen present. Long before the successful establishment of the Home, his attention was directed to those sinks of corruption denominated Punch Houses; which, with the pernicious system of crimping, extensively prevailed in Calcutta, fostering the demoralizing effects of idleness, the natural bent of the human mind

under temptation, and its uncontrolled indulgence in the use of ardent spirits. He determined to make the attempt of establishing a Sailor's Home, and was glad to say, that with the assistance of his fellow creatures and under Divine blessing, he had been enabled to carry his intention into effect. The success which had attended similar establishments in London, Liverpool, Leith, Boston and other sea-port towns, it was to be hoped would also crown their endeavours. In fact he had no doubt of the result, if the Home received the support of the mercantile and shipping community, whose well doing as well as that of the sailor depended upon its continued and respectable existence. Already he was happy to announce, one of the principal punch houses had been induced to close its doors, and he hoped that before the close of another year, all the minor sinks would cease to exist. From a statement which he held, drawn out from the police reports, it appeared that within the last six months, or from June to December, out of about 700 seamen, who had been living on shore, 386 were accommodated in punch houses, 303 at the Home, and the rest it might be supposed were in hospital, or straggling about the town. As a satisfactory evidence of the great utility of the establishment, and the benefits derivable from its operations, it was worthy of remark, the men who had resorted to the Home, were generally of good character and sober habits, and consequently when employed, invariably found capable of undertaking the performance of active duties, whereas men obtained through crimps, or from the purlieus of Loll Bazar and other places, had from long indulgence in liquor, and other debilitating vices, become so nervous, irritable, and shameless, that it was with difficulty they were made to keep to their engagement, while they proved unfit to do any manner of work, for some time after they had been on boardship.

Our time and space will not permit us to proceed as minutely into matters as we could desire; we shall therefore close this imperfect, but we nevertheless hope, acceptable report, with merely stating, that a general disposition to support the excellent institution seemed to prevail, and which practically carried into effect, cannot but permanently benefit the seamen of the port, and secure the interests of owners and commanders of vessels. We shall again revert to the subject on some future occasion.—*Herk. Mar. 1.*

FIRES AT BHOWANIPORE AND DESTRUCTION OF GRAIN GOLAHS.

About fortnight, or twenty days ago, a great fire occurred at Bhowanipore, which nearly destroyed the whole of the extensive Bazar at the place, consumed about 20,000 mannds of rice and grain and did not cease until a hundred and eighty thatched houses were swept away.

At the commencement of the present week another five destroyed about a hundred and fifty houses in the vicinity, grain and articles of consumption were also burnt. The Conservancy officers did their utmost, but a high wind and a burning sun rendered human endeavours

almost useless, as the fire spread rapidly from one point to another.

We some time ago called the attention of the authorities to the necessity of protecting the grain golahs. The extensive, or perhaps large as yet exist at Balleghat and Tallyhoys. If the two last mentioned depots are burnt, the laboring classes may be reduced to the distress that now exists in the north western provinces. Government should either protect the golahs, or purchase the grain and deposit it in some secure place.—*Herk. Mar. 1.*

THE FIFTEENTH ANNUAL MEETING OF THE SOCIETY CONNECTED WITH THE PARENTAL ACADEMIC INSTITUTION.

The above meeting was held on Thursday evening, the 1st instant, and consisted of about fifty gentlemen, chiefly subscribers to the institution and parents and guardians of the pupils.

On the motion of Mr. M. Crow, seconded by Mr. C. F. Byrn, the Rev. Mr. Boaz was called to the chair; and with a few usual prelatory remarks, called on the secretary to read the report. This document commenced by lamenting the loss which the institution had sustained during the year in the death of Mr. Loumer, the head teacher of the school. It then went on to detail the arrangements that had, in consequence, been necessarily adopted; one of which was, that several of the pupils of this school, who had been for years engaged in the work of education, had been promoted. This practice was followed by other public schools in Calcutta, and it was a cause of great satisfaction to the committee to think that the institution was enabled, to a very great extent, to look to itself for instruments for carrying on the work of education. The quarterly examinations had been held at the stated periods, and the annual examination took place on the 15th of December last. The report then enumerated the various branches of education in which the pupils had been examined, which was followed by extracts from the newspapers giving an account of the examination. The improvement in the tone of education pursued at this and other similar institutions was adverted to and mention made that this was the oldest institution of its kind, and had a large share in producing that improvement. A list of the prizes awarded at the last examination, with the names of the successful candidates next followed. On the 28th ultimo, the number of pupils in the school amounted to 213. The resignation of Dr. Halliday, of the medical charge of the school, in consequence of his departure from Calcutta, and the appointment of Dr. F. Corbyn in his room, were noticed, and the reports of these gentlemen regarding the health of the pupils, which went to establish that the children had been remarkably healthy, in consequence of the great care and vigilance exercised over the culinary, the clothing, and other departments connected with their comforts. The pecuniary difficulties of the institution were the next point noticed; but a sub-committee had been formed to remedy the evil, and its arrangements had effected great savings, so that it was hoped this measure, added to the realization of the outstanding balances, would, in some degree, relieve the institution. The departure of Sir C. T. Metcalfe, and his parting liberal donation of a Rs. 1,000 to the institution, as well as another thousand from D. O. D. Sombre, Esq., formed the last topic of comment in the report, and it concluded with expressions of gratitude to all the supporters of the institution.

Mr. Kirkpatrick.—This institution is one of the first of the kind, and had, at its commencement, struggled with great difficulties; but it has successfully overcome them, which must be a source of satisfaction to all connected with it. The report had made allusion to the progress of the other seminaries, every one of which was, like horses in a race, endeavouring to gain the vantage ground in obtaining favour. Under such circumstances, and with a disinterested public, industry alone could command success. They would paralyze the best candidate for their favor, leaving alone those that were going backward. By this an estimate could be formed of this

institution. It has been progressing onward, which in itself is an evidence in its favor. The meeting were not now called upon to record an opinion formed on the spot by the perusal of the report, but an opinion formed long before from other circumstances. Mr. Kirkpatrick alluded to the death of Mr. Loumer, and to his zeal and undivided energy in behalf of the school. Considering the small recompense he got, how he wrote out his constitution in performing the duties of this seminary, he might be justly said to have fallen a victim to the cause of education. The annual exhibition was not, he thought, sufficient to enable the public to form a proper estimate of the qualifications of the pupils, he would suggest a plan followed in academies in England, which was to select one or two of the higher classes for examination, and propose to them a series of questions which had been registered, and record the answers which might be elicited in the course of examination. This would not only enable those who were present to form an opinion but the published report embodying these answers would enable those at a distance to judge of the school.

He then moved, that the report now read be approved and published for general information. Seconded by Mr. S. Chill, carried unanimously.

The chairman, in putting the question, remarked that Mr. Kirkpatrick had compared the schools to race horses; but he thought that a school to do well, required, like a horse, to be well well. The meeting, therefore, could not properly approve of the report without doing something towards wiping off the debts of the school. He had been lately at a meeting of the Sailor's Home, where, under similar circumstances, every one present had subscribed, which example he expected would be followed here. The Wesleyan Societies in America, always kept themselves a little in debt in order to stimulate public charity; but he for one did not approve of debts, and would like to see the whole wiped off, and if the others subscribed he would add his mite at the end.

A subscription paper was here handed round, and we observed several put down their names; but we have not been able to ascertain the amount subscribed.

Mr. C. Pote expected nothing but unanimity on the resolution he was about to put. It was not necessary to talk on a subject which had been completely exhausted by having been spoken of in every possible term of eulogium. The name of Sir Charles Metcalfe (*Cheers*) recommends him to all India, nay to all the intellectual world, which has regarded his career, and borne testimony to his usefulness. Mr. Pote would, therefore, simply read the resolution, and expect the unanimous concurrence of the meeting. He would, however, submit one observation which had that moment occurred to him. The long experience of Sir Charles Metcalfe in India, and his mature judgment were well known to all. Now this great, good, and experienced man had marked out the Parental Institution for his especial patronage, which circumstance was an evidence in its favor, and the example of so great and good a man ought to be followed by all who have the good of India at heart. Indeed such an example could not fail to produce its due effect. The Chairman had already pointed out the means and it was for the meeting and the public to follow it up.

Alluding to the paucity of examiners at the annual examination, he regretted the circumstance; but singled out Dr. Corbyn as an individual who, notwithstanding his arduous professional avocations, had always been at his post for the ten or twelve years past, and performed this public duty. The institution he therefore thought, owed a great obligation to Dr. Corbyn. The following resolution was then moved by Mr. Pote, and seconded by Mr. H. Andrews, and carried unanimously, with enthusiastic cheers, every one present standing up.

That concurring fully in the observations embodied in their report, this meeting desires respectfully to record its grateful sense of the liberal and encouraging disposition so uniformly evinced by Sir C. T. Metcalfe towards the institution.

The chairman related an anecdote of Dr. Dodridge. The Doctor had been to see a good girl on the bed of sickness, and observed to her as a consolation that every body loved her: she, in the simplicity of her heart, replied, because she loved every body. The same might be said of Sir Charles; every body loved him because he loved every body.

Dr. Corbyn, had some experience in the progress of education on this side of India; and looked upon some of the leading public seminaries as doing the greatest good: but this institution he regarded as the principal among them. Here education was given in all its most useful branches, and civil and religious liberty formed the great foundation of the structure. The education was solid: the pupils learnt not by rote, but their understanding was cultivated. Their compositions had astonished many Englishmen. A gentleman who had closely examined the classes at the last annual exhibition, had lately met him and expressed his astonishment at the answers which the boys had given to his questions in Latin. This was Mr. Picaus, a man fully capable of judging on such a subject. This was the reason that Sir Charles Metcalfe patronized this seminary; he had told Dr. Corbyn, that he considered this institution of great service to the public, not only as a source from which well qualified public servants could be obtained, but also as a means of encouraging morality in society, by making useful men of so many who without education would have proved an evil to the community. These were the causes of the general patronage and good-will which this institution enjoyed. He moved the following resolution:

That this meeting begs to offer its best acknowledgments to his friends and supporters of the institution for the continuance of their aid in promoting its interests.

The Rev. Mr. Campbell, in seconding the resolution, observed, that this institution had laid the public under great obligation, by giving the first impulse to scholastic education in India. The first discoverer was always entitled to greater praise than those who followed up his footsteps. He had heard of objections to the variety and extent of studies pursued in this school; but considering the comparatively short time which children were kept in school in this country, he thought it was necessary to give them information on a variety of subjects. Schools and universities only laid a foundation, the finish could be given by individual exertions afterwards. He adverted to the arrears not paid up by parents and guardians, and said they ought to be ashamed of it. This institution he said was based on liberty and Christianity, and served as a nucleus for the diffusion of knowledge to the most parts distant provinces of India to which young men brought up here would resort. He thought it a duty of those who had been educated at this

seminary to support it with their purse. The resolution was carried unanimously.

On the motion of Mr. P. S. De Rozario, seconded by Mr. C. Kerr, it was resolved unanimously, that Mr. W. Byrn and other gentlemen forming the committee of management, be re-elected for the ensuing year, and that Mr. Byrn be requested to continue in the office of secretary to the institution.

The secretary then announced that Messrs. D'Costa and Sturmer had resigned their seats in the committee, and Mr. H. B. Gardner said, that he had been authorized by Mr. James Wood to say, that he also begged to withdraw, in order to make room for others who might give to the committee a fresh impulse. He said Europeans as well as East Indians were supporters of the institution; but the committee consisted exclusively of the latter, he would, therefore, propose that the Rev. Mr. Boaz, now in the chair, should be added to the list of its members.

Mr. M. Crow, adverting to Mr. Gardner's remark on the resignation of Mr. Wood, observed, that as one of the management, it was not his intention to address the chair, but an opportunity having presented itself he would take advantage of it. An observation similar to that of Mr. Gardner had been made at the last annual meeting, on which occasion it was stated, that new blood ought to be infused into the exhausted veins of the committee, in order to give fresh impulse to its motions. In consequence of this observation, some new members had been added to the committee, and that, he (Mr. Crow) was selected as one of the number. The report he said, adverted to certain improvements made in the course of the year in the important department of finance, by a sub-committee of the management. He begged to state distinctly, that none of the new members were in this sub-committee, and that, therefore, in the credit due to its measures of economy, the new members had no further share than that of approving of those measures. Mr. Crow concluded by proposing, that Messrs. P. S. De Rozario and J. Graham be added to the committee.

Mr. Kirkpatrick observed, that Mr. Graham was at that time absent from Calcutta and could not, therefore, enter upon his labours as a member of the committee; he therefore proposed that Mr. Wood continue to occupy his seat until Mr. Graham's arrival.

Mr. Pote commented at some length upon the infusion of new blood into the exhausted veins of the committee, and, we believe, proved that it was good or better than that of any new member who could be chosen.

The Rev. Mr. Boaz and Mr. P. S. De Rozario were then duly elected.

Mr. Kirkpatrick, supported by Mr. Gardner, requested that a statement of the funds be laid on the table.

Mr. Crow observed, that there could be no objection to the measure itself; but that it was informal and out of order, inasmuch as it was contrary to a standing law of the society, the purport of which was, that none but subscribers to the institution were eligible to take a share in the financial management, and that the present meeting, being composed of many who were not subscribers, it was not competent to vote on the question.

After a good deal of desultory conversation on this subject, the proposition was withdrawn, and an abstract of the accounts having been placed on the table, and Messrs. Kirkpatrick and Gordon expressing themselves satisfied, the proposition was withdrawn on the ground pointed out by Mr. Crow.

The thanks of the meeting were then voted to the chairman, and its members retired.—Hark. March 3.

DWARKANATH TAGORE.

As some misrepresentation appears to have gone abroad in respect to the nature of Dwarkanath Tagore's munificent bequest to the District Charitable Society, we have sought and obtained information upon the subject, and now beg to lay it before our readers, in the shape of a copy of the letter of the trustees to the society:

The Hon. SIR EDWARD RYAN, Kt., &c &c. &c.
President of the District Charitable Society.

Honorable Sir.—Our friend Dwarkanath Tagore prior to his leaving Calcutta, requested that we would undertake for him the necessary arrangements connected with the disposal of *one lac* of rupees, which sum it is his desire to appropriate to the accomplishment of some charitable object in this city. Dwarkanath desired that the disbursement of the amount so to be appropriated, might be in some measure connected with the operations and objects of that excellent institution, the District Charitable Society, and for that purpose he requested us to place ourselves in communication with the president. In now soliciting your permission to do so, we have the satisfaction of knowing, that we could not apply for advice or aid to enable us to carry the present bequest into effect to any one so well qualified to afford both in the most valuable degree or more capable of entering into the charitable views and benevolent intentions of our friend. It is the desire of Dwarkanath Tagore that, to whatever branch of charity the fund may ultimately be appropriated, it should be called Dwarkanath Tagore's Fund. The interest on the *one lac* of rupees before mentioned will be devoted to the maintenance of this fund, the principal to be invested in good mortgages in the name of certain trustees; the detailed wishes of the donor on these points are in our possession.

In conversation with ourselves, Dwarkanath Tagore appeared to be under an impression, that one class of indigent persons in this city, *viz.* the poor blind, were

peculiarly objects for charitable consideration, next indeed to the lepers; and there seemed a feeling on his mind that the amount already adverted to might with the greatest benefit to humanity be principally, if not solely, devoted to the relief of the class in question. On this point, however, nothing need now be determined, but as it would doubtless be desirable to consult the wishes of Dwarkanath Tagore in the appropriation of his gift, and he may continue to entertain in the sentiment he expressed to us, touching regular alms or a kind of Asylum for the destitute blind, we shall feel greatly obliged, if you would give directions, for our being furnished with any information which the records of the District Charitable Society can afford, respecting the state of the poorest class of blind persons in Calcutta. The means the poorest class have of obtaining assistance in the progress of diseases of the eyes; and the numbers and condition of such as, deriving no benefit from the aid afforded, are ultimately deprived of the blessing of sight. We need scarcely add that we shall at all times be happy to do ourselves the honor of waiting upon you personally respecting any matter connected with the donation, the nature and extent of which, we request you will do us the favor to announce to the District Charitable Society.

We have the honor to remain, Hon. Sir,

Your obedient humble servants,

(Signed) H. M. PARKER.

W. PRINSEP.

PROSUNNOCOMAR TAGORE.

Calcutta, Feb. 20, 1838.

We are informed that upon the receipt of the above, the District Charitable Society resolved to endeavour to obtain accurate knowledge regarding the condition of the blind poor in Calcutta, and in the mean time nominated a sub-committee to confer with the central committee, as to the best mode of appropriating the money. —*Englishman*, March 4.

COURT MARTIAL ON CORNET ROCHE.

The court-martial on Cornet Roche, which has lately been published to the army, calls, in our opinion, for some commentary, with the view of placing that young officer's case on a footing even more creditable to him than what his essentially full acquittal makes it appear, although backed by the opinion of the Commander-in-Chief, which leaves no slur attachable to the Cornet's character. We are well acquainted with the facts of the case, as given in evidence, and nothing can show more strongly how impossible it is for even the most mild and the best conducted officer (in all social relations) to pass through his professional life without being subjected to trial by court-martial. Here is an instance of a young man of quiet, gentlemanly, and extremely inoffensive manners, dragged before a tribunal of military justice, at the very outset of his career, because he was subjected to the outrageous abuse of an ill-mannered mate of a ship, and, after much forbearance, resented it by knocking the offender down, as the charge alleges, but only, as the fact was, pushing him off from him indignantly with his open hand. There was not only not the slightest aggression on Mr. Roche's part towards his vulgar abuser, but there was not

even such instant chastisement as the usual infirmity of human temper would have excused, for the insult; and yet Mr. Roche has been made the object of what it is not too weighty a description of term, persecution for several months, on shipboard and shore together. He was a passenger on the *Thomas Grenville*, coming out with several officers, including one of the lieutenant colonels of his regiment, to join; and it appears from official documents which we have seen, that he was kept in close arrest, and not allowed to come upon deck when any other of the passengers were there, nor before nightfall, nor after eight in the morning, and all this for no reason, other than that he had resented a rude man's insolence, to the extent we have described—having never given the slightest provocation to call the insolence forth. Mr. Roche had only just entered the service before he sailed from England, so that he was totally without experience, and therefore, when the vessel touched at the Cape, he did not know how to seek the protection of the Governor or Commander-in-Chief there, and it seems, Sir Benjamin D'Urban (we must suppose either misinformed, or strangely misunderstanding the true statement), enforced the close arrest—nearly as close as a felon's could be

—so that it absolutely required the Doctor's sanction for the prisoner's taking the air on deck. It is very surprising to us how the court-martial could have sentenced Cornet Roche to even a reprimand upon the evidence which we know was before it; for to say nothing of the extenuation, for even undue warmth (had any been displayed) to be found in youth and inexperience, there was the strong evidence not only of the respectable passengers, male and female, and of the captain of the ship, but of some of the witnesses for the prosecution, that the demeanour of the accused had been uniformly mild and conciliating to every one, and that he was the last person on board whom any of them would believe disposed to give offence to a human being. There was also proof that such were the character and disposition he had been noted for, before he entered the army at all, and among those who had good opportunities of appreciating both; for, in a newspaper which happened to be on the files of the *Cameronian's* mess, or library, (the *Cork Constitution* of July, 1837,) was a testimony of that nature which it gives us much pleasure to lay before our readers.

*At a meeting of the farmers, tradespeople, &c., of the parishes of Corkbeeg and Trabolgan, on the 27th instant.

The following address was unanimously resolved on:
JOHN CALLAGHAN, Chairman.

TO EDMOND ROCHE, ESQ., THIRD LIGHT DRAGOONS.

Sir.—The farmers, tradespeople, &c., of the parishes of Corkbeeg and Trabolgan, have heard of your intended departure from amongst them, with the most acute feelings of regret. Your accustomed urbanity of temper, and your uniform charitable disposition to all—have endeared your memory indelibly in their hearts.

We sincerely wish you every success, and trust that Divine Providence will prolong your existence, and that they will have again the pleasure of beholding an individual whom they shall ever respect and love.

ANSWER.

* It is with the greatest pleasure I have read your address. I regret exceedingly that my income did not permit me to be more liberal to the poor of your neighbourhood. I trust that Divine Providence will bestow on you the blessings of plenty, and that, when I again visit

my native soil, I shall see you all happy and contented.
July 28.

In addition to all that, we have the avowed opinion of the court that the accused only struck (the verdict, very rightly, does not find the knocking down) the male 'after great and continued provocation'; and yet he is sentenced to be severely reprimanded,—this young and naturally peaceful man,—because his spirit could not brook the wanton and protracted abuse heaped on both his countrymen and himself. We do think it was very thoughtless in the court to brand a young officer, under these circumstances, with such a penalty on the very threshold of his professional life; and we rejoice to find inferential evidence to the fact that the Commander-in-Chief did really deem the sentence unnecessarily harsh, though he does not seem to have thought *disapproval* to be politic—perhaps with reference to the regimental situation of the virtual prosecutor. His Excellency confines his formal reprimand to the mere acquiescence in the court's desire to that effect, but remarks, that 'the interference of the 3d mate of the *Thomas Grenville* with Cornet Roche, and the gross and vulgar language used by him, both with reference to the Irish generally, and to the Cornet personally, go far in extenuation of the Cornet's misconduct.' Much approving of the tenor of that observation, we think we can fairly object to the use of the phrase 'misconduct,' with which it terminates. His Excellency, we know, not unfrequently employs words in their originally strict sense, which have come, in ordinary parlance, to convey stronger sentiments than, perhaps, they always did (there are many instances of such terms, in our language) and the word misconduct is, in military cases especially, understood to convey the impression of some very heinous course of action, and to such only is it ordinarily applied. In the case before us, we believe neither civil nor military society will pronounce it to be atrocious in any one to act as Cornet Roche acted; and we are quite certain, that neither the purely military, nor the gentlemanly, feelings of Sir Henry Fane are dissatisfied with his conduct, because, if such had been the sentiment, the reprimand would have been properly couched in terms of indignation. We have scarcely any personal acquaintance with Cornet Roche, nor with any one who knows him; and we are actuated in these remarks solely by a desire to set a young officer quite right with the Tudan community, at his first starting as one of their social members.—*Englishman*, March 4.

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's Apartments, the 3d March 1838.

L. T. Watson, Esq., Assistant Surgeon, by H. Chapman, Esq., seconded by Mr. R. O'Shaughnessy.

—Maxwell, Esq., of the Madras Service, by Dr. O'Shaughnessy, seconded by Dr. Goodale.

Letters from the following gentlemen were read:

1st. From the secretary of the Asiatic Society, returning thanks for the 4th and 6th numbers of the Society's journal.

2d. From Messrs. Arbuthnot and Co., the Society's Agents at Madras, forwarding their account current and stating that they had a balance in their hands in the society's favour of 674 rupees.

3d. From D. Macnab, Esq., forwarding a communication upon dysentery and other algine fluxes produced by bad rice.

The following works were presented to the library:

1st. Report of Mr. Bruce upon the culture of tea in Assam by the tea committee, through their secretary Mr. Wailch

2d. Report of the coal committee by their secretary Dr. MacClelland.

2d. *Journal de Medicine de Societe Royale de Medicine de Bordeaux*, for May 1837.

Dr. O'Shaughnessy took the opportunity of informing the Society, that, after many attempts he had succeeded in finding iodine in the confeval of the salt-water lake. We had previously examined a great number of the plants of that and other salt-water morasses, and found them all destitute of this substance. The confeval is however, richer in iodine than any of the algæ fuci, he had ever examined or read of. It contained about a grain of iodine to the œer (2lbs.) of the moist weed. The confeval could now be obtained to the amount of hundreds of tons on the surface of the salt-water lake. The process of preparation is very ample. The confeval is gathered and dried before the sun, then burned, and from the ashes soda and iodine are obtainable in such quantities, that the soda will pay the expense of the manufacture, and give the iodine for nothing.

Mr. MacNab's paper on congestive fever was then read and discussed.

H. H. GOODALE.

Hark. March 9.]

Secy. Med. & Phys. Socy.

PROSPECTUS OF A SOCIETY TO BE CALLED THE "LANDHOLDERS' SOCIETY."

- 1st. The objects of this society are to promote the general interest of landholders.
- 2d. To promote cordial and friendly communication between all classes interested in land, without distinction of colour, caste, birth-place, or religion.
- 3d. To diffuse information on all subjects connected with the interest of the soil.
- 4th. To compose and settle differences and disputes amongst landholders.
- 5th. To endeavour to obtain a legal limitation to the claims of the state for the better securing of titles.
- 6th. To make respectful representations to Government when any regulation shall be promulgated injurious to the general interest of all connected with the soil.
- 7th. In the same manner to ask for such new enactments as may be deemed important to the interests of the landholders and others connected with the soil.
- 8th. To ask for the repeal of all existing laws that may be prejudicial to the same classes.
- 9th. To extend the assistance of the society to individuals when we think a general principle is involved, in order that such cases may be appealed to superior authorities.
- 10th. To defend ourselves by legal means against the resumption measure, now in progress, and any further attacks of the same nature, or any encroachment upon the principles of the permanent settlement.
- 11th. To contend for the fulfilment of the pledge, by proclamation, to extend the permanent settlement to the north west provinces.
- 12th. To assist landholders living at a distance in their business with the courts and public offices of the presidency, and generally to furnish them with advice on all matters properly connected with the objects of the society.
- 13th. To carry into effect the above objects, it is proposed that the following officers be chosen.
- 14th. A committee of twelve persons to be elected by ballot; four to go out by rotation at the expiration of each year, and their places to be filled by ballot. The same persons may be re-elected.
- 15th. The committee to be empowered to add to their number, if expedient, subject to confirmation by the next general meeting.
- 16th. The committee shall choose out of their number a president, vice president, and treasurer.
- 17th. The president, or in his absence the vice president, to have the casting vote in all divisions where the numbers shall be equal.
- 18th. All divisions to be settled by ballot.
- 19th. The secretary and assistant secretary to be nominated by the committee, and appointed by a majority of the members.
- 20th. The secretary to find his own establishment, subject to the approval of the committee, who will pass his account monthly.
- 21st. The public regulations, and such other books or papers as may be necessary, to be kept at the office of the society.
- 22d. A meeting of the committee to take place the first Monday in every month; and whenever called especially by any two of the committee or any five members of the society.
- 23d. Any five of the members of the committee when present at a meeting will form a quorum to conduct the business of the society.
- 24th. A general meeting of the members to be held quarterly on a day appointed by the committee.
- 25th. The election and expulsion of members, and all questions whatever relating to the concerns of the society, may be directed by a majority.
- 26th. When a member may wish to retire, he is to give one month's previous notice.
- 27th. In case of death any one of the heirs and representatives of a deceased member shall, with the consent of the co-heirs, have a hereditary right to be elected as a member and be exempt from any fresh entrance fee.
- 28th. Every person desirous of becoming a member of the society must apply to the committee through their secretary.
- 29th. The only qualification necessary to be eligible for election as a member, is a desire on the part of the candidate to promote the general objects of the society.
- 30th. A member may vote by written proxy on general questions.
- 31st. Mooktiars of absent members may attend meetings by permission of the committee.
- 32d. Each member to pay an entrance fee of five rupees, and an annual subscription, in advance, of twenty rupees.
- 33d. The committee is authorized to receive donations to any amount from any member or other person willing to promote the objects of the society.
- 34th. The committee are to be earnestly recommended to endeavour to establish branch societies in every district of the British India Empire, with the view of establishing regular communications on all subjects connected with the object of the society.
- 35th. No person to vote unless his subscription be paid up.
- 36th. The funds to be kept in a bank, as may be ordered by the committee from time to time, or otherwise invested at their discretion.
- 37th. Current expenses to be drawn for by the secretary, countersigned by two of the members.
- 38th. Extraordinary expenses only by order of this committee entered in their proceedings.
- 39th. Secretary to keep proceedings at each monthly meetings, in English and Bengally, duly signed by the chairman of the committee, and to keep an index of all communications with Government or public officers which may decide general principles for easy reference of members.
- 40th. Members of the society and others having disputes may refer them to one or more member of the committee, who will arbitrate on matters connected with the objects of the society.

RAJAH RADHAKANT BANADOUR, Chairman.

METCALFE TESTIMONIAL MEETING.

TOWN HALL, 19TH FEBRUARY, 1838.

At a public meeting of the subscribers and intending subscribers to the Metcalfe Testimonial.

JAMES PATTLE, Esq. in the chair.

Proposed by H. T. Prinsep, Esq., and seconded by Dr. Grant.

Resolved.—That this meeting enters cordially into the feelings expressed by the meeting of the British inhabitants at Agra, in their resolution expressing their desire to erect a statue in honor of Sir C. T. Metcalfe, and to present him with a service of plate, and doubts not, that the community of British India will co-operate effectually in the promotion of these objects.

Proposed by Mr. Longueville Clarke and seconded by Dr. J. R. Martin.

Resolved.—That by combining together the different public subscriptions, (which are now raising,) to offer testimonials to Sir C. T. Metcalfe, it would enable the whole Indian community to express in a more distinguished manner their appreciation of the merits, and esteem for the character of that eminent man.

Proposed by Mr. H. T. Prinsep, and seconded by Mr. William Patrick.

Resolved.—That a committee consisting of the following gentlemen: the Hon. the Chief Justice, General McGregor, Mr. H. M. Parker, Mr. C. R. Prinsep, Dr. John Grant, Captain T. J. Taylor, Mr. Longueville Clarke, Mr. R. J. Bagshaw, be formed, to collect the subscriptions of the residents in Calcutta, and put themselves to communication with the committees formed or to be formed at the other presidencies and stations, in order to receive the sums that may be forwarded; and that it be an instruction to the committee to call another meeting on some convenient day, after not less than two months, and to report the amount available for the purposes in view, with their recommendation as to its disposal, in order that a final resolution may then be come to in respect to the appropriation of the funds.

The committee have the gratification of announcing that a public meeting was held at Agra on the 20th of February, the day after the meeting at the Town-hall, when the following resolution was passed:

Copy of resolution passed at a meeting held at Agra on Tuesday, the 20th February 1838:

“R. D. Duncan, Esq., in the chair. It was resolved that, with reference to a second public meeting at Calcutta, on the subject of a testimonial to Sir Charles Metcalfe, held on the 6th instant, when in amendment of the decision of a previous meeting limiting the measure to the inhabitants of Calcutta, resolution was passed to the effect that measures should be taken to render it general for all India. This meeting view such resolution with pleasure, corresponding to the disappointment to the supporters of a general measure which the result of the former Calcutta meeting was calculated to produce. That this manly combination and unity of effort throughout India on the part of all interested in the measure, was the object mainly aimed at in the resolution of the public meeting held at Agra, on the 30th November last, and the same that has invariably guided the Agra committee in their subsequent proceedings, more especially in their addresses to influential parties at Calcutta, Madras and Bombay, which conveyed copies of the above resolution: though from circumstances too

late probably to be brought forward or attended to at the above Calcutta meetings. That this virtual adoption by the Calcutta community of the same principle of general combination and union, sanctions the anticipation that, throughout India, a sum may be raised (probably seventy or eighty thousand rupees) equal to both objects suggested in the above Agra resolution, and that this meeting therefore, with the greater confidence, still earnestly recommends both the erection of a statue and the presentation of a service of plate. That, however, should the voice of the subscribers in other parts of India be in favour of any other testimonial of a character of more direct utility than a statue, the Agra subscribers will readily defer to their views, and be prepared to forward accordingly the amounts of their subscriptions—at present about Rs. 13,000 to the committee at Calcutta, with whom, from their metropolitan locality and influence, it is understood, must rest the duty of carrying such measure as may be adopted into final effect. Also, that this resolution, with a copy of that passed on the 30th November last, be forwarded to the chairman of the Calcutta committee, with the request that they be submitted for their consideration.”

Resolution of the 30th November referred to above.

That this meeting is of opinion, that in acknowledgment of the distinguished services rendered by the Hon. Sir C. T. Metcalfe, Baronet, to the whole of British India, as well as of his administration of the affairs of those provinces, both a statue should be erected in his honor and a service of plate presented to him; but that the erection of a statue is the primary object to be accomplished. As the adoption of one or both of these measures must depend upon the co-operation of the inhabitants of other parts of India, as well as upon considerations which it is impossible now to foresee, the final appropriation of the sums raised at this station must be placed at the disposal of a local committee. It should be made a direction to the committee to aim primarily at accomplishing both of the above objects, or otherwise to carry into effect the wishes of this meeting to the best of their ability, and for this purpose to place themselves in communication with other bodies of individuals, who may elsewhere interest themselves in the same cause.

The following is a copy of a letter circulated by the directions of the Calcutta committee throughout the presidencies of Madras and Bombay, and the different stations of India, and the committee now publish it in this form, that it may become more generally known, and in the hope that it will be acted on even in stations, where it may not have been received.

Calcutta, 27th February, 1838.

SIR,—The committee appointed at the public meeting at Calcutta of the subscribers and intending subscribers to the Metcalfe Testimonial, have directed me to forward to you the following copy of the resolutions passed at the Town-hall on the 9th instant, and also a list of the subscriptions. Anxious to give effect to the first resolution, the committee desire me to solicit the favor of your assistance, and hope that this appeal to the community of all India will be circulated by you through your district or station. The committee likewise begs, that should any subscriptions be obtained, you would favor them by returning this list to me, and likewise assist them in the remission of the funds in any way most convenient to yourself.

I have the honor to remain,
Yours obedient servant,

LONGUEVILLE CLARKE,

Amount of subscriptions last advertised.....	6838	A. R. Young, C. S.....	16
Col. W. Roberts, Oude.....	100	F. Leekie.....	12
Thomas Bras.....	50	W. B. Webster.....	10
T. Roston.....	16	J. R. Dwyer.....	5
J. W. Twallo.....	5	Mr. Goldwig.....	10
Tarranychun Chuckerbutty.....	5	Mr. Johnson.....	8
Frances Horsby Robinson.....	100	Thomas Wyatt, C. S.....	100
<i>Transmitted from Baugulpore by Mr. Wyatt.</i>			
Major Graham.....	16		
G. F. Brown, C. S.....	50		
H. H. James, C. S.....	16		
W. Travers, C. S.....	16		
H. C. Bagge, C. S.....	16		
			7389

Subscription books are deposited at the Bengal Club, Union Bank, Hurkaru and Englishman offices, and Spence's Hotel.—*Hurk., March 13.*

EXAMINATION OF THE HINDOO FREE SCHOOL.

TOWN HALL, SATURDAY, THE 24TH MARCH, 1836.

DAVID HARE, ESQ. IN THE CHAIR.

This institution was established in December 1834 by Gobind Chunder Bysack, of Bhanstullah, Burrah Bazar, but is now conducted by Chunder Mohun Bysack. It educates about 130 boys in the rudiments of English Grammar, History, Arithmetic and other useful qualifications. The pupils are divided into six classes.

At this as at the two last meetings not a native of wealth or influence appeared; this apathy is particular, and those zealous in the cause of promoting the enlightenment of the natives of India, should stir their native friends to take some interest in these institutions. The ex-students of the College may be very well qualified to instruct their countrymen, but their efforts unaided must prove unavailing.

Besides Messrs. D. Haie and R. Dias and Rajah Kallee Kissen we knew nobody else. The examination was conducted by the three gentlemen above named.

The sixth class spelt out of No. 1 of The Spelling Book, but were very backward indeed.

The 5th class read out of No. 2 of the above book, as badly as the former class.

The 4th class read of No.—Reader, No. 2 Spelling Book went through exercises in English Grammar and Arithmetic.

The 3d class read very correctly out of No. 2 of The Reader, and acquitted themselves in Grammar, Geography and Arithmetic to the satisfaction of all present.

The 2d class read from No. 3 of the Reader, Chits' Geography, and answered Grammatical and Geographical questions with aptness and facility.

The 1st class read remarkably well out of No. 1 of The Postical Reader, answered Geographical and Arithmetical questions, gave historical references with quickness, and acquitted themselves very creditably.

The prizes were distributed by the chairman, and the pupils seemed proud of every mark of distinction conferred on them by our philanthropist.

After the examination the following recitations were delivered with correct emphasis and enunciation by the boys named below.

Fortune.....	Bejoy Chunder Bose.
Night.....	Omes Chunder Bose.
Virtue.....	Omes Chunder Bose.
The Cigar.....	Khutter Mohen Bysack.

Mr. Hare addressed the meeting, stating that his friend the Rajah was indisposed, but desired Mr. Hare to say, he was pleased with what he had witnessed. Mr. Hare then said he had attended three of the examinations by the pupils of the institution, and he was glad to say that during that period several of the elder boys had qualified themselves and are in employment. He hoped that at the next examination he would be able to say as much. "Education," said Mr. Hare, "is making great progress among the natives," and he hoped its ardent benefits will be felt by the influential gentlemen, and urge them to render some assistance to the efforts that have been made to improve the intellectual condition of the Bengallees.

A native gentleman then returned thanks on behalf of the proprietors of the institution, and trusted they would continue to merit the support that had been bestowed on them.—*Hurk. March, 26.*

The visitors dispersed at 1-30 p. m.

EXAMINATION—HINDOO BENEVOLENT INSTITUTION.

BISHOP'S PALACE, TUESDAY, MARCH 13, 1836.

The Right Rev. Daniel Wilson, M. D., in the chair.

The annual examination of the pupils of this institution commenced about 30 after 11 a. m. this day. Among the visitors, we recognized, the Venerable the Arch Deacon, Captain Marshall, Doctor Webb, the Reverend Mr. Fisher, Messrs. David Hare, A. F. Smith and several other gentlemen. We cannot help expressing great surprise at the absence of the natives of influence, save Rajah Kallee Krishen and Radhacant Deb.

The examination was conducted by the Venerable the Arch Deacon, Messrs. D. Hare, R. Dias, Rev. Mr. Fisher, Rajah Kallee Krishen, and some of the ex-students of the Hindoo College.

This institution was established in 1831, by Baboo Shurdabpershad Bhowe, at present, the head teacher of the Company's School at Bajeshye. That Baboo at first supported the institution. The expenses are, however, now paid by subscriptions from both the Christian and native communities. It is now conducted by Radhacant Deb. It contains about 225 pupils who are instructed in the Classics, History, Mathematics,

Geography, English Grammar and the Bengallee language.

The 4th class went through No. 3 of the English Reader, Murray's Abridgement of Grammar, Geography, Arithmetic and short translations from English into Bengallee.

The 3d class read from No. 4 of the English Reader, No. 1 of the Poetical, Murray's Grammar, Arithmetic, translation, parsing and the History of India.

The 2d class read parts of No. 5 of the English Reader, portions of Gay's Fables, the History of Greece, English Grammar, Geography, Mechanics, and Geometry.

The 1st class read Book 31 of Homer's Illiad, Enfield's Speaker, answered questions in Roman History, went through English Grammar and the exercises.

This class evinced great efficiency in Geometry, Algebra, Arithmetic, Mechanic's Astronomy and Geography.

After the examination, the following recitations were delivered exceedingly well by the youths named :

Soldier's Dream Ummar Chander Bunnerjee
Mark Antony's Soliloquy over the body of Cæsar, —
Dwarkanauth Sein.

Merchant of Venice Act 5, Scene 1st.

Lorenzo Benemadub Ghose.
Jessica Dwakanath Sein,
Stephano Ramechunder Doss.
Launcelot Umeschunder Bannerjee.

Act 3, Scene 1st.

Shylock Parankhishna Mookerjee.
Tubal Nobinchunder Deb.

A calm after a shower . . . Umeschunder Bannerjee.

After the english recitations, a scene from Rajah Vitektan of Gour, in Bengallee, was gone through by a few lads, much to the entertainment of the English gentlemen present, and we may add that the novelty of the thing took better than any thing else, though we thought it occupied too much time.

Some excellent specimens of penmanship were laid on the table, and did credit to the boys. Their handwriting appeared very bold, and we did not find erasures in

any of the books exhibited. About 150 prizes were distributed among the most efficient scholars, and we learnt that they were procured by subscription among the several committees in Calcutta.

The Right Rev. Chairman then addressed the assembly, saying he was much gratified at the examination and that the several classes had acquitted themselves remarkably well in the different branches of their studies. The present efforts of the pupils indicated their future eminence, and His Lordship felt assured that if the work of knowledge be preserved in as has been done, the natives of India may hope for a speedy release from those yokes which ignorance and superstition had burdened them with. The prizes bestowed this day, were so many stores of knowledge, which, when attentively looked into, would answer in the places of wealth, and if promulgated carefully among their brethren, would be memorials of the struggles of the present generation for the welfare of those who will hereafter succeed them.

There is no sight, said His Lordship, more gratifying than the promotion of knowledge in this great country Hindustan, and those natives of wealth who aid in this praiseworthy duty, ought to feel proud of being the reformers of their country; and while engaged in the emulating and difficult undertaking, his Lordship was of opinion they ought not to forget to inculcate religion and morality, the aids of all knowledge. As the sun rises after the darkness of night, so will knowledge rise transcendent and throw down all impediment. His Lordship strongly impressed upon the minds of the pupils, the strictest adherence to love, benevolence, charity and honesty in all their dealings, and if the pupils practised those virtues in their search after knowledge, they will of themselves discover how necessary Christianity has been to the welfare of mankind in general. His Lordship concluded by thanking the visitors, and expressed a hope that they would annually observe the progress in the efforts of the institution.

Rajah Kalee Krishen, in behalf of the managers, returned thanks to the Right Rev. Chairman for His Patronage and the annual use of the palace, and hoped the rising character of the institution will always entitle it to His Lordship's consideration.

The examination concluded at 3 P. M., when the visitors retired, — *Hurkaru, March 14.*

THE AGRA BANK.

Annexed we give the report of the directors of the Agra Bank for the half-year ending December 1837, together with an abstract of the bank accounts for the same period. The whole shows that the establishment is in a state of high prosperity and rapidly advancing in public estimation.

Report of the Directors read to the Proprietors of the Agra Bank at a General Meeting held on the 1st of March 1838.

After more delay than we could have desired, or than is likely to occur on further similar occasions, we have now to report the result of the operations of the bank, during the half yearly period ending on 31st December last.

The bringing up of the books has been retarded by the difficulty of recruiting with skilful hands, an establishment that has for some time been found quite inadequate to the increasing importance and multiplicity of the bank's transactions, and has been still further delayed by the repeated indisposition of some of the most efficient office assistants.

Means have been taken, and others are now under consideration, which will have the effect of simplifying the accounts generally, as well as placing them on such a footing as will greatly facilitate a resumption of the practice of publishing, with the strictest accuracy, the prescribed periodical statement.

At our last general meeting the correspondence with the Lieutenant Governor of Agra on the subject of a bank note circulation, was laid before you. The question has been referred by the Governor General to the Home authorities; and, allied as it is to other propositions regarding banking in India, that have been long before the Court of Directors, we may expect ere many months elapse to learn their decision on the matter.

The state of credit generally during the period under review has been particularly inauspicious to our hopes of rendering the bank extensively useful to commerce; and, looking to security as our first object, we have not hesitated to forego some portion of profit, rather than employ any part of the funds at our disposal, in business attended with apparent risk. But, though considerable

sums have thus remained unemployed throughout the season, the accompanying abstract of profit and loss will shew that the prosperity of the bank has in no way diminished, and that, though the gains might have been still greater under a less cautious course of proceedings, they still range at the high rates which have been generally realized by the bank.

The new stock, the holders of which will share in the profits of the half year, commencing with the 1st of January, amounts to Rs. 500,000.

Having negated the proposition that was made to you by the secretary to take to the bank fifty shares that were reserved for that purpose, by the Oriental Life Insurance Company, with the view of obtaining for the directors of the bank, the privilege of at once deciding, on application for insurance, without incurring the delay of a reference to Calcutta, we were in danger of losing altogether the important advantage to the bank of such a concession. Five of our number, however, with the secretary and assistant secretary, having become proprietors of the greater part of those shares, the Oriental Company have agreed to constitute them into a committee for the purpose originally proposed, and thus a very great accommodation has been obtained for constituents, as well as much facility in conducting its business without any responsibility on the part of the bank, which, we trust, will meet with your approbation.

With so large a paid-up capital, it appears to us useless, as well as inconsistent with the practice of similar institutions, to hold reserved funds beyond what may suffice to cover all doubtful debts.

Hitherto there have been none that can be properly considered as of that description; but, as in the various transactions of the bank there may possibly turn out to be some losses, we would still recommend that, after setting aside Rs. 80,000 for a dividend at the rate of 16 per cent. per annum, the balance should be reserved to meet any such unforeseen casualties.

The following statement of the assets and responsibilities of the bank, and of profit and loss from 30th June to 31st December last, will shew that the sum to be thus reserved, amounts to Rs. 13,179-3-5.

*A statement of the affairs of the Agra Bank ;
FROM 30th JUNE TO 31st DECEMBER, 1837.*

ASSETS.			
By Amount of loans.....	17,52,747	10	4
„ Balance in the Union Bank...	74,147	4	11
„ Ditto with European agents..	3,68,148	15	4
„ Ditto with native agents.....	1,20,251	4	3
„ Due by the Union Bank, its } Account..... }	28,278	4	10
„ Government paper—principal	47,980	0	0
„ Bills discounted.....	84,551	2	8
„ Suspense account.....	3,331	9	11
„ House in cantonments.....	13,500	0	0
„ Office furniture.....	500	0	0
„ Cash balance.....	1,09,000	1	9
Total...Rs-	26,02,436	6	0

LIABILITIES.

To floating deposits.....	1,84,550	5	11
„ Five per cent. ditto.....	7,97,279	0	11
„ Amount due to agents	17,548	7	2
„ Subscriptions to new stock...	5,09,859	4	7
„ Old stock.....	10,00,000	0	0
„ Divisible surplus.....	93,179	8	5
Total...Rs-	26,02,436	6	9

*Abstract of profit and loss account ;
FROM 30th JUNE TO 31st DECEMBER, 1837.*

CR.			
By hoondeean account.....	22,130	8	9
„ Interest on closed accounts..	13,478	11	0
„ Interest on loans.....	71,843	5	3
„ Interest on Government paper	1,951	2	7
„ Commission account.....	2,304	7	4½
„ Discounts.....	2,140	9	1
„ Adjustment account.....	721	10	3
„ Postage account.....	2,212	14	2
Total...Rs-	1,16,783	4	5½
DR.			
To establishment expenses.....	17,924	14	9
„ Interest on the 5 per cent. } deposits..... }	15,910	14	1
„ Interest on the new stock } at 6 per cent..... }	7,449	6	10
„ Postage account.....	339	6	4
„ Petty charges account.....	2,347	5	3
	43,969	15	3
Balance.....net profit	72,813	5	2½
Total...Rs-	1,16,783	4	5½

J. W. URQUIHART, G. J. GORDON.
Accountant. Secretary, Agra Bank.
Agra, 31st December, 1837.

Proceedings of a General Half yearly Meeting of the Shareholders of the Agra Bank, on the 1st March 1838.

MR. MANSEL IN THE CHAIR.

Read the report of the directors on the affairs of the bank.

Resolved—That the accounts submitted be passed.

Resolved—That a dividend be now declared at the rate of 16 per cent. per annum, or Rs. 20 per share, and that the balance of the assets be reserved.

Resolved—That the thanks of the proprietors are due to the parties who have effected the arrangement with the Oriental Life Insurance Company, by which applications for life insurance can be disposed of on the spot.

Resolved—That the thanks of the proprietors are due to the directors, for their successful management of the affairs of the bank.

Resolved—That the following gentlemen be directors for the current half-year.

C. G. MANSEL.	M. W. WOOLLASTON.
J. S. BOLDERO.	W. H. RICHARDS.
HON. H. B. DALZELL.	D. WOODBURN.
R. B. DUNCAN.	H. TANDY.
P. INNES.	

That the thanks of the meeting be given to the chairman.

G. J. GORDON, Secretary Agra Bank.
Hurk., March 14.]

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A general meeting of this society was held at the Town-Hall, on Wednesday morning, the 14th of March, 1838, at half-past nine o'clock.

THE HON. SIR E. RYAN, PRESIDENT, in the Chuir.

Present :—Dr. Wallich ; Dr. Huffnagle ; Col D. McLeod ; W Storm, Esq ; T Leach, Esq ; C K Robison, Esq ; R Watson, Esq ; A Beattie, Esq ; W Makenzie, Esq ; Dr Strong ; W K Ewart, Esq ; W F Gibbon, Esq ; Dr H H Spry ; C Tiebeck, Esq ; A Dobbs, Esq ; A Grant, Esq ; D Hare Esq ; J H Stocqueler, Esq ; C R Princep, Esq ; M A Bignell, Esq ; R Smith, Esq ; C A Dyce, Esq ; E Preston, Esq ; Capt W N Forbes J W Masters, Esq., and John Bell, Esq.

Visitors :—Messrs. Brockman and Stafford introduced by Dr. Strong, Wm. Deat and C. Brownlow, Esqrs.

The proceedings of last meeting were read and confirmed.

The following gentlemen proposed at the last meeting, were elected members of the society.

W. Moran, Thos. Parker, and J. H. Savi, Esqrs. ; The Rev. C. E. Driberg ; Thos. Bracken and Chas. Oman, Esqrs. ; J. Louis, Esq. ; C. S. ; J. B. Elliot, Esq., C. S. ; R. Scott Thompson, Esq. ; Capt. J. H. Wood ; Wm. Rushton and T. O. Morrell, Esqrs.

The following gentlemen were proposed as members :

Geo. Palmer, Esq., (Purneah) proposed by J. F. Cathcart, Esq., and seconded by the secretary.

Major-General Oglander, proposed by Lieut. Sibley, and seconded by the secretary.

F. L. Beaufort, Esq., C. S., proposed by Col. McLeod, and seconded by the secretary.

Thos. Brae, Esq., proposed by Thos. Leach, Esq., and seconded by W. Kettlewell, Esq.

H. Fitzgerald, Esq. (Tirhoot), proposed by the secretary, and seconded by Dr. Wallich.

Geo. Osborne, Esq., (Chunar) proposed by the secretary, and seconded by W. Storm, Esq.

W. Hudson, Esq., proposed by the secretary, and seconded by W. Storm, Esq.

W. Dent, Esq., C. S., proposed by Dr. Wallich, and seconded by Captain Forbes.

The proceedings of the last general meeting were read and confirmed.

Motions of which notice was given at last meeting, disposed of :

No 1.—The Agricultural Committee's recommendation to present Dr. Montgomerie of Singapore with the society's gold medal, was brought forward and discussed.

Mr. C. K. Robison proposed as an amendment, seconded by Mr. A. Grant, that the silver medal be substituted for the gold medal, which amendment being put to the vote was carried.

No. 2.—The president's motion that the expense incurred by the secretary in publishing a pamphlet on cochineal, be defrayed by the society. *Resolved*, that the society bear the expense.

No. 3.—Dr. Wallich's motion, recommending that a sum of 200 rupees be placed at the disposal of Lieutenant Kirke, of Deyrah Dhoon, was next brought forward.

Dr. Wallich informed the meeting that he had been reminded by the secretary of an offer made by Dr. Campbell, of Nepal, similar to that for which he sought the aid of the society in behalf of Deyrah Doon, which had remained in abeyance, waiting the decision of the committee. Dr. Campbell's letter, and Dr. Wallich's notice of motion had, therefore, been before, committee since last meeting, and the result was a recommendation that a trial should be given to the valley of Nepal, as well as that of Deyrah Dhoon.

Proposed by Mr. Robison, seconded by Dr. Wallich, that this motion of Dr. Wallich, in its amended form, as recommended by the Agricultural Committee, be discussed and settled at the next general meeting. Agreed accordingly.

Notices of motion.

No. 1.—Dr. Wallich's original motion, No. 3, of last month's proceedings, with the amendment recommended by the committee, viz.

That 200 rupees be placed at the disposal of Dr. Campbell, of Nepal, and the same sum at the disposal of Lieut. Kirke, of Deyrah Dhoon, for the purpose of enabling those gentlemen to furnish this society with seeds, plants and grafts of European vegetables and fruit trees, in an acclimated state as an experiment, to be discontinued if the trial does not succeed.

No. 2.—Proposed by C. K. Robison, Esq., seconded by W. Keir Ewart, Esq., That this society make some acknowledgment to Signor Muti, for his exertions amidst many difficulties in cultivating the white mulberry tree, in the Decran, by which the production of silk has been rendered eminently successful, both in quality and cheapness, and that for this purpose the gold medal of the society be awarded to him.

REPORTS.

Read reports of the Agricultural Committee, on meetings held on the 26th February and 10th March.

The secretary brought to the notice of the meeting that a vacancy existed in the committee appointed to conduct enquiry respecting the cochineal lately imported, and the president having named Dr. Spry, that gentleman agreed to act.

The secretary read to the meeting a report drawn up by him, respecting the two varieties of cochineal committed to his care by the society, and on the wild insect common in India, which he has brought under cultivation, to contrast with those imported from Bourbon and the Cape.

Proposed by Mr. Robison, seconded by Dr. Strong, that this report be made over to the committee.

Proposed by Sir E. Ryan, that as the attention of the society has lately been given to the improvement of wool, the assistance of their visitors (Messrs. Brockman and Stafford, who are now about to depart for Australia) should be requested towards importing merino rams from that colony, and that the matter be referred to the latter committee for the arrangement of details, &c. *Resolved* accordingly.

Notice.—A meeting for this purpose will be held on Saturday morning the 17th instant, at half past 9 o'clock, and the attention of the committee is urgently requested.

Read the amended rules of the society, as revised by the committee of papers, under directions from the society, which having undergone a few slight verbal alterations, were discussed.

Proposed by Mr. Robison, seconded by Dr. Strong, and resolved, that the same be confirmed and adopted, as the rules of the Agricultural Society of India.

From Senhor G. Mutti, dated Bombay, 31st January, 1838, presenting to the society a copy of his guide to the silk "culture in the Deccan."

From J. Lulle, Esq., dated Bombay, 9th February, 1838, presenting on the part of the Agricultural Society of Western India, two copies of Senior Mutti's silk culture guide.

From Dr. Wallich, dated March 9th, presenting a copy of the same guide.

From Dr. H. H. Spry, dated 7th March, presenting to the society a copy of his work on "Modern India."

From the same, dated 9th March, requesting to be furnished with a supply of Otaheite sugar cane for trial at Russapugla, the soil in that quarter being considered well adapted for its growth.

From H. Piddington, Esq., dated 16th February, offering to forward a French translation from the Spanish, of a valuable pamphlet in his possession, on the subject of cochineal.

Memo.—The secretary had since received the pamphlet, a part of which Mr. Piddington had translated into English for the use of this society in 1825, and Mr. Bell had completed the translation which was this day submitted.

From Monsieur Parquin, dated 23d February, stating that after a careful examination of the cochineal insects lately received from Bourbon and the Cape, he can affirm that the Bourbon insect is the true *grana fina*.

From the same, dated 1st March, presenting to the society a quantity of American mangle, and a stocking made from the nanku or Siam cotton.

From Mr. Assistant Surgeon J. T. Pearson, to Sir E. Ryan, dated 24th February (Jaunpore), on the subject of cochineal.

Resolved.—That the pamphlet, Mr. Parquin's and Mr. Pearson's communications, be handed over to the committee.

From Lieutenant C. Brown, dated Jubbulpore, 15th December 1837, forwarding the promised Otaheite Sugar-cane cuttings from Major Sleeman's plantation.

From Dr. Wallich dated 23d February, enclosing a report by Mr. Masters, on the condition of the sugar-canes received from Jubbulpore.

These canes, 1,147 in number, are reported in most excellent condition, not a single failure; the canes had been carefully packed in bundles of 10 each, and bound from end to end with hay bands, and kept constantly moistened with water.

The average length of these canes was 9 feet—the average circumference 6 inches.

From W. Forster, Esq., to the secretary, dated "Melville, Mauritius, December 26," advising the despatch per *Moirs* of 4 casks containing sugar-cane tops which have been transmitted for the use of the society, at the request of the Hon'ble W. H. L. Melville.

From Dr. Wallich, dated 2d March, enclosing Mr. Master's Report on the sugar-cane tops received from the Mauritius, which states that they have arrived in a living though very weak and sickly condition. Memo.—These cane tops were packed in dry sand, but too many were packed in each cask.

From G. U. Adam, Esq., dated 24th February, enclosing copy of a letter from Mr. N. Savy, dated Port Louis, 26th November, 1837, to the address of Messrs. Scot and Co., of Mauritius, which intimates the

despatch of 11 bags of Seychelles cotton-seed, carefully selected at Mahe, for the use of this society, and states that a further supply will soon be forwarded. These 11 bags have arrived by the "*Moirs*."

From Dr. Wallich, dated 20th February, enclosing a letter from Mons. Parquin, presenting to the society a paper containing hints respecting the management, &c. of sugar-cane in the Islands of Mauritius and Bourbon.

From Rajah Kalikrishna Bahadoor, dated 23d February, forwarding for presentation to the society, a sugar-cane, called "Pooree Ook"—16 feet in length, and 5 inches in circumference.

From Lieutenant Vetch, dated Tezporé, 13th February, advising the despatch of a maund of caoutchouc; giving some information as to the method pursued in preparing it, and offering to render any further assistance on the subject.

From J. F. Royle, Esq., M. D., to H. H. Spry, Esq., M. D., dated London, 12th July 1837. Enclosing a sheet of his forth-coming work, entitled "Illustrations of the Botany of the Himalaya Mountains," which affords information respecting caoutchouc yielding trees found in the districts of Assam and Sythet. Adding further information as to the best mode to be adopted in the collection of caoutchouc.

From Captain F. Jenkins, dated Rungpore, Upper Assam, 3d February. In reply to the secretary's letter on the subject of area-cocoons, states his intention of having a quantity of the living cocoons and eggs forwarded for further experiment. Enquiring if sugar-cane can be propagated by means of seed? Acknowledging receipt of books, cotton, &c. seeds.

From W. Keer Ewart, Esq., dated 27th February 1838, forwarding some cocoons received from Senhor Mutti, of Bombay.

From Major E. Gwatkin, superintendent of the H. Co's. stud, Baupper, dated 7th February, acknowledging receipt through the Military Board, of a quantity of guinea grass seed, and oak seed sent by the society.

Stating that he has made experiments both in the huskless oats and Italian rye-grass received some time ago from the society that he has failed with the former, but succeeded with the latter, offering to forward some oat seed the produce of a small quantity received from the Cape.

From R. Lowther, Esq., dated 14th February, acknowledging the receipt of secretary's letter of the 18th December last, on the subject of transmitting sugar-cane from Jubbulpore.

Advises despatch of two letters of mangal wurzel seed, recently received from England, gives an unfavorable account of the vegetation of the American cotton seed sent up by the society last year, and distributed by Mr. Turner in the Bundelcund and Allahabad districts, owing, it is supposed, to the unprecedented drought.

From Baboo Pearychund Mitre, dated 26th February, forwarding a small sample of the wild cochineal insect, received from Bancoorah, as picked indiscriminately from the jungle.

From F. Campbell, Esq., secretary to the Branch Agricultural Society of Midnapore, dated 22d February, giving an unfavorable account of the vegetation of the several varieties of cotton seed, received from the society, and distributed by him in that district.

From the same, dated also 22d February, forwarding a small parcel of a very singular description of cotton seed, grown at Dholhoon, a village about 90 miles to the N. W. of Midnapore, together with a sample of corn, and giving a short account of them.

From Ross D. Mangles, Esq., secretary to Government, revenue department, dated 26th February, acknowledging receipt of eight copies of vol. 5. Transactions of this Society, for the use of Government, and asking for two complete copies of vols. 1 to 4.

From Baboo Rajkissore Mookerjee, dated Hazareebaugh, 22d February, forwarding a sample of cotton, the produce of Sea Island seed, received from the Society, and asking for further supplies for his distribution in that district.

From Colonel L. R. Stacy, dated Dacca, March 4th, intimating his intention of establishing a small experimental garden at that station, and requesting a supply of plants, seeds, &c.

From Dr. Wallich, dated 6th March, forwarding 39 copies (one copy previously sent) of Mr. Bruce's "account of the manufacture of the black tea, as at present practised at Suddya."

From Dr. A. R. Jackson, dated 17th February, acknowledging receipt of, and promising to have delivered to their respective addresses, several more parcels containing copies of the transactions of this society intended for societies in England and Scotland.

The following presentations, in addition to those already voted, were submitted.

From the Coal Committee—A copy of "Reports of a Committee for investigating the Coal and Mineral resources of India."

From Mr. G. Pratt, a specimen of cochineal which had been in his possession 18 years.

From Don Raaon de la Sagra, through Dr. Wallich, the prospectus of a work about to be published by him to be entitled, "The Physical, Political and Natural History of the Isle of Cuba."

From W. F. Gibbon, Esq., two samples of wool, viz. one from an important merino ram; one from a lamb of five months.

Mr. R. Smith, submitted at the meeting, an artificial hive, full of bees, and invites those interested in the question, to visit his garden in Park Street, any morning between seven and nine o'clock, where they may be seen working.

Dr. Strong presented a bag of buckum wood, grown at Russapughla, together with some seed of the same.

Dr. Huffleagle presented some leaves of American maize grown in his garden very prettily variegated.

Mr. Brownlow, prevented a bottle containing seeds of the *figus elastica*, but they appeared to be all spoiled.

The thanks of the society were ordered to be offered for all these communications and presentations.

JOHN BELL, Secretary.

Town-Hall, Calcutta, March, 14, 1838.

[Hurkaru, March 16.

SUBSCRIPTION FOR THE RELIEF OF SUFFERERS BY FAMINE IN THE NORTH WESTERN PROVINCES.

Already advertized.....	Co's. Rs.	30,672	9	3	John Andrews, Esq.....	50	0	0
Baboo Aushootosh Day and Promothonath Day	500	0	0		Thos. Brae, Esq.....	50	0	0
" Radamadub Banerjee.....	300	0	0		John Caw, Esq.....	30	0	0
" Gopaul Loll Tagore.....	200	0	0		Rangopaul Ghose Baboo.....	32	0	0
" Connoyloil Tagore.....	200	0	0		J. Carey, Esq.....	100	0	0
M. A. Bignell, Esq.....	100	0	0		John Potteons, Esq.....	60	0	0
Col. Macleod.....	100	0	0		B. Water house, Esq.....	10	0	0
Col. Barton.....	100	0	0		From a friend to the distressed.....	10	0	0
Messrs. Bathgate and Co.....	100	0	0		W. A. Green, Esq.....	50	0	0
Sumboochunder Sandle.....	10	0	0		R. Kerr, Esq.....	25	8	0
Charles Dearie, Esq.....	50	0	0		N. Alexander, Esq.....	100	0	0
Major R. Becner.....	100	0	0		T. H. Gardener, Esq.....	30	0	0
Capt. Birch.....	20	0	0		J. Moore, Esq.....	50	0	0
Mr. G. Peurington.....	50	0	0		James Young, Esq.....	100	0	0
Messrs. Muller and Co.....	200	0	0		Union Bank Native Establishment.....	54	4	0
Hedger and Smalley.....	32	0	0		Joha Pearson, Esq.....	300	0	0
C. K. Robison, Esq.....	32	0	0		James Ranken, Esq.....	100	0	0
Mrs. H. Shakespear.....	100	0	0		F. Macnaghten, Esq.....	100	0	0
Miss A. Shakespear.....	50	0	0		Uncovenanted Assistant Govt. Agcy. Offi.	174	0	0
Mrs. H. M. Parker.....	100	0	0		A. Batten, Esq.....	50	0	0
James Hutcheson, Esq.....	50	0	6		E. M. C.....	10	0	0
R. Walker, Esq.....	100	0	0		J. F. M. Reid, Esq.....	50	0	0
Govt. Savings Bank.....	42	0	0		H. Martindell for the Gent. of the At. De.	162	0	0
D. McFarlan, Esq (additional).....	50	0	0		Dr. Wallich.....	100	0	0
A. H. Sim, Esq.....	50	0	0		Mr. H. Miller.....	6	0	0
Capt. T. T. Harrington.....	50	0	0		Dr. Egerton.....	100	0	0
J. B. Tassin, Esq.....	50	0	0		Major Mountain, H. M., 26th Regt....	40	0	0
A friend to the Poor by Mrs. Burgess..	8	0	0		Harrischunder Bose Baboo.....	50	0	0
J. DeCruz, Esq.....	10	0	0		Messrs. Bruce, Sand and Co.....	500	0	0
Capt. H. B. Henderson.....	50	0	0		W. H. Carey, Esq.....	10	0	0
Col. C. Graham.....	100	0	0		E. B.....	16	0	0
Major J. R. Colnett.....	50	0	0		Mr. Dampier—Offs. attached to his Estbt.	101	0	0
C. Harvey, Esq.....	13	0	0		W. C. Hurry, Esq.....	100	0	0
Mr. Pemberton.....	100	0	0		Native Estbt. of the Bishop's College...	31	2	0
Messrs. Stewart and Co's native sircas.	9	0	0		G. H. Withers, Esq.....	50	0	0
Mrs. G. H. Luttman.....	25	0	0		A friend to the distressed.....	50	0	0
					The College Sacrament Fund.....	25	0	0

Native Estab. of Messrs. Gilmore and Co.	38	0	0	Establishment of the Mint	158	2	0
D. Makenzie, Esq.	25	0	0	Peary Mohun Sen, Baboo	20	0	0
Major James Bedford	50	0	0	Establishment of Messrs. Bagshaw and Co.	80	0	0
Non-commissioned Officers and Privates of H. M. 25th Regt.	109	6	0	Govinchunder Banerjee	100	0	0
D. B. S.	50	0	0	Nilcomul Paul Chowdry	100	0	0
David Ross, Esq.	50	0	0	Joychunder Paul Chowdry	100	0	0
R. J. D.	10	0	0	Sonaton Coondoo	25	0	0
Captain Birch as per list	87	0	0	Gopalchunder Chuckerbutty	5	0	0
John Morgan, Esq.	16	0	0	Sundry per ditto	6	0	0
Native Establishment of Mr. Carmichael	26	8	0	Professors and Studts. of the Medl. Col.	273	0	0
Pewarychund Mitr.	4	0	0	Arsenal Establishment of Fort William per Colonel Powney	382	13	6
John Storm, Esq.	50	0	0	Powder Works per do	143	8	9
W. Storm, Esq.	50	0	0	Dum-Dum Subscriptions per do	395	0	0
Mr. G. H. Robertson	20	0	0	D. W. Madge, Esq.	6	0	0
Robert Watson, Esq.	100	0	0	G. A. Simpson, Esq.	13	0	0
Mrs. Col. Faithfull	4	0	0	W. N. Garrett, Esq.	50	0	0
Cornet Roche, 3d L. D.	20	0	0	J. Dunsmore, Esq.	50	0	0
W. Braddon's House Servants	11	4	0	Capt. Wilkinson	200	0	0
Capt. Simmonds	40	0	0	Lieutenant Harrington	50	0	0
Lady Grant	100	0	0	" Simpson	20	0	0
Hon'ble J. C. Erskine	100	0	0	Captain Wilkinson's establishment	70	0	0
George Udny, Esq.	200	0	0	J. Taylor, Esq. Dacca	50	0	0
Major Hutchinson	50	0	0				
James Madge, Esq.	25	0	0				
Ram Comul Sen Baboo	100	0	0				
Establishment Bank of Bengal	76	12	0				
Hurimohun Sen, Mint	20	0	0				
						Co.'s Re-	40,332 13 6

Hurk. March 16.]

REPORT OF THE COAL AND MINERAL COMMITTEE.

One of the last measures of Lord William Bentinck's active administration was, the appointment of a committee to investigate the mineral resources of the country, more particularly with reference to inland steam navigation. One half the expense of this invaluable improvement, which the country owes likewise to that enlightened Governor General—is absorbed in the price of coal. It was, therefore, self evident, that until this item of expenditure could be reduced, economy in other departments of the undertaking could be beneficial only to a very limited extent. The object to which the attention of the committee was directed was to ascertain whether other mines lying nearer to the main line of inland communication than the Burdwan mines, could not be wrought to advantage, so as to furnish this article at a cheaper rate. The committee divided the different fields of investigation among each other, and appointed Dr. McClelland their secretary. The present report, which is the result of their labors, has been drawn up under his direction.

The exertions of the committee, consisting of six gentlemen, engrossed with public duties in Calcutta, have necessarily been confined to the examination and arrangement of the documents which have been furnished them from the archives of Government, or through the researches of individuals. The active measures which the committee have undertaken are these. *First*, Mr. Homfray, the best practical miner in India, was deputed to survey and report on the Palamow field of coal. His report is unfavourable as far as it relates to the supply of steam vessels on the Ganges from this source. *Secondly*, The committee encouraged Mr. Erskine, of Elambuzar, to re-open three or four coal seams connected with the great Burdwan basin, situated nearer to the Adji than to the Damooder, and 2,000 maunds of this coal have been delivered at the depot at Cutwa, at four annas the maund. *Thirdly*, Mr. G. Loch, of the Civil Service, has despatched a thousand maunds of Chirra Pronjee coal to Dinapore, at six annas the maund, under the auspices of the committee. *Fourthly*, A supply of coal

from the Chilmary Hills, on the western face of the Ganges, has been secured, and will be despatched when the season permits. *Fifthly*. The committee have ascertained that the coal which the Rajmahal Hills promised to furnish has not turned out according to expectation. Other localities of coal have been discovered, if not through the instrumentality of the committee at least during their existence. This report of labors, on which we shall subsequently offer a few remarks, closes with a list of all the sites of coal at present known in India.

Burdwan .—Raniganje, the Principal Colliery, discovered by Jones Chinsooree, the best quantity of coal... Mr. Beta. Various other beds have been occasionally opened.	
Adji Seedpoorie,.....	Opened by Mr. Erskine.
Patharpore,.....	By Jones.
Dabhadanghat, in boring,.....	Everest.
Benares road, 149th mile stone, and other places,.....	Colonel Shelton.
Hazareebagh,.....	By Captain Tauer.
Rajmahal .—Patanahel Baghelpoor,.....	
Skrigully,.....	
Huria,.....	
Palamow .—Two principal beds,.....	Discov. by Mr. A. Prinsep.
Amaruthi,.....	In Mr. Homfray's Survey.
Ridjegurh. —Specimens not yet seen,	By Mr. Highland.
Narroudda .—Power river,.....	Captain Onseley, Lieut.
Hoshungabad,.....	Finnis and Dr. Spilsbury.
Jubulpoor,.....	
Sohagpoore,.....	
Chanda,.....	Specimens from natives.
Wardanala,.....	
Cuttack .—Mahanaadi,.....	By Lieut. Kittoe.
Assam .—Deuhsapanee, near Bra makoond,.....	Discovered by Captain Wilcox.
Lamroop river,.....	Lieut. Biggs and Mr. Griffith.
Suffray or Disung river near Runapore,.....	Mr. Bruce.
Dhunsiree river,.....	
Jumooora river,.....	Mr. Scott.
Koasla river, near Gowa- hate,.....	
Chilmari and Doorgapoor,.....	Mr. Scott.
Sylhet. —Laour and other sites,.....	Mr. J. Stark, 1815—Jones.
Khasya Hills, Chirrapoojee	Mr. Furneie.
	Mr. Cascroft.

Sarrasin,.....	Mr. Farnole.
Maipur, near capital, ..	Mr. Craicoff.
or boundary, Goudah, on	Captain Pemberton.
Kuenduan river, ...	Dr. Richardson.
Arracan, —Sandoway District, ..	Mr. H. Walters.
Kyook P'yo Island, ...	Captain Foley.
Montmeil, —Vulcanite at Bothung	Captain Foley.
Southern India, —Travancore, Fos	Colonel Cullen.
sil soils carbonized, ..	Colonel Cullen.
Himalaya, —Kumaon lignite,	Captain Herbert.
Moradabad, lower range, ..	Mr. Ravenshaw.
Indus, —Cutch,	by Captain Burnes.
Peshawar,	by Captain Burnes.

The first section of the report contains general remarks, which wind up with these valuable observations :

“ In the foregoing situations coal has been traced from Burdwan to the westward, across the Valley of Palanow, and from thence through the district of Sohagpore to Jubulpore, and the neighbourhood of the Sak, and the Tow, a river in the Nerbudda territories, 420 miles distant from Burdwan. Observing nearly the same parallel of latitude, it is found in the province of Cutch, whilst it is extended in the same line across the centre of India to the N. E. extremity of Assam, forming a zone that stretches from 69 to 93, E. longitude, embraced in an opposite direction between the 20 and 25 N. latitude, Chanda on the Warda river, Cuttack and Arracan being its southern boundary, whilst the Vale of Callinger west of Allahabad, the Teesta river at the base of the Sikkim Mountains, and Upper Assam, form the northern limit.

“ There are, however, two situations in which coal has been found distinct from this extensive and well defined belt, namely, Hurdwar and Attok; the first near the source of the Ganges, and the second near that of the Indus. Although situated in the plains, yet both these situations appear to be too closely connected with the Himalaya, and too much detached from the tract now under consideration, to allow of their being considered in common with it. In the researches of infancy of this nature, for such we must as yet consider the state of our information upon the subject of coal, it would be wrong to attach exclusive importance to the peculiar distribution of the mineral just noticed, further than to observe, that this distribution appears to be highly favourable to all these objects for which coal is desirable.

“ Cutch, the extreme western limit of what here might be named the carboniferous zone, is placed in the most favourable situation for yielding supplies for the navigation of the Indus, the coast of Malabar, and the Red Sea. The Nerbudda river extends 700 miles along the very centre of this zone, and coal in three situations is already found on its banks. The Soane, the Ganges, and the Hooghley, are each intersected by it, and the Brannaputra, and probably the Irrawaddi, are extended parallel to it throughout their navigable extent.

“ Now, on the other hand, this belt had been extended from the panjah towards the south, scarcely a navigable river, but the Indus alone would, in such cases, be approached by it, and the interests of navigation would be as little benefited by the presence of a carboniferous zone, as if the valuable production by which it is distinguished, were harried beneath the tables of the Himalaya. It is, therefore, sufficiently encouraging in this early stage of the enquiry to find the general distribution of coal so favourable, nor need we, as is evident from the Attok and Hurdwar coal, despair of finding supplies available for the navigation of the northern portions of the Ganges and Indus as soon as enquiries are directed in those remote quarters to the object here in view.

The second section contains a very valuable geological disquisition on the difference of level in Indian coal fields, it is too long for quotation, and too strictly scientific for the general reader.

The third section refers to Silhet coal district, which the committee places first in point of importance, not on

account of its accessibility,—for the distance of its locality from navigable streams, has as yet prevented its being brought into use.—But on account of its superior excellence, it is the finest coal hitherto discovered in India, being found to be 10 per cent. superior to the Burdwan coal. Mr. Colebrooke first directed the attention of Government to it, in 1813, and Mr. James was soon after sent to explore the mines. But the Khassya Hills had not then come into the possession of the British, and the valuable mines concealed in their bosom were unknown. Various indications of coal at the base of the hills were discovered by Mr. James and by Mr. Stark, but from that time to the present no attempt has been made to survey those localities, or to ascertain by what means the coal they contain may be turned to the benefit of the country. The Chirra coal was discovered in 1831, about a mile distant from the Sanatorium, forming a large portion of a percipice. It may be delivered at the foot of the Hills, or at Pundua, at four annas the maund, which is the usual charge for portage by the Khassyas. The report says, “ If the demand for this coal were sufficient, the expense of conveyance might be much lessened by carting it from the pit to the brow of the mountain, and for the remainder of the distance employing either mules or bullocks, except at the more difficult passes, where a man might be stationed to receive the loads: such improvements in the mode of conveyance would imply a certain outlay in forming better roads; but even without this, Mr. G. Loch has afforded a practical proof of its value by the delivery of 1,000 maunds of this coal at Dinapore, including all charges, and under every disadvantage, for 425 rupees the thousand maunds, being 350 rupees less than the contract price.” Why the committee doubt that the demand for this coal is insufficient to encourage exertion, we are at a loss to comprehend. It is unquestionably the very best coal in India, and the demand for it must, therefore, always be great. If it can be conveyed by a very circuitous route from Chirra to Dinapore for six annas the maund, we do not see why it could not be transmitted by a more direct route to Calcutta, at the same rate; and Chirra coal for the steam engines in Calcutta, at six annas the maund, would be universally preferred to Burdwan coal at five annas. But placing the manufactories in Calcutta out of the question, after the experiment so successfully made by Mr. Loch, this mine of coal ought, above all others, to draw the immediate and close attention of Government, for the purposes of inland navigation. If the coal can be delivered at Dinapore, which the committee admit, at six annas the maund cheaper than the coal now conveyed to that place from Calcutta, it can be delivered at six annas the maund cheaper at every depot above Dinapore, as far as Allahabad, and for a still less sum at every depot below that station, down to the point where this coal, coming from the eastward, enters the Ganges. This is by far the most important discovery which has been made under the auspices of the committee, and Government will shew a great disregard of their own interest and the welfare of the country, if the question is allowed to lie dormant. We have not the documents before us from which we lately drew up the abstract of receipts and expenditure, in connexion with inland steam navigation, but we should think that a reduction of six annas the maund on all the coal that is used between Rajmahal and Allahabad, would effect a saving of twenty-five thousand rupees a year, upon the present consumption. In addition to this advantage in price, the coal would be ten per cent. superior to that which is now used. Here then is a field for the exertions of the committee, in which an abundant harvest of benefit may be immediately reaped. But why, in the prospect of such advantages, should not officers of Government be employed in discovering some cheaper plan of conveying the coal from the mine to the river, than the barbarous and primordial mode of carrying it upon human shoulders, which is now in use? Just at this juncture, we have a body of sappers and miners,

and of scientific officers engaged in the neighbourhood of Chirra in constructing a military road to Mumpore. Why could not this circumstance be improved; and the engineer establishment, before they quit this part of the country, be set to discover a more scientific mode of conveying this coal to the river? We hope the question will attract notice in the highest quarter. If through

the instrumentality of the officers now engaged on the Mumpore road, means could be created by the construction of a good road, of diminishing by one half, the price of this coal, as it reaches the point of embarkation, would not the whole expense thus incurred be refunded in two years, even if the establishment of steam vessels should not be doubled?—*Friend of India, March 16.*

MILITARY FUND.

The directors beg to submit to the subscribers of the Bengal Military Fund, the case of Mrs. Margaret Kelly, widow of the late Major Kelly of Her Majesty's 24th regiment of foot.

A claim was made by this Lady on the 19th January 1836, to be re-admitted to the benefit of the pension she enjoyed from the late Bengal Military Widows' Fund, in right of her first husband (Captain John Graham of the cavalry, see No. 1.)* but, as the rule of that institution (see No. 2) only granted pensions during continuance in widowhood, she was informed with others situated like herself (see cases No. 3) that her claim was inadmissible.

Major Adair of Her Majesty's 24th foot in a letter dated Dumfries, 20th April 1837, (see No. 4) having solicited an appeal to the subscribers from this decision, which having been approved of by three directors, it is therefore submitted to the subscribers for their decision, in doing which the directors will briefly state the grounds on which this and other ladies' claims to re-admission on subsequent widowhood, who were annuitants of the late fund have been rejected.

The late fund was established in the year 1804, from which period to 1st November 1824, when it was incorporated with the present fund, not a single application was made for re-admission on second widowhood. On the establishment, however, of the present fund rule 24 of which (see No. 5) admitting an annuitant to the benefit of the pension, she may have enjoyed in right of her first husband's subscription on subsequent widowhood, several claims were preferred by annuitants of the late fund for re-admission, but rejected by the directors as their re-admission was inconsistent with the rules and practice of the late fund, which only granted pensions during continuance in widowhood, whereas there is an express rule in the present fund for re-admission on subsequent widowhood, to the benefit of which parties whose husbands died before the present fund, was established, or the said rule adopted could not be entitled.

Thirty-eight annuitants of the late fund have re-married and if the precedent of this nature is once admitted, it may prove detrimental to the interests of the fund.

By order of the directors.

H. MARTINDELL,

Secretary Military Fund,
Calcutta, Military Fund Office, 28th February 1838.

(No. 2.)

25.—The widows of members shall receive, from the day of their husbands' decease, and during their continuance in widowhood, the regulated pensions.

(No. 3.)

Copies and extracts of secretary's correspondence relative to previous similar applications.

To MAJOR W. L. WATSON,

Deputy Adjutant General.

SIR,—I am directed to acknowledge the receipt of your letter of the 1st instant, and to acquaint you, that the directors regret that they cannot consistently with

the regulations of the late Bengal Military Fund afford any assistance to Mrs. Browne, late Mrs. Colonel Morgan.

To MRS. _____

MADAM.—The directors regret that, agreeably to the rules of the late widows' fund, to which your late husband was a subscriber, you are not entitled to be re-admitted to its benefits. The rule quoted by you, article 26th of the military fund, not being applicable to you as Lieutenant Smith died on the 6th December 1824, and the Military Fund was established on the 1st November 1824.

To MESSRS. COCKERELL, TRAIL AND CO.

Agents Bengal Military Fund, London.

GENTLEMEN, Mrs. Hind, late Mrs. Thornton, widow of the late Major Thornton, and late a pensioner of the late Bengal Military Widows' Fund, is not agreeably to the rules of that institution entitled to be re-admitted to its benefits. The rule (26) of the military fund under which the executors of the late Colonel Hind (who never subscribed either to the old or the present fund) have claimed her re-admission, is only applicable to the widows of the subscribers of the military fund established the 1st November 1824, nearly fifteen years after the decease of the late Major Thornton, you are, therefore, requested to discontinue the payment of a Major's widows' pension to that lady, and recover from her such sums as you may have paid to her.

(No. 617)

To MRS. _____

MADAM,—The directors regret that agreeably to the rules of the late Bengal Military Widows' Fund to which your former husband was a subscriber, you are not entitled to be re-admitted to its benefits. The rule quoted by you, article 26 of the Bengal Military Fund, is not applicable to you as Captain Campbell died on the 22d November 1818, and the Military Fund was established on the 1st November 1824.

(No. 24)

To MRS. _____

MADAM,—I am directed to acknowledge the receipt of your letter of the 31st ultimo, and to acquaint you, that your re-admission to the pension you formerly enjoyed from the late Bengal Military Widows' Fund, is inadmissible, agreeably to the rules of that institution, as already communicated to you in my letter No. 647, of the 12th ultimo.

The directors regret, that your late husband should have been misinformed regarding your re-admission by the agents of the fund in England, and it is also to be regretted that he did not apply to this office on the subject, but the directors have not the power to act contrary to the rules laid down for their guidance.

(No. 360.)

To MRS. ANN GILES.

No. 5, Tavistock Place, London.

MADAM,—Agreeably to the rules of the late Bengal Military Widows' Fund, to which your former husband,

* Omitted as unnecessary.

Major William Willy Kitchen, late of the 15th regiment native infantry on the Bengal establishment, was subscriber, your re-admission to the pension you enjoyed in right of his subscription is totally inadmissible. The rule of the present Bengal Military Fund (by which you claim re-admission to the benefit of the pension you formerly enjoyed) being strictly inapplicable to the widows of the late institution.

I have, &c.

(Signed) H. MARINDELL,
Secretary Military Fund.

Calcutta, Military Fund Office, 1st July 1833.

(No. 518.)

To MRS. MARGARET KELLY,

MADAM.—Agreeably to the rules of the late Bengal Military Widows' Fund, to which your former husband Captain John Graham, of the cavalry, was a subscriber, your claim to re-admission to the pension you enjoyed in right of his subscription, is totally inadmissible. Pensions by the rules of the institution continuing only during widowhood and not claimable on subsequent widowhood.

(No. 4)

To H. MARINDELL, Esq.

Secretary Bengal Military Fund.

SIR,—Your letter to Mrs. Kelly, under date the —, was duly received by that lady; she is much concerned to learn from it, that her re-admission to a pension from the Widows' Fund, had not been sanctioned by the directors. Upon the reasons which are assigned for this judgment, viz. "that such pensions continue only during widowhood and are not claimable upon subsequent widowhood," at the request of Mrs. Kelly, I crave permission to remark on her part, that although the original rule 17 of the Widows' Fund decreed a suspension of the stipend upon re-marriage, it contained no prohibition against its renewal upon second widowhood. Its terms on the contrary are general, that the pension shall continue "during widowhood," and apply to any and every occasion during which the claimant may be so left. To limit its duration to first widowhood is an extension of the rule unwarranted by its letter, and quite against the spirit of the institution, which intends not only the (partial and temporary) relief, but the continuing support, while necessary, of the "Widows of Officers." On the revision of the fund rules, which took place in 1821, the wording of the relative articles 25 and 29 continued equally strong and general, the phrases then used are "during continuance in widowhood," and "in a state of widowhood."

The general practice in such societies, and indeed in law, is, that where a deprivation or penalty is intended it shall be expressed, and in such cases, the affidavit on which depends the continuance of the indulgence to the widow, declares that ever since the husband's decease she has continued and then is a widow.

In what may be called the sister fund, of the Indian army, viz. Lord Clive's Bounty, the declaration required is equally direct and explicit; oath is made by the claimant that she has not contracted marriage with any other person

since the death of her aforesaid husband. The meaning here is well defined and cannot be mistaken; what is intended is declared, that a marriage would involve the forfeiture of the pension.

The practice of the British army is very different from that which the judgment of the Military Fund directors has for the first time made known to Mrs. Kelly. The compassionate allowance or Royal Bounty to the widow of an officer is not (See His Majesty's Warrant, 13th June 1836,) forfeited on her re-marriage, but continues during every subsequent coverture and widowhood, nor is it like the pension of the widow, of the Indian Officer, purchased by high subscriptions during his life, but it is a free and gratis grant.

The late Captain Graham subscribed to the widows' fund from its commencement to his death in February 1816, a period of nearly 11 years—all the return for this long subscription which his widow has hitherto received is her pension for barely two years. If the directors would but recollect the large amount of capital, nearly 13 lacs of sicca rupees transferred in 1824 from the Old Widows' to the New Military Fund, the claim to some share in the benefit thereof of the widow of an officer, who so contributed to it, would, I believe, be found deserving of further and favorable consideration. This principle, that the benefit of the continued support and increased rate of interest then promised by the Court of Directors should not be limited to the parties connected with the new institution has already been largely acted upon when they increased by one-third, the pensions of the old fund incumbents; by that increase a majority of those widows now receive larger pensions from the new fund than it grants to its own subscribers,—when therefore what is asked is not preference but equality, involves an innovation but proceeds on existing usage, and incurs but a paltry expense for a praiseworthy end. I cannot but think that a respectful appeal to the long well-known liberality of the Bengal army will not be made in vain when the very dependent state of their petitioner is thus brought under their notice. I beg, therefore, that the directors will permit the reference of this distressing case to the compassionate consideration of the army, should the present communication not suffice to establish in their opinion the claim of Mrs. Kelly to restoration of her pension.

I have, &c.

DUMFRIES, } (Signed) JAMES ADAIR,
20th April 1837. } Major H. P. late of 24th regiment.

(No. 5.)

ARTICLE 24TH.—If a widow pensioner on the fund marries, her pension is to cease during her coverture, but in the event of her again becoming a widow, she shall be re-admitted to all the benefits she may have enjoyed from the fund during her first widowhood, in like manner as if she had not re-married, but subject, of course, to all the limitations and conditions prescribed by the regulations in the first instance. If the second husband shall also have been a subscriber to the fund the widow will receive however only one annuity, taking that which may be the greatest, that is to say, according to the rank of the first or second husband, whichever may be the higher.—Hurkaru, March 20.

SECOND MEETING FOR THE FORMATION OF THE "LANDHOLDERS' SOCIETY."

In pursuance of a requisition which had been circulated sometime previously, upwards of two hundred of the most respectable zemindars assembled last Monday at 4 1/2 p. m. at the Town-hall. Among these we perceived the following distinguished individuals, Rajahs Borada-

caunth Roy, Raj Narain, Radacaunth Bahadoor, Kaly Kishen Bahadoor, Baboos Prosonnocomar Tagore, Ramcomul Sen, Ramanath Tagore, and other members of the Tagore Family, Baboos Lakhinarain Mookerjee, Abhoy Churn Banerjee, Promothonath Deb, Ram

Rutton Roy, Odychund Bysak, Raj Kishen Chowdhery, Sootychn Ghosal, Mothooranath Mullik, Moonshy Ameer, Mahommed Ameer, and the Mooktears of several opulent rajahs and zemindars, who could not attend the meeting. We likewise observed several European gentlemen, among whom were Mr. T. Dickens, Mr. Geo. Prinsep, Mr. David Hare, and several other distinguished members of the community. The whole of the proceedings, with the exception of what fell from Mr. Dickens, was in Bengally, and, although considerable difficulty was experienced by us in preparing this our first report of proceedings conducted in that language, yet by the obliging assistance of a kind and talented friend, we can assure the reader that the substance of the speeches will be found fully given and as accurately reported as under circumstances it was possible.

Rajah Radhacanth Bahadoor being called to the chair, stated that the honor which had been conferred on him was due in the first instance to the Rajah of Nuddeah, whose family was the most ancient among the zemindars of Bengal; but this Rajah, although he had been expected, was not present at the meeting. In his absence he thought the chair was due to Rajah Baradacanth Roy, whose family stood next in point of antiquity; but as the meeting had done him the honor of calling him to the chair, he would thankfully accept it. Under the British rule, he observed, the people had continued to live happily, until certain regulations, connected with the resumption operations, had been promulgated, which made all very anxious, and a gloom has been cast on the landholders. On the other hand, what good had the Government done for the people? When, some years ago, inundation laid waste the southern parts of the country the Government suspended its demand, for some time, but afterwards recovered it with interest, which measure ruined many estates and gave considerable trouble to the people. The resumption of rent-free lands was, however, the greatest grievance they had to complain of, and circumstances pointed out the expediency of forming a society. The benefits of such a society would be felt not only by those who resided in Calcutta, but all over the country, by forming communications with the different districts and this society. Representations were always necessary to be made to Government, in these proceedings; if any one adopted an erroneous course, the society afforded a ready means of correction, and through it grievances could be easily brought to the notice of the proper authorities. It was a common saying among the people 'that straw could be easily broken by the finger when in separate blades: but if several blades be united together and formed into a rope, it was capable of confining even a wild elephant and reducing it into subjection.' Union among the people was, therefore, highly necessary, and the establishment of such a society was much called for, in order to keep a watch over the measures of Government and its functionaries, and for the purpose of making representations to it.

Rajah Kaly Kishen Bahadoor expressed his full concurrence in the opinions of the chairman, and moved that a society be formed to be called the Landholders' Society. This resolution was seconded by Rajah Rajnarain Roy, who also expressed his full concurrence in the views of the chairman. Carried unanimously.

Mr. Dickens stated, that he had been requested by the chairman to read the prospectus of the Society in English, for the information of those who understood that language, and that a Bengally version of it would afterwards be read and explained by some one who better understood that language than he did. He then read the prospectus which will be found in the *Hurkaru* of the 17th instant.

The chairman then stated, that previous to this, a meeting of several respectable zemindars and others had been held at the Hindoo College, which had appointed Baboo Prosonnocomar Tagore, Ram Comul Sen,

Bhobanichurn Mitter and himself, a provisional committee, for the purpose of preparing the rules of the projected society, which he would now read for the benefit of those who had not understood the English version of it, which had just been read by Mr. Dickens.

He then read the prospectus in Bengally, calling the attention of the meeting to those parts of the rules which required their immediate attention.

Moved by Rajah Rajnarain Roy, seconded by Rajah Kaly Kishen Bahadoor:

"That the rules now read be adopted as the rules of the society.

After the 2d resolution was moved, Mr. Dickens came forward and spoke:

Gentlemen: I congratulate you upon the occasion of our meeting, and upon the carrying of the resolutions already moved, which give existence and consistency to our society. As already an incipient jealousy of it has been displayed, I think it necessary to speak of my own reasons for coming forward, which otherwise, I should not have touched upon; I do not appear here in the character of a political agitator; still less in that of an advocate of any opinions, except my own, and those which I trust we have all in common. I am a proprietor of indigo factories of considerable value; I am besides by the grant of Government, a proprietor of lands in the zillah of Goruckpore, which, I trust, I shall be enabled by care and the assistance which I have secured to render productive, and bequeath as a valuable inheritance to my children. Thus should I chance to leave this country, my connexion with it will remain, and I am sure you will rejoice with me, when you reflect that from the change of policy which enables Englishmen to acquire property here, this is not likely to be a solitary example; but the connexion between both countries must needs become daily closing in all things, to the increase of knowledge, of kindness of feeling, and, I trust, to the improvement of both classes.

I join you, therefore, as one having an earnest and friendly feeling and a common interest, and disposed with all my power, with heart and head and hand to aid in the one common object, which we have all in view.

I congratulate you, gentlemen, on the formation of the first society for political objects which has ever been organized by the natives of India with large and liberal views, without exclusiveness, and with ends and aims of extensive utility. I see in it the gem of great things, and I am satisfied that the care and prudence which will be required to conduct these beginnings to fitting ends, will not be wanting.

I have said, gentlemen, that a jealousy respecting our objects has been already displayed, I but guard myself carefully from attributing such a sentiment to the governing power: I am satisfied that there no such feeling exists. But though the last charter has been called a "Charter of Freedom" for India, I cannot, I own, perceive that much extension of political liberty has been granted by it to any class, or that any thing like what we ought to call a guarantee for civil rights has been conceded to the natives of India, or to any class of its inhabitants. I do not profess to be an admirer of that charter,—I am no admirer of it, nor of the men who framed it; but though I may not deem them possessed of deep sagacity, nor of that fore-knowledge which could embrace all the consequences of their own acts, yet I am bound in candour to suppose that they must have foreseen some of those consequences, and must be pleased at seeing their anticipations verified by the event. If they did not (and they certainly did not) provide any guarantees for the rights of the governed, they at least promulgated the principle of equality. They have pronounced, gentlemen, that all men should be equal before the law, and equal in the eye of the state; and they gave utterance to an abstract principle, which first, for any practical purposes

or extensive application, had its birth in the National Convention of France, and they were doubtless sincere in what they were about, if they did not fully foresee the consequences of their own acts. This meeting, gentlemen, is one of those consequences which they might have foreseen, for one good tendency of their legislation, at all events, was to amalgamate all classes of the governed in the pursuit of their common interests, and we accept the professions of the charter in the full confidence that the practice will be agreeable to the professions if we are watchful enough to take care of ourselves.

We meet, gentlemen, because you conceive that you may have petitions to prefer to the Government which ought to be listened to, and grievances that may be redressed, and nothing can be more reasonable than to unite for such purposes when the end and aims are common to all. It is not my intention here to enter into a detailed examination of the various questions connected with the regulations for the resumption of rent-free tenures. I shall content myself with asking a few questions and making a few observations concerning them of a very general nature, but by the necessary answer to these questions it will be apparent we do not meet without a sufficient reason. I shall assume, in addressing you, that the special deputy collectors, the Collectors and the Special Commissioners of Government, are such a body of judges as this world never saw before: that they possess an absolute abnegation of all self-interest, a perfect independence of all considerations of advancement, a stern judicial impartiality unequalled in any country or age; but, no,— all this might, perhaps, be supposed to savour of sarcasm, as being exaggerated praise; I will suppose then, merely that, they are equal to any judges in any country, that they are equal to English judges in the best times of our history, that they are equal to French judges in modern France, to the judges in the United States of America. Let us then suppose that in England, or France, or America, a general warrant was issued by the executive power calling upon men to shew the titles of their estates or their title to exemptions from any impost, and then let us suppose that such questions were judged, as between the governors and the governed, by a body of men removable at pleasure, promoted at pleasure, many of them appointed for the specific purpose and for a short and uncertain period, and none of them having the smallest responsibility to the governed: what, I ask, would the Englishman, the Frenchman, or the American of the United States say to this? Why, among many other things we may conceive that they would say, and to cut matters short, they would say in plain words, gentlemen; that this was not fair trial. And so say we, gentlemen; and therefore, as well as for other reasons, we are met together this day; for if Englishmen would not be satisfied with such a trial neither ought you, for by the last charter you will not forget that we are all equal before the law, and the law itself ought to be, and we presume as we hope, it will be, equal to the best. You will bear in mind, gentlemen, as we go along, that I do not impute blame or evil motives to any class and still less to Government. I assume always that the intentions of all are right, and most especially the intentions of the governing class; but still, it is reasonable we may be permitted to think that a better safeguard should be provided, and, therefore, feeling that in the union of many, for a common and reasonable object there is strength, we meet together. I had almost forgotten to notice one peculiarity of the revenue proceedings now in progress very worthy of note. I need not enlarge upon what such a people as the English or any civilized people would think of a general inquisition into the titles to all men's estates on which government had claims; but let us suppose that it had issued and then let us suppose that when the government as plaintiff and the individual as defendant were once in court, the defendant should find this situation suddenly reversed and he called upon

to prove his title to exemption from all claim, and that the government had no right to call him there on peril of forfeiture or assessment. Let us further suppose that a prescriptive right of sixty or seventy years was held to be no title to exemption, and that the government in ordinary cases paid no costs, and the defendant must pay his own and stamp taxes besides on the litigation thus forced upon him, what would an Englishman fresh from Europe say to all this? would he not say that all ordinary judicial maxims were here reversed, and that if these were rules of right, or of legal philosophy, he must unlearn all that he had been taught to hold as reasonable or regard as just?

I cannot too frequently repeat in this place, that in what I have said and am about to say respecting the causes of our fears, we do not impute blame to Government in either its legislative or executive capacity. We must divide and distinguish between Government in such capacities, and Government in its capacity of owner of the soil and landlord claiming its yearly rent; from Government in this its quality of landlord you have doubtless grievances to endure, but, after all, though heavy enough, such grievances are light compared with those that you might apprehend, if you could suppose a portion of the press which treats of such subjects and any authority for the principles to which it gives currency, or that they received countenance from authority. A portion of the press of this presidency and of the Madras from time to time, the question of the best means of raising a land revenue in India has been argued, as if it were still in Bengal an abstract and open question, and on grounds destructive of all public faith,—of all confidence between man and man, and of all the ties which bind men together in civilized communities. We are perpetually referred to the necessity which has no law, to the injustice which is done to any portion of a state, more heavily taxed than another, to the inconvenience of the exemptions of Bengal, Bahar and Orissa. If ever there was a solemn public compact entered into between the governor, and the governed, the latter ignorant, the former civilized and incomparably the best informed of the conditions, and acting with a forethought and deliberation commonly but little used even in such though the weightiest public affairs, it was the permanent settlement of the land revenue of Bengal, Bahar and Orissa by Lord Cornwallis: if ever there was an act which did honor to an individual governor, or made a conquering government worthy of esteem to all posterity, it was the permanent settlement, but now it is openly and covertly assailed by maxims which I think it better not to characterize by any epithets. According to the logic of the writers to which I allude, it was unjust in Lord Cornwallis, in 1793, to make a compact to limit the land rents of Bengal, because the north-west provinces, which were acquired in 1803, or 1805, some eight or ten years after, do, in 1808, require a large expenditure, or because Madras or Bombay may exhibit an increasing deficit, why, after all, gentlemen, Bengal pays for all, and surely pays enough if it pays yearly much more than it costs. According to the reasoning of this portion of the press you are bound in justice to pay for each new conquest in the precise into of its inutility and costliness. Such calculations lead further than the writers think. Satisfied as I am that there was good reason for your meeting, I rejoice, gentlemen, that you have met. The framers of the charter, I have said, must, if gifted with the forethought and wisdom for which I am content here to give them credit, have been prepared for such results, and prepared too to rejoice at them. You have learned, gentlemen, from the charter that the native subjects of the Crown in India are and ought to be the equals of Englishmen, and you have this day been taught the secret that union is power. That is a lesson not to be unlearned, and the power you will thus acquire I doubt not you will keep and wisely use. You meet openly, which is a pledge of your good

intention. The Union for purposes that are avowed is safe, that which is secret is dangerous, and this, too, Government will not fail to perceive; you have made a step in advance in the career of political improvement, and I doubt not you will persevere in the good work you have begun. I offer you my humble but yet zealous aid, both here and elsewhere, if I should chance to leave India. In England, I believe, I shall have the means to offer you assistance more able and powerful than my own.

The resolution proposed by Rajah Rajnarain Roy was then put and carried unanimously.

Baboo Ramcomul Sen observed, that those who had understood the last speaker, had, no doubt, been much informed and benefited; but, as it was intended to publish the whole of the proceedings of this meeting in Bengal, it was needless for him now to enter into the subject. He then moved, seconded by Roy Kalynauth Chowdhry, that the following gentlemen be elected as a committee for the present year, viz. Messrs. T. Dickens and G. Prinsep, Baboos Prosonnocomar Tagore, Dwarkanauth Tagore, Rajah Rajnarain Roy, Rajah Kaly Kishun Bahadoor, Baboos Ashotos Deb, Ramroton Roy, Ramcomul Sen, Moonshiee Ameer, Cowai Suttichurn Ghosal, and Rajah Radhacanth Deb, carried *nem. con.*

Baboo Suttichurn Ghosal stated, that all here present being sensible of the benefits of the projected association, were unanimously desirous that it should be established; but as such an association could not be carried on without pecuniary aid, he would propose that a book be opened in which all persons wishing to become members subscribe their names.

This was seconded by Roy Calynauth Chowdhry, who observed that many had subscribed for the construction of roads for the convenience of travellers, others for the support of schools to educate people, and, again, others for charitable purposes in order to relieve the poor: but none had subscribed his name in support of an institution whose object was to protect our political rights and privileges? The effects of such an institution would be felt not only by ourselves but our posterity. Let charity begin at home. He concluded by seconding the resolution, which had been proposed. Carried unanimously.

The chairman here observed, that the present meeting ought on no account to be considered as in any way opposed to the Government; on the contrary, if the object of Government be the good of the people, and this society subserved that end, it was evident that Government could not but consider it as beneficial both to itself and to the country at large.

Rajah Kaly Kishun Bahadoor then came forward and read a document which contained his speech, and of which the following is the substance:

Although he was unaccustomed to address public meetings; yet, considering this as a great assembly, convened for the purpose of carrying on a great object, it afforded him so much satisfaction that he was induced to offer a few remarks. The produce of the soil being the chief support of man, and his most permanent source of wealth, its ruin was the destruction, not only of our temporal comforts, but also of the means wherewith future bliss can be secured. It was to secure such property that this society was about to be established. It was, therefore, an object which every one could pursue with a satisfaction of consequence. Form the first place if the root be cherished, the enjoyment of the fruit must necessarily follow, or in other words, when any difficulty will arise to the interest of the landholders, they will be able to petition the Supreme Council for a remedy against the pending evil: Secondly, the Right Hon'ble Lord Clive, on the occasion of his proceeding to the Upper Provinces, among other nobles of India, conferred considerable rank, honor, and fortune, on Maha Rajah Dulkoob Roy, Sitab Roy, Rajah

Maha Rajah Raj Bullub Raean Roy, Jugutseth Khoshal Chund, and Maha Rajah Nobokiehen Bahadoor. These favors were conferred on them, on account of their conscientious support of the great political cause in which his Lordship was engaged. Nay, on the occasion of the war they were prepared to sacrifice their body and soul. All these facts are noted in the Government records. The people of this country, who are naturally loyal subjects, and patiently suffer the oppressions of Government, should receive some consideration from that Government, as the saying is, 'the strong is the support of the weak.' Thirdly, owing to the differences of opinion among our countrymen, it was difficult to unite them in a common cause: but in the present instance, union without reference to the distinctions of caste, evidently indicated future welfare to the country, and would prove as powerful as a rope formed of weak blades of grass, which when united could confine even a wild elephant, and keep him in order. For this great union thanks were due to Baboo Prosonno Comar Tagore and Baboo Ramcomul Sen. It was, therefore, the ardent desire of the Rajah, that this society exist permanently; and continue, without partiality to confer its benefits on the country.

After this several slips of paper were sent round for the names of those who intended to become members, and the following individuals were enrolled on the list:

Rajah Bhoirubindra Narain Roy, of Pooteah; Sreemutty Moharanny Kistomony, by Kassinath Sendal. Rajshabee; Rajah Burrodakant Roy, of Jessore; Sreemutty Ranay Katauny, by Dewan Dabeeprasaud Roy; Rajahs Radhakaunt Deb Bahadoor; Sibkrishno Bahadoor; Kallykissen Bahadoor, and Rajnarain Roy; Baboos Dwarkanauth Tagore; Prosonno Comar Tagore; Hurro Comar Tagore; Shamlall Tagore; Hurrolall Tagore; Konoylall Tagore; Gopaulall Tagore; Wopen dermohun Tagore; Omachura Banerjee; Blugobuttychurn Gangopadaya; Aushootosh Day; Ramrutun Roy; Roy Calynauth Chowdhry; Roy Rambullub; Taraprasaud Roy Chowdhry; Sreekishu Roy Chowdhry; Rajkishu Roy Chowdhry; Suttochurn Ghosal; Nilcomul Paul Chowdhry; Joychunder Paul Chowdhry; Unnodaprasaud Roy; Uboychurn Bundapalaya; Sarroop Chunder Sircar Chowdhry; Kallyprayson Mookerjee; Rangutty Nag Chowdhry; Praunauth Chowdhry; Odoynarain Muddul; Ramcomul Sen; Ramanauth Tagore; Unnodaprasaud Bonerjee; Omeschunder Roy; Mothoramohun Biswas; Anundomony Biswas; Bisumber Chowdhry; Mothoranauth Mullick; Bauman Doss Mookerjee; Sambhoonauth Mookerjee; Joygopaul Roy Chowdhry; Jugutdollah Sing; Essur Chunder Mustopee; Harrypran Mustopee; Gunganarain Paul Chowdhry, Biswanauth Mutteelall; Eesenchunder Roy; Mudoodeen Sandel; Sambhoochunde Mitree; Setanauth Mitree; Bisumber Sen; Muddoosuden Nundy; Kassinauth Bose by Ramanauth Banerjee; Kallachund Bose; Rogooram Gosain; Bhingobaun Chunder Ghose; Roopnarain Ghosaul; Gubindrishu Moojoomdar; Goolkrishu Ghose; Luckenarain Mookerjee; Gobind Chunder Bundapadaya; Kassenauth Bose; Kassiprasaud Ghose; Joynarain Bonerjee; Wodoychand Bysauck; Radhanauth Chatterjee; Ramcomul Mookerjee; Bongseebuddin Saha; Ramdhon Ghose; Doorgaprasaud Mookerjee; Takoordoos Mookerjee; Khetromohun Mookerjee; Ramcomar Chuckerbutty; Srinauth Mullick; Sitanauth Mullick; Ramdhon Mitree, and Bussuntolall Baboo; A.C. Dunlop, Esq.; Owen John Elias, Esq.; Messrs. Dawson and Co.; Moonshoes Golaum Nuby; Mahomed Aumer; D. Hare, Esq.; George Prinsep, Esq.; Messrs. Carr, Tagore and Co.; Mackillop Stewart and Co.; T. Dickens, Esq.; Alexander Binny, Esq.; Moonshiee Habeeul Housseu; R. J. Bagshaw, Esq. and Aumunuldeen, Vukeel of the Sadler Dewanny Adawlut.

When the subscriptions were ended, the usual vote of thanks was given to the chairman, and the meeting dissolved.—Hurk. March 21.

EXAMINATION OF THE PUPILS OF THE HOOGLY COLLEGE.

Sir Edward Ryan, Mr. R. D. Mangles, Mr. Walters, Mr. Millet, Dr. Grant, Col. Young, Captain Birch, Baboo Prosonno Comar Tagore, and Baboo Ram Comul Sen, composing the committee of public instructions, and their secretary, Mr. J. C. Sutherland, accompanied by Mr. David Hare, and some other gentlemen, embarked early on Saturday morning at Chandpaul-ghat, on a steamer, and proceeded to Hooghly; where they arrived at about 11 A. M., and were received by Dr. Wise, Mr. Jas. Sutherland of the College, Mr. Samuels, the magistrate, Mr. Belli the collector, and several military gentlemen of the station.

The Junior classes occupying the first floor of the school were first visited and examined in reading, with explanations of the passages they read, and in Geography. The visitors then proceeded to visit the senior classes on the upper floor, of which the first underwent a strict examination, conducted chiefly by Sir E. Ryan, Mr. Mangles, Mr. J. C. C. Sutherland, and Dr. Grant. The branches in which they were examined were, History of England, Geography, and Arithmetic. Considering the short period the institution has been established,

the progress of the pupils afforded] great satisfaction. There were also several maps of India, drawn by the boys, exhibited, which appeared very creditably executed. The prizes, consisting entirely of money, were delivered to the most meritorious students of the Oriental department, the Mahomedan youths. After which prizes consisting of appropriate books were distributed to the successful candidates in the English department.

The members of the committee then retired to an adjoining room and passed several resolutions for the management of the institution. Here they received an application from the pupils of the first class, soliciting permission to be allowed to open the College library in the evenings, three times a week, and offering to bear the expense of light for themselves. Considering the laudable zeal displayed by the youthful students, in this request the committee were pleased, not only to grant their prayer, but also to direct that the expense consequent on the measure be borne by the funds of the institution. Very few of the inhabitants of Hooghly were present on the occasion, and the visitors from Calcutta returned in the afternoon, much pleased with the day's occupation. —*Hurk. March 21.*

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[*Ibid.*]

EXAMINATION—HINDOO FREE SCHOOL.

TOWN HALL, MONDAY, MARCH 12, 1838.

The annual examination of the pupils of this institution took place at 11 A. M., on Monday, 12th March. Among the visitors we recognized Capt. D. L. Richardson, Mr. D. Hare, and a few more gentlemen; but were surprised to observe the absence of the popular native gentlemen of wealth. We heard that Prosonno Comar Tagore promised to be present, and believe some

unforeseen accident must have prevented his being among those who were much gratified with the exhibition of the progress of Hindoos in the English language and the sciences.

This institution was founded in June 1831, by Baboo Bhuban Mohun Mittra and Radanath Paul, ex-students of the Hindoo College, and residents of Simlah in Calcutta. In its infancy, it had the exclusive support of several students of the College, but its usefulness

becoming apparent, it was deemed advantageous for the purposes of education to make it dependent on the public for popular support, and since 1835 it has been open to subscriptions and donations from those interested in the advancement of the natives of India. It began with about 80 pupils, but now educates so large a number as 200 boys and upwards.

The boys are taught the rudiments of the English and the vernacular languages, and are instructed in the various branches of useful education. The first class seem to have a familiar insight in English History, and appeared to have been carefully taught the Latin. They read and parsed through some sentences of Dryden's Virgil with facility and the whole of the classes evinced proficiency and talent.

The examination was conducted by Captain Richardson, Messrs. Hare, James Middleton and R. Dias, and Rajah Kale Krishen made himself very useful in the Bengally examinations. The Rajah was supported by Baboo Moteeloll Seal, and one or two other native gentlemen.

The tutors attached to the institution are Isserchunder Shaha, Joychunder Bhose, Nundcoomar Bhose, Koilashchunder Bhose and others.

The 9th class read out of the English Spelling Book and explained the meaning of the words in Bengally.

The 8th class read out of an abridged edition of the English Reader, published by the School Book Society of Calcutta.

The 7th class read out of the same book, but in a more advanced page. These two classes could also explain the sentences in Bengally.

The 6th class read out of No. 2, of the English Reader and explained themselves very aptly in Bengally.

The 5th class read lessons from No. 3, of the above book, and explained themselves very satisfactorily.

The 4th class read and explained themselves from No. 4 of the Reader, in English.

The 3d class read from No. 1, of the Poetical English Reader and explained themselves also in English. They parsed very well too.

The 2d class evinced great efficiency in the Political Reader No. 2, they explained themselves well. This class answered questions in Geography and Roman History much to the satisfaction of those present.

The 1st class read several sentences from the first four Books of Virgil's *Æneias*, and answered questions in English History, geography, mathematics and grammar, with considerable aptitude.

About fifty books were distributed as prizes among those boys who had given general satisfaction to their tutors, and in the attainments of their studies, after which the visitors retired, much pleased with all they had witnessed.

At the close of the examination Rajah Kalee Krishen addressed the youths in the Bengally language. Mr. Middleton of the Hindu College then rose, and stated that he had watched the progress of the institution for the last five years, and had observed a regular advance in the proficiency of the students. He regretted to observe so few respectable natives present on this occasion, and he was compelled to confess that he regarded it as a characteristic indication of their apathetic indifference to the intellectual advancement of their countrymen. There were some noble exceptions, he said, to the applicability of this reproach, but they were very few. He concluded by congratulating the institution on its success. Captain Richardson next rose, and said that he was happy to express his concurrence in all that Mr. Middleton had said in favor of the institution. He (Captain R.) had privately examined the first classes, and had been highly gratified with the manner in which they had acquitted themselves. It was always, he observed, a most pleasing spectacle, to see so many Hindoo youths exhibiting a knowledge of the language and sciences of England, but the present occasion was one of peculiar interest from the circumstance of the teachers being themselves Hindoo youths, who had received instruction at our public institutions, and who devoted their time and labour *gratuitously* to the benefit of their countrymen. These teachers had other fixed duties to attend to, but they generously gave up all their leisure time, which they would have devoted to idle amusements, to the instruction of their pupils. It would be impossible for him (Capt. R.) to say how much he admired the conduct of these generous young men, and he hoped that when it became more generally known, that so noble an example would be followed by others of their countrymen. Mr. David Hare next addressed the meeting, and after explaining how he had watched the institution from its very commencement, expressed the deep interest which he felt in its success, and observed how much he had been gratified by the examination which had just taken place.—*Hark, March 13.*

STEAM TUG ASSOCIATION.

MARCH 26, 1838.

Fourth half yearly meeting of the proprietors of the Steam Tug Association, rendered special as per following advertisement :

PRESENT.

J. Cullen, Esq.,	A. McGregor, Esq.,
Charles Dearie, Esq.,	A. H. Sim, Esq.,
Alby (ror Dr. Bart.),	Charles Dumaine, Esq.,
Captain Somerville,	John Carr, Esq.,
Captain Thompson,	K. R. Mackenzie, Esq.,
J. W. Cragg, Esq.,	W. Prinsap, Esq.,
George Hill, Esq.,	J. D. Dow, Esq.,
James Hill, Esq.,	Radanath Dutt.

Mr. Sim, being called to the chair.

The half yearly report of the committee and secretaries having been read, it was resolved unanimously,

That the report be received and recorded, and the accounts attached thereto be passed.

Proposed by Mr. Cragg, and seconded by Mr. Dearie, and carried,

That all shareholders of the original stock subscribed in sicca rupes, be entitled to receive, whether in cash or as a set-off against whatever new stock they may take in the enlarged subscription, the difference of value of each share between the old and new coin, viz. Co.'s Rs-66-10-8 per share.

Upon consideration of that part of the report which refers to reduction of the establishment.

Captain Thompson stated his reasons for calling a special meeting of proprietors for determination upon this question, which were forcibly urged by him to the effect that the vessels had worked well upon the present footing and were paying well, and that he conceived the proposed reductions would save a mere trifle to the Asso-

ciation, while the keeping up of the same establishments as heretofore would secure the more active and zealous conduct of those employed.

Read a letter from Captain Cunningham, of the *Forbes*, much to the same effect.

Proposed by Mr. Cullen and seconded by Mr. Mackenzie, and carried,

That it is not expedient to reduce the establishments of the present tugs, below the statement of their late equipment (laid upon the table), as regards present incumbents, but that the committee be requested on vacancies taking place, to use their best exertions to promote economy consistent with the full efficiency of the vessels.

Proposed by Mr. James Hill and seconded by Mr. Cragg, and carried,

That the committee be requested to enquire into with a view of ascertaining whether a better method of supplying the fuel for the steamers cannot be found, and whether the appointment of an efficient superintendent at the coal depôts might not be desirable.

Proposed by Mr. Cragg and seconded by Mr. G. A. Prinsep, and carried,

That a dividend of 50 Company's rupees per share be advertised for immediate payment.

Proposed by Mr. G. A. Prinsep and seconded by Mr. A. McGregor, and carried,

That the measures taken by the committee and referred to in the report for the construction of the two new vessels, and for the procuring their engines from England, are confirmed, and the thanks of the proprietors be conveyed to Captain Henderson for his active and zealous aid on behalf of the association.

Read a draft of the additional articles prepared by the legal advisers of the association for embracing the 200 additional shares.

Proposed by Mr. W. Prinsep and seconded by Mr. Cullen, and carried,

That the additional articles referred to, be engrossed as an appendix to the deed of co-partnership, and the signatures of all new subscribers be procured thereto.

With reference to the 13th clause of the deed of co-partnership, requiring the annual election of the committee of management.

It is Resolved unanimously.

That the gentlemen who were upon the late committee be re-elected, and that James Cullen, Esq., be elected to the room of John Stewart, Esq., deceased.

That the thanks be given to the chairman.

(Signed) A. H. SIM, *Chairman*.

Hulk, March, 29.]

DISTURBANCE AT DUM-DUM.

We learn that a disturbance, or rather a difference, but of a somewhat serious nature, has, within the past week, taken place among the troop-establishments of the Horse Artillery at Dum-Dum. The facts and generally understood causes are thus represented to us: "The troop in question arrived from Kurnaul in the month of January last; and, not aware of any claim which the syces and grass-cutters had, or conceived themselves to have, to a higher rate of pay, in consequence of their location at regimental head-quarters, than they before received while cantoned in the upper provinces or on the march down, the commanding officer drew for them in his abstracts for that and the succeeding month at the old and general rate of four rupees a sycce and 3-8 for each grass-cutter, and these rates were duly passed and paid to him in the proper departments. On pay-day, however, the men refused to receive these sums, alleging that they (the syces) were entitled to five rupees, the grass-cutters to four rupees each, and that the establishments of the relieved troop and its predecessors had, ever since 1848, received such higher rates which were specially authorized for the presidency station. The circumstance was reported through the Commandant to Major General Sir Willoughby Cotton, commanding the division. Whether in consequence of instructions to such effect from that quarter, or acting upon his own judgment, we know not precisely, but Brigadier Faithful had the men assembled and ordered them to take their pay, that is the lower rate, which they did. Subsequently, however, when the ordinary stable duties came to be demanded of them by the troop officer, the great majority were not forthcoming, and after several ineffectual bugle calls only some fifty or sixty could be mustered for the service of the horses. In more than one instance the complaints of the treatment which they had received, and their refusal to resume their duties were "improper in form and insubordinate in expression." And thus the matter stands for the present.

We are advised that this belief on the part of these men originates thus: The scale of pay claimed by them was sanctioned for similar establishments of the horse artillery depôt of instruction (which existed at Dum-Dum, from the end of 1825 until the beginning of 1830) and is the same as received by the syces and grass-cutters of the Governor-General's body guard at the presidency. Two years previously to the abolition of such depôt, by Lord Wm. Bentinck, a troop of horse artillery was for the first time stationed at Dum-Dum, and (we suppose because it would have been an absurd anomaly that the same classes of servants in the same arm of the service should receive different rates of pay at the same station), to the establishments thereof, so long as they should continue at Dum-Dum, were sanctioned the allowances before authorized for those of the depôt. As, although a relief of the horse artillery at the station has since taken place more than once, it has never extended to the troop horses, the syces and grass-cutters have remained stationary until the present year, when the relieving troop brought down all its material equipment, horse, draft and native establishments, while those of the relieved troop accompanied in like manner its recent march to Upper India, having received until the last the high rates of pay allowed to them nine years before. Aware of what their predecessors had received at Dum-Dum, expecting that this was the local rate, and not a special grant, under temporary circumstances to the establishments of a particular troop, the syces and grass-cutters of Captain Wood's troop of horse artillery have claimed the same. Thus it will be seen that they have some ground for their belief, some show of reason for their expectation. But it will, of course, remain with the Government, to whom the matter has already been referred, to decide on the merits of the men's claim, as to whether the rate hitherto sanctioned is to continue in force at Dum-Dum with this, and all future troops, or to terminate with the departure of the men in whose favour the increase was specially made.

So much for the history of this little affair, on which, as in many more or less similar cases, since the unfortunate total abolition of corporal punishment in the native army, our readers will, as ourselves, be compelled with regret to observe the extreme helplessness of commanding officers, whenever their legitimate authority is, as here, disputed by their native soldiery and regimental establishments. Orders are disobeyed, duties unperformed, wholesome control impracticable, because the European officer knows, that if he brings an offender to a court-martial, that court will and must pronounce the very sentence to obtain which the offence was committed. There are not, there cannot be, intermediate and second

day punishments of any efficacy in the native army. It was, therefore, a most erroneous liberality—the evil effects of which are becoming year by year more and more apparent.—to remove the one old barrier of restraint, to prohibit any the slightest and most necessary flogging, the dread possibility, the distant terrors of which had most salutary effects upon the discipline and respectfulness of the sepoy. Rarely resorted to, and then as a preliminary to permanent and ignominious discharge, it was not abused, it was not as elsewhere and of old a horror to humanity, but a needful and proper, because efficient and moderate, punishment for the two offences to which it was latterly restricted.—*Hurkura, March 28.*

THIRD MEETING FOR THE FORMATION OF THE LANDHOLDERS' SOCIETY.

Proceedings of the Meeting of the Committee of the Landholders' Society, held on the 27th March 1857, at the Town Hall.

*Present:—*F. Dickens, Esq.; G. Prinsep, Esq.; Rajah Burrodacant Roy; Rajah Kalkrisana Bahadour, Rajah Rajnarain Roy; Cowar Suttachurn Ghossaul; Baboo Ramtuttun Roy; Baboo Ramcomal Sen; Baboo Prossunocomar Tagore, and several visitors.

P. C. Fagore, the Provisional Secretary of the committee, submitted the names of the following gentlemen who have applied since the last public meeting to be elected as members of the society, and they were accordingly elected unanimously:

Mr. Martin, of Messrs Cockerell and Co.; Mr. Deussen, of Messrs J. A. Walker and Co.; P. J. Paul, Esq.; R. Salano, Esq.; James Farlong, Esq.; John Carr, Esq.; W. N. Hidge, Esq.; W. Storm, Esq.; John Bell, Esq.; John H. Bognan, Esq.; H. Harris, Esq.; D. Andrew, Esq.; A. C. Dunlop, Esq.; J. Humtrays, Esq.; George Palmer, Esq., at Pooneah; W. F. Fergusson, Esq.; Baboo Ramdhone Banerjee; Baboo Jannolpasiac Banerjee; James Fergusson, Esq.; Capt. G. Vint; John Holingshob Haimes; Rustomjee Cowasjee, Esq.; Rancee Soorja Money Debey, zemindar of pugunnah Lushkeepore Rajshaye, by his Dewan Cassey-nauth.

Mr. Dickens proposed the following resolution, which was seconded by Rajah Kallekissea Bahadour, and carried *nem con.*

Resolved, that the names of parties wishing to become members shall be proposed at any ordinary meeting, and such members shall be ballotted for, and elected at, the ensuing one.

Proposed by the P. Secretary, that the Union Bank be requested to act as treasurer of the Society, and it was accordingly resolved that a letter be written to the secretary of the Bank on the subject.

Proposed by the P. Secretary, that the following establishment is necessary to commence the business of the Society, and it was accordingly passed by the meeting.

Proposed Establishment for the Landholders' Society.

An European Secretary.....	0
An Assistant.....	50
A Pundit.....	20
A Moonshee.....	10
A Peon.....	5
A Duffry.....	5
Contingent charges.....	10

Co.'s Rs. 100

The committee authorized Mr. Dickens to secure the services of a European secretary for the Society, upon the understanding that the gentleman selected shall take

charge of the office at present *gratuitously*, until the fund of the institution shall enable the committee to allot a reasonable allowance to him.

Proposed by the P. Secretary, that as a division of labour is unquestionably found to be of great advantage to a great undertaking, and also in anticipation of other benefits, it be resolved that for each three districts of Bengal there be two gentlemen of the committee appointed special corresponding members, with a view of attracting new members to the Society from those districts, and endeavouring to establish Branch Societies there as recommended by rule xxiv. of the Society, as well as to promote the general objects of the Society, and it was carried unanimously.

Proposed by Rajah Kalle Kissen Bahadour, and seconded by Rajah Rajnarain Roy, and carried, that notices in English and Bengally be inserted in the newspapers, that any party desirous to become a member of the Society may send his name to the secretary, and the amount subscription to the Union Bank.

Proposed by the P. Secretary and carried *nem con*, that the rules of the Society and the proceedings of the first day's meeting be printed in English and Bengally, and in English and Oordoo, 1,000 copies each, and 200 copies also in English, and on thin prest paper, the former for distribution in the Mofussal, and the latter for despatch to England.

Proposed also by the P. Secretary, and carried, that notices of motions on all subjects be given by the member who proposes to move at one ordinary meeting, to be discussed and decided in the following one.

Proposed by the P. Secretary and carried, that a respectful letter be addressed to the Government informing it of the establishment of the Society, and soliciting that it will command the service of the Society whenever required on all judicial, revenue and police matters, or any thing connected with the general welfare of the country, in the same manner as the Government now does with the Chamber of Commerce, in all points of a commercial nature.

The P. Secretary submitted an application from certain individuals requesting the Society to memorialize the Government to introduce the vernacular language in the proceedings of the Sudder Dewany Adawlut instead of Oordoo, as contemplated by the Judges of that Court, in substitution of Persian. It is ordered that, with reference to the preceding resolution on the consideration of this subject, it be postponed till next meeting.

It is resolved, that at present, every Monday at 4 p.m. a meeting of the committee be held until otherwise directed.

PROSSUNNOCOMAR TAGORE.

RAM COMUL SEN.

Hurk. March 30.]

P. Secretary.

SUPREME COURT.

FRIDAY, MARCH 3.

(Before Sir Edward Ryan, and Sir J. P. Grant).

Their Lordships gave judgment this day in the following cases which stood over.

CORRELL AND OTHERS ASSIGNEES OF PALMER AND CO. *versus* THEODORE DICKENS AND OTHERS.

Sir E. Ryan said, that this was a demurrer to a bill in equity, and was argued before his Lordship sitting alone in the 4th term of last year. The court now allowed the demurrer.

The learned Chief Justice here went over the facts stated in the bill at great length; they are shortly as follow:—An Armenian merchant, deceased, resident in Batavia, was a creditor of a large amount of the firm of Palmer and Co. His interests are represented by the present defendants, the Registrar of the Supreme Court being the administrator in this country with the will annexed, and the other defendants being parties beneficially entitled under the will. Upon the insolvency of Palmer's firm the registrar of the Supreme Court as administrator *cum testamento annexo*, proved the debt due to the deceased creditor from the firm, and obtained payment of the rateable dividends. About the same period, however, a certain public body in Batavia, called the Orphan Chamber, who had been appointed by the will to act as executors and trustees for the deceased creditor in that country, instituted a suit in the courts of Batavia against certain property (a plantation) in which the firm of Palmer and Co. was interested. This suit being decreed in their favour, the property in question was ordered to be sold, and the proceeds directed to be paid over to the Chamber as executors and trustees for the deceased creditor. The whole amount thus received by the estate of this creditor of Palmer and Co., greatly exceeded the dividend received by the other creditors. Accordingly the present suit was instituted by the assignees of Palmer and Co., to compel the defendants (as being the only representatives of the party, who were subject to the jurisdiction of the Supreme Court of Calcutta) to refund the dividends which were paid over to them in ignorance of the proceedings instituted in Batavia, so as to make the amount received altogether by the state of this particular creditor not more than equal to the dividend paid to the other creditors.

The learned Chief Justice stated, that no authority precisely in point had been cited by the counsel who argued the case at the bar, although the question had been argued with great acuteness and ability. *Hunter v. Potts*, 4th Term Reports, and *Phillips v. Hunter*, 2d Henry Blackstone, had been cited but there was no analogy between those cases and the present. The principle there laid down was that personal property passes under the assignment, wheresoever situated, and it had been contended that this property therefore in Batavia passed to the assignees, and that the creditor or his representatives must either bring it into *hatchpotch*, or relinquish their claim against the general dividends. But the property in the case before the court was not personal property; for a foreign court of competent jurisdiction had decided the contrary. The assignees had there set up their title, which the court abroad refused to acknowledge. Now, it had been laid down by Lord Loughborough that the law of bankruptcy will not interfere with the law of other countries with respect to property situate there. This subject had been well considered in Chief Justice Story's Commentaries on the conflict of Laws, p. 345. It was true that the Bankrupt Law, professed to be founded on justice and equality, and it was equally undeniable that this principle would be so far violated in the present case, that

one creditor would be allowed to receive more than the rest. But this unequal distribution depended on the decision of a court of competent jurisdiction abroad, judging in conformity with the laws which prevailed there, and it was impossible for the Supreme Court of Calcutta to remedy the inequality. The case must be admitted to be one of doubt and difficulty, but the court had come to the conclusion that the complainants had shown no ground for relief. The demurrer therefore must be allowed and the bill dismissed.

Bill dismissed accordingly.

The Chief Justice intimated, however, that each party must pay their own costs, because the case was undoubtedly one of sufficient difficulty to justify the complainants in taking the opinion of the court.

Mr. Prinsep and Mr. Leith for the complainants.

The Advocate-General and Mr. Grant for the demurrer.

IN THE MATTER OF DAVID FAIRLIE CLARKE AND OTHERS,

OU-ELY AND MACNAGHTEN ASSIGNEES OF FERGUSSON AND CO. *versus* GRIGSON AND OTHERS, ASSIGNEES.

The report of the argument in this case may be found in the *Hurkaru* of the 29th January last.

Sir Edward Ryan, This is a petition of appeal from a decision in the Insolvent Court, of our lamented colleague, Sir Benjamin H. Malkin. I should have gone fully into my reasons, if I had seen any ground to differ from the judgment appealed from, but on the fullest consideration of the circumstances, I am clearly of opinion that the learned Judge decided correctly. The circumstance that the house was insolvent at the period when the retiring partner quitted it, is not sufficient, the transaction, if otherwise *bonâ fide*. The whole question turns on the existence or non-existence of fraud; *ex-parte Meake* in the 1st vol. of Maddock's Reports, governs the present case; it was there held that knowledge of the insolvency alone, without other circumstances to evidence fraud, was not sufficient. The decision which I formerly gave in the case arising from the insolvency of Palmer and Co. and the decision of Mr. Justice Grant in the case of Mackintosh and Co. in the Insolvent Court, are both distinguishable from the present. There the transactions were effected by fraud. In the present instance, looking at the whole of the evidence, I am of opinion that the arrangement was fairly and honestly made. The order must be discharged, and with costs.

Sir J. P. Grant.—The present appeal has made it necessary for me to re-consider the decision which I pronounced when sitting alone in the Insolvent Court, in the case relating to Mackintosh and Co. I have not changed the opinion I then formed, and if the circumstances of the present case had been the same, I should have given a similar decision. But all these cases must depend on their own peculiar circumstances; and fraud, which existed in that case and which was expressed to be the ground of that decision, is absent here. There is no reason to doubt that the statement of their accounts as set forth by the partners at the time of the retirement, was not made in good faith. Although there was a deficiency of assets, they might reasonably suppose that this would be subsequently made up. I think the case cited in 1st Maddock is precisely in point; and *Anderson v. Maltby* cited for the defendant differs from the present case, because there the circumstances shewed that the partner retired solely from the conviction that the house was insolvent at the time. The appellants

have shewn no ground for disturbing the decision.

Discharged with costs.

The *Advocate General* and *Mr. Leith* for the Appellants. *Mr. Clarke* and *Mr. Grant* for the Respondents.

RAJA BURRODOCAUNT ROY *versus* JUGOUTCHUNDER MOOKERJEE AND OTHERS.

The argument of this case is briefly reported in the *Hurkaru* of the 31st of January.

Sir Edward Ryan.—This is a very singular case, and I do not recollect one similar to it in this court. The original decretal order, which was merely *ad computandum* was obtained in 1837, but the final decree was not until November 1837. Now the present supplemental bill was filed in the *interval*, and prays for an account of the estate, and that an injunction may issue to prevent waste. It is established by *Smith v. Eyles*, 2 Atkyn's Reports, that an interlocutory decree does not take effect, until the final decree has been pronounced. Since, therefore, we cannot look at the final decree, which was of posterior date, it follows that there is no equity to support the complainant's case.

Sir J. P. Grant concurred.

Bill dismissed.

Mr. Clark and *Mr. Lieth* for the complainant.

Mr. Prinsep and *Mr. Cochrane* for the defendants.

A rule for a nonsuit will be moved for on Monday in the case of *Walker v. Bruce*, on the liberty reserved.

The Insolvent Court sits this day, (Saturday.)—*Hurkaru*, March 3.

MONDAY, MARCH 5.

(Before *Sir Edward Ryan* and *Sir J. P. Grant*.)

DOE ON THE DEMISE OF JAUN BEHRE *versus* ABDULLAH BARBER.

The *Advocate-General* mentioned this case to the Court in which liberty had been reserved to move to set aside the verdict, upon certain points of Mahomedan law. The learned counsel was not prepared upon the argument, but he mentioned the case, because this was the last of the four initial days of term allowed for the moving of new trials.

The court gave leave to move for a rule on a future day.

SHREEKISEN SING *v.* GOVINDCHUNDER BUNDOPADHYA.

The *Advocate-General* moved for a rule to shew cause why damages to the amount of Rs. 1,365-3 should not be substituted for the verdict of one rupee, nominal damages, entered for the plaintiff. This was a special action brought for the breach of an agreement for the purchase of several maunds of indigo, and it was tried as an undefended cause last term, when nominal damages were given for the plaintiff. The court then said that in estimating damages, the period when the breach occurred, must furnish the standard of computation. Now the agreement was, that the defendant would weigh the indigo within ten days, and pay the full amount, and remove the property; or, if failure took place within that period, that he would pay interest at 9 per cent. It is contended that the breach took place, not at the expiration of the ten days, but at the time of action brought, and it was proved that a re-sale could not have been then effected without great loss. The learned counsel further stated that if account for goods bargained and sold had been added to the special count, the plaintiff would have been

not only entitled to a verdict, but entitled to recover the full purchase-money, and for this position he cited *Dunnors v. Taylor*, Peake 56. Now it was entirely through the operation of the new rules of pleading that the plaintiff had been debarred from inserting such a count in the present instance; it was hoped, therefore, that if the court should be hostile on the first point, leave would be given to the plaintiff to discontinue this action on payment of costs.

Sir Edward Ryan.—Take your rule upon both points.

Rule granted accordingly.

J. A. WALKER AND OTHERS *v.* W. BRUCE AND OTHERS.

Mr. Leith moved for a rule to shew cause why the verdict for the plaintiff in this case should not be set aside, and a nonsuit entered instead. The learned counsel said that the liberty reserved was for a nonsuit, but he should submit that he was entitled to move for a verdict for the defendant.

Sir Edward Ryan.—State the points very shortly which you mean to take on argument, because you will be entitled, of course, to a rule nisi.

Mr. Leith.—The first point relates to matter of form; negligence is the foundation of this action, and yet there is no duty alleged from the breach of which negligence may be inferred, *Max v. Roberts*. 12 East's Reports. Secondly, we shall contend, on the merits of the case, that the action cannot be maintained unless there be fraud on the part of the defendant, and in support of this we shall rely on *Pasley v. Freeman*. 3 Term Reports, *Havernsi v. Crasus*, 2 East. *Ashlin v. White*, Holt's *miscellaneous cases*, *Tapp v. Lee*. 3 Bosanquet and Puller. *Scott v. Lara*, Peake. *Ames v. Milward*. 8 Taunton. The third objection which we intend to advance is, that the injury is too remote. *Vicars v. Wilcox*. 3 East. *Ward v. Weeks*. 7 Bingham. And, lastly, we shall rely on the laches and negligence of the plaintiff himself, by which he would be barred from recovering even if this action were maintainable on principle. *Butterfield v. Forrester*. 11 East. *Vernon v. Keyis*. 4 Taunton.

Sir Edward Ryan.—Your rule must be for a nonsuit, and not that a verdict may be entered for the defendant.

Rule granted.

SHEFUMUTTY NIBHUNMONEY DABEY *versus* SHAMYLLOL TAGORE AND HURRELOLL TAGORE.

Mr. Leith made an application to the court on behalf of the defendant Hurrellohl, to strike out certain words in a decretal order drawn up in this case. A motion had been formerly made by *Mr. Prinsep*, to let in two creditors to prove against the testator's estate before the Master (see the report in the *Hurkaru* of February 15th) and this was granted conditionally by the court, the terms being subsequently accepted by the counsel for the creditors. *Mr. Leith* stated, that he had then, as counsel for Hurrellohl, consented to the motion upon a common consent paper put into his hands that morning in court, but affidavits were now put in, to the effect that the terms of the order varied from the original motion, and that this alteration was made without any communication with the party, his counsel, or attorney; it was, therefore, complained that the consent of the party had been entered upon an order to which he never intended to consent at all.

Sir E. Ryan.—If a consent paper is put into counsel's hands, and the motion afterwards takes a different turn, the counsel ought either to exercise his own discretion, or consult with his client, before he consents.

Mr. Leith then offered to pay all the costs, upon being allowed to withdraw the consent, which would put the parties *in statu quo*.

Sir E. Ryan.—It seems that the attorneys here, (Messrs. Hedger and Smalley) are in partnership. There is only an affidavit of Mr. Smalley that he was ignorant of the change in the terms of the motion. Why is there not an affidavit by Mr. Hedger?

Mr. Leith stated that that gentleman had been absent at Ruidwan, and was present only upon one of the days when the application was before the court.

Sir Edward Ryan.—There must be an affidavit by Mr. Hedger of all the facts, and the matter must stand over in the meantime. Notice to one of the firm would be equivalent to notice to all. But if the consent was really given improperly, it is clear that the court has not the power of imposing terms concluding this party behind his back: he ought to have an opportunity of shewing cause against the order itself.

Ordered to stand over.

BISSUN SOONDUNNEY DABBY versus RAJAH BURRODICAUNT ROY.

The Advocate-General moved for an injunction to stay the proceedings in this suit. An application had been made to the late Mr. Justice Malkin, to alter certain sums incorrectly set forth in the final report of the Master, which was refused as an irregular proceeding. The present motion was made on a bill of review brought to rectify the error in the final decree made in the cause.

Mr. Clarke took a preliminary objection to the application. This is the state of the case. We have got a decree for thirty-eight lacs of rupees; the opposite party wish to alter this sum by the subtraction of three lacs, and in the meanwhile to stay our execution. Ev their own shewing, therefore, we are entitled to five and thirty lacs, and yet no money is brought into court.

The court said, that this objection could not be got over.

Mr. Clarke stated, that he was willing to make an offer. If the other side paid in the thirty-five lacs his clients would be very happy on their part to remit the disputed three lacs without further opposition!

Motion refused.

JOYGOPAL BYSACK v. SREEMUTTY NEERUNGO DOSSEE.

This was a demurrer to a bill in equity. The question raised was, whether a certain legacy given by the testator to his two daughters was a contingent bequest, or vested and absolute.

Mr. Clarke and Mr. Grant for the heir.

Mr. Prinsep and Mr. Leith in support of the demurrer for the legatees.

Mr. Clark.—There are four distinct legacies in the will, the first is the bequest of all of the testator's property to his son—the second, which is admitted to be contingent, is the bequest of Rs. 30,000 to his widow, receivable in the event of the son dying under age. The third is the disputed legacy of Rs. 20,000 to each of his daughters, with an additional sum of Rs. 10,000 to be shared between them for the purchase of a house; and lastly, the residuary clause in favour of his brother, the executor. Of these the first is simple and distinct, and the second is compatible with it, because the latter is contingent on the failure of the former; we contend, that unless the third is construed to be contingent also, the whole will is utterly inconsistent and unintelligible. It is true that there are no words in the second member of the clause of bequest to the widow and daughters repeating the contingent event, but from all the circumstances it is clear that the contingency expressed in the first member is intended to govern the

bequest contained in the second. It is observable that here was a mistake in the original translation of the will in respect of the Bengally word "au." This word commences the second member of the sentence, and is explained to mean, "and," "other," "further," or "moreover." Now whichever of these expressions be used in the interpretation, the inference is obvious that the two members of the sentence are intended to be connected together, and to be governed by the self-same contingency. But, farther, if the construction contended for by the other side were to prevail, it must also extend by parity of reasoning to the fourth bequest, so that the whole property would be devised away absolutely to the executor, and the son (to whom the will sets out by giving all) would be entitled, upon coming of age, to nothing more than the lapsed legacy to the widow. This would be absurd. The object of the testator is evident:—he wished to give all to the son, if he survived his minority, as the head of the joint and undivided Hindoo family. If the son lived, he was expected to take care of his mother and sisters, and if he died, the will was to provide for them. In the construction of wills there are four general rules applicable to the present case, and which the court ought to consider in pronouncing their decision. 1st. That where there is both a particular intent and a general one, the former must be sacrificed to the latter. *Robinson v. Robinson*, 1 Burrow. *Doe v. Harrey*, 6 B. and C. 2dly. The construction of the will is to be made on the entire instrument, and each part is to be considered with reference to the other. 3dly. Where expressions inconsistent are used in a will, it is not necessarily to be inferred that the first is to be overthrown. *Jesson v. Wright*, 2 Bligh. Lastly, that an express disposition cannot be avoided by mere inference and argument drawn from other parts of the will. *Laurence v. Laurence*, 1 Vesey Junior.

Mr. Grant followed on the same side, and dwelt chiefly on the grammatical necessity for construing this legacy a contingent bequest, as an authority for which he cited "Horne Tooke on conjunctions!"

Mr. Prinsep and Mr. Leith contra. The view taken by the learned counsel is more acute than just. The new reading which is so much relied on, appears more favourable to our construction. All the general principles laid down with respect to the interpretation of wills are freely granted in the abstract, but their applicability is denied. One, indeed, is a strong argument in our favour, viz that an express disposition cannot be varied by reference to other parts of the will. Now, here is an express and absolute disposition on the face of it, in favour of the daughters, and it is sought to qualify this by reference to the former clause *Wright v. Compton*, 9 East. There is nothing in the argument that our construction, if allowed at all, must be extended to the bequest to the executor. That bequest is residuary, that is, a bequest, intended to take effect, according to the essence of residuary clauses in general, after the payment of all legacies previously specified whether vested or contingent. The intention of the testator clearly was to give this legacy to his daughters absolutely: for he speaks of their being given in marriage, and these sums were intended for a marriage portion.

Mr. Clarke replied.

Sir Edward Ryan.—I have no doubt in my mind upon this case. The court is of opinion that the testator's intention is clear to give these specific sums to his daughters contingently, only upon the decease of the son under age. Upon any other construction the will is unintelligible.

Demurrer overruled—but without costs.

[Hark., March 6.

TUESDAY, MARCH 6.

(Before Sir Edward Ryan and Sir J. P. Grant.)

BARCLAY *versus* MORTIMER.

The *Advocate-General* moved for a rule to shew cause why the judgment by default against the defendant in this action should not be set aside. Affidavits were put in, certifying that there was a good defence on the merits, and stating that a negotiation between the parties had been pending for some time previously to the signing of the judgment, the whole matter being intended to be referred to arbitration, and finally settled out of court.

Sir E. Ryan on looking over the affidavits, said, that they were insufficient, because they only stated the expectation of the defendant, and did not shew any positive duty on the part of the plaintiff to delay entering up judgment after the usual time.

BIOWANNY PERSAUD EXECUTOR OF KHOONDOROLOLL
v. GOPAULLOLL AND OTHERS.

This equity suit came on for hearing on evidence. The bill prayed for a decree establishing the will of the testator. Khoondorololl, and declaring the rights of the parties also for an account of all the estate of the said testator, which had come into the hands of the defendants, or any of them, and for an injunction against wasting the same, and for the appointment of a receiver.

The bill and the answer of Gopauloll having been opened by Messrs. Sandes and Grant, the *Advocate-General* rose and stated to the court, that the parties were willing to effect an amicable arrangement, which would render the further hearing unnecessary. It was hoped, therefore, that the prayer of the bill would be granted, and the rights of the parties decreed.

The court said, that an account might be decreed, but that it was impossible to decree the rights of the parties until some evidence was given concerning those rights.

All the necessary parts of the evidence were then put in and read, and the court accordingly directed a decree for an account, and declared the rights and shares to which the parties were severally entitled under the will of the testator Khoondorololl.

The *Advocate-General* and Mr. Sandes were for the complainant.

Mr. Prinsep and Mr. Grant alone for one of the defendants, Gopauloll.

Mr. Leith alone for one of the defendants, the widow, of the testator.

Mr. Cochran alone for the other defendants.—*Hurk.* March 7.

WEDNESDAY, MARCH 7.

Sir Edward Ryan sat alone this-day to take common motions.

SIREMUTTY SIBBOOSONDERY DOSSEE v. KISTNONUNDO
BISWAS.

Stands for hearing on the equity board for to-morrow, Thursday. This day there are no causes yet set down on the plea side.—*Hurk.* Mar. 8.

THURSDAY, MARCH 8.

DOE ON THE DEMISE OF JAUN BEEBEE AND OTHERS v.
ABDOLLAH BARBER.

The *Advocate-General* moved for a rule to shew cause why the verdict for the defendant should not be set aside, and a verdict entered either for the whole, or

pro tanto, for the lessors of the plaintiff. This ejectment case was tried last sittings, and a verdict being found for the defendant, leave was reserved to the plaintiff to move upon certain points of Mahomedan law. The learned counsel shortly stated the points which he intended to take on argument. First, that the instrument under which the defendant claimed was nothing more than a writing declaring the proprietorship of the party executing it, and that it was therefore inoperative altogether. Secondly, that a legacy cannot be left to one heir without the consent of the co-heir. (McNaghten's Mahomedan law, pp. 53, 121.) And lastly, that the instrument in question, if it was operative at all, operated as a will, because all charitable gifts are taken to be legacies, and follow the same rules of construction, (D'Huson's *Tableaux de l'Empire Ottoman*), and that therefore according to the rules of Mussulman law the testator could not by will legally alienate more than one-third of his whole estate. (Sir William Jones, on the law of inheritance, p. 517.)

Rule granted.

SIREMUTTY NIBBUNMONEY DARFY v. SHAMYLLOL AND
HURRYLLOL TAGORE.

Mr. Leith renewed the application to the court, which stood over from Monday, in order to allow time for an affidavit to be put in by Mr. Hedger, the other partner in the firm of Messrs. Hedger and Smalley, attorneys for the defendant Hurryloll. The matter, it may be recollected, had reference to a consent alleged to have been obtained through mistake to an order of the court.

Mr. Clarke submitted that there ought also to be an affidavit by the defendant Hurryloll himself. Mr. Hedger had sworn positively that he himself was not in court at the time when the order was made, but he could only swear to his belief that the defendant Hurryloll was not present on the occasion.

The court said, that the affidavit of Hurryloll was indispensable.

Motion stood over.

SIREMUTTY SIBBOOSONDERY DOSSEE v. GOVINCHUNDER
BISWAS.

This cause came on for hearing on further directions, and was referred to the Master by consent.

The *Advocate-General* and Mr. Osborne for the complainant.

Mr. Prinsep, Mr. Clarke, and Mr. Nott for the defendants.—*Hurk.* March, 9.

SATURDAY, MARCH 10.

(Before Sir Edward Ryan.)

IN THE MATTER OF W. P. BIRD, DECEASED.

Mr. Leith moved that citations do issue, upon an exemplification under seal out of the Ecclesiastical Court at Madras. There were affidavits verifying and authenticating the seal of the court.

The Chief Justice said, that the affidavits were not necessary. Although a doubt was expressed some days since whether the seal of a court in Ireland did not require authentication here, this is not necessary in respect of the Madras court, the seal of which proves itself.

Motion granted.

[*Hurk.*, March 12.

MONDAY, MARCH 12.

(Before Sir Edward Ryan, and Sir J. P. Grant.)

WALKER P. BRUCE.

The court was occupied from eleven o'clock until half past four, in hearing the argument in this case, the facts of which are well known.

The Advocate General, Mr. Prinsep and Mr. Clarke for the plaintiffs, shewed cause against the rule nisi obtained by Mr. Lieth for entering a nonsuit.

The learned counsel first directed attention to the question of evidence, and contended that there was sufficient proof that the defendants were aware of the fact that the goods were not on board at the time of granting the policies, and that they had no right, therefore, to grant the policies under those circumstances, or at least to certify that the goods were actually laden. The case was like giving a receipt or acknowledgment for money when no money was received. It was not intended to advance any argument inconsistent with the finding of the court as a jury, but although they had negatived moral fraud, it was still open to shew that there had been fraud in law. *Crassa negligentia aequiparatur dolo*. The learned counsel were proceeding to shew that the act of Jones, the agent, must be taken in every respect to be the act of the defendants, his principals. But the court said, it was quite unnecessary to cite cases upon this point, because nothing could be more clear than that a principal was civilly responsible for all the acts of his agent done within the scope of his business and employment.

The learned counsel then considered the cases which had been cited when this rule nisi was obtained, and they expressed their surprise that *Pasty v. Freeman*, *Haycraft v. Creasey*, *Tapp v. Lee*, and others of a similar tendency should have been adduced in support of the defence, when the principle on which they proceeded was in favour of the plaintiff. The case of *Foster v. Charles*, 6 Bingham's Reports, and *Cobbett v. Brown*, 7 Bingham, sufficiently established the distinction between moral fraud or fraud in fact and constructive fraud or fraud in law. These cases lay down the position that the motive is immaterial altogether, that it is not necessary for the party to have collected with any other, or to have derived personal benefit from the false representation, and that it is simply sufficient to support the action, wherever a false representation has been actually made, provided that it was known at the time to be untrue by the party making such representation. Nay, further, that it was not absolutely necessary the party should know it to be false, it was enough if he did not know it to be true, and injury subsequently accrued therefrom. But the case upon which they principally relied was *Polhill v. Walter*, 3 Burnswell, and *Adolphus's Reports*, (K. B.) 114. There the defendant had accepted a bill of exchange per procuration, and an indorsee, on the faith of such implied guaranty having sued the supposing acceptor, and having been non-suited for want of proof of authority to accept, brought the action against the defendant for falsely and deceitfully representing that he was authorized to accept by procuration; and the action was held sustainable notwithstanding that the jury had negatived all fraud in fact.

Mr. Lieth and Mr. Grant, contra, in support of the rule, contended that none of the cases cited in the least degree touched the main objections urged against the present action. It had been asked why the cases on the question of fraud had been adduced in support of the defence, the reason was that that entire series of cases established that fraud was the essence of the action.

The court here intimated an opinion that they

considered (the case of *Polhill v. Walter*) as bearing the most strongly against the defendants.

The learned counsel submitted that the case was clearly distinguishable. Bills of exchange and promissory notes stand upon their own peculiar footing, and are liable to rules of construction not applicable to other transactions. The defendant, by accepting the bill by procuration made himself a party to it, and this alone removed the main objection which exists, in the case before the court. Every subsequent indorsee, acquired a right of action against the defendant, because all subsequent parties to a bill are by a retrospective operation referred back to the date of the creation of the instrument, so that there was a privity between them and the defendant, just as much as if he had contracted with each specifically and by name. No case had yet been cited in which either of these two objections had been got over, first, that the communication was not made directly to the plaintiff, and secondly, that there was no sort of intention at the time of performing the act in question, and no probability that the defendants could perceive, of causing injury to the plaintiff in particular, or indeed to any party at all. It was an act in which no one but the defendants and the party insured were in the least degree concerned, and it was the plaintiff's own gratuitous act to step in and act upon the faith of matters which had no reference to him whatever. The doctrine would be most mischievous in its consequences. In effect it would compel an Insurance Office to take upon themselves not only the duty of insuring the safe arrival of goods, which was their appropriate business, but also the burden of guaranteeing the due shipping of those goods for the protection of consignees of whom they know nothing.

Other arguments were urged by the learned counsel for the defendants, but not dwelt upon at so much length. It was contended that here the plaintiffs' own negligence had barred them from recovering. Even between party and party (where the objection of want of privity did not exist), a plaintiff could not recover, unless he took sufficient precaution to protect his own interests, and surely the present plaintiffs exercised very little caution, indeed in relying so implicitly upon the faith of an act done by third persons, with whom they had no connexion, and who were not in the least degree called upon to protect their interests. Again, the injury is too remote and consequential. Authorities abundantly shew that the injury complained of must result as a direct and natural consequence from the alleged wrongful act, and surely it was not a very direct or probable consequence from the granting of a policy of insurance, expressing that the goods were shipped on board, that strangers would be forthwith induced to advance money on what turned out to be fictitious consignment. The learned counsel also said, that they by no means conceded the point that the defendants knew at the time of granting the policies that no goods were shipped. The defendants were in fact themselves the dupes, equally with the plaintiffs; the real tort-feasor had escaped, and now one of his dupes sought to make good his losses by claiming compensation from the other.

The court, after a short consultation, said that they should deliver judgment in a day or two.—*Hurkaru*, March 13.

TUESDAY, MARCH 13.

(Before Sir Edward Ryan and Sir J. P. Grant.)

CHARLES MORELL v. HENRY T. SHELDON.

Mr. Marnell opened the pleadings. This was an action of assumpsit on two bills of exchange. The first was for £68 10s, drawn in 1834, by one John Lewis, at Swan River upon the Lords of Her Majesty's treasury

at 30 days' sight. The other was a similar bill for £285. The present plaintiff was the last indorsee and holder, and the defendant was one of seven prior indorsers. To these counts were added the common money-counts. Defendant pleaded want of due notice, the dishonoured bills not having been presented for payment to the indorser until December 1837.

The *Advocate General* stated the case for the plaintiff. He presumed that the plea dispensed with all necessity for proving the making the indorsements, the dishonour and protest; he should, therefore, confine himself to a statement of the facts relating to the alleged want of notice and show that the notice, though apparently late, was given within a reasonable time. The plaintiff was a merchant then resident at Calcutta; and, having consigned certain goods to the Mauritius, received the present bills, amongst others in payment, and shortly afterwards transmitted them to England for realization. The bills were duly accepted by the Treasury; but, on being presented for payment, were refused, and, in due course, protested. The reason why the Treasury refused to pay these bills was, that the prior indorser had made the instruments payable to the order of *Henry Sheldon*, while the defendant (who was the party intended by that indorsement) indorsed them over, under the signature of *Henry T. Sheldon*. The non-payment, therefore, arose from an irregularity, and that caused by the defendant's act. It was an exceedingly hard case for the plaintiff, and Mr Sheldon might, at any time, if he chose, cause the bill to be altered and the mistake to be rectified, without prejudice. The delay in giving due notice of dishonour was thus explained:—Mr Morell had left India for Europe before the dishonoured bills were returned to this country, nor was he aware of the fact until Messrs Coutts and Co., the London Agents, apprized him of it by letter while he was sojourning to Paris, whereupon he immediately took active steps and wrote on the subject to India. In the meantime the protested bills had been received in Calcutta by Messrs. Cantor and Co., who were not acting as agents, but as personal friends, of Mr. Morell, and these gentlemen not knowing anything about the defendant, (who was a wanderer upon the face of the earth!) waited until they received directions from Mr. Morell himself. Mr. Morell's letter reached them in June 1837, and they immediately wrote to the Mauritius concerning the whereabouts of the defendant, but were unable to meet with him until December 1837. The defendant then, on being applied to for payment, positively refused. The learned counsel contended, that under these circumstances, although certainly a long period had intervened, the notice of dishonour was, in fact, given to the defendant within a reasonable time, and as soon as the state of things would admit, and he cited *Bayley on Bills* to shew that the reasonableness of the time must always be judged of by the particular circumstances of the case.

It appeared in evidence from the cross-examination of Mr. Cantor himself, that Morell had appointed the firm to act during his absence from India by a general power of attorney, but the power had never been acted upon at all, and had since been returned at the request of Morell. The defendant was proved to have been in Calcutta about December 1836, but he received no notice until a year afterwards. In December 1837, when applied to for payment, he objected to the want of notice of dishonour, and refused; but he called several times at Messrs. Cantor's office, and was apparently anxious to compromise the matter, offering to get the bill negotiated for the plaintiffs and proposing to alter his signature in the indorsement. The dishonoured bills were received in Calcutta in June 1836. Mr. Cantor said that the reason why he had not sent the dishonoured bills to the Mauritius or Australia in search of the defendant or some of the prior parties was, that the sets were incomplete.

The plaintiff's case having closed.

Mr. Prinsep was proceeding to address the court, but was stopped by their Lordships.

Sir Edward Ryan.—We do not think it necessary to call upon the defendant's counsel, because the want of sufficient notice bars this action. These bills were returned, dishonoured and protested, to Messrs. Cantor and Co. in June 1836, now they held a general power of attorney, sufficient to authorize them to take the necessary steps and to act as the plaintiff's agents. But what do they do! they make no enquiries and take no steps whatever until the June of the following year. If they had made enquiries they would, in all probability, have found the defendant, who is proved to have been in Calcutta at an intervening date, namely in December 1836. When the address of a party is not known, it is sufficient to use a due degree of diligence in inquiring for it, and to give the notice when he is discovered; but we are of opinion in this instance due diligence was not used.

Verdict for the defendant.

The *Advocate General* and *Mr. Marnell* for the plaintiff.

Mr. Prinsep and *Mr. Cochrane* for the defendant.—*Hark, March 14.*

THURSDAY, MARCH 15.

(Before *Sir Edward Ryan* and *Sir J. P. Grant*.)

The *Advocate-General* moved to make a rule nisi absolute.

Mr. Clarke said that it was usual for common motions to be taken before those likely to occupy a considerable time.

Sir E. Ryan said that this was generally a matter of discretion, and that counsel were not bound to postpone their motion, and he enquired what the rule in question was for.

The *Advocate-General* replied that it was for a new trial.

Sir E. Ryan then said that all motions, of course, must be taken before motions for a new trial.

DOE ON THE DEMISE OF JAUN BEEBEE, versus ANDOOL LAH BARBER.

Mr. Clarke and *Mr. Leith* shewed cause in this case against the rule which had been obtained on the points of Mahomedan law. They admitted all the law and authorities cited and relied on by the opposite side, but contended that they were not applicable. This is not a bequest in extremis, for the instrument was executed two years before the death of the party, and the terms are very different from a will or last testament. This instrument is a *wuqf*, or donation for charitable purposes, and such endowments, according to the 2d vol. of the *Hindaya* (Haughton's Translation, p. 334) follow different rules of construction, and the restriction requiring the consent of coheirs to the alienation of a larger proportion than one-third does not apply. The donor had appointed herself *matwallie* or trustee during her lifetime, and had named others to act after her death. Such an appropriation of the property destroyed its heritable qualities, and as long as the trusts were performed, the trustees could not be removed. The learned counsel referred to a French work, quoted by the *Advocate-General* when moving for the rule, *D'Husson's l'abseau de l'Empire, Ottoman*, which they said was a sealed book to them, and the authority of which they considered dubious.

The *Advocate-General*, in support of the rule, contended, that this instrument was to all intents and purposes a donation in contemplation of death, and it was utterly immaterial how long before the decease of the party it was executed. It was contended that this was an

endowment for charitable or pious purposes, but endowments were appropriation to the service of God, where all temporal uses were renounced by the donor. Such was not the case here. But, even admitting that it was an endowment, how had it been shown that a different rule of construction ought to prevail as to the period of talking effect. The general principle had been admitted, that according to Mahomedan law, a gift in prospective cause not be valid—the owner must divest himself of the property at the time. Now here the property was not immediately aliened—the proprietorship was retained, for the owner might have disposed of it at any subsequent period. The treatise of M. D'Husson had been sneeringly referred to on the other side, because the *dictum* was in point against them. It must be admitted, indeed, to be nothing more than the opinion of a learned and able man, reasoning from what he had seen or heard. But what more was Mr. Hamilton's opinion, or Sir F. Macnaghten's? they were opinions certainly entitled to considerable weight. Nay, what was the *Hadiya* itself? Undoubtedly a book of authority, when the meaning could be discovered, but the writers of that work appeared to resemble the ancient scholasts, who used to boast that they could maintain any question equally well on either side.

The Court at the conclusion of the argument said, that they should consider the case, and deliver judgment on a future day. In the course of the argument Sir E. Ryan intimated that in motions for new trials, or to set aside verdicts, notice ought always to be given to the clerk of the papers, by the party intending to make the motion, in order that the exhibits produced in evidence at the trial, might be brought into court.

NIBBUNMONEY DABBY V. SHAMYLOL TAGORE AND HURRYLOLL TAGORE.

Mr. Leith and Mr. Grant renewed the application previously made to the court, that the order, in which the consent of the defendant Hurryloll, had been inserted through mistake, might be altered. The necessary affidavits both of the attorney and of Hurryloll were now put in, deposing that neither the party nor his attorney were in court at the time that the alteration was made in the terms of the order.

Mr. Prinsep, on behalf of the creditors, strenuously contended that the consent ought not to be withdrawn. It was either a lapse of counsel, or a dereliction of duty in the attorney, and the client was bound. If a consent paper is put in, it is the duty of the counsel or the attorney to exercise their discretion, whether under an altered state of circumstances the consent ought to be withheld or not. It is too late to object afterwards, and the retraction involves an innocent party in great hardship and expense, at all events the party in making the present application ought to pay not only the full costs of the application itself, but all the costs of the reference which had been going on in the interim in the master's office.

The Advocate-General also opposed the application, appearing on behalf of Shamylool the co-defendant, but he did not speak of costs, as his client could not be liable.

Mr. Clarke, as counsel for the complaint in the suit, said that it was a matter of indifference to him whether the disputed consent was given or withdrawn; but he had found it necessary to watch the proceedings in order that the disputes of the other parties might not have the effect of delaying his client in obtaining the benefit of his decree. It was for this reason that he had considered it to be his duty to urge upon the court that the reference ought not to be suspended in the Master's office during the continuance of these proceedings.

Mr. Leith replied generally.

Sir E. Ryan said, that the court were satisfied that neither Hurryloll nor his attorneys were in fact consenting parties to this order. A common consent paper was put into counsel's hands, and it seems the practice is for the opposite attorney to give the instructions upon an understanding between the attorneys themselves, although nominally the counsel are instructed by the attorney of their own client. Now the court was of opinion that it is the duty of counsel when handing in a consent paper to be so far acquainted with the circumstances of the case as to be able to exercise his discretion in the event of matters taking an unforeseen turn, and any alteration being suggested in the terms of the order. Yet under the circumstances, especially as their Lordships were satisfied that the attorney for the creditors must have been aware that no consent would ever have been given voluntarily to the altered terms, they could not hold this party bound by an order to which he never in fact consented. As to the costs of the present application, they must be paid by the respective attorneys of the defendant Hurryloll and of the two creditors. The costs of the proceedings in the Master's office to remain as before, and unaffected by this application.

Motion granted for the withdrawal of the consent.

The cases of *Rodriguez v. Syed Buksh*, and *Behar Tooran v. Shaik Khyroolla* stand on the Common Law Board to: to-morrow, Friday (this day.) *Hurk.*, March 16.

FRIDAY, MARCH 16.

(Before Sir Edward Ryan and Sir J. P. Grant.)

MARCELLINO RODRIGUEZ V. SYED RUKSH.

The Advocate-General and Mr. Taudes appeared for the plaintiff, no counsel were instructed on behalf of the defendant, who had let judgment go by default.

This was a writ of inquiry to assess damages, the action being in *assumpsit* for rupees 656, with interest at 12 per cent., lent by the plaintiff to the defendant. A written instrument was put in, and the signature duly proved. The case did not fall within 21 of the new rules of pleading which directs that in certain actions brought for re-payment of money only, the prothonotary shall compute principal and interest.

The Court assessed the damages at the full amount claimed.

BIBEF HOORUN V. SHAIK KHYROOLLAH.

Mr. Prinsep and Mr. Leith were for the plaintiff—no counsel appeared for the defendant, who had allowed judgment to pass by default, and against whom the damages were now assessed.

The action was *assumpsit*, on a special agreement, instituted by a wife against her husband. This agreement was a formal post-nuptial settlement, by which the husband undertook to pay a marriage-portion of Rs. 4,000, one moiety immediately, and the other during wedlock; and, further, to find food and raiment for his wife, and not to marry a second wife without her consent and approbation. The breaches were, 1st, the non-payment of the stipulated marriage portion; 2dly, default in providing for and maintaining the wife; 3dly, marrying a second wife without the consent of the plaintiff; and lastly, marrying a third wife.

The Court at first questioned whether an agreement not to marry a plurality of wives (that privilege being recognized by Mahomedan law) was not illegal, as being against public policy, and in restraint of marriage in general; but its legality was afterwards admitted.

The deed of marriage settlement was put in and proved by the attesting witness and by the Mullah, who explained contents.

The half-brother of the plaintiff was called to prove the circumstances. By his evidence it appeared, that the wife (the present plaintiff) had been sent on a visit to her father, and the defendant, in the meantime availed himself of the opportunity to take unto himself another bride. His first wife returned once to the house; but, having quarrelled with her husband for his conjugal infidelity, was promptly turned out, and never took up her abode with him again. She had been living ever since with her mother, and her personal expenditure might amount to about eight rupees per month, besides four rupees for a servant, and the expenses of a child which she had bought!

Sir Edward Ryan.—The court is of opinion, that the plaintiff is entitled to Rs. 2,000, being that half of the dower payable immediately; but the other moiety cannot be said to have yet fallen due, because no particular time having been specified, the husband must be allowed the whole period of wedlock for the payment. We also think that the wife is entitled to Rs. 10 per month for maintenance. As to the third and fourth breaches, we cannot consider the non-fulfilment of an engagement against marrying a plurality of wives, a subject matter for damages, unless you can give positive proof what damages have been sustained.

Mr. Prinsep suggested, that as it was a valid breach, nominal damages, at all events, ought to be entered, *pro forma*.

The Court acquiesced.

Verdict for the plaintiff accordingly.

[Harkara, March 17.

MONDAY, MARCH 19.

(Before Sir Edward Ryan, and Sir John P. Grant.)

AMELIA DENT *versus* DE SOUZA AND OTHERS.

The *Advocate-General* moved that it be referred to the Master to inquire and report what sum may be requisite to be set apart out of the estate for the purchase of a commission in the army and outfit expenses of an infant ward. The learned counsel said, that he moved upon notice, and as there was no doubt that the infant was entitled to the property, he apprehended that there would be no opposition made.

Motion Granted.

SRITIKISHEN SING *versus* GOVINDCHUNDER BENDOPADHYA.

The *Advocate-General* on a former day had obtained a rule nisi to set aside the nominal verdict given at the trial of this case, and to enter a verdict for Rs. 33,653, instead. The action was for not accepting, and paying for 155 maunds of indigo agreed to be purchased at Sa. Rs. 248 per maund. The agreement was entered into on the 16th July, 1837, and the defendants undertook to weigh the indigo within ten days, to remove it from the premises of the plaintiffs, and to pay the full amount of the purchase-money, or on default to payment interest on the whole at the rate of 9 per cent. This the defendant failed to do, and, in September, they endeavoured to compromise the matter, and to obtain a remission of the price, as the value of indigo was likely to be considerably deteriorated. From the evidence adduced at the trial, it appeared, that indigo began to fall in the month of September, and that the greatest depreciation occurred in the following months, and that no sales in fact took place between July and December.

Mr. Clarke shewed cause. The plaintiffs are only entitled to a nominal verdict, because in this form of action they are bound to shew what precise amount of damages they sustained by the breach of contract. Now as the value of indigo did not fall in the market until

September, and the contract was broken in July, the plaintiffs might have sold immediately and obtained the full price agreed for. They have sustained no loss, therefore, which the court can recognize, because they might themselves have prevented it. It may be argued on the other side, that the time for the performance of the contract was not terminated at the expiration of the period of ten days, and that, therefore, the plaintiffs would not then have been at liberty to re-sell the indigo. But it is clear, from the terms of the agreement, that ten days were limited absolutely, and that, at the close of that time, the plaintiffs might have either re-sold the property, or brought an action immediately for the stipulated price.

The *Advocate-General* in support of the rules. They first contended that, admitting there was no loss from the deterioration of the value of indigo in the market up to September, they were entitled to some addition to the verdict for nominal damages, on the ground that interest on the money was due from the time of weighing.

Sir Edward Ryan said, that there was considerable doubt whether the interest ran from the time of weighing, or from the expiration of ten days.

The *Advocate-General* said that, if that was the case, there would be no possible object in weighing the goods, and no advantage gained by either party.

Sir E. Ryan.—Yes, there would. As soon as the goods were weighed an action might have been brought for their value immediately, as the property would be changed by the act, and the goods would thenceforth remain at the risk of the purchaser.

The *Advocate-General* then urged his main ground of argument, *viz.*, that this was a *continuing* contract, and that the time of performance was not limited to the ten days, because the payment of interest was the penalty to which the defendants were to submit for the privilege of enlarging the time. The defendants treated it as an open contract by the negotiation which they kept on foot, and then application in September to have the price remitted. Again, it appears from the evidence that there were no sales of indigo between the months of July and December: this is a sufficient explanation of the alleged circumstance that the value was not depreciated for a long period. The price could not be said to have either risen or fallen, because, in fact, no sale could have been effected at all.

Mr. Prinsep followed on the same side.

Sir Edward Ryan.—There is no doubt whatever of the justice of this case; nevertheless, we are of opinion, that the form of action ought in strictness to have been for goods, bargained and sold. The plaintiff would then have been entitled to recover the full contract price, and they might have maintained that action in July, as soon as the limited period of ten days had expired. In the present form they are tied down to proving the precise amount of damages which they sustained by the defendants' nonfulfilment, and it is clear, that if the market-price was not lower than the contract price at the time when the contract ought to have been performed, the plaintiffs actually suffered no loss, and are entitled only to nominal damages. However, we think the verdict ought to be increased on a different ground. According to the evidence, although the price was sustained for a long time, no sales were effected at all until after the fall had taken place. For this reason we shall allow the plaintiff damages at the rate of Sa. Rs. 20 per maund, but we cannot give them the costs of the present application.

The counsel for the plaintiffs urged another application to the court, in the event of the first being refused, *viz.* that the plaintiff might be allowed to discontinue and commence *de novo*. This point, however, becoming unnecessary, was of course abandoned, and the court

intimated that there was no authority in the books of practice for allowing a discontinuance of the action, after a general verdict.

Rule absolute for increasing the damages at the rate of Sa. Rs. 20 per mautd.

SUMBOOCHUNDUR MOOKERJEE AND OTHERS *versus* NUBBOO-
CHUNDER CHATTERJEE AND OTHERS.

Mr. Clarke (with whom was Mr. Birwell, for the plaintiffs) shewed cause against a rule obtained by Mr. Poinsep, for setting aside proceedings for irregularity. The plaintiffs had obtained a judgment in the original action, and several of the parties, plaintiff and defendants, having since died off, writs of *scire facias*, and *alibi scire facias* were successively issued at different periods to revive the judgment. The revived proceedings were against the representatives of all the defendants, and the rule *nisi* was obtained on the ground that the judgment ought to have been revived against the representative of the survivor only. Now there is no authority to be found in the books precisely in point, but it is contended that, as the rule of English law allows execution under a *scire facias* against the personal and real representatives of the survivor, and against the real representatives of the deceased, in this country where there is no distinction between real and personal representatives, the judgment ought to be revived indiscriminately against the general representatives both of the survivor and the deceased.

The Court inquired whether counsel recollected the decision given upon this point, or an analogous point, in the *Tugone's case* in March 1835.

Mr. Poinsep as counsel for the defendants, and Mr. Grant as *Amicus Curie*, mentioned that, in the case in question, the court held, after long deliberation, that the *scire facias* ought to be against the representatives of the survivor only.

Mr. Clarke said, that if that were really the case, he should not take up the time of the court by pressing the argument further, but he apprehended the decision would be found to be not quite in point.

The Court, after some further discussion, ordered the matter to stand over, for the purpose of ascertaining the former decision.

Stood over.

PARKER *versus* HILTS.

The Advocate-General moved, upon the usual twenty-four hours' notice, for eight days further time to plead. The defendant was up the country, and a consultation was necessary between the attorney and his client before a plea could be filed.

Rule nisi granted.

RAMNARAIN MOOKERJEE *versus* ANNA MARIA GONSALVES.

The Advocate-General for a rule to shew cause why the judgment should not be set aside on the ground of gross fraud. From the facts sworn to in the affidavit, it appeared that Mrs. Gonsalves had been induced to sign certain papers, in the belief that they were securities to herself for certain sums of money which she had lent at different times; but the papers so signed turned out to be a deed of mortgage of a house and premises, and a bond for Rs. 40,000, with a warrant of attorney to enter up judgment thereon. The judgment had been entered up on this same warrant of attorney.

The learned counsel also applied to the court for a special order that service of the rule *nisi* on the attorney of the plaintiffs might be deemed good service; but he shewed no grounds.

Sir Edward Ryan. You may take your rule *nisi*,

but we cannot make a special order relating to the service, unless the parties have absconded, or some other special reason be shewn.

Rule nisi granted.—HURK., March 20.

THURSDAY, MARCH 22.

(Before Sir E. Ryan, and Sir J. P. Grant.)

WALKER *v.* BRUCE.

The court this morning delivered judgment in this case.

Sir Edward Ryan.—This was an action on the case for an injury alleged to have been sustained by the plaintiffs, by means of a false and fraudulent representation on the part of the defendants. It will be necessary for me to state the facts at some length, as several questions were raised during the argument, concerning the facts which really were or were not proved at the trial.

The plaintiffs are merchants in Calcutta, and the defendants carry on business as insurers at the same place, under the style and firm of the Union Insurance Company. One Dear Christian applied to Jones, the agent of the defendants, to grant a policy on certain goods intended to be consigned from Dinapore to Calcutta. The policies were accordingly made out by this agent, who sent peons on board, with directions to take charge of the goods laden on board the boats. It was proved that according to the custom of trade, the peons were always the servants of the Insurance Company, and distinguished by particular numbers, but the boats were supplied by the party insured. It was further proved, that in general, the policies are not made out and given to the party, until it is ascertained that the goods have been actually shipped; and that, therefore, the agent ought not to have previously parted with the policies. Now, Jones was aware, at the time, that he granted the policies, that the goods were not on board; but, he himself swears, that he would not have parted with them, had it not been for his confidence in Christian's integrity and good faith. In these policies the goods are expressed to be laden on board. There was also an indorsement, (never seen, however, by Jones), in the hand-writing of Christian, empowering the present plaintiffs to adjust in the event of loss. Christian, on obtaining the policies, transmitted them to the plaintiffs, advising them at the same time that he had consigned to them the goods mentioned therein, and that he had drawn bills against the proceeds. These bills were accepted by the plaintiffs, and paid when due, but the goods, prevented to be consigned, never arrived, having never been shipped on board at all. Christian, after successfully practising this fraud, absconds, and the consignors bring their action for the consequential injury they allege themselves to have sustained, through the representation made on the part of the Insurance Company. At the trial, we were of opinion, that the plaintiffs would not have accepted the bills, but for the representation made by the defendants, at the same time, however, we negatived all fraudulent intention in general and, therefore, by implication, any intent to defraud the plaintiffs individually. Under these circumstances we found a verdict for the plaintiffs, reserving liberty to move for a nonsuit. This rule having been obtained, and argued before us in the course of the present term, we are now of opinion that it must be made absolute.

The earlier cases clearly do not affect the present question, as they all proceeded upon the ground of positive fraud. These are *Palsy v. Freeman*, *Papp v. Lee*, *Hayerost v. Creasy*, *Ashlin v. White*, and *Scott v. Lara*. But two decisions of a more recent date approach nearer and afford some ground of argument for the defendant. These are *Foster v. Charles*. 7 Bingham's reports, and

Corbett v. Brown, 8 Bing. By these cases a distinction is taken between moral fraud, and fraud in law, and it is held that a statement, false within his own knowledge, made by the defendant to the plaintiff, and occasioning an injury to the latter, will furnish a ground of action, without proof of any interested or malicious motive. The distinction, however, consists in this, that in all the cases relied on for the plaintiffs, the false representation was made directly to the plaintiffs, and with an intention to induce them to act upon the faith of it. The strongest case of all is *Polhill v. Walter*, 3 Barnewall, and Adolphus's Reports, p. 114, yet it is no exception to the previously established rule. In that case, the defendant had, in good faith, accepted a bill of exchange by procuration for the drawee, but without any authority from the latter, and an endorsee, having been nonsuited in his action against the drawee, brought an action for the consequential injury thus sustained through the wrongful representation of the defendant, that he was duly authorized to accept by procuration. It was held that the plaintiff was entitled to recover, because the defendant had in effect made the representation to each party to the bill individually, and the giving credit to such representation, was, according to the ordinary course of business and dealing, and was a natural and necessary result. If in the case before the Court, the insurers had expressly represented to the plaintiffs in particular that the goods were on board, and if the giving credit to the statement had been a matter within the ordinary course of dealing in the commercial world, the case would not have been distinguishable from *Polhill v. Walter*, and our judgment must have been for the plaintiff. But we do not in the least degree interfere with the principle established by the cases adverted to. Our decision proceeds upon the principle that a man can only be liable for the natural and necessary results, and not for the remote and indirect consequences of his acts.

Sir John Grant fully concurred with the Chief Justice: His Lordship went over the facts, and stated at considerable length, the reasons upon which he grounded his judgment.

The Advocate-General Mr. Prinsep, and Mr. Clarke, for the plaintiffs.

Mr. Leith and Mr. Grant, for the defendants.

Rule absolute for a nonsuit, with costs.

JYGGUTCHUNDR MOOKEEJER v. RAJAH BURRODICAUNT ROY.

In this case a demurrer had been filed by the defendant, to a bill of review. The complainant now moved that the bill may be dismissed, on payment of costs.

The Advocate-General and Mr. Prinsep for the complainant.

Mr. Clarke and Mr. Leith for the defendant.

Bill dismissed.

DOE v. PRESTON.

The Advocate-General for the lessor of the plaintiff had obtained a rule nisi upon affidavits, for dispaupering the parties who had entered into the rule to be made defendants in the place of the casual ejector, and who had been admitted to defend *in forma pauperis*.

Mr. Marnell shewed cause upon affidavits that the property of the defendants was altogether worth a sum below the limited amount.

Rule discharged.

CURBIN v. CURRIE.

Mr. Leith moved to make a rule absolute for an attachment on non-performance of an award, which had been made a rule of court.

No cause was shewn.

Rule Absolute.

RAMCHUNDER CHOWDRY v. SHAMYLOLL TAGORE.

Mr. Clarke mentioned to the court this case, which stood for hearing *ex-parte*, on the equity board for to-day.

Sir Edward Ryan said, that it would be more regular to postpone it until to-morrow, as Thursday was a motion-day.

RAMCHUNDER CHOWDRY v. SHAMYLOLL TAGORE is the first of four cases, which are entered on the plea side for Friday (This day).—*Hurkaru*, March 23.

FRIDAY, MARCH 23.

(Before Sir E. Ryan and Sir J. P. Grant.)

DOE ON DEMISE OF JAUN BEEVE versus ABDULLAH, BARBER.

Sir Edward Ryan intimated to the counsel in this ejection case that the court found some difficulty in deciding the points which had arisen on Mahomedan law, and that they purposed, therefore, before giving judgment, to refer five questions for the opinion of the Moulavie, who would be directed to cite authorities for each position.

1st Question.—Whether, according to Mahomedan law, an endowment to charitable uses is valid, when qualified by a reservation of the rents and profits to the donor himself during his life?

2d Question.—Whether delivery of the property is essential, to render an endowment valid, according to the rule which governs other gifts?

3d Question.—Whether the endower can lawfully constitute himself Mutawallee or trustee?

4th Question.—Whether a female can lawfully be Mutawallee?

5th Question.—Whether the instrument in question is a will, or a deed of endowment?

BRODEAN BREE versus RUSSUM TUNDELL.

Mr. Cochrane opened the pleadings.

Mr. Prinsep stated the case for the plaintiff. This was an action of trover to recover twenty-nine gold mohurs. The plaintiff was a widow, and being about to proceed to Chittagong, entrusted to the charge of the defendant, a box under long lock and key containing forty gold mohurs, and several gold and silver ornaments. On her return after an absence of two years, the ornaments were duly returned, but the box in question was found to contain only eleven gold mohurs. The learned counsel apprehended that it would be for the defendant to explain how the deficiency occurred, when it had been proved for the plaintiff that the specified coins had been committed to the defendant's custody, and that the defendant had accepted the trust.

Two sepoys having been examined in support of the plaintiff's case, it appeared from their testimony that the box had been broken open by the defendant, and the money abstracted. The court then interrupted the examination, and enquired how the case could be proceeded with when it appeared from the plaintiff's own witnesses that (if true at all) the alleged cause of action amounted to a felony.

The plaintiff's counsel admitted that they could not get over the objection,

Plaintiff nonsuited.

The Advocate General for the defence.

RAMDHVAL BUCKET V. RAMHET BUCKET AND OTHERS.

The particulars of this case are reported in the *Hurkur* of February 7th. The action was brought to recover the sum of 1,000 rupees for money lent. Judgment had been obtained by default against some of the defendants, and the case was heard *ex-parte* against the others, last term. A verdict was then obtained for the amount claimed and judgment entered up, but no notice of assessment of damages having been given to those of the defendants who had allowed judgment to pass by default, the court intimated the next day that the plaintiff could take nothing by his judgment.

The case was again heard *ex-parte* today, and the damages were now assessed upon due notice.

The *Advocate-General* and *Mr. Cochrane* for the plaintiff.

ROBERT WALKER V. THOMAS REEVES.

Mr. Prinsep opened the pleadings. This was an action in trespass, for pulling down and destroying plaintiff's wall, and throwing the bricks upon his premises, and committing other violence. The defendant had pleaded the general issue to all the trespasses except the demolition of the wall, which he justified upon the ground that his windows were ancient windows, and the plaintiff by building the wall had obstructed the light. The replication traversed the averment that the wall obstructed the light, and also that the windows were ancient.

The *Advocate-General* stated the case. These parties lived in adjacent dwelling-houses. From the windows in question, which overlooked plaintiff's premises, defendant's servants had been in the habit of throwing rubbish, against which nuisance plaintiff had remonstrated in vain. He accordingly built this wall for his own protection and defendant, with the aid of his servants, had taken upon himself forcibly to destroy it, and to throw the bricks about on the plaintiff's premises, by which the servants of the latter had been materially injured. It would be for the other side to prove that the windows were ancient, and if they succeeded, the question would still remain whether the wall was built high enough to obstruct the light. The learned counsel submitted that it would be necessary for the defendant to shew also some ownership in the house, in order to give him a right to abate the alleged nuisance.

From the cross examination of the witnesses called for the plaintiff himself, it appeared that the windows were ancient windows, *i. e.* existing more than twenty years, and that the wall was of such a height, and placed in such a position, as to cause an obstruction to the light. This was of course sufficient to establish the defendant's justification; but the pleas having unnecessarily taken issue on certain allegations on which the plaintiff would be entitled to a nominal verdict. The court suggested that it appeared a fit case to be referred to the arbitration of some gentleman at the bar. After some discussion this was agreed to. The hesitation on the part of the defendant arose from the circumstance that there were other parties not on the record, who were interested as partners of the defendant. These parties had commenced actions of the case against the present plaintiff for obstructing the ancient lights, and the decision of the court could only bind those whose names appear as parties on the record.

The *Advocate-General* and *Mr. Prinsep*, for the plaintiff.

Mr. Clarke and *Mr. Leith* for the defendant.

Verdict for the plaintiff for nominal damages, subject to reference of all matters of dispute between the parties. Costs of the action, and of the award to be within the discretion of the arbitrators.

WILLIAM BARRETT V. WILLIAM TULLOH FRASER.

Mr. Grant opened the pleading. This was an action for an assault, and the defendant had pleaded the general issue.

Mr. Clarke stated the case. The plaintiff is the head clerk in the Calcutta Lottery office, and the defendant is a partner in the firm of Messrs. Moore and Hickey, auctioneers. Some time since, the plaintiff purchased a lot of shawls by auction, and gave them in custody to the sircar at the auction room, to be put aside until removed. On inquiring for them subsequently, he discovered that one of the most valuable was missing, and an inferior shawl substituted. This matter he represented to the defendant, requesting that the shawl might be restored, or the purchase cancelled altogether. Defendant declined both alternatives, saying that no exchange of shawls had taken place, and that he would sooner trust the word of his sircar than of the plaintiff. Upon this, the plaintiff being irritated replied, that the auctioneers seemed to keep sircars for the express purpose of cheating their customers! Defendant thereupon struck plaintiff a violent blow over the eye, inasmuch that he was unable to attend to his business for some time, and was obliged to call in medical aid! The learned counsel said that the case was one of importance to the public. Tradesmen were not to be permitted with impunity to insult their customers, by insinuations against the truth of the assertions, and then follow up in violence by committing an outrageous assault.

Mr. Darling, of Messrs. Moore and Hickey's establishment; called as a witness. Defendant was standing at his desk at the time. There was a rail between him and plaintiff. The latter used abusive expressions, and found fault with the smallness of the establishment and of the bad management. The shawl in question had been knocked down for forty rupees; the difference between the two shawls was that one was a native shawl, the other a company's; can swear that he saw no blow struck, and that the defendant's fist was not clenched. The defendant motioned the plaintiff away with his hand, and, in doing so, he might have patted him on the face.

Mr. H. S. Mercer attended the plaintiff. His eye was slightly red, and he complained of a head-ache.

Two natives in the employment of Messrs. Moore, and Hickey were called, and deposed that the defendant did strike the plaintiff, but it was with his hand open, while waving him back, and saying to the durwan, "turn this man out."

Mr. Clarke then said, that it would be useless for him to call any more witnesses, as they were all evidently hostile.

The *Advocate-General* (with whom was *Mr. Leith*, for the defence), submitted that no assault had been proved. It is true that the slightest blow or touch is an assault in law, but it must be done with an intention to assault.

Sir Edward Ryan said that the court was of opinion that an assault had been proved, but that the case was a very trumpery one, and the smallest coin would be a sufficient recompense.

Damages, ONE ANNA.—*Hurk. March 24.*

MONDAY, MARCH 26.

Sir J. P. Grant sat alone in Court this morning, and intimated to the bar that all motions, except motions of course, should stand over. The absence of the Chief Justice is occasioned by a recent domestic affliction.

Two *ex-parte* cases, and one defended cause, still remain on the common law board. There are no causes remaining on the equity side.—*Hurk. March 27.*

TUESDAY, MARCH 27.

(Before Sir J. P. Grant.)

IN THE MATTER OF

Mr. Prinsep had moved the court yesterday for a commission *de lunatico inquirendo* in the case of a certain party, a Hindoo, alleged to be of unsound mind. This person appeared to be connected with some wealthy native families, but the only affidavits on which the application was made, were those of a khansamah and a native doctor.

Sir J. P. Grant, this morning, said that stronger grounds must be shown before a commission could be directed. The court would exercise a species of discretion and control, like that vested in a Grand Jury. This party was connected with wealthy families, yet the only affidavits were those of a khansamah, and a native doctor. The learned judge did not intend to imply that these deponents had not sworn to the real truth, but the former was in an inferior station of life, and of the latter the court had no means of judging concerning the education, experience or competency. There ought to be adduced the evidence of some relative or near connexion, or else of a European medical practitioner, visiting the party for the purpose of examining his state of mind. His Lordship said, that he should adopt the course which he used formerly to pursue at Bombay, and take examinations in such matters at chambers, that the private affairs of the party might not become matter of public notoriety.

DWARAKANATH TAYLOR *versus* ARCHIBALD BRYCE.

This was an action of debt on a promissory note, and was struck out of the board by the plaintiff's attorney.

Two *ex-parte* cases were heard. These actions were brought to recover the amount of attorney's fees.

The *Advocate-General* and Mr. Leith for the plaintiff.

There are no causes remaining on either the common law, or equity board.—*Hark*, March 28.

FRIDAY, MARCH 30.

SITINGS AFTER 2D TERM—PLEA SIDE.

(Before Sir E. Ryan and Sir J. P. Grant.)

SHAIR MAHOMED MASOON AND OTHER *versus* HAJJEL RUIJOB ALLY.

Mr. Clarke opened the pleadings. This was an action on the common counts, to recover two sums, amounting together to Rs. 2,334 with interest.

The *Advocate-General* stated the case. The plaintiffs are merchants and general dealers, and have been in the habit of lending different sums, and have been at different times, to the defendant. In 1836 the defendant signed written acknowledgments of the sums in question being due, these acknowledgments were appended to certain entries and statements of account between the parties.

A Moonshiee was called to prove the writing and signing of the acknowledgments of the debt.

The sircar of the plaintiffs deposed, that he had kept their accounts for several years, that they had had several dealings with the defendant, and that he had acknowledged these debts due. Of the plaintiffs, who are partners, one resides at Calcutta and the other at Madras. The defendant, a short time since, obtained a decree against one of the present plaintiffs, and property was seized in execution under it. [This witness was cross-examined at considerable length, in reference to other

suits and actions between the parties, and also a reference to arbitration.]

The court inquired what was the object proposed by all this cross examination.

The defendant's counsel replied, that it was to impeach the testimony of the witnesses, and to show that these entries were false and fraudulent altogether.

Mr. Prinsep (with whom was Mr. Leith, for the defence) addressed the court. This case depends entirely on the credibility of the witnesses, and it is on that account that matters apparently irrelevant have been gone into. One witness said that he knew nothing of the action formerly brought by the present defendant, while another proved that he was waiting in court with the former on subpoenas to give evidence in that very action. The present claims were utterly fictitious. The defence was not in the nature of a plea of payment or set-off, which would be inadmissible on the present pleadings, but it is founded on the suspicion and fraud presented by the transaction. Former actions and arbitrations have been instituted between the parties, and it is for the court to consider whether the setting up of pre-existing cross-claims long after the prior disputes had been settled is not a circumstance of strong suspicion. It is pretended that these entries were signed by the defendant, but it will be proved that he is scarcely able to read or write at all.

Sir E. Ryan said, that the grounds of defence appeared inconsistent. At one time it was alleged that the present claims had been adduced before arbitrators, and, consequently, already settled, which, however, admitted their genuineness, and at another time it was attempted to impeach them altogether.

Mr. Prinsep said, that these claims had been advanced before, but were then rejected, and that they were now urged again with the fresh aids of pretended signatures, and fictitious witnesses. He submitted that the whole case was one of fraud and imposture.

A Mogul horse-dealer, who had been one of the arbitrators, was called as a witness, and the question was put whether the entries in question had been seen by him before, and whether they were now in the same state.

The *Advocate-General* objected to this question, on the ground that the award, if relied upon, ought to have been specially pleaded.

Sir E. Ryan.—An award certainly cannot be relied on in bar of the action, as a settlement of all disputes between the parties, unless pleaded specially. But this question is put with a totally different object, and it is quite competent to use the evidence as a presumption of fraud, and to prove that the debt never existed.

The above question was then put to this witness, and another Mogul witness, and they both swore that certain alterations had been made in the entries since the time when they had first seen them. These witnesses were subjected to a rigorous cross-examination with the view of impeaching their evidence, and shewing discrepancies in the testimony of one and the other.

The *Advocate-General* was then called upon, and replied in a speech of considerable length, and great acuteness, in which he endeavoured to reconcile the evidence adduced for the plaintiffs and to show the improbability of the tale which the defendant had set up.

The court, after a short consultation, said, that the learned advocate in his address, had urged every thing for his client's case that could possibly be said in its support, but their opinion remained unchanged, and there must be a verdict for the defendant. This opinion was founded chiefly on the discrepancies in the evidence of the plaintiffs' own witnesses. Besides, the matter of the arbitration could not be got over, unless the plaintiffs meant to say that the whole was an ideal and fictitious

scene, invented from beginning to end for the purposes of the present defence. The plaintiffs now supported their case by more than one witness, and yet they had not pretended to shew that one of their witnesses had been called when the same claims were before the arbitrators.

Verdict for the defendant.

This case occupied the court the whole day. There was a vast amount of contradictory and cross swearing, and perjury on one side, if not on both.

HURRYLOLL TAGORE *versus* SHAMYLOLL TAGORE.

The *Advocate General* moved the Court, that in this

cause (standing next on the board) a verdict should be entered by consent for the plaintiff, subject to a reference to arbitration.

Mr. Clarke for the defendant was instructed to consent.

Verdict for the plaintiff, subject to reference.

The court, on rising, intimated that to-morrow, Saturday (this day) common motions only would be taken and that their Lordships would not sit until twelve o'clock. The Insolvent Court sits to-morrow (this-day.) —*Hurk. March 31.*

INSOLVENT DEBTORS' COURT.

In the Insolvent Court this-day Mr. James Ambrose was brought upon his petition. There was no notice of opposition, but the Chief Justice observing fourteen creditors on the schedule who had not been served with notice of this application, adjourned the hearing to the next court day, parties to be served in the meantime.—In the matter of Peter Foster, application was made to amend the schedule and to insert therein the names of several creditors. But the Chief Justice remarked that this was by no means a matter of course, this being the day of hearing, the application should have been made

previously, and the more so, the insolvent not being in jail. The assignee stated it was very difficult to obtain information from the insolvent regarding his state. The Chief Justice refused to make the order, and the matter stands over.—In the matter of James Black a third dividend of ten per cent. was declared; in the matter of Captain Battley a fourth and final dividend was declared of sixteen per cent.—Major Ouseley was discharged from the responsibilities of assignee to the estate of Fergusson and Co.—*Hurkarn, March 5.*

SUDDER REVENUE BOARD.

CIRCULAR ORDERS.

NO. 18, A HEADING FOR THE STATISTIC REGISTER.

The Sudder Board have informed the commissioners for the divisions of Chittagong, Bhaugulpore, Dacca and Assam, that the Deputy Surveyor General has instructed the surveying officers employed in their divisions to communicate with the commissioners on the subject of a proper heading for the statistic registers, as it is probable that local circumstances may require some modification of the form in use in the Western Provinces. The commissioners have been directed in communication with the Deputy Surveyor General, to determine what native documents should be supplied by the surveyor to the settling officers. The board wished to know whether a khusrak and kheshtonee Asameerwar may not be sufficient. The khusrak might (says the board) be prepared in the form described below, the measurement columns being filled up by the native surveyors, and the remainder supplied by the deputy collector, or other officer of the revenue department who accompanies the party.

No.	samee.	Length.	Breath.	Area	Descrption of soil.	Produce	Rate of rent
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Hurk., March 5.

CIRCULAR ORDERS, 1838.

NO. 19 RETURNS OF SUMMARY SUITS.

By an extract from a letter from the secretary to the Government of Bengal in the revenue and judicial departments, that it is not to be gathered from the statements now supplied, how long is the average time taken by summary suits from institution to final decision. It is desirable, his honor the Deputy Governor thinks, to

know this, and it was requested that the information should be supplied in future.

The letter of Mr. Secretary Thomason, dated the 4th September 1831 (says Mr. Halliday), prescribed a statement of appeal to commissioners on summary suits; this statement not having been prescribed to commissioners by the resolutions (approved by Government) of the statement committee, the orders of 1832, regarding it must be virtually abrogated. It will not, therefore, be necessary to furnish such a statement, and the Deputy Governor has requested that the orders regarding it issued by the Board to the commissioners, may be recalled.

The Board have circulated the above orders among the commissioners of revenue, directing them to furnish the acquired information, and to observe from the latter paragraph, that the return of appeals of summary suits, preferred against the decision of the collectors, and their subordinates, need no longer be submitted.

The suits (says the Board) referred to the Civil Court, should be entered in the figured columns with the decided cases "as disposed of," and the number thus referred should also shew the date of the oldest suits pending at the end of the quarter.

The Board have also desired the commissioners to direct the several collectors to transmit their respective returns, immediately the quarter has expired, so that they may reach the Board's office at the latest by the 20th of the succeeding month; any deviation from these orders (says the Board) will be seriously noticed.

NO 20.—REGARDING DEPUTY COLLECTORS UNDER REGULATION IX. OF 1833.

The Board have desired the commissioners to report to the civil auditor whenever any interruption to the

duties of a Deputy Collector, under regulation IX, of 1833, may occur, whether by death or leave of absence.

No. 21.—From an extract of a letter from Mr. officiating secretary F. J. Holliday, dated the 30th January 1838. It appears that his honor the Deputy Governor has reason to believe that the rule laid down in Mr. Secretary Mangle's letter of the 12th July 1836, for referring to the statement committee all additions and alterations to periodical statements in the revenue department, has not been very regularly observed, and in an extract from a letter addressed to the committee for the revision and consolidation of periodical returns, it is remarked, that a rule founded on these principles must be circulated for the guidance of all the authorities subordinate to the Sudder Board, and that they would be requested not to direct the submission of any periodical return, nor to alter any statement after it shall have been revised and approved by the committee, without the previous sanction of government.

The Board have promulgated the above orders to all the revenue commissioners.

IMPORTANT TO GRANTEES.

Our readers must have observed the report of the case of Moonshee Mahommed Ameer *versus* Mr. McDougall, published in our paper of the 5th instant, regarding an alleged claim to a portion of Saonderbun land in the possession of the defendant. The Principal Sudder Ameen entertained the case against all the arguments urged on the defence. The consequence is, that the defendant's pleader, Mr. R. Dias, called on the present commissioner, Mr. William Dampier, and submitted the hardship to which both Messrs. Macpherson and McDougall, as government grantees, were subjected by the support given to the zemindars by the civil courts. That experienced and intelligent officer immediately concurred that the civil courts had no jurisdiction in either of the cases, but that they should have been instituted before the special commissioners. Mr. Dampier immediately ordered a roobocarry to be forwarded to the vakeel of government, to appear at the principal Sudder Ameen's Court, and bar his jurisdiction in the two cases. The vakeel appeared at the court on the 6th instant, and desired to be furnished with a copy of the plaint for the above purpose.—*Hurk*, March 14.

SUDDER DEWANNY AND NIZAMUT ADAWLUT.

CIRCULAR ORDERS, 1838.

NO. 482. ABOLITION OF PERSIAN.

The Sudder Dewanny and Nizamut Adawlut, on the 9th instant, transmitted to the Judges subordinate to them, copies of the resolution of Government passed on the 23d January last, on the abolition of the Persian

language, published by us in the *Hurkaru*: the Judges have been authorized to promulgate those orders to the native courts and officers subordinate to them; and, with a view of enabling the superior court to lay before Government the information required to be submitted by the 1st July next, the Judges have been desired to report, on the 1st June, what progress has been made in carrying into effect the present instructions.—*Ibid*.

ZILLAH TWENTY-FOUR PURGUNNAHS.

FRIDAY, MARCH 23.

Mr. W. Cracroft resumed charge of his duties as Civil and Sessions Judge of this district to day. Mr. Forrens, we believe, will proceed to his own appointment.—*Hurk.*, March 26.

WEDNESDAY, MARCH 28.

Although this was the last day of the second term, the business of the morning was finished in less than half an hour.

A rule obtained by Mr. Clarke, on the plea side, against which the *Advocate-General* was to have shewn cause, was enlarged by consent, until a future day, when it is to be heard as of the last day of term.

Ten causes are set down on the Common Law Board for the Sittings, which commence to-morrow, Thursday (this day.)

(Before W. Cracroft, Esq.)

This day the Judge heard several petitions, from amongst which we select these as being worthy of notice.

First. In this case the petitioner wished to appeal from the decision of the Magistrate of Barasut. He said that he had proved in his suit before the Magistrate at

Barasut, that the parties against whom he had complained had come forcibly armed with clubs, and accompanied by others into his fields and had beaten him and the persons employed by him in cultivating his fields, and cut and carried away his corn; and yet the Magistrate had refused to award him any sum from the parties against whom he had complained as a compensation for the loss of his grain. The Judge observed, that he believed the petitioner, if he had proved the injury he had sustained by the defendant's acts, must sue the parties in a civil court for damages, and not in a criminal suit. He, however, ordered the original proceedings to be produced before him that he may be able to judge better of this matter.

In this case the petitioner complained that a party against whom he had an action in the Magistrate's Court at Barasut, had given in the names of several persons as his witnesses in that case, amongst the rest the name of the petitioner's father, who is not residing in the house where the petitioner resides, but has gone some years ago on a pilgrimage to Benares, where he believes he has subsequently died. Three of the witnesses named by the party have already been examined, but he still persisting that this petitioner's father is concealed in his house, and he therefore cannot serve the subpoena on him. The Magistrate has therefore deputed the Nazir of his court to go to the village where this petitioner resides and enquire into this matter and the Nazir, in compliance with this order has proceeded to the village and placed peons at

this petitioner's doo. to prevent any person from either entering or quitting his house. Their domestic arrangements are completely disorganized. The shik-badar brought to the notice of the Judge that the Alconiff at Howrah had likewise complained in this case, and stated to the Judge that the Magistrate had ordered his amlas to appear before him in this case, and that they have now been for some days at his court, and the Magistrate had confined some of them, consequently his business is at a stand and the cases are accumulating in his office.

The Judge observed that it was very irregular in the Magistrate to confine any of his amlas without first notifying the circumstances to him; he therefore ordered that a precept be sent from his court to the Magistrate at

Barasut calling on him to explain his proceedings and report to him on this case fully.

In the mofussil courts it appears, that money which may have been deposited in realization of any suit is paid to any creditor in the suit, unless one of the vakueels or officials attached to the court certifies that the money is the identical plaintiff in the suit, his having been generally known by all the amlas in court for years as the person who has managed the suit, and that he is the person he represents himself to be, is of no avail without this identification, added to which he must have witnesses to attest the payment of the money to him, his own receipt not being considered sufficient without this attestation — *Harkara, March 29.*

MISCELLANEOUS.

CALCUTTA.

MR. J. C. C. SUTHERLAND.—Mr. J. C. C. Sutherland has been appointed to succeed Mr. Millett as secretary of the Law Commission.

MANUFACTURE OF SILVER TWO-ANNA PIECES.—It is said that the Mint is now employed in the manufacture of silver two-anna pieces, and that in order to ensure the free circulation, it is contemplated to pass an enactment, limiting eight annas of piece as a component part and legal tender in the exchange for a rupee, and that the balance is to consist of four and two-anna pieces.

THE GOVERNOR-GENERAL.—The Governor-General's camp expected to be at Kurnaul on the 2d instant to leave the station on the 6th, and to reach Beharunpore on the 9th instant. From Beharunpore it is probable the Governor-General, with a few attendants, will proceed via Nahr and Mussorie, while the rest of the camp go by Bar to Simla.

SIGNORA SCHIERONI.—Signora Schieroni has left Calcutta for the Cape, to the regret of all the lovers of harmony.

FIRES.—Fires have occurred every day during the week in different parts of the town, and much property has fallen sacrifice to the flames.

THE CHITPORE ROAD AQUEDUCT.—Two wealthy native gentlemen, Baboo Muty Lall Seal and Madhub Dutt, have taken upon themselves the expense of continuing the Chitpore road aqueduct along new Colootolla road, as far as the central road, the former with a view of supplying the small, and not over cleanly tank, belonging to the public, on the east side of his house, with good and wholesome water, and the latter for the improvement of his Bazar, situated at the junction of the new Colootolla and central roads by an increased supply of the necessary element.

RAJAH PERTAL CHAUND.—The *soi disant* maha rajah Pertal Chaund, embarked on board a Budgerow at Burra Bazar on the 17th instant, to proceed, as report says, to Burdwan. He moved from a house at Foudary Balakhana, where he had taken up his residence for some months, attended by a numerous retinue of peons armed with sticks. He was followed to the ghaut by an immense crowd of natives. It is worthy of remark, that the belief of this individual being the real Pertal Chaund, still continues unshaken in the minds of the credulous portion of the native community.

HIGHWAY ROBBERY.—Gentlemen in the habits of taking solitary nocturnal rambles, would do well to provide themselves with good sticks, as the "stand and deliver" gentry are on the alert to take purses in this

goodly city of palaces. Two cases have occurred during the week; but the robbers have fortunately been captured.

COMMUNICATION BETWEEN ALLIPORE AND CALCUTTA.—By order of His Honor the Deputy Governor of Fort William, the direct communication between Allipore and Calcutta, across the race course, will be immediately re-opened; it is to remain open until training commences.

STATE OF HEALTH.—Typhoid and cholera are raging in and about Calcutta with a great degree of virulence, and especially the latter, most of the cases of which prove fatal, and affect the European community in some measure. Scarcely a native is to be met with that is not labouring under a cold; and they, almost without exception attribute the unhealthiness of the weather to the water of the new Canal being allowed lately by opening the locks to run into the river, whose water they use as their sole drink.

DISTURBANCES IN ASSAM.—Disturbances have lately taken place in Assam. It appears that Lieut. Millar, second in command of the Assam Light Infantry, had been sent out, with a party of his corps and some irregular soldiers from the Berga Gaom, a native chief, for the purpose of driving one Peshee Gaom from the Company's territories, in consequence of repeated disturbances which he had occasioned. On the 4th February, Lieut. Millar arrived within a few miles of Peshee Gaom's village with his detachment, but was suddenly attacked, a fire having been opened from a breast-work thrown across a gorge on the top of a hill. Only a few shots were fired, but these had the effect of completely routing the Berga Gaom's men and the rest of the Singphoos. The sepoy of the Assam Light Infantry however remained firm, and Lieut. Millar intended to attack the stockade, but could find no road. These men being very much dispirited from having no power of seeing their enemy, he returned to the camp to acquire every information possible. He afterwards ascended the place, but found it deserted, and from an excellent spy he learnt that Peshee Gaom had fled to Bomgong. The Bessa and Luttra chiefs had proved false in their professions of friendship to the British Government. It appears that the Duffa chief had also told the King of Ava that our Government intended an attack on Hoolum, and Tharrawardi in consequence had sent a party about three hundred soldiers to that place. The Duffa Gaom had also collected a small force. Lieut. Millar had stockaded himself in the hills, which are of the most rocky description, the jungle dense and no roads of any kind. The difficulty of fighting in such a place and in an unknown country, may be

easily conceived. Lieut. Millar had been assured by those whom every one considered to be the best informed, that there was no chance of an attack, but he nevertheless took every precaution, posting sentries, &c. The stockade being extremely small, and much crowded, a party of Singphoes were allowed to sleep in a hut just outside the stockade at their earnest entreaty. Early on the morning of the 10th February a horrible yell was heard from the direction of this hut, and it was found twenty-one of these poor wretches, men and women, had been butchered in their beds!! It had been raining hard all night, and the morning was consequently extremely dark, but a fire was instantly opened in the direction which the villains took, and from marks of blood having been tracked for some distance through the jungle, it is believed that some were wounded. From a prisoner subsequently taken it was learnt, that these murderers had been hired by the Peshee, that the party consisted of one hundred and were only armed with *dhaus*. The only object appears to have been blood, for nothing was missed, except one or two muskets. It is possible that the Peshee, maddened with revenge, may not so easily leave the Company's territories; and it is understood, stockades and barricades have been erected. Lieut. Millar's stockade was surrounded by spies; in clear nights they could distinctly see the Peshee Gann's movement, who doubtless, when a favourable moment occurred, intended to commence the attack. In these thickets our troops fight under the greatest disadvantage, the enemy firing from ambuscade and then flying off in different directions in small parties. Major White was not far off, and had proceeded to join Lieut. Millar, with a party of 90 men, and had also ordered another officer to follow him, with a company of the Assam Light Infantry.

MEETING OF PODARS.—PICF.—It is said that there has been a general meeting of the podars in Calcutta, whereat it was determined to draw the mint office, with a view to storing up the pic, and, in the consequent scarcity, disposing of them at a manifest disadvantage to the public. The annoyance entailed by the practices of these people, which are now reduced to a system, calls for the interposition of authority.

WANT OF WATER.—Great distress is experienced in the country from the scarcity of water, occasioned by the extreme drought this season.

DISTRIBUTION OF ALMS.—On the 23d instant, Baboo Dwarkanath Tagore distributed alms to beggars, between fifty and sixty thousand in number—eight annas each to the privileged order, namely the Bramins, and four annas to others, without distinction of caste, creed or age; on the occasion of his mother's shroud, which took place the day before. There were women seen amongst the crowd with children scarcely more than a very few days old, but no accident occurred. The beggars were first of all put in native houses, having the largest squares, from one end of the town to the other, which being done, about four in the morning, the distribution commenced, and was over before ten.

ASSAM.—PROSPECTS OF WAR.—Letters have been received from Akyab to the 16th instant. All then was quiet on the frontier; but the writer of the epistle double, in most poetic phrase, whether "it be not the calm which precedes the storm," "the quiet which pervades the grass-covered volcano, while the fiery elements with in are raging to burst forth," or

"The torrent's smoothness, ere it dash below."

Tharrawadie has ordered a general "counting" of arms to be made throughout his dominions, and returns to be made of the numbers capable of bearing them. It appears to be the Burmese custom never to embody an army, until it is actually required for service; so it is impossible to say, when the tempest will burst.

ACCOMMODATION IN FRENCH STEAMERS.—The following is an extract from a letter dated Malta, the 12th of January last, and completely sets at rest the rumours float in regard to the bad accommodation and worse fare to be found on board the French steamers.

"I came from Alexandria by the French line of steamers. Splendid ships and fitted up in the most beautiful manner, with pannels of the rarest woods, lulaid in a style that might suit a royal yacht better than a steam packet. The accommodations of the private cabins are capital, and the table kept after a very respectable fashion; in short the richest man in Europe, could not a few years ago traverse the Mediterranean, with the luxury of expedition and comfort, that a private person can now command for a few sovereigns."

THE HINDU HOLIDAY DARSHNE CHOTRA.—This is a celebrated bathing festival, at which thousands of Hindus repair to *Trenanee* ghaut, a few miles above Hoochly, for the purpose of purification. This year the holiday occurred on the 23d ultimo. For two days previous, the roads leading to the ghaut were crowded with people, and at one time there were not less than probably 30,000 assembled at, and near the ghauts. The rush to the river was so impetuous that great numbers were with difficulty rescued from drowning by the activity of the police. The greater number of those who went to *Tribance* on Saturday last, came from distant parts, there being very few Bengalis among them. In going to and returning from *Tribance*, these people slept by the road side, so that the roads for miles were lined with them. Exposed to the vicissitudes of the present remarkable season, thousands of them have been seized with cholera and many have already fallen victims so that fatal disease.

THE BORE.—The bore during last springs was very severe and caused several accidents to the craft on the river. Two vessels, the names of which we have not been able to ascertain, were torn from their moorings, and one of them had the side of her poop and her jib-boom smashed;—the other also, we are told, received some slight injury. Many boats were swamped on both sides of the river, and others severely damaged by being dashed against one another. A gentleman who was going over to Seebpore in a *bauleah*, was caught by the bore, when about three parts of the way across the river, and although the boat's head was promptly turned to the foaming surge, she was capsized, and every body on board obliged to swim for their lives. All, however, luckily escaped, with merely a good drenching. Another gentleman was overtaken by the flood, near *Gollahdunga* ghaut, and had his jolly-boat dashed to pieces and two of his men much hurt; he, however, escaped uninjured himself. We have been informed that three *dinghee-wallahs* perished through the bore *gellh pate* being caught near the *Sumatra sand* and buried in the waves. Parties crossing the water during the full and new moon, should be extremely vigilant, or they will stand a chance of losing their lives. The best way to escape the force of the bore, is by pulling into the middle of the stream, when they see or hear it coming, and rowing down the river, with the boat's head opposed to the advancing tide; and then, immediately after the first surf has passed, they should pull in as far as possible to within fifty or eighty yards of the shore, where their boat will easily bound over the two back surfs, and they may afterwards land, with ease, in perfect safety.

The bore on the nights of the 26th, 27th and 28th ultimo, was very violent and did much mischief to the banks and boats on the Howrah side of the water. We learn that on the night of the 28th, the chains of the *Bethel* were snapped asunder, and that several vessels dragged their anchors. A *patiah* sloop was stranded and several boats swamped.

ORIENTAL LIFE INSURANCE OFFICE.—At the meeting of

the share-holders of the Oriental Life Insurance Office, held on the first instant, agreeable to advertisement, the several propositions submitted by the directors were unanimously adopted. The shares of this institution are at a considerable premium on the amount subscribed. The principal features in the alterations in the *practice* of the society proposed by the directors,—at least the one most interesting to the public, is,—that by an altered scale of premiums now adopted, military and naval lives are insurable on the same charge as civil lives,—which has been the case hitherto in the long established laudable societies only.

EXPORTATION OF COOLIES—It appears that the exportation of coolies from Bengal to Mauritius is to be put a stop to until further notice. Nothing is said about those who have been shipped off for the Mauritius since the commencement of 1838; but, perhaps, when they arrive at the Mauritius they will be allowed to land. This is interesting intelligence to the shippers here.

ROADS.—The new line of communication called the Burdwan and Benares road, commencing from Sulkea, even in its present unfinished state, is the best that has ever been travelled on in India, and when finished will indeed constitute a splendid testimony of the liberality of British rule. It was commenced upon in October 1832, is to be 310 miles long,—to cross over two ferries, the Ganges and the Soane, and seven fords,—the Bounce Modhur (two branches) Leela-gam, Mohanna, and the Barakha twice—to have altogether 40 bridges and 600 drains. The road is 30 feet wide at the top,—the average height is three feet, but on the Ramghur Hills it is only one foot high,—and between them and the Ganges two feet. The cost may be estimated at Rs. 3,50,000. The line of road which it has been determined to construct between Cachar and Munnipoor is fast progressing, and is likely to be soon completed, to the great convenience of the troops that may be required to advance for any military operations. The co-operation of the political authorities and the Munnipoor Government are contributing greatly to facilitate the completion of that undertaking.

ZEMINDARY ASSOCIATION.—At four o'clock on the 25th ultimo, a second meeting of the zemindars resident at and about Calcutta, was held at the Hindoo College, at which Rajahs Kalikissen, Radhakant and Rajurairai, and Baboos Kamannath Tagore, Prosonno Coomai Tagore, Rahnauth Roy and many other respectable native gentlemen, were present. The proceedings were conducted in Bengally, and Rajah Radhakant president in the chair. A resolution was passed for the purpose of calling a public meeting at the Town hall which, our informant states, will take place in the course of the current month. Much enthusiasm was displayed by all present, and the formation of a society under the above name is now beyond a doubt.

A NEW STRAND ROAD.—Before long the inhabitants of this City of Palaces are likely to have a new strand road, as it is stated that Government has in contemplation the making of one. The alluvials on the banks of the river from Hautcolah down to their southern extrinity, have already been surveyed, and it has been ascertained what would be the probable amount to be realized by selling them off. This our informant adds has been found to be sufficient to cover the expenses to be incurred by the measure.

A NEW SOCIETY.—A society is about to be established in Calcutta under the name of "The Society for the acquisition of General Knowledge." The projectors of it are certain native gentlemen famous for their extensive knowledge of English, and of an exceptionable character in every other respect.

MR. CHESTER.—It is said that Mr. Chester, has been appointed secretary of the Theatre, in loco Mr. Farmer, who retires.

CULTIVATION OF TEA AT ASSAM.—It is stated that the superintendent employed in the cultivation of tea at Assam, has recently furnished some samples to the committee, which on trial have been pronounced by that body, and the Government, to be sufficiently good to constitute a merchantable commodity. The only great difficulty which the Committee have to overcome is, to upon the most advisable means of package, securing it from the effects and changes of climate and landing it as fresh in England as it has been received by them. The lead which the Chinese use in the packing of their cases, is of a peculiar description, and some time must elapse before the native work men, however skilful they may be, are able to manufacture it.

LEAVE OF ABSENCE TO UNCOVENANTED ASSISTANTS.—The following rules have been drawn up by the Sudder Board of Revenue, for granting leave of absence to uncovenanted servants:

"1. If an uncovenanted assistant shall obtain leave of absence from his office for any period not exceeding one month, on a medical certificate granted by a medical officer of Government, and declaring that he is disqualified by sickness from attending office and performing his duties, he shall not be liable to any deduction from his salary.

"2. If his term of absence on medical certificate shall exceed one, but shall not exceed 3 months he shall be liable to a deduction of one sixth of his salary for the whole of the term of absence.

"3. If his term of absence on medical certificate shall exceed three months, he shall be liable to a deduction of one third of his salary for the whole of the term of absence.

"4. If he continue absent after the expiration of the six months, his salary shall altogether cease.

"5. If the head of an office shall see fit to grant to an uncovenanted assistant leave of absence on urgent private affairs, for any term not exceeding fifteen days, the assistant shall not be liable to any deduction from his salary.

"6. If the leave of absence granted to an assistant shall exceed fifteen days, but shall not exceed two months, he shall be liable to a deduction to the amount of one-third of his salary, for the whole term.

"7. If leave of absence shall be granted to an uncovenanted assistant for a period exceeding two months, but not exceeding three months, he shall be liable to a deduction of one-half of his salary for the whole time.

"8. If an uncovenanted assistant shall be absent on private affairs for a period exceeding three months, he shall not receive any salary for the whole term of his absence.

"9. In all cases of leave of absence granted to uncovenanted assistants, for a period exceeding fifteen days, it shall be competent to the head of the office to provide for the discharge of the duties of the absentee, by the appointment of a substitute, whose salary shall be charged in a contingent bill. But it shall not be competent to a collector to grant leave on private affairs for a period exceeding fifteen days, nor to a commissioner, or civil or session judge to grant similar leave for a period exceeding one month, without the sanction of the Sudder Board of Revenue or the Sudder Dewanny Adawlut or Vizamat Adawlut respectively, as the case may be.

"10. Fifteen days during the year shall be the limit to which leave of absence in private affairs shall be granted to any uncovenanted assistant free of deduction of salary.

STABBING.—About 10 o'clock on the night of the 4th instant, a European seaman wounded two Mussulmans in the Chitpore road, a little above the Laul Bazar Channah, one of them named Bucka-oollah in the belly,

and the other in the breast. Both were taken to the Chandney Native Hospital, for medical assistance; but Bucka-oollah, died the next day, his intestines having protruded from the wound. The other man is out of danger. The circumstances were, that the aggressor and a companion of his had purchased some segars a little before, and a Bengally happening to throw the same down accidentally from the hands of the former, he ran after him with a knife in his hand, but could not overtake him, being much under the influence of liquor. The Bengally managed to get into a house and shut himself in it. The police then coming up to take the sailor into custody, he got more exasperated, and attempting to stab them, they were obliged to retreat. At this time the individuals in question were passing along the street quietly and were attacked by the inebriest. The case has been tried before the Coroner, and, in consequence of the witnesses not being able to identify the homicide, a verdict of wilful murder was returned against some person or persons unknown.

DACOITY.—A native arrived from Barasat, states that a dacoity had taken place in that zillah during the last week. About midnight the house of one Juggut Caunder, sircar, a resident in the village of Kankhara, purgunnah Haulshahur, was stormed by a gang of dacoits who besides carrying off 600 rupees cash, and gold and silver ornaments, &c. to the amount of about two hundred rupees, inflicted severe wounds upon one of the inmates.

SPORTING INTELLIGENCE.—The veteran sportsman, Brigadier Showers, has given up racing, and his worthy jockey, Hall, is expected shortly at Calcutta, with twelve of the Brigadier's best horses for sale.

THE CHITPORE ROAD WATERING FUND.—We understand that the Government have directed a meeting of the subscribers to the Chitpore Road Watering Fund to be called without delay, for the purpose of determining upon the best mode of using the amount subscribed.

GOOMSUR.—Extract from a letter of Captain Campbell, dated Goomsur, 25th February, 1838 :

"I have been most fortunate in my late expedition among the wild *Konds* of Goomsur, and have rescued no less than *one hundred and three children* of various ages, who were intended for sacrifice by these barbarians, and that without the application of force:—these children are now at head-quarters, and form a most interesting group, happy such as were aware of their situation, in having escaped the fate which awaited them."

THE PUBLIC LIBRARY.—At the monthly meeting of the proprietors of, and subscribers to, the Public Library, on the 3d instant, a report was made of the number of new books purchased or presented during February, and of the number circulated in the course of the month. The latter amount to seven hundred and fifty-three. Seven new subscribers have been added to the list, and two have withdrawn on account of their leaving Calcutta; Mr. Cameron has presented *Rs* 100 to the vested fund, thus raising that fund to *Rs* 3443; and the whole return of the pecuniary affairs of the institution indicates a gradual and steady advance towards prosperity and permanence.

CAPTURE OF DACOITS.—Between nine and ten o'clock on the night of the 27th of February last, a gang of dacoits were captured at the ghaut of Gopeegunge, within the thannah of Culmeesjole. They were sixteen in number, and were noticed by the chokeedars of the place, on their crossing the *Damooda*. The chokeedars discovered that they were provided with arms of almost every kind. The chokeedars attempted to stop them,

but the number of the latter being greater than that of the former, they had very nearly succeeded in making their escape, when the chokeedars giving the alarm by beat of drum, many of the inhabitants of the village assembled, and by their assistance twelve of the ruffians were secured, together with their weapons. On investigation being made by the darogah of the division subsequently, it has transpired that the prisoners were all inhabitants of Calcutta, and it was supposed that they, perhaps being aware of *Rs* 2,000 being sent from thence to Mr. Watson's factory at Ghautal, were proceeding thither for the purpose of robbing that factory.

OVERLAND MAILS.—At a meeting of the Committee of the Chamber of Commerce on the 8th instant, it was determined to address the Government respecting the delay in the arrival of the Bombay dāk; and to urge the expediency of entertaining *extra* runners to convey the overland mail; the appearance of which at Bombay can now be calculated with precision.

It was proposed also, to request the Government to take measures, so that the communication with England *via* the Red Sea shall be continued without any interruption, even under the contingency of steamers being despatched to the Persian Gulph.

GOVERNMENT CHANGE SHOPS.—In order to do away effectually with the complaint so generally made of the difficulty experienced in obtaining change at the Government shops, and to prevent the extortion of the Bazar podars, both in giving and receiving change, the Government, at the recommendation of the mint-master, have come to the resolution of granting licences to individuals who will be furnished with pice from the mint, at the rate of 66 for the rupee, and required to retail the same in the market, at the rate of 64, thus getting two pice on every rupee as remuneration for trouble,—and yet give the public what is now only obtainable at the Government change shops. On the other hand parties desirous of obtaining rupees in change for pice at the licenced shops, will get one of the former by paying 65 for the latter.

MURDER.—A boy about seven years of age was murdered on the night of 27th ultimo, within the third division, by the paramour of his mother. A verdict of wilful murder has been returned against the assassin.

NEPAL WAR.—A correspondent of the *Hurkaru* hints, that there is a likelihood of a brush with our friends the Nepaulese, who are now busily engaged in fortifying themselves.

ASSISTANT ROAD-MAKERS.—Government has been pleased to sanction a monthly salary of 200 rupees each, to Lieutenants Sale and Allardyce, of Engineers, and to any other officer who may be employed under Captain Guthrie, as an assistant in the construction of roads upon the eastern frontier. It is in contemplation to appoint, besides the individuals named above, other European agents: the extent of the road, the nature and probable donation of the work being such as to require this additional superintendence.

MR. FARMER'S BENEFIT PLAY.—The play for Mr. Farmer's benefit was a complete failure. The elements were most unpropitiously disposed towards the ex-secretary. The only part of the play that was effective, was the deluge, which was by accident, we suppose, mentioned in the programme. The wind blew, the rain poured, and the water covered the interior of the theatre, and made the boxites fly for shelter under the seat of the gods.

ACCIDENT AT GOVERNMENT HOUSE BY LIGHTNING.—The Government House was struck by lightning during the

storm which occurred on the morning of the 30th ultimo. The lightning seems to have been attracted by the figure of Britannia on the top of the dome or rather by the spear in her hand—which it shivered to pieces and threw down. The marks left by the lightning are visible on its broken point. After demolishing the spear it seems to have passed down the upper part of the dome and penetrated in some invisible manner into the Ball Room of the House in three separate places. It broke one pier glass and slightly injured two others, besides committing some other little damage, and then poured lower down, into the marble hall, from which locality it escaped in the same unaccountable manner in which it entered.

NEW UNIFORMS.—Printed circulars have been issued by His Excellency the Commander-in-Chief containing his new arrangements for the uniforms of the staff and regimental officers. Respecting the staff, there are great and not very gratifying alterations. Some departments now distinguished by the decorations of the blue cuffs and collar, are to wear regimental uniforms only. The members of the Medical Board are no longer to appear in plain dresses, but in the military habiliments of their rank, which according to the present arrangement, is particularly plain. Superintending Surgeons are merely distinguished from Staff Surgeons by the epaulettes, and all other departments are equally simple and plain.

DEATH OF DR. TYTLER.—Intelligence was received on the 27th ultimo, of the death of the celebrated Dr. Robert Tytler. The worthy doctor was, on his way to Gwalior, to confirm by personal observation an interesting scientific discovery which he believed he had made, when he was taken ill.

CHOLERA.—In consequence of the prevalence of cholera in some parts of Calcutta, a communication was made on the 28th instant, by the chief magistrate to the professors of the Medical College, allowing thirty rupees monthly allowance to such of the students as might be deemed qualified to treat cholera cases. The senior class, seventeen in number, immediately volunteered for the duty, on condition that their services were to be altogether gratuitous.

MOFUSSIL.

AGRA.—The indications of rain have entirely disappeared without a drop having fallen. The most gloomy apprehensions for the fate of the spring crop prevail in consequence; and sickness has again broken out severely in this city.

Influenza has recently made its appearance in the station, but has attacked only a few of the residents.

Starvation to a fearful extent prevails in the city and suburbs. Scattered over the latter are found the bodies of persons who have dropped down and expired from absolute exhaustion through want of food.

There is a report that the post office department of the north western provinces, will be separated from that of Bengal, the Governor-General having discovered that the Calcutta branch know nothing of the department as in operation in these provinces.

Prince Sooleeman Shukoh expired on the morning of the 24th of February at the advanced age of eighty-two, and was interred on Monday at the Royal cemetery of Secundia. He was second brother of the late King of Dehlee, from whose court he retired some years since and lately fixed his residence principally at Agra. His only support was a pension of Rs. 6,000 monthly

from the Lucknow court, chargeable on the interest of the loan lent to Government during the Burmese war.

Several thousand persons are daily employed at and about the station, on works of public utility. One part is employed in directing the main stream of the river under the town—a large tank is about to be formed in cantonments in the large hollow near Messrs. Monro and Co's round which trees are to be planted. Trees have also been planted along the public roads though their repair seems in differently attended to. Another reservoir is about to be formed near the Session Judge's kutchery by throwing a dam across a large ravine in that quarter the bottom of which is below the level of the river. It is proposed to open a communication by means of pipes between it and the river by which the tank may be supplied or emptied at pleasure. This will add materially to the comfort of the town's people.

A number of persons supposed to have been concerned in the daring dacoity that took place at the Lohamunlee, in October last, have been seized in the Juepoor district, near a village called Kutawee, and been brought into Agra; they were traced to the spot, and a strong body of police were sent in pursuit—one of whom and a horse were killed in effecting the arrest of the gang.

DEHLEE.—So great is the scarcity of money in the Dehlee Treasury, that the King's allowance has been allowed to run in arrears for three months. The widow of the executed murderer Shams-ooddeen, has been awarded two lacs and a half of rupees out of her husband's property, being the amount of her marriage settlement.

ALLYGURH.—A few slight showers fell in this district. Wheat is selling at seventeen seers per rupee, and gram at sixteen, a degree of dearth unprecedented in the memory of the oldest inhabitants.

DINAPORE.—A letter from Dinapore, dated 23d ultimo, announces the arrival of the steamer, with Dwakanuth Fagore and Capt. and Mrs. Cockrell on board. Dwakanuth landed and visited the Deegh farm, and expressed himself much pleased with all he saw, but especially with the climate which he finds quite bracing.

LOODHIANA.—A camel load of old Sikh coins, in a very superior state of corrosion and illegibility, have just arrived here from Captain Burnes or Mr. Masson. They were collected in Peshawar, and are destined for the Asiatic Society.

MUSSEERABAD.—At Nusseerabad, much sickness prevails. Both smallpox and influenza are raging. Several gentlemen have been attacked by the former, while scarcely an officer in the cantonment had escaped the latter.

The Rajpootana division of artillery, under the Command of Major Pew, were inspected by brigadier Burgh, on the 31st ultimo. In the morning, they went through several manoeuvres with the light field guns, and afterwards fired, with great effect, grape, round shot, and shrapnell shells at a curtain, on the plain. In the evening, they exhibited their heavy battery practice, at which the live shrapnell, from guns and howitzers, were fired with very great precision, and the shells from the mortars were beautiful indeed, the fourth shell fired pruned the mine, though at a distance of twelve hundred yards, in grand style.

Brigadier Burgh quitted Nusseerabad on the morning of the 10th instant, on his annual tour of inspection or Beawar.

About the beginning of the present month, Lieut. Butler, of the 23d regt., one of the keenest sportsmen

at Nusseerabad, on foot, shot a large tiger a little beyond Rajghur, to the westward of that station, being the *thirteenth* tiger killed by this officer, on foot, since his arrival in that part of the country.

A REFRACTORY CHIEFTAIN.—The 39th and 49th regiments of native infantry, and the 4th local horse are ordered to march immediately from Neemuch against a refractory Chieftain of the Oudypore state, who resides at a stronghold, called Joora, 15 coss to the west of the city of Oudypore, in the heart of the *Bheeshills* and jungles.

The chief is said to have declared himself independent, and refused the payment of the usual tribute; and to be loud in protestations that he will not yield as long as his head remains on his shoulders.

Native exaggeration magnifies his followers to 20,000 men; and that the affair is of some consequence, may be gathered from the fact that the Deesa Force is expected to co-operate, from the west, with Marwar troops, from the east.

The theatre of operations is a *terra incognita* on our maps! but from the descriptions we have received of the proposed site of junction of our troops, it must be somewhere in the vicinity of Mount Abboo, which, if the contest be a all prolonged, as is not improbable from the nature of the country, and the character of the enemy, will thus be rendered a rather insecure sanatorium for the invalid officers and their ladies who have proposed passing the hot season on its summit.

RAJPOOTANAH.—Accounts from Rajpootanah mention, that the small-pox was carrying off numbers of the population of Marwarra, and the cantonments of Beawr in particular. Pallee was still suffering from the pestilence, and the town is now nearly deserted.

At Ajmere, Nusseerabad and Neemuch there had been a considerable quantity of sickness from colics, coughs, fevers, agues, small-pox and similar unwelcome, because unseasonable, maladies, which the *vox populi*, with one consent, lays to the charge of *the air*.

Whatever crops are raised in Rajpootana this spring will be entirely owing to irrigation; and the poor villagers affirm that to afford any return, each field must be watered eight or ten times. By constant labour at the wells a limited but oasis of cultivation now surrounds most of the villages in those parts, beyond which the boundless plains present an aspect of the most hopeless aridity! Travellers report, notwithstanding all this, that the agricultural state of Rajpootana, is considerably superior to that of the Dooab.

CAWNPOOR.—A Field Officer has been put in arrest at this station.

ASSAM.—A report has been received by Government of a fire having broke out on the 6th instant in Goalparah, (Assam,) by which the whole of the catcherry, treasury, and jail, and nearly the entire town have been consumed.

KURNAL.—A letter from Kurnal, of the 9th March, says that rain had at last fallen, and was turning the barren land into a fruitful plain.

NATIVE STATES.

GALIOR.—The young heir to this guddae has expired, after a short passage through life of seven months. Grain is still at a famine price.

JULEPOOR.—The Minas have been urged by the general

scarcity into the commission of numerous depredations within this state, which the Rajah has ineffectually attempted to suppress.

MADRAS.

PRINCE HENRY OF ORANGE.—Prince Henry of Orange, reached Madras on the *Bellona*, on the 1st instant, and was to have landed on the next day.

On the 13th ult. His Royal Highness Prince Henry of Orange, took his departure from our shores homeward bound, after having experienced and appreciated the hospitality and attention his high rank and mild and attractive manners so eminently entitled him to. He expressed himself much pleased and gratified with his visit to this presidency, which has, since his arrival, been a continual scene of gaiety.

BURMESE WAR.—It was lately stated that H. M. 631 regiment had been ordered over to Moulmein forthwith by the Supreme Government. Report has since stated further orders to have been received by our local authorities, for their holding four native corps available for prompt transmission of Rangoon in case of a necessity arising. This betokens a desire, however tardily aroused, to place our relations with the Court of Ava upon a less questionable footing than they have held since the usurpation of Tharrawaddie. The only matter for apprehension is, that the moment of decision may have arrived too late to effect the quantum of good desired at the least possible cost, - that the time shall have passed by when the idea of attack upon us might have been overawed, and we be, perhaps, left now to resist and overcome hostilities already commenced to our disadvantage.

COLONEL NAPIER *versus* E. F. ELLIOT, Esq.—The cause of Colonel Napier *versus* E. F. Elliot, Esq. for *crim con*, was heard in the Supreme Court on the 19th ultimo; the damages were laid at Rs 50,000, and a sentence in favor of the plaintiff awarded 25,000.

MELANCHOLY ACCIDENT.—A melancholy accident occurred between 10 and 11 o'clock of the 9th instant, in the Government gardens. It appears that one of the antelopes made its way into the place where they were busy preparing the fireworks for the grand display. In attempting to drive him out, the animal overturned a lantern amongst the gunpowder, which immediately exploded, setting fire at the same time to all the fireworks prepared. Two unfortunate men, we deeply lament to say, were killed on the spot, two more were frightfully burnt and expired shortly afterwards, and two more received severe injury from the effects of this deplorable accident.

THE HORTICULTURAL EXHIBITION.—The Horticultural exhibition on the 24th of February, was not quite so fully attended as the one last year; but the show was excellent; and that part of it which was produced by market gardeners very far exceeded any thing before witnessed.

NEWSPAPERS.—The *Conservative* has been discontinued, and the conduct of the Male Asylum *Herald* has fallen into *Conservative* hands.

THE MASTER ATTENDANT.—This officer proceeded on board the *Bellona*, on the 1st instant, and on returning to the shore was met by a note from the Deputy Master Attendant recommending him not to land, as the surf was very high. The signal "there is too much surf to land" was also flying. He accordingly went on board one of the ships in the roads, where he remained until the warning signal was taken down, the surf having moderated. On the boat reaching the outer surf, it

was overtaken by an overwhelming wave which caused it to broach too, and believing that the boat would upset, Captain Dalrymple jumped overboard and was followed by the boatmen, by one of whom, or by a catamaran-man who was alongside, he was laid hold of and put into another boat which was at hand. The boat did not upset, and a peon who remained in it came safely on shore. Capt. Dalrymple when brought on shore appeared much exhausted, and has, we understand, since suffered a good deal from the effects of the accident.

BOMBAY.

THE WHEELS.—It is said that the Bheels have mustered in some force to the northward, and that, in consequence, several companies of the troops stationed at Baroda, which have been out on detachment, have been ordered back to head quarters, that an attack might be concerted against the marauders. The Bheels are said to be pretty formidable in point of number.

THE HYDERABAD RESIDENCY.—The Hyderabad residency is, it seems, in want of an incumbent, although the appointment seems to be but little coveted by those to whom it has been offered, Colonel Alves has positively refused it, and the services of Major Sutherland have been most earnestly desiderated, but as yet without any prospect of success.

KANDISH INDIGO.—The indigo of Kandish is said to be in all respects, when properly manufactured, equal to the best that can be produced in Bengal. Several samples were sent to Bombay, and were considered to contain all the properties of the finest indigo. Some samples have been sent to London for a report as to their market value, and a most favourable one is confidently anticipated.

NEW SCHOONERS.—Two schooners are building in the port under instructions from the Court of Directors, which when completed promise to be perfect models of that mode of construction. The rivalry of the master builders of England is brought into play, the model on which one of them is to be built having been furnished by Sir Robert Seppings, and of the other by Captain Symonds. As these vessels are described, they will eclipse almost any thing of the kind which has yet appeared in our Docks, and are intended for running up and down the coast.

ABOLITION OF TAXES.—Among the other measures recently adopted by Government to improve the condition of the poor cultivators of the Conkan, a tax denominated "Ghur Puttee" or house tax has been abolished. This duty was peculiar to the districts of Rutnagiree and Vigiadoorge, and amounted to about three

thousand rupees annually, being one rupee upon each cultivator's house.

INSTALLATION OF THE BISHOP.—The Lord Bishop was installed on the 25th of February, according to the usual forms, during the performance of the forenoon service in St. Thomas' Church. His lordship was introduced in his stall, by the acting Archdeacon, the Reverend H. Jeffreys, and the acting Senior chaplain, the Reverend W. Ward, attended by Mr. Patch, Registrar of the Consistory Court; after which, the acting Archdeacon, addressing his Lordship, stated that he had the honor by order of the Governor in Council, to announce his Lordship as the Bishop of the Diocese of Bombay. Agreeable to the form of worship observed in cathedrals, the *jubilate Deo* was chanted instead of being rehearsed. After the communion service, the Bishop ascended the pulpit, and delivered his charge to the clergy.

REAR ADMIRAL SIR CHARLES MALCOLM.—It is rumoured in high quarters, that an order has been received by the *Berenice* for the supercession of Rear Admiral Sir Charles Malcolm in the superintendence of the Indian Navy. The appointment has been given to Captain Oliver, R. N.

RELEASE OF THE DEWAN CHITNEES AND OTHER OFFICERS OF THE RAJA OF SATTARA.—It stated upon high authority, that an order has been received from the Government of India, ordering the immediate release from their confinement of the dewan, chitnees, and other officers of the raja of Sattara, who have been so long detained in prison on the most absurd charges, trumped up against them and their master, the raja, by people of the most despicable character, and listened to without adequate inquiry by the Government of Bombay.

BURMAH.

The last accounts from Burmah represent the state of affairs to remain precisely in the same state as they were when we last adverted to them. The *Rattle-snake* and *Diana* steamers, had arrived.

CHINA.

By the *Ariel*, files of the *Canton Register*, and the *Canton Press* to the 27th of January have been received. The Chinese new year having commenced, business of all kinds was at a stand still. Although the deliveries of opium at Lintin were rather more brisk, there is no improvement in price, indeed the tendency is rather downwards. Old Patna is unsaleable. New has been sold as low as 540 dollars. New Benares, 490 dollars, and Malwa 410 dollars.

THE
CALCUTTA MONTHLY JOURNAL.
ASIATIC NEWS.

1838.

RELIEF TO SUFFERERS OF THE UPPER PROVINCES.

Government appears, at length, to have taken into their most serious consideration the distressed state of the upper provinces, and are now administering very extensive relief in all quarters. At Agra, upwards of 25,000 people are employed; at Futtehghur and Cawapore a nearly equal number, and at other stations proportionate bodies. To so great an extent does this aid operate, that, in one district (Futtehghur), we learn distress has almost entirely disappeared, and it is perceptibly diminishing in others. This extensive relief as far as we learn, is intended to be continued as long as it may be required, or until the means of Government are exhausted. To supply the latter, there is, we understand, a crore of rupees available, all of which Government are prepared to disburse, if necessary.* In addition to these exertions there have been advances made to the resolute agricultural classes, and a discriminative remission of revenue. Had, however, even a part of this extensive liberality been exhibited in the proper time, at the time we urged it, the aspect of the country would have been far different from what it is, and an earlier termination to the distress in all probability been provided for, than we can now look forward to. Had Government afforded assistance to the agricultural classes in November and December, to enable them to sow their lands and irrigate, much and lasting misery would have been prevented. By the late application of relief we have not only more misery to aid, but our assistance does not in any way tend to put an end to it, which aid earlier afforded would have done. Had we assisted the cultivators of the affected districts at the commencement of the season, the increase of produce, consequently, on the rubea crop would have materially ameliorated the condition of the country. But as we have managed, the very liberal aid we afford produces no effect beyond the day that passes over us; it operates in no way towards abridging the duration of famine, which now entirely depends on the late or early setting in of the rains. To that alone must we now look for effectual relief, and if it be late, the dead weight of feeding a whole people must prove unequal even to Government. Let all, then, look with confidence to their early appearance, and in that spirit subscribe liberally towards preserving the population through the intermediate period.

We have, as we said above, allowed the proper period to pass, when relief would have produced the greatest quantity of benefit—now an irretrievable error; but the question ought to impress Government with a sense of the imperative duty of considering how the country may, in future, be preserved from such afflicting visitations. In the present rude state of Indian agriculture, an untoward season must give rise to suffering more or less, and, until it is improved, we cannot effectually coun-

* Report has it that there are three crores in the General Treasury, two of which are to be reserved for contingencies—such as a war with Burmah, or other places.

teract those periodical famines that visit the country. But as wealth accumulates and the right of property becomes more fixed and definite, agriculture will improve, and the country be, to a great extent, preserved against the calamitous consequences of such seasons as the present. This improvement is not indeed advancing with very rapid strides; but, while it is slowly, if imperceptibly approaching, much may be done by Government towards the same end,—we mean towards alleviating the distress caused by these failures. One important means for effecting this is even now being resorted to—we mean a reduction of the revenue, but whether to a sufficient extent, or not, is very doubtful. Adam Smith and the Economists lay it down as a rule, that on the proportion between the produce required to replace capital and revenue depends the general character of the inhabitants of a country as to industry or idleness. When the former is considerable and bears a large proportion to the latter, the funds for the employment or maintenance of productive labour are abundant, such as we see in England and all rich countries. Here, on the contrary, the produce required for revenue, bears an enormous proportion to that required to replace capital, and the consequence is, that there are not sufficient means for the employment of productive labour—the immediate cause of the present general destitution. There is no want of food but a want of money to purchase it, and this from the scarcity of employment, is beyond the command of the poor. To reduce the large proportion revenue bear to the produce required to replace capital, is one of those direct measures that can alone prevent, extensively, the disastrous effects of such seasons as those seasons which we know recur frequently. The produce required to replace capital is beyond all proportion small, and must be so as long as the demands of Government absorb nearly the whole of it. Such a system carries with it heavy and unceasing depression—it found the country poor at first and keeps it so; and, unless Government are prepared to make a present sacrifice of revenue, the distress around us will recur, in the same intensity with the recurrence of similar seasons, till time shall be no more. The charity of Government will be called for again, and again be granted, and the country having “got over” the famine, will be in the same state it was before or perhaps worse. Better than such charity were Government to reduce their revenue even by the amount of such charity, for small as it would be, it would, at least, generate slowly a better order of things; while the eleemosynary aid granted under the present system, is just sufficient to the day thereof. The new settlement now in progress, will, no doubt, materially improve the condition of the country;

† Not only does the amount of revenue operate against the non-employment of labour, but the universal belief that Government, even in untoward seasons, will exact the full amount of it, prevents the small capitalists from expending even a little of their funds in extra irrigation: liberality alone will dissipate this feeling.

but Government ought to view the present national calamity, in connexion with the revenue remissions they are now making, if possible to increase them. Nothing but a diminution of it to some extent will save the country from the retrogression it must constantly undergo from untoward seasons. A second indirect cause of the quantity of unemployed labour in the country—the direct one of the distress—is a want of specie. A heavy drainage of coin has for some time taken place in the general mint for re-coinage, which Government have not been sufficiently active in replacing, by sending the new issue by their steamers, and opening the up-country treasuries, by granting drafts on them to parties drawing against their Calcutta consignments. This combined with an actual scarcity of food—not however amounting to a dearth—will account for much of the immediate distress. The attention, then, of Government should, in future, be more closely directed to preserving a due equilibrium between specie and the traffic of the country, for disturbed as it now appears to be, it aggravates the natural calamities of the seasons. To these and other artificial causes are clearly traceable, much of the misery now visible, for there is no actual scarcity of food. A want of labour is the immediate cause, produced by the combined operation of a too heavy revenue, want of proper confidence in Government, and scarcity of specie, as well, of course, by the almost total failure of the rain crops. The former must be removed by Government, and by their removal the country will be able to sustain, with comparatively slight injury, the latter.

Our Calcutta friends, we see, persist in imputing "ignorance" as they call it, to the Mofussil papers, for holding that Government ought to have interfered to

cause a lower price of grain. We have our volumes of Smith, Ricardo, Malthus, and others, and yet we maintain that Government should have done so. The principles of these philosophers would not exactly have suited the state of society in Utopia or Ell Dorado; and though this country does not differ so widely from the rest of the world, as these creations of the mind do, yet we contend it does so sufficiently to affect the application of many of the rules of political economy to it. Will the following anecdote, selected from a thousand, not shew this? We know a rich grain merchant who is now selling wheat ten years old at thirty seers per rupee, and even at that price reluctantly parts with it. Now this wheat could not be sold at a remunerating price for, say, one rupee per seer, if we take into calculation the prime cost, interest, damage, &c. &c. Yet this is the usual practice of the trade, and it is to such the Calcutta papers talk of political economy. An English trader, for whom the science was framed, would manage these things somewhat differently. Again, had Government themselves imported grain in the commencement of the season they would have reduced the price of it, increased the quantity available for food, enabled consequently the zaminedars to support more of their cultivators, and, above all, have proved to the country that they had its relief at heart—a feeling that would have inspired the villagers into making greater exertions, and sowing and irrigating more ground than they have. The Calcutta cockneys would, however, adhere to a science never intended for a people of whom they know nothing; and what has been the result? famine, death, disease, and crime to an appalling extent. But, *vive la Science*, come what may.—*Hakaru*, April 3.

FURTHER PROCEEDINGS OF THE RELIEF FUND COMMITTEE.

CONTINUED FROM THE 6TH MARCH.

The committee of the fund for the relief of the distress in the N. W. Provinces request that the following memorandum may be published for general information.

The amount of subscriptions up to the 31st March, 1838, was Co.'s Rs 87,570 1 8

Of which had been paid into the Union Bank 73,002 4 11

It has been already notified that sums amounting in the aggregate to Co.'s Rs 24,000 have been sent to the several distressed districts.

In addition to the above Rs 200 have been forwarded to Culpes and 1,000 rupees to Kurnaul.

The following sums amounting to 40,000 rupees will be sent by to-morrow's post to the several stations named below :

Agra	10,000	Etawah	3,500
Cawnpore	5,000	Allyghur	4,000
Mynpoore	5,000	Futteghur	4,000
Culpes and Hamirpoore	3,000	Muttra	3,500
		Delhi	2,000

The following circular from Agra and extracts from a communication from Cawnpore, while they forcibly demonstrate the necessity for continued exertion on the part of the community, shew, at the same time how opportune is the aid which this fund has been able to afford.

Calcutta, April 2, 1838.

PROCEEDINGS OF

An emergent meeting of the committee of the Agra

Relief Society, held at the house of G. J. Gordon, Esq., 5th March, 1838.

Present:—F. O. Wells, Esq., President in the chair, and Messrs. Gordon, Mansel, and Duncan, Rev. K. Chambers and Mr. Woolaston.

A statement of the accounts of the past month having been read, it was resolved :

1. That as the daily average of starving paupers for the last month (February) was 3,800, involving a monthly expenditure of Co.'s Rs 2,433-12, and as this average during the present month is likely to be nearly doubled, with a prospect of future increase; and as the monthly subscription amounts only to Rs 770, with about Rs 3,000 at present in hand, an immediate and urgent appeal be made to the residents of Agra to increase their subscriptions, and that a statement of the funds of the society, and of this resolution, be printed and circulated to every station in this presidency not affected by the famine, as also to Madras and Bombay, requesting their assistance in furtherance of the objects of the society, and urging speedy remittances; the subscriptions to be appropriated to the poor collected in the city of Agra, which contains one-seventh of the population of the entire district.

The Agra Relief Committee in making this appeal to the residents of other stations, are aware that there are other parts of these provinces suffering almost to an equal extent with this district; but they deem it advisable to leave the residents of such stations to adopt their own measures, and make their own appeal to the charitable public; at the same time they beg to state, that they will be happy to be the medium of conveying any portion of subscriptions raised at other stations, to

such parts in these provinces as the subscribers may direct.

II. That a copy be forwarded to Government, in furtherance of the resolution of the meeting of the 27th ultimo, to solicit them to afford the society monthly assistance for the next six months, to an extent equal to the fixed monthly subscription, or such portion as the Government may deem proper. It is evident, from the amount of the demands on the funds of the society, that without large and immediate assistance in the present distress, they must soon cease to supply relief to three-fourths of those who are now dependant on the Society for actual existence.

III. Mr. Mansel, the magistrate, stated that he would receive working paupers to any extent which the Relief Society might be able to send; and also authorized the secretary to send, in future, the able-bodied daily, instead of twice a week as heretofore, by which arrangement a saving will be caused to the Society's expenditure.

The meeting having voted thanks to the president, adjourned.

Agra, 5th March, 1838. F. O. WELLS, President.

Statement of the number of Paupers relieved, and amount of cash expended in February, 1838.

(PAUPERS RELIEVED.)

1. Paupers receiving bread, dall, &c.	Total during month.
Blind and lame, including men, women and children	14 420
Convalescents, ditto ditto ditto	2,639
Patients in hospital, ditto	2,831
Friends of the patients, ditto	5,632
2. Paupers receiving pice:	
Labourers working on the road	3,080
Public beggars, pudessees, &c.	76,683
Pensioners	333
Over-seers, bhee-ties, and other servants—all paupers	770
Total rations	1,06,388

Or, dividing 1,06,388 by 28 days gives a daily average of 3,800 persons.

(CASH EXPENDED.)

	Rs.	A.	P.
Atta	226	maunds	684 14 1
Wheat or ghee, on	180	ditto	492 14 0
Salt	3	ditto	19 6 10
Rice	2	ditto	
Dall	2	ditto	711 0 0
Distributed cash to paupers			
Ditto ditto to bakers			49 5 1
Hospital charges for two months			379 10 11
Rent of ground			6 0 0
Building walls and sheds			56 6 0
Eight pensioners for January			2 0 0
Superintendents and assistants' wages			49 0 0
Petty charges			14 3 1
Total cash expended	Co.'s Re-		2,483 12 0

Daily average at 28 days is nearly Rs. 90.

(Signed) M. W. WOOLLASTON,
Secretary, Relief Society.

Agra, 1st March, 1838.

APPENDIX—No. 1.
Statement of the number of Persons relieved by the Society, from 1st January to 30th Sept. 1837.

Months.	3d. Persons receiving a weekly supply.		3d. Paupers.		4th. Rev. casual Relief Travellers.		Total.	Expenditure.		Receipts.		Remark.	
	1st. Fem.	1st. Males	Resident.	Non Resident.	Resident.	Non Resident.		Co.'s Re.	As. P.	Re.	As. P.		
January	8	161	0	0	0	194	278	236	12	186	0	Many on weekly allowances attended daily when aids was first served out. In Treasurer's hands—1st Jan. Balance in Agra Bank—1st Jan.	
February	9	103	0	0	6	92	278	153	1	163	2		
March	9	150	0	0	9	68	241	156	10	191	8		
April	7	67	0	0	14	60	148	129	0	169	0		
May	7	78	0	0	14	48	101	71	11	151	9		
June	8	77	0	0	5	54	163	70	11	201	12		
July	8	77	0	0	11	30	105	105	3	157	0		
August	8	27	12	10	12	20	105	105	13	122	12		
September	8	1	12	4	16	18774	18814	608	3	313	3		
								1661	10	7	1563		7
													10
								235	10	6	1603		11
								1897	5	1	1897	5	
												1	
												15	

To expense of fitting up the Work-house, &c. &c. &c. Balance in favour of the Fund, 30th September.

J. B. LOAK, Secretary.

(Signed)

APPENDIX—No. 2.

Statement of persons relieved, and cash expended during the month of January 1838.

(PERSONS RELIEVED.)	Total during month.
Blind, lame and infirm	13,138
Convalescents	1,979
Patients in hospital	2,650
Friends of the patients	4,210
Resident paupers, No. 1	186
Ditto ditto, No. 2	108
Ditto ditto, No. 3	202
Labourers and pudessees	5,150

Total number of rations 37,683

Daily average of persons 893 fed.

(CASH EXPENDED.)		Rs.	As.	P.
Wheat or ghee on 242 maunds		636	13	8
Dall	20 ditto	62	9	11
Atta	20 ditto	62	3	3
Rice	1 ditto	4	7	4
Salt		3	1	2
Cash paid for baking		42	9	6
Ditto ditto to working paupers		23	13	9
Ditto ditto to orphan girls		10	12	0
Ditto ditto to monthly pensioners		21	0	0
Ditto ditto to superintendants and servants' wages		68	10	10
Ditto ditto for 74 blankets		34	11	0
Ditto ditto petty charges		15	2	11
Total Co.'s Rs.		985	15	4

APPENDIX—No. 3.

Statement of persons relieved, and cash expended during the month of February 1838.

(PERSONS RELIEVED.)

1. Paupers receiving bread, dall, &c.		
Blind, lame, &c. men, women and children		14,420
Convalescents		2,639
Patients in hospital		2,831
Friends of the patients		5,632
2. Paupers receiving pice :		
Labourers working on the roads		3,080
Public beggars, pirdasees		76,683
Pensioners		333
Overseers, servants, &c.		770
Total rations in Feb.		1,06,388

Daily average of people, 3,800 fed.

(CASH EXPENDED.)		Rs.	As.	P.
Atta	226 maunds	684	14	1
Wheat or ghee on 180 ditto		492	14	0
Salt	3 ditto	19	6	10
Rice	2 ditto			
Dall	2 ditto			
Cash to paupers		711	0	0
Ditto to bakers		49	5	1
Hospital charges		379	10	11
Rent of ground		6	0	0
Building walls and sheds		56	6	0
Eight pensioners for January		21	0	0
Superintendants and assistants' wages		49	0	0
Petty charges		14	3	1
Total Co.'s Rs.		2,483	12	0

M. W. WOOLLANTON,
Secretary.

Agra, 1st March, 1838.

RECAPITULATION.

	Number relieved.	Cash expended.
1837.—Sept...	18,814	Rs. 568 3 11
1838.—Jan....	27,683	985 15 4
" Feb....	1,06,388	2,483 12 0

Extract of a letter from the Relief Society, Cawnpore.—"Though the Government has afforded a most

important aid which has probably arrested in some considerable degree the downward course into which the entire population seemed at first to be rapidly falling, the private native benevolence has contributed, as I suppose, when their means and future prospects are considered, with much liberality to aid their distressed countrymen; yet it must be obvious to even a cursory observer, that ample scope remains for the intervention of those, who, at a distance, can only in faint imagination picture to themselves an outline of the sad reality.

I would wish to guard you from the mistake, supposing that the accompanying statement regarding the named purgunnas has any connexion with the immediate scene of operation, in which our committee are engaged, as all which we have within regarding Cawnpore is separate and distinct from it. As we have thankfully acknowledged your intended donation of Rs. 3,000 of which 500 has been transmitted to Mr. M. at Mendieghat, we shall probably need to retain the remainder of that sum to supply our wants here; but we can, with the aid of Mr. R., distribute any sum you may entrust to us with a view to alleviate the pressure which weighs so heavily in these purgunnas, ere the foilorn class which, on account of their extreme misery, is excluded, because unable to work, from Government employment.

It would, doubtless, be a great encouragement to these kind zemindars, when they find their most distant countrymen thus coming forward to their aid; and so far from their own endeavours being allowed to flag on this account, they would, doubtless; the more strenuously exert themselves as they would then have good grounds to hope that the final issue of their efforts would be successful.

Extract from a memorandum enclosed in the Society's letter.—"The distress in the western part of the district amounts to actual famine. No rain, with the exception of a slight shower in June, has fallen in Bethoor and Rupooolabad since March last. The country has since that time been a barren waste. During July, August and September, the usual period of vegetation, not a blade of grass even was produced. The cattle, scanty fed on the leaves of the trees, have died in hundreds. Villages become depopulated by famine and emigration, and at the present time immense tracts of arabie land remain fallow, there being neither men nor cattle to cultivate the ground. Negatively relief was afforded by withholding the Government claims for revenue, positively charitable aid, by employment on the Grand Trunk Road, and in the district of Furruckabad, to which many resorted, by employment on its roads.

In some villages there were substantial managers between the cultivators and Government; the malgootars have, to this day, actually fed the cultivators: in those where the land is minutely subdivided, all being equally impoverished, have emigrated to the Saugor provinces, or sought for labour in the neighbouring districts. The Government authorized the issue of grain for land ploughed and ready for sowing; the soil will not produce without previous as well as subsequent irrigation, and neither cattle nor cultivation were left to effect any extensive sowing on such conditions."—Hurkaru, April 4.

PROCEEDINGS OF THE LANDHOLDERS' SOCIETY.

At a meeting of the committee at the office of the society to Monday 2d instant, the following gentlemen were present: Rajah Kallikissen Bahadoor, Kumar Sutt Ghura Ghosal, Baboos Aushootah Day, Prasooncomar Tagore, Mothoonanauth Mullick, and Ramcomul Sen;

Messrs. T. Dickens, G. Prinsep, and W. C. Hutry. Visitors—Moonahce Hoseen Ali, Vakeel of Khaja Ali Mulla, zemindar of Dacca; Baboos Gangaraj Roy, Mooktiar of Ramrutton Roy Choudhry, and Lalmoahun Shane. It was proposed by Baboo Prasooncomar Tagore, that the following gentlemen be nominated additional

members of the committee, in conformity with the 15th rule of the Society, subject to the confirmation of the next general meeting.

Rajah Burrodacant Roy, Radhamadhob Banoojee, Baboos Pranbooth Chowdhoree, Callynauth Roy Chowdhoree, Mothooranauth Mullick, Sambhoochandra Mitter, seconded by Rajah Kallikissen Bahadoor and unanimously agreed to.

The following gentlemen were proposed as members of the Society, and elected *nem. con.*

Proposed by Kumar Suttchurn Ghoshal and seconded by Baboo Ashootosh Dey.

Rajah Bijoy Govind Sing, of Purneah,

Proposed by Ramcomul Sen and seconded by Prosonocomar Tagore.

Mirza Mohamed Mehendy Muskey, Mirza Mohamed Mehendy Isphanee and Mr. D. W. H. Speed.

Proposed by Prosonocomar Tagore and seconded by Suttchurn Ghoshal.

M. Laroletta and W. Patrick.

The following table of distribution of several districts and sub-committees of correspondence was submitted to the meeting. Resolved, that the proposed distribution be adopted:

A Table shewing the distribution of Districts of the Lower Provinces.

The Landholders' Society division No.	The Govt. division No.	Districts.	The Name of the special committees numbers of the visible divisions.
1	11	Behar	G. Prinsep, Esq. Baboo RamcomulSt...
		Patna	
		Sarun	
2	12	Shahabad	Kuma Sutt Churn Ghosal. Baboo Collynauth Roy
		Bhaugulpore	
		Dinagapore	
		Malda	
		Monghyr	
3	14	Purneah	Baboo Prosonocomar Tagore. Rajah Kalerishna Bahadoor.
		Firhoot	
		Beerbhoom	
		Bogra	
		Mooishedabad	
4	15	Pubna	Baboo Pronnauth Chowdhorey. Baboo Sunbhoochunder Mitter.
		Rajshahye	
		Rungpore	
		Backergunge	
		Cachar	
5	16	Dacca	Baboo Ramruten Roy Baboo Cossinauth Bose.
		Furreedpore	
		Jyntea	
		Mymensing	
		Sylhet	
6	17	Chittagong	Rajah Burrodacant Baboo Ashootosh Dey
		Noakally	
		Lipperah	
		Durrung	
		Gowalpara	
7	18	Kamroop	Raja Radhacant. Moonshie Ammeer.
		Nowgong	
		Bagnaset	
		Burdwan East	
		Burdwan West	
8	19	Hooghly	Baboo Mothooranauth Mullick. Baboo Radhamadhob Banerjee,
		Jessore	
		Nuddea	
		Parguanahs 24	
		Balasore	

Resolved—That the secretary be requested to communicate the nominations of the several sub-committees respectively.

Read a letter from Rajah Radhacant Deb, enclosing an application from Mr. Thomson, soliciting the appointment of attorney to the Society.

Resolved—That it does not appear to the meeting the probability of requiring the assistance of a solicitor at present, and that the committee can make no engagement; but when necessary, due consideration will be given to Mr. Thomson's application.

Proposed by Prosonocomar Tagore, that the sub-committee for transaction of correspondence be appointed.

Proposition was seconded by Mr. Prinsep.

Resolved—That Rajah Kallikissen Bahadoor, Coommar Suttchurn Ghoshal and Ramcomul Sen, be appointed.

Proposed by Mr. Dickens,

That an honorary native secretary be appointed.

Proposition seconded by Rajah Kallikissen Bahadoor, Baboo Prosonocomar Tagore was appointed.

Moved by Suttchurn Ghoshal, that the subject of a petition from the natives of Bengal, referred to the Society by the secretary of the Dharmo Subba, be taken into consideration.

Resolved—That the petition with the remarks made by Baboo Prosonocomar Tagore be submitted at the next general meeting.

Moved by Prosonocomar Tagore.

That the petition regarding the use of the vernacular language submitted at the last meeting, be discussed.

Proposed by Mr. Dickens, that an extra meeting of the Society be held at an early day for consideration of the question regarding the vernacular language and the resumption petition of the Dhurma Shubha.

PROSONOCOMAR TAGORE,

Hurkaru, April 9.]

Honorary Secretary,

CORONER'S INQUEST.

An inquest was held yesterday at the residence of the Coroner, touching the death of *Dookoo*, a young native woman, resident of Chore Bagun. The deposition of Dr. Bain, the police Surgeon, declared, that on his dissecting the corpse, a quantity of yellow arsenic was found lodged therein, and he was borne out in the identity of the poison by Dr. O'Shaughnessy, who analyzed it in his presence. Dr. B. was of opinion that she died from the effects of the deadly drug in question. The examinations of the brother and sister of the deceased (the former being the person who first made mention of the untimely death of his sister to the thannadar of the division), shewed no evidence that the same was administered by any person, nor was proof deducible that she had taken it voluntarily. They also deposed, that the deceased and her husband lived very happily. They suspected no one of having administered the drug to their deceased sister.

The landlord and also a neighbour of the deceased, both corroborated the statements of the previous witnesses; the Coroner clearly recapitulated the evidence, and the Jury instantly returned a verdict to the following effect: "Died from the effects of poison, no evidence of her having taken it voluntarily, nor of its having been administered to her."

The Coroner took the deposition of the constable entrusted with the delivery of a summons to Mr. Charles

Marriott. The constable stated, that he delivered the summons to Mr. M. between the hours of 2 and 3 o'clock, at the Military Board Office, when and where he was informed by Mr. M., that having received a previous summons from the Sheriff to serve at the next sessions as a petit juror, he has relieved him from the obligation of performing the duty now required of him on Her Majesty's behalf by the Coroner! On the conclusion of the constable's statement, the Coroner very pleasantly remarked, that he did not quite understand the validity of Mr. Marriott's objection, as the next Sessions of Oyer and Terminer and Gaol Delivery opened on the 17th instant, and even if Mr. M.'s attendance was required on the Sheriff's summons for the next day, his obedience to the summons of Her Majesty's Coroner was imperative, and that he having written to Mr. Marriott to that effect, received his rejoinder, wherein Mr. M. presented his compliments to Her Majesty's Coroner, and desired to be excused complying with the present requisition as a previous and positive engagement, would prevent him from so doing, but he declared his willingness to attend on a future occasion.

The Coroner, after perusing Mr. M.'s reply, shewed the inconveniences this line of conduct engendered; but he did not intimate, what, if any, steps he intended taking to prevent a recurrence of similar proceedings.—*Hark.*
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MEETING OF THE AUSTRALIAN ASSOCIATION OF BENGAL.

At a meeting of the members of the Australian Association of Bengal.

Dr. J. Sawers in the chair.

1st.—Moved by Mr. Patrick and seconded by Mr. Pigou.

Resolved—That the report of the committee just read be adopted.

2d.—Moved by Mr. Pigou and seconded by Mr. Brae.

Resolved—That Messrs. Patrick and Cracroft be requested to put themselves in communication with Messrs. Carr, Tagore and Co. to sift the complaints of the passengers of the *Emerald Isle*.

3d.—Moved by Mr. Cracroft and seconded by Mr. Pigou.

Resolved—That the blame laid on the unpaid secretary in the passengers protest, addressed to Capt. Driver, dated at Madras, 16th March, 1838, is utterly unjust, groundless and undeserved. The supply of provisions having been left entirely to Messrs. Carr, Tagore and Co. the owners, and to Capt. Driver acting under their directions, the secretary having had nothing to do with it further than laying the samples sent by Messrs. Carr, Tagore and Co. before the passengers at a tiffin, where they were fully approved of.

J. Sawers, Chairman.

The meeting of the Australian Association at the Town-Hall, last Saturday, was not very well attended: after the chair was taken by Dr. Sawers, the secretary read the following report of the committee:

The second report of the committee of the Australian Association of Bengal.

Before entering upon the general affairs of the association, your committee feel themselves called upon

to explain the reason of their not having convened the regular quarterly meeting on the 31st December last. The disappointment of the first engagement for the *Juliana*, and the difficulty in finding a substitute delayed the departure of the first ship to a late period in December, when there was an immediate necessity to make fresh arrangements for the second voyage: this, with the secretary's other occupations, rendered it impossible for your committee to have met the subscribers as they intended with a statement of past operations, and made it expedient to delay the meeting till they were prepared with the accounts of both expeditions.

Your Committee have had to content with more difficulty in procuring vessels on charter than they anticipated in the state of the market, and these difficulties were not overcome without great exertions and some personal sacrifice.

The first ship engaged by the association was the *Juliana* of 550 tons. The charter was already drafted and about to be executed, when it was discovered that the mortgages in England had sent out powers to foreclose the mortgage and despatch the ship to England. This discovery put an end to the engagement, and made it necessary to look out for a new one. With the greatest exertions of your committee favoured by the low rate of freight, it was found impossible to procure a suitable vessel till the latter end of November, the costs of setting up cabins and accommodation between decks, which are rarely to be found in vessels occupied in the country trade being a sufficient discouragement to the ship owners of Calcutta, and ships owned in Europe, being for the most part restricted in their voyages.

The *Caillardon* of 400 tons, Captain Rapson, was at length, on the 20th November, engaged for the first

voyage at the rate of 4,000 rupees a month; but being a country ship without cabins between decks, and those of the poop requiring to be altered, she could not be got ready for despatch earlier than the 16th December, although the most unremitting exertions were made by all concerned in the vessel, and so meritorious in particular were those of Mr. Gardyne, the chief officer, that your committee thought themselves bound to mark their sense of his labours by a gratuity of Rs- 300 which he richly merited.

The *Gaillardon* sailed on the 16th December, quite full of passengers and freight, and though your committee were disappointed in her capacity for cargo, it will be seen by the accompanying accounts that there is every probability of a surplus to the association on her charter. She was destined for Sydney, touching at the Swan, Adelaide, and Hobart Town, and, on her return voyage, at such ports as our agent at Sydney may require. Your committee have the satisfaction to state that letters have been received from the vessel dated 31st December, all well, and crossing the line with a fine breeze.

The *Baboo* was engaged for the second voyage of January, but not making her appearance in time to fulfil her engagement, your committee were again compelled to find a substitute, and, after much delay, were enabled by the kind and liberal assistance of Messrs. Carr, Tagore and Co., to secure the new ship *Emerald Isle*, of 500 tons, Captain Thomas Driver, at a freight of Rs- 5,000 per month. But again there was the same necessity of erecting cabins between decks, besides which she had to be new rigged and fitted in almost every particular and still greater delay was thus unfortunately inevitable.

The *Emerald Isle* sailed with a full cargo and passengers on the 25th February, for her first destination, Adras, for the passengers and convicts there, and her arrival at that place on the 16th instant is announced.

The accounts of this adventure are less encouraging than those of the *Gaillardon*; but the measures by your committee to secure a return freight, will, it is hoped, cover the outlay; the cause of this less favourable prospect is the addition of 1,000 rupees per month on the charter-party freight, and the lower rate procured on her dead weight, in consequence of unlooked for competition.

Your committee regret that the necessity of new fittings for both the vessels already despatched (which the failure of their previous contracts had made indispensable), was productive of much inconvenience to shippers and passengers, which was felt and complained of by several of the party on board; they have further been blamed for despatching the vessel in a crowded state, and such was undoubtedly the case; but they have little to accuse themselves of on this score, the fault having been, for the most part, with the passengers themselves, and the unusual quantity of their personal baggage, of which due notice was not given, and for which provision had accordingly not been made. The only alternative was to refuse admission to the baggage which would have given still greater dissatisfaction. They have, however, devised measures for preventing the like inconvenience in future, though they despair of entirely removing it. It is one that emigrant ships are necessarily exposed to more than others.

On the whole, notwithstanding the untoward circumstances above detailed, your committee congratulate the subscribers on the favourable commencement already made, and the prospect of increased communication with Australia which the example already set, appears now to hold out. The number of vessels advertised to sail to that part of the world is greater now than at any former period, and the inquirers for freight and passage, and for purposes of emigration, are increasing rapidly. Your committee are happy to say, that the vessels already despatched are fitted in all respects for

future voyages; and there is every hope will be continued by the owners in this line of navigation.

Your committee beg to present the following accounts, viz.

The general account of the association with the secretary marked A.

Balance at credit this day Co.'s Rs.	12,029	2	3
And dependencies of	29,774	12	8

And ditto, at debit	32,500	0	0
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An account of the adventure of the *Gaillardon* with abstracts of freights, passage-money, &c. marked B.

An account of the voyage of the *Emerald Isle*, marked C.

A list of unrealized subscriptions, marked D.

A list of contributions to the donative fund, marked E.

The secretary also read a letter from the passengers of the *Emerald Isle*, and Messrs. Carr, Tagore and Co.'s explanations. Copies have been furnished to us for publication.

On board the *Emerald Isle*, off Madras, 16th March, 1838.

TO CAPTAIN DRIVER.

DEAR SIR,—We, the undersigned passengers per *Emerald Isle*, having understood from the words of the published prospectus of the Bengal Australian Emigrant Association, "that we should be furnished with an abundance of the usual sea supplies of the best description, beg to draw your particular attention to what cannot have escaped your own observation, viz. the very inferior quality of the greater part of the caddy stores, and the utter unfitness of some of them for use, in hope that you will not leave Madras without taking such steps as may be requisite for remedying the serious evils we have to complain of. *Imprimis* we beg to complain of the rice, which from its inferior quality or newness has constantly caused sickness to those who have partaken of it, particularly the children. We have also to complain of the want of a proper oven and good flour, whereby the baker is entirely prevented from furnishing even the smallest supply of bread, an evil the more serious as the ship's biscuits are declared by all to be extremely bad, one kind being hard and sour and the other nevilly. The badness of the tea we are less inclined to dwell upon, as it may in part arise from the want of efficient means for preparing it; although not disposed to swell our list of grievances by enumerating all the deficiencies of material and attendant, which last may arise from our confined cuddy not allowing of a sufficient number of servants, yet we must again draw your attention to the extreme inferiority of the wines and liquors, the best proof of the badness of the claret is, that a first taste has been sufficient for every person, the same remark in a great degree applies to the sherry, which is fiery and of the worst kind; the brandy also has been found undeniably bad; this is the more surprising, as an abundance for our small expenditure of good quality might have been procured in Calcutta at very moderate cost. The port wine appears to be some Calcutta manufacture; the beer indeed is flat, and as it appears to be the least unwholesome beverage, it was, from the extreme badness of the wine, almost exclusively used, but only until a supply of portable beer was procured from an individual on board, when it became still more exclusively the sole beverage. We trust, therefore, that at Madras you will lay in a sufficient supply of drinkable beer, port and sherry or Madeira wine, with a few cases of French brandy, and such wholesome provisions as we may use without endangering our health, and that of our children, from the gross intemperance that has existed in supplying the ship. Most of the passengers, as you must be aware, have hitherto

depended on their private stores for wine and spirits and biscuits, and some other small articles which we had every right to expect from the cuddy. We have observed that from the number of persons, horses, cattle stock, plants, &c. &c. on board, the consumption of water amounts to nearly a butt per diem, but as we have already experienced the inconvenience of being on our allowance, we trust that some arrangement for an additional supply of this indispensable necessary will be made. We feel that there are several other points of which we might justly complain, but as we are satisfied that you have done all in your power to render our situation as comfortable as circumstances would admit of, we abstain from alluding to them. We must, however, advert to the water-closets with which the ship is fitted up; the vessel, we believe, is a new and strong one, and all these conveniences are recently up, but owing to haste or bad workmanship, or both, nearly all in the ship are so completely un-serviceable, that we trust that you will get them set to rights before we proceed further on our voyage, as the cabins are already more closely packed than is convenient, and, as we think, steerage passengers should have room for their clothes, and that there should be room for the servants and passengers to pass along. We protest against the taking on board of any further parcels or packages, more particularly as the boats, rigging and decks are still so much lumbered with numerous packages of various kinds, and bales of hay, &c. &c.

We are, &c.

(Sd) G. JORDAN YLATMAN, M. D. (Sd.) W. T. BROWNE
 „ C. F. M. MUNDY, „ J. B. GLEESON,
 „ JOHN D. LOGU, „ C. CADEW,
 „ JOHN H. GLEESON, „ H. W. BELLEW,
 „ H. M. BECHER, Capt. B. A.

There are a few points, on which I am only imperfectly informed, but I subscribe to the terms of this letter generally.

(Signed) C. GRAHAM.

Remarks upon the protest of the passengers of the EMERALD ISLE.

Captain Driver was requested by us to give in an estimate of the full quantity of every kind of cuddy stores which might be required for such a voyage, and for thirty sitters at the cuddy table, being particularly chosen a commander, because it was supposed that he understood this kind of thing better than others, who had not habitually carried passengers, and being instructed to do the thing in the best manner. He had no interest in this voyage in the passage-money, and having gone to Messrs. Payne and Co. to provide almost the whole of his stores, we are at a loss to understand why the articles should not be plentiful and of the best description, or how we could have taken greater precautions to secure the entire satisfaction of the passengers.

The Beer and Wine.—With regard to the beer and wine we selected them ourselves, partly from our own godowns, partly from Messrs. Eglinton, McClure and Co., and masters of each were laid before the committee and fully approved. We may add, the same claret is still drunk at the tables of many in Calcutta. The port was from Wardell and Co. and is highly approved; some good French brandy was also put on board by ourselves, and Capt. Driver carried also a small quantity of British brandy of his own.

The Rice.—We have searched through the bill to find who furnished the table rice according to Capt. D.'s estimate, but we do not find it in any of them, and it is not impossible that it may have been forgotten, and that Capt. D. has given the common ballum rice laid in for the lascar crew: we cannot explain this.

Break.—There is no excuse for Capt. D. if he did not get the oven properly prepared. The flour provided was from Haworth, Hardman and Co. and not from Ahmuty and Co. as stated by mistake. The ship biscuits were from McCulloch's new bakery, the others from Payne and Co.

Tea.—Was purchased of Rustomjee, was of the first quality, as such as we use in our own families.

Attendance.—The same room and the same attendance cannot be expected in a ship of this class, as will be found in the large passenger ships running to England.

Water.—In a ship of this kind carrying so many persons and animals must be served out with care and upon allowance; a very full provision was laid in on purpose under concurrence with the committee as to quantity.

Water closets.—The Docking Company must be responsible to us for the bad filling of these machines, for we have paid immensely for the work, but some allowance must be for the extreme haste we were called upon to urge by the terms of our charter with the knowledge of the charterer.

CARR, TAGORE AND CO.

Other letters were read, and we have been supplied with extracts for publication. In respect to the crowded state of the ship, Capt. Driver writes from Kedgeeree, "I perfectly agree with you in all and every particular respecting the crowded state of the ship; the passengers have brought such a large quantity of things that cannot go into their cabins and the servants who attend them, such a number of chests, that the evil they complain of is their own act, and not the fault of any one but themselves."

Messrs. Carr, Tagore and Co. further explain in letters to the secretary:

"We have the pleasure of replying to your letter of his date, returning Messrs. Bunn and Co.'s letter by stating, that we are replying to these gentlemen by this day's hawk, having received a similar letter from them, sending a survey report on both the port and claret held his day at our office, pronouncing them both to be good and excellent, and calling for the descriptive marks of those landed at Madras which we observe in their report is not given," and in another letter from Messrs. Carr, Tagore and Co. "It will be sufficient perhaps, if we state, that after looking over carefully, we find that Payne and Co. supplied over Capt. Driver, under his own inspection, the greater part of the cuddy stores. The cabin biscuits and superfine flour was supplied by Haworth, Hardman and Co. and we sent herewith musters from the same batch of baking, for their boiler having burst, they have not been working since they state. The sherry was part of a batch received from Liverpool in bottles, excellent wine for immediate use, and the rest, a cask of Wardell's, bottled off by us on purpose: we put on board some good French brandy, and Capt. Driver also furnished some of his own British brandy which he stated to be superior."

The flour and biscuits alluded to in the above extract, was on the table and pronounced good by the meeting. Some observations were made on the unjustifiable step taken by one of the passengers, to deter the passengers at Madras from proceeding on the ship, in writing off from Kedgeeree to Madras without giving the parties attacked any opportunity of defending themselves, or correcting the mischief, and in the uncautious spirit of the protest addressed to Capt. Driver, in which no allusion was made to the public tiffin which, at any rate, would have shewn that the committee were anxious to supply the ship with good provisions and wines and beer.

Extracts were read from the letters of two of the passengers who attended the tiffin, and who also signed the protest, written several days after they had been on

boardship. One of them says, "that they had every thing of the best and no stint, and they only wanted a little elbow room to be very comfortable." Another, after alluding to the tediousness of the passage down the river; "but at the same time as to the cuddy concerns we are very comfortable;" this is difficult to reconcile with "the first taste of the claret was sufficient for every person," for no doubt the claret was tasted during the seven days the ship was in the river, and had any complaint been made on this score the matter would have had immediate attention.

Some of the gentlemen at the meeting seemed to think that Capt. Driver was not altogether blameless; it appears he has left Madras without writing to the secretary or the committee, though one would have supposed from the existence of the complaints he would have made assents of reporting on the wines and liquors. Besides it is quite clear that he is responsible for not supplying the ship with bread and good tea, for neither his owners or the association would have seen to this.—*Hurkaru, April 10.*

THE MOHURRUM IN CALCUTTA.

This festival concluded on Friday, the 6th, perhaps to the great satisfaction of those who have felt the impediments and inconveniences it has occasioned to the free transaction of business. In the city the effects of the festival are insignificant when compared to its character over the ditch. The Mohurrum vacation continues for a space of fifteen days, during which the whole of the civil courts continue closed, and hardly a coin exchanges hands. Visit the courts and you find the benches of the judges empty; nothing but the platform and a few chairs appear, where the aumlah and the requisite corruptives practised their tricks. In the subordinate courts the gudees of the honest moulees display marks of the burthens they were obliged to endure. The magistrates' courts are merely nominally open, the nazis look drowsy, and the sherishtadars and peshcars keep snapping their fingers for the want of lucre. To prove this picture, we recommend the curious to visit Allipore during the week.

Having pointed out the Mofussil inconveniences of the Mohurrum, we shall now proceed to describe the manner of its celebration in the city. The preliminary *Matum* we shall pass over, and at once take the reader to the occurrences of the *Kuttel-ca-Raut*. We stood at the top of the Bottaconnah Road, and, at the distance of about a mile, descried a great light moving to the sound of music; as we approached closer, we heard a buz and a few steps made the words *Eah Hussein* quite audible to our ears. About two hundred shawls or flag-bearers, led the way, then followed the bearers of some colours on which the sufferings of the *Pagumburs* were inscribed in letters of gold and silver in the Arabic character. Next came the *Soonies* dressed in green muslin, and leading the second van we recognized Mirza Mhendy Mishkey, supported by Hajee Kaiboli Mahommed and Mirza Mhendy Isphahan-y. Two high caste Arabs

caparisoned in velvet and valuable coins, pranced proudly on with the funeral of their late illustrious riders. The horses were led by Aga Kazim and another Mogul gentleman, with whose name we are not familiar. The *sees* were attired in mourning. The procession was evidently imposing by the beating of breasts. Every thump came down in regular time, and the naked breasts of the penitents appeared not to have been dealt with in the most tender way.

The sound of drums next attracted our attention. The drummers preceded a mosqueum four stories high, of the Mosaic order. It was constructed of bamboos and ornamented with cotton of various colours. The *taj of Hussein* was suspended on the top. This belonged to the *dhonoes*, or the cotton refiners of Burrah Bazar. Immediately after it followed another made of the same materials, but ornamented with tinsel and illuminated with blue light. It had five stories, one above the other, and was carried like a castle through the mass of people on the road. A little below Moullaly Durgah two bodies of men, comprising about 500 on each side, marched facing each other with *tajes* constructed of several shields. On inquiry we learnt that one party consisted of *syces* belonging to Cook and Co.'s stables, and the others to Hunter and Co., Hooker, and some other livery stable keepers. In a moment the scene was confusion, the men lost all possession of themselves, and, seizing every thing they found in their way, laid it thick and three fold on their neighbours. The police interfered, but to little purpose; for if the police had been a thousand strong, they would have had to contend with ten thousand mad men, as the dispute originated for room, and terminated with the sects *Sees and Soonies*. One of the combatants was killed and another seriously wounded, and the upshot was that Cook and Co.'s *syces* were obliged to give leg bail.—*Hurkaru, April 12.*

AGRICULTURAL AND HORTICULTURAL SOCIETY OF INDIA.

A general meeting of this society was held in the Society's apartment, Town-hall, on Wednesday morning, the 11th of April, 1838.

The Hon. Sir E. Ryan President, in the chair.

Present:—Dr. Wallich; Dr. Strong; Messrs. A. Colvin, G. A. Prinsep, Cracroft, J. P. Marcus, C. K. Robison, N. Alexander, A. Harris, and T. S. Kelsall; Lieut. Sibley, Messrs. T. Bracken, K. S. Strickland, F. T. Fergusson, R. Smith, E. Preston, D. Hare, C. Dearn, R. S. Thompson, J. W. Masters, W. K. Ewart, W. F. Gibbon, H. H. Spry, A. H. Sim, and John Bell.

Visitors:—Messrs. G. C. Richardson and T. Hugon,

The proceedings of last meeting were read and confirmed.

The following gentlemen proposed at the last meeting, were elected members of the Society:

Geo. Palmer, Esq.; Major-General Oglander; F. L. Beaufort, Esq. C. S.; Thos. Brae, H. Fitzgerald, Geo. Osborn, N. Hudson, Esqrs.; and W. Dent, Esq. C. S.

The following gentlemen were proposed as members:

Dr. Jas. Morton, (senior assistant to the Com. of Arracan,) proposed by Capt. Bogle, and seconded by the secretary.

Wm. Bennett, Esq. (late of Demerara), proposed by Dr. W. G. Maxwell, and seconded by the secretary.

Wm. Agnew, Esq. proposed by Dr. W. G. Maxwell, and seconded by the secretary.

Muneeeram Bur Bahadoor, proposed by Capt. F. Jenkins, and seconded by Dr. Wallich.

K. M. Scott, Esq. (assistant surgeon Gowhatti), proposed by Capt. F. Jenkins, and seconded by the secretary.

Robert Campbell Esq., proposed by D. W. H. Speed, Esq., and seconded by the secretary.

Andrew Sym, Esq. proposed by A. Colvin, Esq., and seconded by the secretary.

Lieut. J. G. Gerrard (European regiment), proposed by C. K. Robison, Esq. and seconded by W. K. Ewart, Esq.

John Guiding, Esq. (late of St. Vincent's), proposed by the secretary and seconded by R. Watson, Esq.

G. C. Richardson, Esq. (late of Jamaica), proposed by the secretary and seconded by C. Dearie, Esq.

REPORTS.

Read committee's report on samples of cotton sent by Lieut. Burneh, of Miairwarrah, on the part of Capt. Dixon. A sample from R. Davidson, Esq., the produce of the same place.

Referred to the committee of papers for publication.

Read report of the proceedings of the cattle committee, on the motion of the president made at last meeting.

The secretary had printed all the information already collected, and had sent copies to parties named in the report and to many others.

Resolved, that the replies when received be handed over to the committee for consideration and publication, if necessary, for the information of the Royal Asiatic Society.

Motions of which notice was given at last general meeting disposed of, *vis.*

Nos. 1 and 2 carried.

NOTICES OF MOTION.

No. 1.—Proposed by Dr. Wallich, seconded by Dr. Spry, "That, with a view to the advancement of agricultural knowledge and the development of the resources of British India, it appears desirable to extend the list of rewards and prizes already held out by the Society, by adding a number of others of a more specific nature, and that a pecuniary reward, not exceeding 2,000 rupees, nor less than 1,000 rupees, and the Society's gold medal, be awarded to the best practical agricultural treatise, founded on local experience, on any of the undermentioned subjects, *vis.* cereal grains, sugar, cotton, indigo, silk, tobacco, coffee, and dyes generally; to these may, perhaps, be added vegetable fibre gums and extracts and resinous substances, oils, caoutchouc, cochineal, with some modifications.

"The conditions of the above rewards will, of course, have to be considered hereafter in detail, it may not, however, be out of place to submit the following outline of them."

1st.—As to the time in which the treatises are to be sent in.

2d.—The successful treatise to be the property of Society, unless the author engages to publish in this country within — months, or in England within —; with an agreement to provide the Society, at cost price, with any number that may be required, of which timely notice to be given to the author.

3d.—The Society reserves to itself the right of rejection, without assigning any reason, restoring, of course, any treatise so rejected to the author.

4th.—The Society likewise to have the privilege of dividing the pecuniary reward allotted to any one subject between two or more competitors, who may be deemed to have equal claims to it, in which case the reward is to be computed at the maximum rate (of 2,000 rupees) and the gold medal presented to each of the candidates.

Motion, No. 2.—Proposed by Dr. Wallich, seconded by Mr. Bell, that a reward of ten rupees be given to Mr. N. Alexander's gardener for producing such fine artichokes.

Motion, No. 3.—Proposed by the secretary, seconded by Dr. Wallich, that a reward of five rupees be given to Mr. E. Preston's gardener for producing such fine parsnips.

Memo.—Both the artichokes and parsnips were highly approved of at the meeting.

From Dr. Wallich, dated 13th March, forwarding a small sample of indigo, sent down by Capt. Jenkins, manufactured in Assam by Mr. Gruse, from a plant closely allied to the *Ruellia* plant.

From W. F. Fergusson, Esq., extract from a letter to the secretary, dated 7th April, presenting a small bag of indigo seed, gathered by Dr. Campbell on the banks of the Nile. Dr. Campbell describes the leaves of the plant as larger and looking richer than those of this country.

From Capt. Bogle, dated Akyab, March 8th, advising despatch of a sample of salt, together with several specimens of caoutchouc collected in the neighbourhood.

Promising to forward specimens of the several varieties of timber common in the district. Asks for supplies of cotton, paddy, &c. seed.

From Baboo Rajnarain Day, dated March 17th, presenting to the Society an "Essay on the Agriculture of Bengal," of which he is the author.

From Colonel Caulfield, dated Berhampore, March 9th, forwarding samples of Upland Georgia cotton, and Sandway tobacco, produced in the experimental garden at that station.

From H. Cope, Esq., secretary Agricultural Society of Meeret, dated March 11th, advising despatch of samples of Upland Georgia, Egyptian, &c. cotton reared in their garden at that station from seed supplied by this Society. Asking for copies of the Society's transactions.

From the same, dated March 31st, intimating the despatch of cotton which was delayed, owing to the secretary being ill.

From Monsieur Perotet to Dr. Wallich, dated Kautce, Neigherries, March 16.

Monsieur Perotet, who has published a treatise on the wild cochineal, assures Dr. Wallich, that the insect sent by Monsieur Richard to this society, is really the *finis cochineal*, called "Mestegue" or *grana fina*, and that the plant on which the insect arrived, is the true "Nopal of the Castilians."

Monsieur P. saw both at Bourbon, on his way to India, and begged of Mr. Richard to forward a small supply to him at Pondicherry, but they arrived when he was in the Neigherries, and the native gardeners to whom they were entrusted allowed both the insect and plant to die.

Monsieur Perotet refers Dr. Wallich to Monsr. Delissert, a naturalist, for a corroboration of his perfect conviction, which he says, admits of no doubt, as to the insect being the true *grana fina*.

From Dr. Wallich, dated 23d March, forwarded for presentation to the society, on behalf of Captain Jenkins, a specimen of a sort of hemp called "Rheea," and a specimen of Indian corn grown by the Merts.

From the same, dated April 4th, presenting, in the name of Captain Jenkins, a copy of the fifth report of the Hon'ble Society of Cornwall, and a copy of the proceedings of the annual meeting of 1837, of the Royal Institution of Cornwall.

From the same, dated March 15th, enclosing a letter from Lieutenant Brown, forwarding a further supply of 900 Otaheite canes, from Major Sleeman's plantation at Jubbulpore. Annexing Mr. Master's report on the canes, shewing that they were all in excellent condition.

From Major Archer to Dr. Wallich, dated Bourbon, forwarding four cases containing sugar-cane tops.

From Mr. C. N. Valler, dated Cape Town, January 16th, in reply to secretary's letter of the 16th October last, on the subject of the society's annual indent for seeds, promises to forward the quantity ordered, so as to reach Calcutta by the middle of August.

From B. Hodgson Esq, dated Nepal, March 13th, offering to forward a supply of red and white clonen seed, and asking for some fresh European vegetable seeds.

From Major Moore, dated Hyderabad, March 12th, advising despatch of four potatoes produced in his garden.

From R. Smith, Esq., dated March 22d, offering a few remarks on the domestication of the wild honey bee.

From H. Pittington, Esq, dated March 26th, forwarding for distribution a small quantity of dolichos, asparagus, beans.

From W. Brockman, Esq., dated Calcutta, March 28th, acknowledging receipt of seeds and the transactions of the society, and promising to be the medium of opening a correspondence between the Western Australian Agricultural Society and this institution.

From J. Vaughan, Esq., librarian of the American Philo-sophical Society, dated Philadelphia, October 13th, 1837, transmitting a copy of Part 2d, vol. 4th transactions of that society.

From Mr. Masters, forwarding ten seeds of Egyptian cotton seed, and a quantity of Sorghum vulgares, and Persian tomato seeds, grown in the Society's nursery.

From the same, dated April 7th, enclosing a paper containing some remarks on the propagation of plants.

From J. C. Marshman, Esq., dated Serampore, March 23d, stating his inability from untoward circumstances, to continue the publication of the Society's transactions.

From the Rev. J. Thomas, superintendent of the Baptist Mission Press, to the secretary, dated March 27th, expressing his willingness to undertake the printing of the Society's transactions at a certain rate.

Capt. Hullock, of the *Donna Pascoa*, presented twelve casks and nine half casks of sugar-cane tops, which he brought from the Mauritius, but which excepting a few in the half casks, were all dead.

From lieut. Vetch, a chest containing caoutchouc, which comprised the condition of awarding the gold medal to that gentleman.

From Capt. H. J. Wood, samples of wool of the Jeypoor sheep.

From Dr. Campbell, a box containing a variety of agricultural productions of the valley of Nepal, adverted to in his letter of the 28th January.

From J. P. Marcus, Esq., a sample of wild cochineal collected by him in 1837, and a supply of roosa grass oil seed, with some living plants of the same.

From Mr. Waghorn, a case of Egyptian cotton seed, referred to in his letter to the Society of the 22d October, 1837.

N. B.—The produce of former supplies from Mr. Waghorn, having been favorably reported upon, and mistaken in one or two instances for *Sea Island* cotton, by good judges, those disposed to cultivate this cotton, are recommended to make early application.

From W. A. Harris, a small quantity of cotton grown in the Soondebuns, said to be from *Sea Island* seed.

The American plough, so much spoken of at Bombay, and of which a model had been received, together with three spare shares and iron work complete, excepting the wood work.

The secretary had, with the concurrence of the agricultural Committee, disposed of two of these shares to Messrs. Lyall, Alatheson and Co. for prime cost and charges, and had but the complete plough, as a pattern for the wood part, one share remains at disposal.

As Mr. Harris expressed a wish to make a trial of the complete plough, it was proposed by Dr. Wallich, seconded by the secretary and resolved, that the plough should be placed at Mr. Harris' disposal, on that gentleman engaging to give the Society the result of the trial.

Mr. N. Alexander submitted some very fine specimens of artichokes, produced in his garden.

Proposed by Dr. Wallich, seconded by Mr. Cracroft, that Mr. Alexander be solicited to favour the society, with a memorandum as to the mode used by him in cultivating his artichokes.

Mr. E. Preston presented a basket of very large parsnips, produced in his garden from Cape seed.

Dr. Spry presented a specimen of caoutchouc on behalf of Lieut. Wenys, of the Assam local battalion.

Mr. Owen J. Elias presented a bottle of arrow-root, made up to the usual process.

Read a note from Mr. Ridsdale, superintendent of the Bishop's College Press, enclosing an estimate of the expense of printing the society's transactions.

Resolved, that the secretary on reference to Mr. Thomas' terms of printing, be requested to treat further on the subject; and that the secretary shall make such arrangements with either Press, as he may deem judicious.

The secretary brought to the notice of the meeting, the suggestion which had been made by him to the committee of papers, in December last (*vide* appendix vol. 5, page 106), and which had not yet been sanctioned, viz. to have the monthly proceedings as published in the papers, circulated in the shape of a pamphlet, to correspond and all similar institutions to members generally, and all others who take an interest in the objects of this Society. The secretary had already printed the proceedings of January, February and March, and now with reference to Mr. Marshman's estimate of the charge, wished the society to sanction the expense, as it would be the means of maintaining a constant and regular source of information.

The president observed, that this ought to be a regular motion, but, as the utility of the measure would be apparent to all, and the expense so trifling, he thought, if no objection was taken to it, the present meeting might dispose of the question to enable the secretary to print off the proceeding without delay.

Resolved *nem. con.*

The thanks of the society were ordered to be offered for all the foregoing communications and presentations.

JOHN BELL, Secretary.

Agricult. Society Office, Town-Hall, }
Calcutta, April 11, 1838.

[Harkaru, April 12.

THE STORM ON THE EIGHTH APRIL.

We have been very credibly informed, that the loss of life and property by this storm was very great. The loss stated at Kootghutta is above 250 lives, and all the way up the injuries have been of a dreadful nature. At Bycantopore and on to Ramnaghur in the 24-Pergunnahs the villages have been laid desolate, as more than 2,000 huts and several brick built houses have been levelled to the ground, burying under them from 3 to 4 lives each, on an average, a few of whom only lived to relate the fate of the other sufferers. Trees of 30, or 40 years' standing are now lying on the soil that once supported them. From the canal several large boats were raised to a height of about 30 feet and left on high land. The

boatmen became victims from the fall of the timber depôts on them, and the labourers who felt their habitations insecure, fell dead under the shower of hail. Those who escaped into houses met with a similar fate. Among the greatest pecuniary native sufferers are Buxoo, mistry, Ramchand Oully and Seebnath, butchargee, to the amount of upwards of 30,000 rupees. The petty mahujuns are left pennyless. Mr. G. Prinsep is, we also hear, a considerable loser.

In the Sunderbuns the loss has not been less great, from one quarter we heard of the destruction of a grain gulah 80 feet long.

FEARFUL LOSS OF LIFE.

We are just informed that 2 more villages of great extent at Gurreeah and Putterghutta, in the 24-Pergunnahs, have suffered more than the rest, men, women, and children have died without number and so has cattle of every description. Puckah houses and trees have been torn up by their roots; as for huts, it would be impossible to count their number. The worthy magistrate of the 24-Pergunnahs has issued every instruction in his power for the relief of such as are left to tell the sufferings of their neighbours. Mr. Flood, the Supervisor, and his son, the Clerk attached to the magistracy, with a native doctor, have been sent to the spot to render every possible relief, and send on as many as possible to the Allipore Hospital. The removal of the dead, we are

informed, will be attended with difficulty, as the number is great. Mr. Patton is now exerting all the aid within his jurisdiction to make the relief as prompt as possible. We trust his exertions will be useful, as we suppose they will be. We know the local subordinate authorities will see that there is no excuse and will answer with him in this case; he ought to direct, all the European officers to the different divisions and desire them to represent every instance of procrastination as well as neglect. The joint magistrate of Barraset and the chief magistrate of Calcutta ought also to send out as much assistance as they have available, no time is to be lost in a cause so near us, and so much within our means to alleviate to the best of our power.—*Hulk, April 13.*

BENGAL MEDICAL RETIRING FUND.

Proceedings of the Second Quarterly General Meeting for 1838, of Subscribers to the "Bengal Medical Retiring Fund."

At a quarterly general meeting of subscribers to the "Bengal Medical Retiring Fund," held at the Town Hall, Calcutta, at 4 o'clock p. m., on Monday the 9th April 1838, agreeably to section xix. of the Fund Deed,

Present,

Jas. Gregory Vos, Esq., M. D., in the Chair.

Frederick Corbyn, Garrison Surgeon, Fort William; Alexander Garden, M. D., Presidency Surgeon; H. S. Mercer, Marine Surgeon; John Grant, Apothecary to E. I. C.; Walter Raleigh, Assist. Genl. Hospital; H. H. Spry, M. D., Offg. Genl. Surgeon; and John Arnott, M. D., Assist. Surgeon.

The secretary read the proceedings of the last quarterly general meeting, and the following report of the proceedings of the committee of management during the last quarter.

REPORT OF THE COMMITTEE OF MANAGEMENT.

Medical Retiring Fund Office, 9th April 1838.

The retirement from the service from the 1st March 1838, of Surgeon Thomas Munro, M. D., having been announced in Government general orders, dated 26th February 1838, he has been admitted to the

5th annuity for 1838 from the date of retirement. His annuity is payable by the fund agents in London.

Since the last quarterly general meeting the prescribed affidavit of age from Mr. Superintending Surgeon Geo. Gunning Campbell having been furnished, and his retirement from the service announced in Government general orders date 12th March, ultimo, he has been admitted to the 6th annuity for 1833 from date of the general order. This gentleman's annuity is also payable by the fund agents in London.

Mr. Surgeon John Turner (whose application for admission as a subscriber was circulated for the votes of the subscribers with the secretary's letter of the 23d December last) having been admitted by a majority of votes of 127 (8 being against his admission) declared his intention to accept the only remaining annuity referred to in the committee's last quarterly report (para. 8th), and his retirement from the service from the 1st March 1838, having been announced in Government general order dated 12th March, ultimo, he was admitted on the 1st annuity of 1834. This gentleman's annuity is payable from the treasury of the East India House.

The committee of management beg to notice that the following investment of realizations since May 1837, has been made by the sub-treasurer of Government in 6 per cent. Treasury notes under the orders of Government dated 20th February 1837, and the arrange-

ment communicated in the committee's quarterly report dated 10th April 1837.

Treasury note No. 1, dated 1st May 1837, for Co.'s Rs. 14,582 10 4 being amount of receipts during May 1837.

" No. 2, " 1st June. "	14,428 13 0	do.	do.	June.
" No. 3, " 1st July. "	9,572 12 0	do.	do.	July.
" No. 4, " 1st Aug. "	16,470 11 0	do.	do.	Aug.
" No. 5, " 1st Sept. "	16,991 7 0	do.	do.	Sept.
" No. 6, " 1st Oct. "	6,828 10 0	do.	do.	Oct.
" No. 7, " 1st Nov. "	10,190 3 2	do.	do.	Nov.

Co.'s, Rs- 89,065 2 7

The assets of the fund since its establishment up to 30th April 1837, continue uninvested owing to the account of interest required by the committee on the 3d October last, not having been yet furnished.

The receipts since last quarterly meeting are as follows :

In January 1838	Co's Rs-	8,362 12 7
In February 1838		33,393 8 8 1/2
In March 1838		9,682 0 9
		51,438 5 0 1/2

Deduct charges for the same period		
Secretary's establishment, Rs- 750	0 0	
Printing and advertizing charges	198 10 0	
	910 0 0	

Net receipts, Co's, Rs- 50,489 11 0 1/2

The state of the poll for the election of two managers in the room of Messrs. A. R. Jackson and C. C. Egerton, gone out this year by rotation, is as follows :

For T. Smith ..	38	For H. H. Goodeve...	13
" S. Nicolson ..	10	" J. G. Vos.....	8
" J. Grant ..	68	W. B. O'Shaughnessy.	11
" J. B. Martin ..	20	" W. Finton.....	8
" W. Caneion ..	8	" J. Innes.....	6
" J. Colvin ..	7	" B. Wilson.....	1
" G. Craigie ..	24	" G. Angus.....	15
" D. Stewart ..	18	" C. C. Egerton.....	55
" W. A. Green ..	3		

The majority of votes appearing in favour of Messrs. John Grant and C. C. Egerton, the first was declared elected, and the second re-elected as managers to fill existing vacancies.

A majority of subscribers having declared for a reference to a professional actuary for opinion as to the basis of the fund calculations, Dr. A. R. Jackson (who has proceeded to England), has been empowered to consult one on his arrival in England, and furnished with a bill of exchange for £50 as the actuary's fees. The instructions furnished to Dr. Jackson are contained in the following resolution passed at the monthly meeting of the committee of management, held on the 29th January last.

Resolved—That Dr. Jackson be furnished with a bill of exchange on London for £50, to defray expenses of the reference ; that a printed copy of the original rules of the fund as drawn up by the central committee of Agra, and a copy of the same as revised by the committee of management of Calcutta, as also a copy of the fund-deed, together with a pamphlet containing " Plans and documents connected with the proposed Medical Fund published at Agra in 1832, by order of the central committee," and a copy of the proceedings of the quarterly general meetings held on the 30th October last, and 8th January, instant, be put up under cover and delivered to Dr. Jackson. From these documents the Actuary will receive precise information as to the views and objects of establishing the Medical Retiring Fund, and he can determine whether or not the current sub-

scriptions of each year, without a separate permanent fund, are sufficient to continue from year to year the grant of 6 new annuities, besides maintaining the liabilities for annuities already on the fund. Should it appear, on investigation, that the current subscriptions even at the maximum rate are insufficient to support this double liability, the actuary is required to suggest such modification as will, consistently with the principles and objects of the fund, make it equal to its engagement, and at the least possible cost to the subscribers, having in view that no gains are required beyond covering liabilities, and meeting the expense of management. The present object of the fund, it will be seen, is, to give 6 annuities, and to grant to all annuities during life £300 per annum, on their contributing, by subscription, or purchase the half value of such annuity, calculated at 6 per cent. per annum according to the probabilities of the duration of human life at Northampton, according to Dr. Pice's table. The current contributions, therefore, unaided by any accumulated capital, are not only to provide for six annuities, but to keep up, under provision of section xxxvii. of the fund-deed, an annual credit to " APPROPRIATED FUND," equal to the value of annuities at the ages of the existing annuitants, according to the rates specified in table annexed to section xxiii. of the fund-deed.

All information as to the probability of human life in India can be readily obtained by reference to Mr. Christie, actuary of the London branch of the Universal Life Assurance Company, as that gentleman has recently prepared for that office tables of rates of premiums payable in India, from data obtained from Captain H. B. Henderson's tables of mortality printed in the *Asiatic Researches*, volume XX., published by the Asiatic Society of Bengal. Rates of subscriptions to the fund not being regulated by age but from official rank, and standing in the gradation list of the medical service, the income of the fund can be determined by ascertaining at the India-house what is the regulated complement of the medical service in each grade when complete. It is understood that an augmentation of the medical establishment is contemplated, and every information connected with such augmentation may be obtained by reference to the India-house, Leadenhall-street, London.

The committee received a requisition from seven subscribers at Calcutta, dated the 20th January last, suggesting that the rates of subscription be raised to the maximum amount, and subscribers in arrears called upon to liquidate. The requisitionists were informed in reply, that, as the collections of the fund at the present rate of subscriptions with arrears under recovery, will be sufficiently ample, it is expected to offer more than the regulated number of annuities this year, and probably more than there will be applications for, as anticipation of the *bona* being granted induces some to defer acceptance of the annuity until result of the memorial praying for the *bona* is definitively known, the committee did not deem it expedient immediately to raise the subscriptions. The present, however, would be a favorable opportunity to have an accumulated fund from maximum subscriptions, which would go a great way to absorb the annuities now in arrear: but as the committee conceive that the measure of raising the subscription will not be generally acceptable, they feel reluctant to adopt it, until the collection of arrears and subscriptions fall short of the amount required to give six annuities. Every exertion is making to collect the arrears due from subscribers, and the committee are happy to communicate that the call is readily reciprocated to by those in arrear.

The following resolution fixing a graduated scale of penalty for all future admissions is now in circulation for the vote of subscribers.

Resolved—That, as the admission from the medical list as it now stands, of new members to the Bengal

Medical Retiring Fund so many years after its formation, gives advantages to such new members over the earlier supporters of the fund, in having avoided the Tontine risk incurred by the latter, all persons applying for admission as subscribers to the said fund, or who are not actually subscribers this Wednesday, 28th February, 1838, shall, previously to their application for admission [in the conditions of section iii. of the fund-deed] being circulated for the votes of the subscribers resident in this country, pay as a penalty for the exclusive benefit of the fund [but to be re-paid to the applicant should he be rejected by a majority of votes] a sum of money equal to one moiety of his arrears of subscription, to be calculated in the first instance from the 1st January 1833 to the date of his application, and on the second, from the date of his application to the date of his actual admission as a member, to be decided by the committee of management of the fund, after due examination of the votes of the members residing in India, such amount of penalty to be according to the rank of the applicant, as provided in section iv. of the fund-deed, or the annual sum according to the following table; and that such applicant or applicants shall also pay the expense of printing and circulating the reference for his or their admission previous to the result of votes being declared.

Annual penalty to be paid on admission reckoning from 1st January 1833 to date of admission.

Members, or officiating members of the Medical Board.

	Co.'s Rs- 768 0
Superintending surgeons, or officiating suptg. surgeons.....	512 0
Surgeons.....	179 3
180 Senior assistant surgeons on the medical graduation list.....	102 6
60 following on the list.....	61 0
Remaining assistant surgeons.....	38 6
The following of the poll this day on the preceding resolution is as follows:	
For.....	110
Against.....	4
Majority for the resolution.....	106

A suggestion to the above effect was received from Dr. T. C. Brown, 74th Regt. N. I. and other subscribers at Nusserabad, in a letter dated 16th February last, a few days after the preceding resolution had been passed by the committee.

The state of the poll for the election of Mr. Surgeon W. Dyer and Assistant Surgeon Alexander Smith, M. D. as subscribers is as follows:

For.....	151
Against.....	5

Majority for admission..... 146

The above gentlemen are accordingly elected subscribers, making three admissions, including Mr. John Turner since admitted as an annuitant, during the past quarter as subscribers.

There has been no accession of members during the last quarter by new arrivals from England.

The committee announce the undermentioned casualties by death during the past quarter.

List of casualties among members ascertained since last quarterly general meeting held on the 8th of January 1838.

Date of casualty	Surnames.	Baptismal name.	Rank.	Where.
19th Feb. 1838	Todd, Tyler, M. D.	John M. Robert,	Surgeon ditto	Calcutta Within a march of Jwalior.

During the past quarter applications to become subscribers have been received from Assistant Surgeon T. W. Burt, and Surgeons N. Wallieh and James Hutchinson, which are now in circulation for the votes of subscribers.

The state of the poll this day for the admission of Dr. Wallieh and Mr. Burt, is as under:

For Dr. Wallieh... 95	For Mr. Burt..... 100
Against ditto..... 19	Against ditto..... 13

Majority for 76 Majority for..... 87

The committee have received intimation in officiating secretary Lieutenant Colonel Stuart's letter, dated the 12th ultimo, that the Hon. the Court of Directors, in their military letter, dated the 2nd December last, decline to depart from the rules limiting the number to three annuities of each year, payable through their home treasury, in favor of the committee of management's request, preferred through the local Government on the 30th November, 1836, that payment of all six annuities granted annually from this fund be paid from the Company's treasury in London, to obviate the necessity of employing private agency. The committee have made arrangements with the house of Sir Charles Cockerell, Bart. and Co. of London (who have been appointed agents of the fund as communicated in quarterly report of the 10th October 1836) to pay the remaining three annuities, so that no dis-appointment or irregularity in receipt of annuities shall occur to the annuitants, who will not receive their annuity at the India-house. Of the six annuities granted by this fund annually, those certificates numbered 1 to 3 each year will be paid at the India-house, and those numbered 4 to 6 by the agents of the fund to London.

The sum of sicca rupees 87,048 0-0, or Co.'s Rs. 92,851-3-2 has been transferred since last quarterly meeting from credit of the fund to that of APPROPRIATED FUND under provision of section xxvii. of the fund-deed, being the value of the annuities granted to Superintending Surgeon Geo. Gunning Campbell and Surgeons John Turner, and Thomas M. Munro, M. D.

By order of the committee of management.

Geo. Hill, Secretary, M. R. F.

Resolved—That the report of the proceedings of the committee of management for the past quarter just read, be confirmed and adopted.

Resolved—That in consequence of loss having accrued to the fund from difficulty of recovering arrears of subscriptions from the estate of lapsed members, the committee of management be requested to represent the matter to the Hon. the President of the Council of India in Council in the hope of the authority of Government being issued, authorizing pay-masters and other disbursing officers to deduct monthly the amount of subscriptions from the pay abstract of all subscribers to the fund in every case the same as is done in respect to the Orphan Fund subscription.

Resolved—That as it appears that some few members of the Medical Service who, although they have intimated their desire to become members of the Medical Retiring Fund, have not formally signed the fund-deed either in person or by attorney, and have not continued the payment of the subscription, the secretary to the fund be directed to inform such gentlemen that the provisions of rule viii. will be strictly acted up in their case unless they immediately sign the fund-deed, in due form, and continue their contribution to the fund.

Dr. Grant submitted to the meeting a memorial that he had altered from one drawn up at Agra, reiterating the prayer of the medical service to the Hon'ble the Court of Directors of the East India Company that the boon granted to all the departments of the army for

pension according to length of service instead of rank, be extended to the medical service.

Resolved—That the secretary in the Medical Retiring Fund do circulate to the several superintending surgeons the amended draft of the memorial just submitted by Dr. Grant, with the request that they take the sense thereon of the medical officers in their respective divisions of superintendency, and communicate the result for the information of the committee of manage-

ment to enable them to draw up the necessary memorial for signature of the medical service for transmission home through the Supreme Government by the earliest opportunity.

Resolved,—That the thanks of this meeting be voted to Dr. Vos, for his conduct as chairman.

(Signed) JAS. GREGORY Vos, M. D. Chairman,

Hurkuru, April 11.]

UNION BANK.

A special general meeting of proprietors was held this day at the Bank, pursuant to an advertisement by the directors under date the 24th ultimo on the requisition of 32 proprietors, for the purpose of considering certain propositions for increasing the capital stock of the Bank from forty to eighty lacs of rupees.

On the motion of Mr. Holroyd, chairman of the directors, and seconded by Baboo Neelmony Mooteeloll,

Mr. A. F. Smith was called to the chair.

The following resolutions were then moved by Mr Dickens and unanimously agreed to :

1st.—Moved as above, and seconded by Mr. Parker, That the present capital of the Bank be doubled by raising 40 lacs of Company's rupees, by the addition of 4,000 shares of Company's rupees 1,000 each, so as to make the capital of the Bank 80 lacs in all.

2d.—Moved as above, and seconded by Mr. Holroyd, That the share be distributable among the proprietors rateably, and in proportion to their present interests.

3d.—Moved as above, and seconded by Mr. Vint, That the sum of at least 10 lacs, or 1,000 shares, be payable in cash, every six months, the first payment to be completed at latest on the 1st January 1839, the second by the 1st July 1839, and so on.

4th.—Moved as above, and seconded by Mr. W. Ferguson, That each proprietor be bound to take up and pay cash for one-fourth of his additional interest in complete shares, on or before the 31st December, and 30th June of each year, during the period of two years from the 1st July next, provided that no fractional parts of shares be allowed to be taken up, and that such shares, as cannot be taken pursuant to the terms of this and the 3d resolution, be sold by auction on or about the 15th

February, and August, after each half yearly period, for the benefit of proprietors not taking up or obtaining new shares.

5th.—Moved by Mr. Clarke, and seconded by Mr. Mackilligan, That, notwithstanding the above resolutions, each proprietor have the option of taking up all or any portion of his new shares, immediately, or at any period on paying for the same in cash.

6th.—Moved by Mr. Dickens and seconded by Mr. Cragg, That parties on paying for the new stock shall receive dividends *pro rata* from the quarter day next ensuing the payment.

7th.—Moved by Mr. Dickens and seconded by Mr. H. M. Parker, That, notwithstanding the above resolutions, such extension of time as the directors may deem necessary, be allowed to absentee proprietors, or in any special cases.

8th.—Moved by Mr. Clarke, and seconded by Mr. Richard Walker, That the issue of banks notes shall be limited to one-fourth of the paid-up capital.

Moved by Col. D. McLeod, C. B., and seconded by Capt. Ousely. That the thanks of the meeting be given to the chairman.

In pursuance of art. 63, of the bank-deed, a general meeting of proprietors is called on Saturday, the 19th May, at noon, for the special purpose of confirming, or otherwise, the above resolutions passed at this meeting.

By order of the directors,

JOHN STORM,

Actg. Secy. to the Union Bank.

Union Bank, the 14th April, 1833. [Hurk. April 16.]

PROCEEDINGS OF THE LANDHOLDERS' SOCIETY.

At a meeting of the committee at the office of the Society, No. 3, Clive Street ghaut, on Monday, the 9th instant, the following gentlemen were present :

Rajah Radhakaunt Deb Bahadour; Rajah Burrodacaunt Roy; George Prinsep, Esq.; Baboo Prossonocomar Tagore; W. C. Hurry, Esq. and T. Dickens, Esq.

The following gentlemen proposed in the last meeting were elected unanimously :

Rajah Bijoygobind Sing of Purneah; Mirza Mahomed Mehendy Muskey; Mirza Mahomed Mehendy Is-pahani; D. W. H. Speed, Esq.; M. Larruleta, Esq. and W. Patrick, Esq.

The following gentlemen were proposed as members of the Society :

Proposed by Baboo Prossonocomar Tagore, and seconded by T. Dickens, Esq.

Thomas Tweedie, Esq. junior, Hazrapore Factory Jessor; C. A. Cantor, Esq. of Messrs. Cantor and Co.; W. R. Logan, Esq. of Mymensing; Chuckooram Sing, a zemindar of Hooghly district; Joykisson Mookerjee, a zemindar of Hooghly district; the Rajah of Tipoorah, by Geo. Hewitt, Esq., G. M. Dewan Mahomed Ally, by Ramsuntoo Day, Mooktiar; Sibjoy Tagore, by Gungadbur Burmon, Mooktiar; Gourkisson Roy Chowdhury, zemindar of Atkadpoor Machakhal, by Gooroprosaud Doss, Mooktiar; Moonshy Delabally, by Cummloucant Dutt, ditto; Cally Comul Roy, zemindar of Doorgapore, and Cally Prosaud Roy, zemindar of the pergunna Noabad, by Brojokisson Sing, Mooktiar.

Read a letter from Moonshy Ameer, ditto from Rajah Kallykissen Bahadour, ditto Ramcomul Sen, ditto Baboo Sumbhoochunder Mitter, and ditto Rajah Rajnarain Roy; expressing the reasons of their not being able to attend the meeting.

Passed a list of requisite stationery and furniture.

Resolved, that the letter of the Rajah of Pipoorah and other zemindars of that district be answered.

W. COUS HURRY,
P. C. TAGORE,
Hon'y. Secretaries.

Proceedings of a meeting of the committee held at the Society's office, No. 3, Clive Street-ghaut, on Monday, the 15th instant.

PRESENT:

Committee.—Rajah Radacant Deb Bahadour; Rajah Kallykissen Bahadour; Coor Suttachurn Ghosaul; Baboo Prossonocomar Tagore; Baboo Ramcomul Sen; Baboo Ramruten Roy; G. A. Prinsep, Esq.; W. C. Hurry, Esq., and Moonshy Ameer.

Members.—Baboo Bissonauth Muttyloll, and Baboo Obhoychurn Baneijee.

Visitors.—Baboo Nilmoney Muttyloll; Baboo Gobindchunder Muttyloll, and Baboo Pooron Sing, of Shahabad.

The following gentlemen were proposed as members of the society:

Proposed by Coor Suttachurn Ghosaul, and seconded by Rajah Kallykissen Bahadour.

G. Higgins, Esq. Attorney, Supreme Court.

J. H. Aratoon, Esq. zemindar, Dacca.

Proposed by Baboo Ramcomul Sen, and seconded by Rajah Kallykissen Bahadour.

Baboo Bis-umblur Rey, zemindar of Domoordoha

Read a letter from Rajah Gungadhut Roy to Rajah

Radhacant Deb Bahadour, requesting that his name may be in the Society; this was seconded by G. A. Prinsep, Esq.

Baboo Chunderkaunt Chowdry, of Severna, was also, proposed by Rajah Radhacant Deb Bahadour, and seconded by G. A. Prinsep, Esq. The following gentlemen proposed at the last meeting were unanimously elected:

Thomas Tweelie, junior, Hazapore Factory, Jessore; C. A. Cauter, Esq., of Messrs. Cantor and Co.; W. R. Logan, Esq. of Mymensing; Chuekoaram Sing, a zemindar of Hooghly district; Joykissen Mookerjee a zemindar of Hooghly district; the Rajah of Pipoorah; Dewan Mahomed Ally; Baboo Sibjoy Tagore; Baboo Gourkisson Roy Chowdry, zemindar of Atkadpore Machakhall; Moonshy Delabally; Baboo Callycomul Roy, zemindar of Doorgapoor; Baboo Callyprosaud Roy, ditto of Purnea, Noabad.

Proposed by Baboo Ramcomul Sen, and seconded by Rajah Kallykissen Bahadour, that in order to revise the distribution of the sub-committee of district correspondence, which has been found somewhat inconvenient, that a list be circulated with a blank column for names, that the committee may select those which suit them best.

The secretary produced the translation of the proceedings; proposed that 1,000 number of copies be printed in the Bengalee character, 1,000 in Oorjoo and Persian characters.

A petition on the resumption regulations was placed before the committee.

Resolved, that it be considered at the next meeting.

W. COUS HURRY,
P. C. TAGORE,
Hon'y. Secretaries.

Hurkaru, April 20.]

ACADEMIC INSTITUTION.

A general meeting of the subscribers and parents of the students of the above institution was held at the Town-hall, on Saturday last, in the afternoon, for the inspection of accounts and suggestion of some such plans as might make the institution permanent.

Sir J. P. Grant, was in the chair.

The operations of the meeting commenced later than the hour specified in the advertisement, owing to its having escaped from the mind of Sir J. P. Grant, who kindly promised to take the chair.

Baboo Nobinnadib Dey, the secretary, addressed the meeting, delivering a short sketch of the institution itself, from its very commencement to the present date, and making remarks upon those that have not yet paid their subscriptions. Baboo Gobin Chunder Mujoondar did the same, and thanked the subscribers for their patronizing the institution.

The secretary, after having read and submitted the account to the meeting, through the request of the chair, intimated that the sum collected from the establishment of the school to the 31st of March, 1838, up to which the accounts to Company's rupees 1,262-10 annas, and that the expenditure of the institution having been 1,226-1, there remains only a small balance of 36-9 in favor of the institution.

The following are the resolutions made:

1st.—Proposed by the secretary and seconded by Baboo Muddooeudon Chuckerbutty, that some measures should be adopted to put the institution upon a permanent basis. Carried.

2d.—Proposed by Baboo Ramchunder Mitter and seconded by Sir J. P. Grant, that the parents of the

boys should pay a small stipend for the education of their children. Carried.

3d.—Proposed by Sir J. P. Grant and seconded by Raja Rajnarain Roy Bahadour, that a stipend of 8 annas only should be paid by each parent for the education of his child. Carried.

4th.—Proposed by Sir J. P. Grant and seconded by Raja Rajnarain, that a subscription book shall be circulated amongst both the European and native community. Carried.

5th.—Proposed by Sir J. P. Grant and seconded by Baboo Jaudobchunder Dhurra, that in order to shorten the expenditure of the institution, a reduction of the salaries to masters shall be made. Carried.

6th.—Proposed by Raja Rajnarain and seconded by Baboo Jaudobchunder Dhurra, that for the annual examination of the school a day in December shall be fixed. Carried.

7th.—Proposed by Sir J. P. Grant and seconded by Baboo Ramchunder Mitter, that letters shall be circulated amongst the parents of the students for payment of the small stipend above alluded to. Carried.

8th.—Proposed by Baboo Gobinchunder Mujoondar and seconded by Baboo Ramchunder Mitter, that a vote of thanks shall be given to Sir J. P. Grant for his very able conduct in the chair. Carried.

9th.—Proposed by the secretary and seconded by Baboo Gobinchunder Mujoondar, that a vote of thanks shall be given to the subscribers for their kindly supporting the institution. Carried.

After this the meeting dissolved. [Hurk. April 23.]

MEETING OF PROPRIETORS OF THE BANK OF BENGAL

28th APRIL 1838.

BANK OF BENG. APR. 3, 1838.

Notice is hereby given, that, agreeably to the sub-joined requisition from the Proprietors of the Bank, whose names are thereto subscribed, a General Meeting of the proprietors will be held at the Bank, this day, Tuesday, the 24th instant, at noon precisely.

The Directors will take the opportunity of submitting to the proprietors their proceedings in regard to the appointment of a deputy Secretary to the Bank.

By order of the directors,

G. UDNY,
Secy. to the Bank.

To G. UDNY, Esq.
Secretary to the Bank of Bengal.

Sir,—We the undersigned proprietors of the Bank of Bengal, request that you will convene a meeting of proprietors to be held at the Bank of Bengal, on the earliest day the rules of the Bank will admit, to consider the propriety of petitioning the Governor-General of India in Council, to authorize an increase of the capital stock of the said Bank.

(Sd.) Dwarkanauth Tagore.

- .. Wm. Prinsep.
- .. George Wood.
- .. W. Ainslie.
- .. James Wood.
- .. R. Wood.
- .. W. Wood.
- .. Alexander Colvin.
- .. E. Macnaghten.
- .. Henry Holroyd.
- .. Ross D. Mangles.
- .. Edward Sanders.
- .. Henry Cowie.
- .. T. M. Taylor.
- .. Wm. Martin.
- .. Thos. Leach.
- .. Frossoncoomar Tagore.
- .. Russomoy Dutt.
- .. John Carr.
- .. W. F. Fergusson.

At a Meeting of Proprietors of the Bank of Bengal, held this day, pursuant to the advertisement in the Government Gazette of the 7th instant, of which copy is in the margin,

Mr. H. T. Prinsep was called to the Chair.

Read the requisition for this meeting.

Moved by Mr. E. Macnaghten, seconded by Mr. A. Colvin, and resolved,

That it is expedient to increase the capital stock of the Bank of Bengal.

Moved by Mr. G. Collier, seconded by Mr. Allan and resolved,

That it is expedient that the increase should be of such amount as to allow upon each share a proportion of new stock that may be expressed in even thousand, viz. upon the share of Rs 4,000 an increase of one-fourth or one-half or three-fourths.

Moved by Mr. J. W. Cragg, seconded by Mr. A. Colvin and resolved,

That in the opinion of the meeting it is desirable (whether or not the Government relinquish its share of the new stock) that the capital should be increased one-half, so that in case the Government should determine to take its share of new stock, that the capital be increased by the sum of Rs 3,750,000 and in the event of Government declining (as on the late augmentation) to take its share the capital be increased by the sum of Rs 3,200,000.

An amendment moved by Mr. C. R. Prinsep, seconded by Mr. McFarlane and resolved,

That, in order to prevent the capital exceeding one crore of rupees, the increase be one-quarter of each existing share and not one-half.

Moved by Mr. Cragg, seconded by Mr. Bagshaw and resolved,

That the holders of fractions of the present share of Rs 4,000 be received in their share of the proposed increase by an auction sale for their benefit.

Moved by Mr. Mangles, seconded by Mr. Cragg, and resolved, that the proprietors whether absent or present shall, as in the last increase have eighteen months from the date of the sanction of such increase of stock by the Governor-General-in-Council, to pay the value of the shares they may respectively become entitled to; but in as much as it is expedient that the Bank should have immediate use and benefit of such portion of such increased capital as can be supplied without detriment to the interests of absent proprietors resolved, that all proprietors shall have the option of paying into the Bank the amount of the value of the new stock they may respectively become entitled to, immediately such sanction of Government has been obtained, and that they shall be entitled to receive their half yearly dividend on such new stock, to be calculated from the 1st day of July, or the 1st day of January (as the case may be) next after they may have made such payment.

Moved by Mr. Mangles, seconded by Mr. Leach, and resolved, that our directors be requested to take into consideration the possibility of making arrangements for the payment of dividends to proprietors in England and to report the result of their deliberating to the next general meeting.

The chairman then stated, that, with reference to the proposition agreed to at the last meeting of proprietors, for increasing the sum at disposal for establishment, the majority of directors had come to a resolution to apply to Government to obtain a deputy secretary to be appointed from amongst its servants, but had received a reply from the President in Council, refusing to appoint a civil servant to the office. To this resolution four directors were dissentient, and three minutes are recorded. The chairman added that no further steps had yet been taken by the directors to appropriate the surplus funds voted.

After a few observations from Mr. Cragg, in favour of appointing a deputy from persons unconnected with the Government, it was resolved *nem. con.*, that the directors should take such measures as they might deem necessary and proper to provide for the increasing business of the Bank, and report the same to the next meeting. Thanks were then voted to the chairman and the meeting broke up.

(Signed) H. T. Prinsep, Chairman.
Burraku, April 25.]

BANK OF BENGAL.

There was a meeting of proprietors of the Bank of Bengal yesterday, to consider the propriety of petitioning the Governor General to authorize the increase of the capital stock. H. T. Prinsep, Esq. in the chair; the following gentlemen present:—Messrs. Bracken, Leach, W. F. Fergusson, A. Colvin, McKillgen, Mangles, E. Macnaghten, Collier, Martin, Newcomen, Fitzgerald, W. Storm, McFarlane, Hurry, W. Prinsep, Rabbeth, P. Tagore, Cragg, Lyall, C. Prinsep, H. M. Paiker, Allan, Colquhoun, Bagshaw, Waddington, &c.

After a few words from Mr. Bagshaw, regarding the absence of a statement showing the necessity for a proposed increase of capital, Mr. E. Macnaghten moved the first resolution in substance, as follows :

“ Resolved, that it is expedient to increase the capital of the Bank of Bengal.”

Mr. A. Colvin seconded the resolution. Mr. Cragg opposed it. He did not see that such increase was necessary, and, with reference to anticipated profits, the result of increased discount transactions, he thought it very probable that the rate may be in four months reduced from ten to six per cent. Mr. Mangles said, the argument of Mr. Cragg was precisely the same as that made use of by the shareholders when the last increase of the capital was proposed, and which, it was now entirely unnecessary to remind the shareholders, had been proved erroneous. His opinion was that the maximum amount of capital now required for the purposes of the Bank, would, in a few years, be the minimum amount required, and that too without much diminution in the rate of discount. But should he be wrong in his opinion, he for one, and there were others for whom he could answer, would prefer having a small interest to a large capital than a large interest for a small capital invested in the Bank of Bengal. He took occasion to say, that the proposed increase was not brought forward at the present moment in consequence of demonstrations in other quarters, the proposal had been long contemplated by Mr. E. Macnaghten, and by himself. Mr. Cragg thought it might be as well before the business was further entered into, to inquire if any arrangements had been made with reference to the establishment of branch banks. The chairman replied, there had not, in consequence of there being employment for the Bank's capital in Calcutta. Mr. C. Prinsep thought it would be a kind of suicide to admit the public to participate in the profits of the Bank by increasing the capital. As to the argument that the course proposed would stay the establishment of other banks; he said, so long as the Bank of Bengal had exclusive privileges in the circulation of their notes, the more numerous other banks the better for the proprietors; other banks could only operate as feeders, taking off their notes, which were the main sources of profit. Mr. Mangles reminded the meeting that they had committed suicide two years ago by increasing their capital, and he had not any doubt but that the contemplated measure would produce similar advantages. Mr. Leach thought the note circulation had reached its maximum, and if they were taken off by the feeders it would be to return them to the Bank. Mr. H. T. Prinsep, as a Government director treated the proposed increase as a matter of indifference, and so he thought the Government would look at it; but as a private shareholder he much doubted the expediency of the measure. The contemplated increase of profit must arise out of an increased discount business; the proposed additional capital would not add to the note

circulation, or to the number of deposits. Now, parties who were content to employ their capitals in discounts might do so in their own offices. Mr. Mangles said he could not turn his office into a discount shop, and he much doubted if the chairman would be so efficient as public servant were he to convert his office into a rendezvous for brokers. Mr. H. T. Prinsep wished to be understood as not opposing the proposal now before the meeting, but he thought the consequence would be that, in a few months, the greater part of the increased capital would be invested in Company's paper. Nevertheless, the motion, if carried, would not be entirely useless; there was a *prestige* in a crore of rupees, both here and at home, which would keep mad projects out of the market. Mr. Bracken thought the words “mad projects” required explanation. Mr. H. T. Prinsep assured Mr. Bracken that they did not apply to the Bank of India; and Mr. Mangles added, that they could be so applied in the Pickwickian sense only. Mr. Bracken declared that his only reason for opposing the resolution was that it affected the interests of absent proprietors.

After some further discussion, the resolution was put from the chair, when there appeared for the motion 177, against it.

Mr. Collier proposed the second resolution as follows :

“ That it is expedient the increase should be of such amount as to allow upon each share a proportion of new stock that may be expressed in even thousands, viz. upon shares of Rs. 4,000 an increase of one-fourth,—or one-half,—or three-fourths.”

Mr. J. Allan seconded the resolution, which was carried, no one opposing.

Mr. Cragg moved the third resolution, which was seconded by Mr. Colvin, and carried,

“ That in the opinion of this meeting it is desirable (whether or not Government relinquish its share of the new stock) that the capital should be increased one-half, so that in case the Government should determine to take its share, the capital be increased by the sum of Rs. 375,000; and in the event of Government declining to take its share, the capital be increased by the sum of Rs. 3,200,000.”

After a few words from Mr. W. F. Fergusson, who expressed himself unfavourable to the proposed increase, Mr. C. Prinsep proposed an amendment, in substance to limit the amount to one quarter the sum proposed. The amendment was lost by a majority of 22 to 12.

Mr. Mangles moved the following resolution, which was seconded and carried,

“ That the proprietors, whether absent or present, shall have eighteen months from the date of the sanction of such increase of stock by the Governor General in Council, to pay the value of the shares they may respectively become entitled to, but inasmuch as it is expedient that the Bank should have the immediate use and benefit of such portion of such increased capital as can be supplied without detriment to the interests of absent proprietors. Resolved, that all proprietors shall

have the option of paying into the Bank the amount of the value of the raw stock they may respectively become entitled to, immediately such sanction of Government has been obtained, to receive their half yearly dividends in such new stock to be calculated from the first day of July, or first day of January (as the case may be) next, after they may have made such payment.

This closed the principal part of the business for the considerations of which the meeting was convened, but

there was another motion by Mr. Mangles, carried by a majority of 18 to 9, in substance, enjoining the directors to inquire and report as to the possibility of paying dividends to shareholders in England.

The appointment of a deputy secretary next came under consideration, but the matter was left in the hands of the directors, the meeting expressing a strong feeling in favour of Mr. Henderson.—*Hurkaru, April, 26.*

LANDHOLDERS' SOCIETY.

Proceeding of a meeting of the Committee held at the Society's office, No. 3, Clive-street Ghaut, on Monday, the 23d instant.

Present.—G. Prinsep, Esq.; Cowar Suttochurn Ghoshal; Baboo Prosonocoomar Tagore; Baboo Ramcomul Sen; W. C. Hurry Esq.; Baboo Pronnauth Chowdry, and Baboo Cosynauth Bose.

Visitors.—Baboo Pooran Sing, of Sahabad; Baboo Parbutechurn Chowdry; Mowlubhey Malwallaw Bux, and Hursey Ally.

Read a proposed petition against the resumption regulation.

The following resolution was proposed by Baboo Ramcomul Sen, and seconded by Cowar Suttochurn Ghosal.

That this committee concurring in the general view taken of the hardships and grievances of the lakhirajdars as set forth in the draft petition now laid before them, agree to forward the petition, when duly signed, to Government, and to support the main object of it with a separate representation on the part of the Society.

Proposed by Baboo Ramcomul Sen, and seconded by G.A. Prinsep, Esq.

Mr. George Preston as a member of the society.

The following gentlemen proposed as members at the last meeting, were unanimously elected :

Baboo Bisumbar Roy, zeminder of Domoordaha; Rajah Gungadhar Roy, and Baboo Chunderkanta Chowdry, of Saverna.

Proposed by Baboo Prosonocoomar Tagore, and seconded by G.A. Prinsep, Esq., that an application should be made to Mr. F.J. Halliday, the officiating secretary to Government, revenue department, asking a copy of the draft resumption law now printed, with the appendices.

Read the following letters, addressed by the society to Government :

H.T. PRINSEP, Esq.

Secy. to Govt. in the Genl. Dept.

Sir,—We beg leave to bring through your medium to the notice of the Honourable the Deputy Governor of Bengal and Vice President of the Council of India, the formation of a Society of the landholders of Bengal, the object of which is to promote co-operation and mutual assistance in all matters relative to the landed interests of the community.

Having observed the utility of the Calcutta Chamber of Commerce to the commercial interests of the country, they think that similar good may result from their own efforts, if they can be permitted to address the Government, through the medium of their secretary, in the same

manner as is done by the Chamber of Commerce, and they also indulge the hope that the Government will condescend to communicate with them through the same channel

The Society will, at all times, be ready to offer their services to Government in communicating any information respecting the working of judicial, revenue, or police establishments in the interior, the condition of the labouring classes and the state of agriculture, which it may be enabled to furnish.

The enclosed prospectus will fully explain the objects of the Society, to which we beg to refer you.

We are, Sir, your most obedt. servants,

(Signed) W.C. HURRY,

PROSONOCOOMAR TAGORE,

Hony. Secretaries.

Calcutta, April 7, 1838.

The following answer was received from Government :
No. 501.

To WM. COBB HURRY, Esq and

BABOO PROSONOCOOMAR TAGORE.

Gentlemen,—I am directed to acknowledge the receipt of your letter, dated the 7th instant, enclosing the prospectus of a Society to be called the Landholders' Society, and requesting permission to address the Government through the medium of the Society's secretary in the same manner as is done by the Chamber of Commerce.

In reply, I am directed to state, that the Hon'ble the Deputy Governor of Bengal, will always be disposed to receive and consider the representations of any class of the inhabitants affecting their own interests or the good of the community. The communications of the Landholders' Society upon matters connected with the land revenue and judicial departments of Government, must be addressed in due course through the secretary of these departments.

I am, Gentlemen, your obedt. servant,

(Signed) H.T. PRINSEP,

Secy. to the Govt. of Bengal.

General Department,

Fort William, 11th April, 1838.

Resolved, that the proceedings of this day's meeting, as well as the above correspondence with the Government, be published.

Ordered that the translations of the proceedings of the general meeting held at the Town-hall be sent to the Bishop's College to be printed.

WM. COBB HURRY,
P. TAGORE,

Hony. Secretaries.

Hurk. April 27.]

SUPREME COURT.

MONDAY, APRIL 2, 1838.

(Before Sir Edward Ryan and Sir J. P. Grant.)

Sittings after 2d term—Plea Side.

Sreemutty Russickhunder Neoghy v. Sreemutty Hurrymony Dossee.

The Advocate General (with whom was Mr. Prinsep) supported a rule which he had obtained on a former day, for the postponement of the trial of this issue until next term, on the ground of the alleged concealment of a material witness in the house of the defendant.

Mr. Clarke (with whom was Mr. Leith) shewed cause, on affidavits denying the alleged concealment of the witness, but he said that he should not oppose the postponement of the trial, or payment of costs by the other side.

Rule absolute on payment of costs.

Sreemutty Dossee v. Rajnarain Day.

Mr. Cochrane opened the pleadings. This was an action of trover, to recover certain gold mohurs and rupees in specie, and some silver bullion, amounting in value altogether to about Rs 10,000. The plea was the general issue.

Mr. Advocate General. The plaintiff is the widow and executrix of one Ramhury Ghose, who, in his life time, adopted a son, called Haneywadub Ghose. Disputes had taken place at different times concerning the property left by the testator, the adopted son wishing to obtain it in the life-time of the widow, though he was not entitled until her death, when he would inherit as next heir. On one occasion, the son, in conjunction with the present defendant and other parties, broke open the house of the plaintiff, and assaulted her, for which she preferred an indictment, and the parties were convicted. The property in question was carried by the son, and deposited with the present defendant, in whose custody it still remains.

Witnesses were called to prove the above facts. The gold mohurs were in a red purse, and the rupees in an iron chest, which appeared to have been broken open. The adopted son had absconded.

Mr. Clarke, for the defence called no witnesses, but objected, that either there was no conversion proved on the part of the present defendant, or else that the plaintiff's own witnesses had shewn that the civil claim was merged in a felony. As to the latter point, he said that the chest was proved to have been forcibly carried away and broken open, and an action of trover was tried last term, in which the plaintiff was consulted on similar evidence. But he relied chiefly on the first objection, viz. the want of proof of conversion, and he admitted that these two grounds of defence were not quite consistent with each other. The plaintiff ought to have proved a demand and refusal to support this action, for the property had been carried away by another party, and deposited with this defendant. He contended that as far as the proof affected the present defendant, there was nothing to shew either a wrongful taking, or an illegal detention.

The Court, however, were of opinion, that neither objection would hold. In estimating damages, a difficulty arose about the value of the bullion, proof being given of nine lumps of silver being among the property, weighing 320 sicca, but there was no evidence of its value. The court computed this at so many rupees, but

they said that the defendant would be relieved by giving up the property.

Verdict for the plaintiff.

Sreemutty Sibboosondery Dossee v. Sreemutty Comulmoney Dossee.

This is a feigned issue out of Chancery to try the question, whether a certain clause of bequest appearing in a certain will or testamentary document, was contained in the original instrument. Several witnesses are to be examined on both sides, and the cause is likely to occupy a considerable time in the trial.

On the application of Mr. Clarke, the cause was postponed until to-morrow, as a commission for the examination of one of the witnesses, a Hindoo female, is not yet returned.

Mr. Clarke, Mr. Grant and Mr. Nott, for the plaintiff, The Advocate General, Mr. Leith, and Mr. Morton, for the defendant.—Hurd., April 3.

TUESDAY, APRIL 3, 1838.

(Before Sir E. Ryan and Sir John P. Grant.)

Sittings after 2d term. Plea Side.

Doe on the demise of Juan Bebee v. Abdoolah, Barber.

The Court delivered judgment in this ejectment, in which a rule had been obtained and argued to enter at last term, verdict for the plaintiff for the whole or pro tanto. Certain questions of Mahomedan law had been referred to the moulavie for his opinion.

Sir E. Ryan. It is not necessary to state the facts of this case, because the issue is narrowed to the simple question of the construction of the instrument under which the defendant claims.

The first point relates to the nature of the instrument. The Court entertains no doubt that the opinion of the moulavie is the commonsense view, and according to that opinion the instrument is a waqf, or endowment for religious or charitable uses. The moulavie adds that it would have been a will, if it had been made in the time of mortal sickness, or if by its terms the instrument was not to take effect until after the death of the party executing it. On the second point, which raises the question whether a female can be a mutawallee or trustee, the Court is equally clear. By Mahomedan law, a female may be mutawallee, and the duties may be performed by proxy.

The remaining two questions present greater difficulties and opposite opinions have been pronounced by high authorities. These questions are whether actual delivery of the property is essential to the validity of a waqf, or deed of endowment, as in the case of ordinary gifts, and whether it is affected by a qualified reservation by the donor, in his own favour, during his lifetime. [His Lordship here referred to the *Hidaya*, and several treatises of high authority in Mahomedan law, in which the opinions on the subject clash with each other.] Upon a full consideration of all the authorities, the opinion of the Court coincides with that given by the moulavie, which is more conformable to the modern decisions. We hold that delivery is not essential to render the waqf valid in law, and that it is not affected by the qualified reservation of the donor. The appropriation, therefore, is good, and there is no ground for disturbing the original verdict which was found for the defendant.

The Advocate General and Mr. Grant for the lessor of the plaintiff.

Mr. Clarke and Mr. Leith for the defendant.

Rule discharged.

Sremutty Sibboondery Dossee v. Sreemutty Comul-money Dossee.

This issue to try the question whether the will of a wealthy Hindoo, Kistnoochunder Seat, did or did not contain clause of bequest, came on for trial. The pleadings having been opened, and the case for the plaintiff who had to support the affirmative of the issue, having been stated, the evidence of this chief witness taken, under a commission, was tendered by the plaintiff's counsel.

The Court inquired, how it had happened that the evidence of the most material witness was taken on paper, instead of being given *viâ voce* in open Court. The very object of the issue was to satisfy the mind of the Court on a point on which the depositions taken in the equity suit were not sufficient to enable them to arrive at a definite conclusion. If the evidence was to be offered in this shape, how was the trial of the issue a whit more satisfactory and conclusive, than the hearing of the original suit on the Equity side?

Mr. Clarke, the leading counsel, for the plaintiff, replied, that it was certainly unfortunate, and all parties regretted the necessity; but the witness in question was dangerously ill, and, at the time of moving for the commission, Dr. Raleigh was in Court ready to swear to his affidavit concerning the witness's precarious state of health, but by consent of the other side, the swearing of the affidavit had been dispensed with. It was fully admitted that this witness was the most material of all of the plaintiff's witnesses, being the party who had drawn up the will, and read it over to the testator.

Sir John P. Grant. You say the other side consented; what right had they to enter into any such compromise?

The Advocate General (counsel for the defendant), submitted that they had a full and unquestionable right and were perfectly justified. There had been no consent, or compromise, further than the circumstance that no opposition was offered to the motion, and surely such an arrangement was liable to no objection! The order was made under the sanction of the Court, and this commission was issued under their express authority, and the Court could not find fault with their own order.

Sir E. Ryan observed, that the attention of the Court was not called to the circumstance that this party was the most material witness.

The Advocate General admitted this, and said that he was not himself aware of the circumstance at the time.

Sir E. Ryan then suggested that the cause should stand over until Thursday morning, and that, in the meantime, an affidavit by a medical gentleman should be procured of the present state of health of this witness. Should the decision ultimately turn upon a nice weighing of testimony and probabilities, it might be impossible for the Court to give any verdict without seeing the witness, and examining him *viâ voce*, and in that event, the parties would be put to the great expense of another issue. The evidence taken under the commission might be considered as taken *de bene esse*, if it should hereafter be found necessary to use it, from the utter inability of the witness to attend within a reasonable time, if ever. Should it on appear on Thursday that there was a probability of the witness being able to attend in a week or ten days, the cause might be further postponed, otherwise the issue might be taken on that day.

After some discussion the suggestion was agreed to by the counsel on both sides.

Stands over until Thursday next.

The case of *Doe on the demise of Kishnoochunder Biswas v. Anundmoy Biswas* stands for to-morrow, Wednesday (this-day).—*Hurk.* April 4.

WEDNESDAY, APRIL 4, 1836.

(Before Sir E. Ryan and Sir J. P. Grant.)

Sittings after 2d Term.

The Queen v. Parbutty, Junghee, and Takoor Dass.

These three prisoners, convicted of murder, in the Supreme Court sessions of August 1836, were this morning placed at the bar, and Her Majesty's free pardon under the great seal, was read to them aloud by the clerk of the Crown, and interpreted into the Bengallee language by the sworn interpreter of the Court.

This pardon was granted upon the merciful recommendation of the prisoners, by the Judges of the Supreme Court. The signature of Queen Victoria appeared upon the document, written in a fine bold hand, and it was countersigned by Lord John Russell, the Secretary of State.

The prisoners were then discharged.

(In the matter of Kistnoochunder Mookerjee)

This party is the material witness, whose evidence, taken under a commission, was offered yesterday at the trial of the issue in *Sreemutty Sibboondery Dossee v. Sreemutty Comulmoney Dossee*. It may be recollected that their Lordships objected to the evidence of so important a witness being taken on paper, and postponed the trial in order to obtain a medical certificate concerning the present state of health of the party.

Dr. Raleigh, of the medical service, was sworn and examined. He regularly attended him for some time past, by the direction of Rajkissen Mookerjee, (who is the agent and manager of the plaintiff in the issue, and the alleged finder of the will set up by her). Kistnoochunder is in a state of great debility. His present complaint is fever and inflammation. He is altogether in a precarious and dangerous state, and could not attend the Court for the purpose of *viâ voce* examination without risk. Perhaps there would be no actual risk of life. His age may be about 46. There is no great probability of his being speedily in a condition to give his testimony in court.

The Court, under these circumstances, were of opinion, that it would serve no purpose to postpone further the trial of the issue, as the personal attendance of this witness appeared to be so problematical. The issue therefore will come on to-morrow Thursday, (this-day) and it is expected to occupy two days at least.

Doe on the demise of Kishnoochunder Biswas and others v. Anundmoy Biswas.

Mr. Leith opened the pleadings.

The Advocate General stated the case. This was an action of ejectment to recover a piece of ground, about four cottahs and three chittacks, and certain godown, situated in Sootanooty in the town of Calcutta.

Several witnesses were examined, and the trial occupied a considerable time.

Sir E. Ryan interrupted the proceedings, and inquired of the defendant's counsel whether he had any more witnesses, because it seemed to the Court to be a mere waste of time to proceed. It appeared that the very party under whom the defendant claimed, was a witness to two instruments, long previously executed, shewing the extent of the premises conveyed to the Biswas's; and, among natives, the being witness implied something more than among Europeans.

Mr. Prinsp, (with whom was Mr. Clarke for the defence) said, that he would not protract the case, after this intimation had fallen from the court.

Verdict for the Lessors of the Plaintiff, for the Land, on all the Counts. [*Hurk.*, April 6.]

THURSDAY, APRIL 5, 1838.

(Before Sir Edward Ryan and Sir J. P. Grant.)

Sittings after 2d Term, Plea Side.

Doe D. Biswas v. Biswas.

The Advocate General moved in this ejectment case, tried yesterday, in which the lessors of the plaintiff obtained a verdict, that judgment might be entered up, and execution issued immediately.

Sir E. Ryan said that this was not a case of the kind, in which, according to the practice which prevailed in England, the Courts granted immediate execution.

Refused.

Pratt v. Colville.

Mr. Leith moved, upon affidavits, under rules 5th and 22d of the new equity rules, for an attachment against the said William Colvin the defendant, for want of appearance. The affidavits stated, that this party had sailed for England in the ship *Coromandel*, that he had not resided in Great Britain or Ireland for a period of two years, and that the cause of action was less than Rs 30,000. By the 13th section of the charter of 1774, the Supreme Court shall have no jurisdiction to try or determine any suit or action "against any person then resident in Great Britain or Ireland, unless such suit or action against such person so then resident in Great Britain or Ireland, shall be commenced within two years after the cause of action arose, and the sum to be recovered be not of greater value than thirty thousand rupees."

Sir Edward Ryan observed, that a complainant in equity would be entitled to an attachment for non-appearance, upon a motion, of course, without any special application.

Mr. Lieth said, that he had deemed it advisable under the circumstances to call the attention of the Court specially to the facts.

The Court said, that the case fell within the 5th rule, and that the 22d had no application, nor was it affected by any new regulation introduced by those rules, but the same practice existed before they were passed.

Attachment granted.

(*Sreemuttu Sibboosondery Dossee v. Sreemuttu Comulmoney Dossee.*)

Mr. Grant opened the pleadings. This is a feigned issue out of Chancery, to try the question whether a certain clause of bequest, in favour of the defendant, was contained in the will of one Kistnoohunder Seat. The affirmative of the issue is on the plaintiff.

Mr. Clarke stated the case for the plaintiff. Antoochunder Seat died in the year 1813, leaving a widow, one son and a daughter. That son, Kistnoohunder Seat, is the testator, whose will gives rise to the present proceedings. Kistnoohunder died in August, 1827, leaving a son, Hurrakissen, and a widow, Comulmoney, the defendant in this issue. On the evening before his death, Kistnoohunder made his will, by which he gave away several legacies, chiefly of inconsiderable amount, and allowed the bulk of his property to go to his son Hurrakissen, the heir-at-law. In September 1831, Hurrakissen died intestate, leaving a widow, Sibboosondery, the plaintiff in this issue: and immediately after his death, disputes began to arise in the family, and a bill was filed against the widow by the present defendant, in conjunction with the legatees and other parties interested under Kistnoohunder's will.

The dispute, however, which is the subject-matter of the present issue, is entirely between the widow of Kistnoohunder (the defendant) and her daughter-in-law, the widow of Hurrakissen (the plaintiff.) According to the will set up by the plaintiff there is a specific bequest of sicca rupees 60 per month to the defendant, for maintenance in the event of her quitting the family house. It may at first seem strange that the defendant should disclaim a legacy made in her own favour, and thus endeavour to impeach the will which bequeaths it; but the explanation is very simple. The amount of property altogether is ten or twelve lacs, and the defendant, claiming as the widow of Kistnoohunder, would be entitled to a much larger proportion than the monthly sum assigned for maintenance, whereas, if this specific bequest can be proved to be contained in the will, it will implicitly merge her general claim to her share as widow of the testator. The defendant accordingly sets up a different version of the will, and pretends that it originally contained no specific bequest to herself, but that the clause in question is a forgery, and an interpolation. Several persons were present at the making of the will, but there is a dispute as to their number and identity, and very different accounts are given on either side, of what took place on the occasion. The Court will see, therefore, that the decision will turn almost entirely upon the credibility of the witnesses on each side, the balance of testimony and the degree in which each story is supported by the probabilities of the case. One circumstance affords strong ground for presuming that the clause in question must be genuine, and could not have been interpolated. There is a subsequent clause giving a legacy to another party, and this legacy has been paid, nor is it pretended that the latter clauses did not originally exist:—if, therefore, the disputed clause is of posterior fabrication, there must have been a hiatus in the original will, wholly unaccounted for.

The learned counsel here put in the deposition of the plaintiff's chief witness, *Kistnoohunder Mookerjee*, who was examined by counsel under a commission before C. R. Prinsep, Esq., granted upon motion, on affidavits that the witness himself was in a precarious state of health, and unable to appear personally, before the Court. According to his own evidence, deponent wrote out the will at the dictation of the testator, and then read it aloud. Four other persons were in the room. The testator approved of it, and caused some additions to be made in the progress of reading; but the clause of bequest, which is the subject-matter of this issue, formed part of the body of the will. This was in the evening after gun-fire, and the writing was finished about midnight. The testator was carried on the following evening to the banks of the Ganges, and died in an hour afterwards. Deponent saw the will again, about six weeks after the death of his son, Hurrakissen, when it was found in a box, and read aloud—several persons were present.

These witnesses for the plaintiff were then put into the box, and successively examined and cross-examined at great length. The two first, Ramchunder Bhowe, and Radagovind Roy, had been in the service of the testator, and were now employed by Sibboosondery the plaintiff. The defendant's counsel cross-examined them with reference to a conversation with one Ram-mohun Bysack, in which it was endeavoured to fix them with having told a totally different version of the story. The third witness, Ramrutton Mookerjee, was a mooktyar, not in the service of the testator or plaintiff. All three swore to being present on the occasion of the writing of the will and two of them were present when it was subsequently discovered. They supported the plaintiff's version of the will.

The examination of these witnesses, alone occupied the Court to a late hour, when the further hearing was

postponed until to-morrow, Friday, (this-day). The plaintiff's case is not yet closed.—*Hurk. April 6.*

FRIDAY, APRIL 6.

Sreemutty Sibboosondery Dosse v. Sreemutty Comul-monee Dossee.

The Court was occupied the whole day in the further hearing of this issue. The plaintiff's case was closed, and the *Advocate General* addressed the Court for the defence, but the defendant's case had not been far proceeded with, when the Court adjourned the further hearing until to-morrow, Saturday (this-day).

The report will be given, in continuation of yesterday's, when the trial is terminated.—*Hurkaru, April 7.*

MONDAY APRIL, 9.

Seboosondery Dossee v. Comulmonee Dossee.

This was an issue out of equity to try whether a clause allowing a maintenance of 60 rupees per month, under certain prescribed circumstances to the defendant, formed part of the original will of her deceased husband. The plaintiff was directed by the Court to support the affirmative; the defendant alleging that the clause of maintenance to herself was an interpolation, introduced into a fresh copy of the will drawn up subsequently to the testator's death.

The trial has occupied the Court for several days. The evidence for the defence having been concluded this morning, *Mr. Clarke*, on behalf of the plaintiff, made an eloquent speech of three hours length in reply.

The Chief Justice.—This case has occupied four whole days, and the witnesses have been examined at great length. During the whole period of my having sat on this bench I hardly know any case, in which more fraud and more perjury have been exhibited on both sides. The onus of proving the particular clause of the will set forth in the issue rests with the plaintiff. The evidence proves the greatest affection between the mother and the son. It is improbable that the testator under such circumstances would have made such a provision for her. The Court can only disinherit on clear and satisfactory evidence. The case being tainted with perjury on both sides, we cannot find for the plaintiff; we, therefore, find a verdict for the defendant.

Counsel for the plaintiff, Messrs. Clarke, Nott and Grant.

Counsel for the defendant, Messrs. Pearson, Leith, and Morison.

The plaintiff is said to have given immediate notice of a motion for a new trial.—*Englishman, April 10.*

In the matter of Soodasun Sein, a Lunatic.

In pursuance of a writ *de lunatico inquirendo*, Soodasun Sein was on Thursday, the 5th of April, brought up before the Commissioners, T. Dickens and C. A. Nott, Esqrs.

The commission sat at the Insolvent Court, and a jury of fourteen, including two native gentlemen, having been sworn,

Mr. Dickens, briefly opened the commission.

Mr. Cochrane, on behalf of the lunacy, stated that the supposed lunatic was possessed of considerable property, and that he laboured under peculiar delusions, one of the prevalent ideas of his mind being that persons are coming to pay him large sums of money.

Dr. Raleigh sworn.—The lunatic is in charge of *Mr. Beardsmore*, at whose request I occasionally visited him; my first visit was about three or four months ago. *Mr. Beardsmore* thought it would be desirable, in addi-

tion to *Dr. Mercer's* certificate, that I also should see him. When I first saw him he was free of fever, but he appeared sullen and reserved. I saw him merely for the purpose of satisfying *Mr. Beardsmore* that the man was not sent to his house unnecessarily. I was told that his madness was caused by a domestic affection, the inconsistency of his wife.

Dr. Mercer sworn.—First attended the lunatic at his home in Hautcollah, on the 21st July, 1837. He was low, sullen, and not disposed to answer questions. Had conversation with him. The first time I saw him Lokenauth Mullick went with me. I believe the conversation was in English; the lunatic speaks English. I thought him from the first very unsound in his mind. Saw him on the 2d of December last; he was improved, more conversable, more ready to answer questions, but certainly not capable of managing his own affairs. When I saw him last he probably might have been having lucid intervals. I visited him four times, ten minutes may have been the duration of each interview. The last time I saw him he appeared improved, and now his appearance is much improved. The three first visits were all in July, I believe Lokenauth Mullick is a connexion of the lunatic's. I prescribed medicine for him, but he never would take any. Though lucid and conversable at the time, I believed him to be insane on *Mr. Beardsmore's* statement to me.

Soodasun Sein is asked if he had any question to ask this witness.—He answers, I was taken to *Dr. Beardsmore's* by force, I was taken by force of four or five peons. The Dr. went to see me,—he came to make faces; and to make fun, and went away. What have I to say to the Doctor? You may ask him if you want to know.

Dr. Raleigh—again called by a juror.—I should say his mind had improved. He was at first sullen and reserved, and latterly conversable. There is something in his countenance indicating insanity. (Reads date of certificate). Now I should say he is improved in appearance.

Mr. Isaac Beardsmore.—*Soodasun Sein* came on the 2d of December; that was not the first time I saw him. I do not know how he came. He was brought by his connexion. I believe *Gore Tagore* and *Nilmoney* were two persons who brought him to my house. When I examined him at his house, I saw him about fifteen minutes. I believed him to be in a state of imbecility. The date of the first visit was about ten or a dozen days before the 2d December. I saw him in the evening. I conversed with him. I asked him to take medicine. He said he would not take any. I had no more conversation with him. I have seen him fifty or sixty times since he has been in the asylum. I think he could not conduct his own affairs. I believe he was aware why he was confined, but I never told him: there is some sort of delusion on his mind. He wishes to sell his house and get Rs-10,000; he says he could live well with it. I do not know who his attorneys are. He is never violent. He refuses to take medicine. I do not think that at any time during his continuance in the asylum he has been capable of taking care of his own affairs. His reply as to the application of the money was that he would eat and drink well, take steamer, and go to England. I am not aware whether *Gore Tagore* is in *Mr. Homfray's* service. *Doctors Raleigh* and *Mercer* saw him on different occasions. *Dr. Raleigh* saw him on the following day after *Dr. Mercer*. The attendants say he is satisfied with his confinement, and thinks himself better off than if he was out.

Soodasun Sein asked if he has any questions to put to *Mr. Beardsmore*, says ' *Mr. Beardsmore* is talking about my wanting to sell a house: that is true.'

Mr. Beardsmore's examination continued. He expressed his annoyance, that he has been placed under a

Doctor when he is well. He was taken charge of when he arrived, by Fyzoo, my native doctor. Having been informed that he had arrived, I asked him no further questions. I had an understanding with Gore Tagore and Nilmony, I had been informed, that Dr. Mercer was his ordinary family medical attendant. I made out the bill in the wife's name for Rs. 500, which I have been paid. I do not know her name.

Nilmony Addy examined. Soodasun Sein married my brother's daughter. In Pous 1243, he became ill, when living near Baria Bazaar. Illness first commenced with a palpitation of the heart, and afterwards insanity. In the course of a month I saw him ten or twelve times. It was when he returned from Benares that he became insane; he used to throw himself about, and one day he threw himself into the water; he would eat nothing and flog the servants. His wife sent for native doctors. He required force to take him to bathe. His wife sent for Dr. Mercer, who prescribed, but he would not take the medicine. Dr. Mercer recommended Mr. Beardsmore's, and Gore Tagore took him therein a palanquin on the 7th Augon. Two days afterwards he went home again; five or six days after he was again taken to the asylum. There was no quarrel in the family. He was married about thirteen years before he went to Benares; at the latter time his wife was five months with child. Soodasun Sein managed his father's affairs during his life; his property is considerable; there is a house in Cositollah, one in Mizapore, one at Moulungba, one at Bysack Street, all worth about Rs. 50,000. When we were returning from Benares he jumped into the water, the manjees picked him up, and I put a guard upon him. He was a man very sensible and capable of doing business when he conducted his father's affairs. His wife now pays his expenses at Beardsmore's. Gore Tagore is on friendly terms with Soodasun and with me also. Soodasun had a child, but it is dead. His wife sends me to see him every three or four days. When we took him to Beardsmore's we put him in a palanquin, shut it up, and placed two men to guard it on each side. The hurkaras forced him out of his house. I did not think it necessary to go to the police first. His wife ordered it. She did not take any pains to apprise his relations Joyramain and Marcon that it was necessary to send him to Beardsmore, nor did she direct me to do so. He remained in his palanquin two days after we took him to Beardsmore, without food; he always said 'take me back to my house.' I heard that Mr. Beardsmore took him out of his palanquin by force. His tenant will not pay their rents; only one tenant has paid since last Pous twelve month. The rent of the house in Chitpore Road has been collected by me.

Mr. Beardsmore re-examined.—The evidence as to his being in a palkee for two days without food is true; I did not say anything about this during my examination, because I was not asked. Drs. Mercer and Raleigh saw him in the palkee on the 2d of December. He was taken out of the palkee by force at my request. Some sweetmeats were brought to him; I sent them to Dr. Raleigh who analyzed them, and sent them to Drs. O'Shaughnessy and Gooleve for examination. Soodasun and one of my servants ate of the sweetmeats; my servant became sick, so did Soodasun. Arsenic was detected on a tazing of the sweetmeats. Soodasun feeling himself sick, gave some to Bachoo, the servant, I put over him, and to Bachoo's wife. They were sick in consequence. All my inquiry was, who brought the sweetmeats, and Bachoo gave me to understand he supposed them to have been sent by Soodasun's wife. It may be that I did not take any precautions to ascertain who were his servants, or to learn to recognize them by their countenances. I have not taken any precautions to ascertain what persons are about him,

[Much surprise was expressed by the jury that the facts now stated by the witness had not been given in

evidence during his previous examination. One Samchund Seal, standing near the jury, was pointed out as the person who had given a clue by which the information was elicited from the witness. Mr. Nott ordered him to remain in Court for the purpose of being examined.]

Shaik Bachoo.—I am a khitmutghar at Beardsmore's, and attended Soodasun for the last five months. His wife sent him some sweetmeats; the Baboo's servants brought them. Soodasun told me to eat some, I said 'I am a Mosulman. Have you eat any?' He said he had eaten one of the balls, and it had made him sick and confused. I went and took them to Mr. Beardsmore, who asked me if Soodasun had eaten them with rice, I said no. He said, he dare say it was on account of his having eaten them on an empty stomach. I took some of them home. My wife told me she had eaten some of the sweetmeats, and had a burning in the throat all night in consequence. I eat some, and we were both sick. When I was looking at the balls, I found they looked quite saffron. I managed to go to the asylum next morning with difficulty, I did not go to the Baboo, but saw Dinoo, his servant there. I had taken one of the balls with me. At the time that I spoke to him, I was in a confused state of mind. I asked Dinoo where he got the sweetmeats; he said of the confectioners, but when I threatened him, he said a maid servant to the Baboo's family called Luckey, bought them. She was servant of that witness Nilmony. When I made a noise Nilmony came running and said to me, 'what is the matter? You are mad.' I said, it is this sweetmeat. I went away with the sweetmeat to show it to Mr. Beardsmore. He was not at home, I showed them to Mrs. Beardsmore, and detailed the circumstances. One servant only, Dinoo was dismissed; there were five altogether; who as well as Nilmony remained at Beardsmore's. There was no enquiry made among the servants. Nilmony resided upstairs. This took place about five months ago. About ten or twelve days after Soodasun became ill from pitting and vomiting and took medicine. He was not attended by Dr. Raleigh at all from the time he was taken ill by taking sweetmeats to the time he was taken ill by vomiting. He is considerably better from the time he was taken ill.

Samchund Seal examined.—Soodasun told me that on his way to Benares in the boat he became sick, and had trembling in the limbs. After he came back he had 'six annas' worth of brain,' and was not capable of managing his affairs. Formerly, he was a very intelligent man. Soodasun never eat any thing touched by his wife. He told me his wife's ways are not as they ought to be. I had a power of attorney to act for him; now his wife has a seal for which she gives a receipt for the rents. Nilmony is managing the business. Soodasun had desired me to burn and sell five lacs of bricks, which I burnt, but Nilmony sold them.

Soodasun questioned by the jury.—Nilmony, Fyzoo, and a native doctor put a mus and poultice across my bowels. I do not know what I am here for. I see what you are all about. I have understood what is now being done; as I cannot go about my own business, I require a person from the court here to conduct my affairs. There are houses left me by my father, I can form no opinion of the value of the property. About Rs. 30,000 or 40,000 may be the value of it. I did not receive rents on my return, because persons used to sit round and confuse me. They brought me rotten things to eat. I deputed Samchund before I went to the upper provinces to collect rent while I was away.

Mr. Dickens charged the jury, and particularly commented on the fact that Dr. Raleigh had not mentioned anything in his examination regarding the poisoned sweetmeats, nor had Mr. Beardsmore until re-examined.

The jury retired, and after half an hour returned with a verdict concurred in by thirteen of their body, that

Soodasun is of unsound mind, and incapable of managing his own affairs, and that he has been so for the last sixteen months.

The Court met again on Saturday last for the purpose of formally taking the signature of the jury to the engrossed inquest.—*Hurkaru*, April 10.

APRIL 6TH, AND TWO FOLLOWING DAYS.

(Before Sir E. Ryan and Sir J. P. Grant.)

Sittings after 2d term.—*plea side.*

Sreemutty Siboocondery Dasse v. Sreemutty Comulmoney Dossee.

The trial of this issue, which was commenced on Thursday, lasted during the whole of that and the three succeeding days.

Other witnesses were called for the plaintiff, and among the rest, Rajkissen Bysack, the alleged finder of the will. This witness deposed, that about a month or six weeks after the death of Hurkissen, the son of the testator, five or six persons being present in the family house began to search the boxes, in which deeds and papers were usually kept, and at last discovered the present document; that this was the identical will formerly made, nearly the same persons being present at the making and at finding.

Mr. Clarke proposed to put in as evidence, the bill and answer and the decree in the original suit, for the purpose of shewing that the present defendant and all the other parties interested under the will, acquiesced in its genuineness at that time. He also wished to lay the foundation for reading the deposition taken before the examiner, of one of his own witnesses, since deceased, and of the former depositions of defendant's witnesses for the purpose of contradicting their present testimony.

The Court said, that it would be quite idle to treat the pleadings in the former suit as evidence, independently of the circumstance that it was not between the same parties. Nothing could possibly be implied, which could have the effect of concluding the defendant in the present issue, since the very point had been referred from the suit itself, and it must be considered open. But it was regular to put in the pleadings, or the decretal order referring them, for the purpose of making the depositions evidence.

The pleadings and depositions were then put in, and this closed the plaintiff's case.

The Advocate General addressed the Court for the defence and first pointed out certain contradictions and discrepancies in the evidence. The defendant did not deny that a will or a *hukoomnamah* had been in fact made, and made to a certain extent under the very circumstances set forth on the other side; but the defence was that the will now in Court was not the same instrument. It would not be attempted to be established that the disjunct clauses and bequests had been interpolated, but that a different paper had since been drawn up, and as the writing was not the testator's, as there was no signature either of the testator, or of a single subscribing witness, what could be easier than for the same person who wrote the first paper, to forge another? This view of the case entirely destroyed one of the chief arguments relied on by the other side. Then as to the story about the subsequent discovery of the instrument: no doubt such a scene might have been gone through, and the precious document now produced might have been found in the box as described; for it would be easy for the person who had placed the thing in its hiding-place to find it again. It was rather remarkable that the very same individuals, were alleged to be present at the making of the will, as at the finding. The whole of this scene was a mere got-up farce, invested with a mock

solemnity, and embellished by dramatic incident, in order to give plausibility to a falsehood and *élat* to a forgery. There was certainly a considerable amount of testimony on both sides; but the plaintiff's witnesses were chiefly servants, who are generally ready to swear anything, or to do any thing at the *hukoom* of their masters. Even if the testimony had been nicely balanced, the scale would be turned in favour of the defendant by the probabilities of the case. For the defence, relations of the family would be called who were present, and if subordinate servants were allowed to remain, it was extraordinary indeed that no relations should be permitted to be present on so solemn and important an occasion. The testimony of two of the chief witnesses was directly contradicted by persons, utterly disinterested, who had heard them make a totally different statement on a former occasion. It would be proved by unanswerable evidence that the genuine will was written on a smaller and narrower paper, and only on one side; that it contained no bequest to the widow, and that this circumstance was remarked upon, and explained by the testator, who said that his son was living and no special provision was required; and it would be further proved that when only one son is left, it is not usual to provide specially for a widow; but otherwise when there are two sons or more. Lastly, certain letters, written by the attorney in the cause, would be put in, which would shew clearly that the party giving the instructions, must have been then ignorant of the existence of such a will as the present; from which it might be inferred that the forgery took place, or the intention to forge was first suggested, at some subsequent period.

Witnesses were then sworn, who deposed to the above facts, and were cross-examined with great minuteness. The plaintiff's counsel put in the depositions taken in the Examiner's office, for the purpose of shewing a variance between their former and present testimony. *The Advocate-General* endeavoured to give evidence of a conversation between the father of the plaintiff (since deceased), and other parties, from which it would appear that the father either forged the will himself, or caused it to be forged. *Mr. Clarke* objected that this evidence was not admissible.

The Court said that they were satisfied that the father was sufficiently proved to be the authorized agent of the plaintiff, and yet they were of opinion that this evidence could not be received, because it clearly was not within the scope of his authority to bind her by a forgery. They reserved leave, however, to the defendant's counsel, to move the point, if a verdict should be found for the plaintiff.

Certain documentary evidence was then put in, consisting of the letters of the attorney in the cause, and the deposition of Gourmoney, a *pardah* female, daughter of the testator. By this lady's evidence, it appeared that four females of the family were present, and that she herself remarked, "My father has done something for every body, but what has he done for my mother?" which was repeated to the testator, who answered "Hurkissen, my son, is living, and he will make provision for his mother."

The Advocate General was heard upon the evidence adduced by the plaintiff in contradiction.

Mr. Clarke then addressed the Court in reply, in a very ingenious and able speech of nearly three hours' duration, (to which we regret that our limits will not allow us to attempt doing justice.) He said that these clauses were treated as interpolations in the genuine will, when the original suit was instituted, and the present story that a second and different document had been forged, was a story trumped up at the eleventh hour for the purposes of this trial. If this instrument was really forged, it was singular that the alterations should have been made in so absurd and clumsy a manner;

nothing but absolute fatuity could explain it. Two of the defendant's chief witnesses, Radicamohun and Gourmonee, members of the family, were collaterally interested in impeaching this will. The amount of their interest did not indeed affect their competency, but it very materially affected their credibility. Nothing could be deduced from the letters written by the attorney in the cause. They were written with a pacific intention, and before hostile proceedings were instituted. The probabilities were on the side of the plaintiff, and the evidence of the defendant's witnesses exhibited far more of contradiction and repugnancy than could be pointed out in the evidence which supported the plaintiff's case.

Sir E. Ryan. This trial has now occupied the Court four entire days, and it certainly is altogether a most extraordinary case. Since I have sat on the bench, I have never witnessed such a vast amount of perjury and directly conflicting evidence. The onus, however, of establishing this will, is on the plaintiff, and we cannot say that she has succeeded in making out her case. It seems to us that the probabilities *prima facie* are against the insertion of such a clause as the present in the will of this wealthy Hindoo. The mother (defendant) and her son are admitted to have ever been on affectionate terms, and it is not likely, therefore, that the father would have gratuitously anticipated a quarrel between them, or provided for so improbable an event. It can only be on strong, clear, and satisfactory grounds that the Court can disinherit the testator's widow. We are of opinion, therefore, that the will has not been established, and that our verdict must be for the defendant.

Verdict for the defendant.

Mr. Clarke, Mr. Nott and Mr. Grant for the plaintiff.

The Advocate General, Mr. Lieth, and Mr. Merton for the defendant.

TUESDAY, APRIL 10, 1838.

(Before Sir E. Ryan and Sir J. P. Grant.)

Sittings after 2d term, — equity side.

Sreemutty Suttobhoma Dassee v. Banjpaye Rajah, Sree Bejouchunder Deb.

This was a bill for an account, and was heard *ex-parte*

The Advocate General and Mr. Prinsep for the complainant.

Maha Rajah Sibkis'no Behadoor v. Kistnochunder Ghose, and others.

The original bill was filed by one of the executors, and prayed an account of the real and personal estate of Maha Rajah Rajkristo Behadoor, deceased, against the real and personal representatives of the said Rajah. A cross-bill was filed by the representatives, and the original and cross-cause now come on for hearing.

The Court decreed that the causes should be consolidated, that a partition should be made of the real estate, and an account taken of the personal estate, and that the general costs should await the final decree.

The *Advocate General* applied to the court to direct the costs of the commission of partition to be paid out of the estate immediately. If this was not done, the parties would be compelled to borrow money on personal security at exorbitant rates. Even in England, money was often directed to be advanced.

The Court said, that there was no instance, except under very special circumstances, of the costs being directed to be advanced out of the estate, until the final decree.

Ramanauth Mookerjee v. Sreenauth Mookerjee and another.

In this suit an application was made to the Court by the counsel for the complainant, that the cause might be referred to the Master to inquire and report, upon a suggestion that the complainant had become a lunatic since the filing of the bill.

The Court said, that this mode of application was not regular, and that the cause might stand over in the meantime.—*Hurkaru, April 11.*

WEDNESDAY, APRIL 11, 1838.

(Before Sir E. Ryan, and Sir J. P. Grant.)

Sittings after 2d term.—In Equity.

Rajkristno Bonnerjee v. Taranuchun Bonnerjee.

This cause being called upon *Mr. Clarke* rose and said that he had been instructed yesterday that the parties had come to a settlement, and that he had accordingly applied to the Court to call the case *pro forma*. He had just understood that the cause was not settled, and he was not prepared, therefore, to argue it now.

The *Advocate General*, admitted that his learned friend had certainly made a statement to the Court yesterday, from which he inferred that the cause was settled. But for his own part he had received an intimation in the course of the evening that this was not the case.

The Court recollected that *Mr. Clarke* had mentioned the matter yesterday, and they that now directed under these circumstances the cause should stand over.

Stood over.

Sreemutty Nibbunmoney Dabee v. Shamloll Tagore.

This was heard on argument on exceptions taken to the Master's report, and was the last cause on the Equity Board.

The sittings terminated this day. The sessions begin on Tuesday the 17th instant.

APRIL 17.

(Before Sir E. Ryan, *Knt.* and Sir J. P. Grant, *Knt.*)

LIST OF THE GRAND JURYMEN.

Foreman—J. W. GRANT, Esq.

R. C. Patton,	J. Jenkins,
J. Hunter,	W. Prinsep,
H. Davidson,	H. L. Christiana,
A. D. Rice,	J. M. Dove,
C. A. Dyce,	L. Carmichael,
W. F. Fergusson,	J. Prinsep, and
J. P. McKilligan,	H. V. Bayley, Esquires,
W. Earle,	Baboo Radakissen Mitter,
H. Chapman,	Baboo Hurrishunder Dutt,
L. A. Arratoon,	Baboo Ramhury Dutt,
C. Dearn,	

After the Grand Jury had been duly sworn, the learned Chief Justice thus addressed them. He commenced by remarking to them that he was happy to inform them that their duties during the present sessions would neither be very protracted nor arduous. There were only three cases to which he would direct his observations on their nature minutely to them. Two of these he was sorry to inform them were of murders, and the other of highway robbery,—a crime which has hitherto, ever since he had the honor of sitting on this bench, been one of very rare occurrence; but he regretted to find that there were no less than four cases of that nature sent up for trial during the present sessions.

The first case to which he begged to draw their particular attention, was that of Hurree Mug, for the murder of his infant child, John Pereira. The particulars of it from the depositions before him, appear to be these: Lydia Francisca, the mother of the child, appears to have been the mistress of the prisoner, who resided at Sibtiollah Lane, and was at the time the crime is alleged to have been committed by the prisoner, an ayah in the employ of a lady, named Ogilvie, who resided at Chow ringhee, where the prisoner was likewise entertained a short time previous to this murder as a cook. For some reasons unknown, he became dissatisfied with his service, and wished Lydia Francisca to quit the employ and return to live with him. This she refused to do until she had earned a sufficient sum to enable her to liquidate some debts which she then owed. This refusal enraged the prisoner, who, on the 27th of March, returned home, and on leaving the premises was heard to declare "very well, there are two lives, one here and the other with me." He was then followed to his house by the police peons, where the infant was shortly afterwards discovered murdered. It is for the grand jury men under these circumstances to consider who had murdered the deceased.

The other case of murder, was one of more difficulty: it was that of Prosper Millner, a Frenchman, who was accused of the murder of a syce named Buckaollah. The statement, as gleaned by Judge from the depositions of the witnesses in this case, which he remarked are very confused, are these. Two French sailors were on the night of the 4th of March last, met on the Chitpoor road by the deceased, and another syce between the hours of 8 and 9 o'clock p. m. and without any cause or provocation, as deposed to by the witnesses for the prosecution, one of these sailors wounded Buckaollah, the deceased, with a knife, which he then held in his grasp, from the effects of which wound he lingered till the 5th of March at the Native Hospital in the Diurrumtollah road and then died. It will be for the gentlemen of the jury to decide primarily whether the prisoner was the person who had wounded the deceased, and secondly, whether at the time the prisoner, if they are satisfied he is the man who had wounded the deceased, there was not any affray, and whether the prisoner had not been struck by any person before he wounded the deceased; and if so, whether the deceased was a party concerned in this affray or not. It has been proved, that the prisoner had bought these knives for his professional purpose. Now it has been provided by the law, that if any person has at the time any deadly weapons in his hand which he happened to have by him without any avowed purpose of wounding or injuring any person, and he happens to be struck by any person in an affray and retaliates with this weapon, and thus causes the death of the person who had struck him, the crime which he in that case is guilty of, is only manslaughter; for to constitute the crime of murder, it is requisite that a degree of malice and premeditation on the part of the criminal must be proved. But though this is a fundamental principal to constitute the crime of murder, yet it is not absolutely requisite in every case; for example, when a man has been proved to be what the law terms the general enemy of mankind, in a case where a person shoots with a gun indiscriminately into a crowd and wounds and kills some persons or persons in it, he is guilty of the crime of murder. There are besides the evidence already alluded to, the dying depositions of the deceased, taken by Mr. C. K. Robison, one of the Magistrates of the Police office, in the prisoner's presence, and explained to him by Mr. P. Delmar, the interpreter. This the grand jury men can have read before them, because the law provides that whenever any deponent in a criminal case dies before the trial of the case at the sessions, that depositions taken on oath, may be read as evidence during the trial. Besides this, there are the dying declarations of the deceased, as declared to third parties. These were, it is true, not on oath,

but if the deceased was in a condition which made him sufficiently conscious that he had but a short time to live, and made a declaration as to the manner of his death, that declaration is held voted in the eye of the law. It is for the jurymen to satisfy themselves whether the deceased, at the time he made these declarations, was in that state. In conclusion, the judge said, that the deceased's depositions as they were on oath could be read as evidence before the jurymen.

The third case was that in which a person was charged with highway robbery, for taking from the person of E. W. Bowbear, a gold watch. It appears that whilst Mr. Bowbear was watching in the streets for a friend at night, the prisoner came up to him and snatched out of his watch-fob a gold watch, and in doing so also tore the prosecutor's fob. The question it will be for the jury to determine is, whether that force which the law requires to constitute a high-way robbery which should be attended with violence and fear, was exemplified on this occasion. In the case of the King *versus* Morne, it was decided by twelve judges, that when a person has a guard chain round his neck and violence is used to that degree as by two or three jerks to break this guard-chain, it constitutes a highway robbery; but where no such chain is worn or violence is used, the crime is one simply of taking from the person, and this, like picking pockets, is not a capital offence. Therefore it will be very material for the jury to determine whether in this case, which is about to be submitted to them, that violence had been used which would legally constitute it a capital offence or not. With regard to the other three cases, the proofs of violence having been used are more clear, particularly in one of them. In conclusion, the judge informed the jurymen that if they required his aid in elucidating any legal points in any of the cases which would be submitted to them, he would be most happy to offer them all the aid in his power. These were, he said all the cases to which he would beg to draw their particular attention at present; perhaps there may be more sent in during this sessions which may require his observations to them, and if so he would do so.

Mahomed Ruffick was tried for stealing, on the 30th of March last, several crockery plates, &c. from the premises of P. Barfoot.

Prisoner pleaded not guilty.

P. Barfoot deposed, that he lived in No. 2, China Bazar-Street, the prisoner, previous to his confinement, was a khansama in deponent's service for one year. Deponent, in consequence of some suspicions, accompanied by police peons and a servant of his named Ameer Khan, searched the prisoner's house near the Hindoo College. Prisoner was at the deponent's house. One of his servants pointed out the prisoner's house to him. Then Mr. McCann produced the articles, and Mr. Barfoot identified them to be his property, because they matched with his set, a portion of which he produced in the Court, and he identified likewise a work box to be his daughter's property.

Honeeskhan being dead, the thanadar who accompanied Mr. Barfoot in the search corroborated his evidence regarding this search.

This closed the case for the prosecution.

The prisoner said, that the property was his for a long time, and that he had purchased them and brought them from China. He further said that Mrs. Barfoot was in the habit of sending out her ayah's with goods to conceal, and charging servants to whom arrears of wages were due, with having taken them, and that he had adopted such a course against 25 persons in order to get rid of them, and their wages, and the ayah had in one instance been detected in thus conveying some peons away for that purpose, which she confessed. He likewise added, that Mr. Barfoot was a person who was capable of swearing to anything, because he quarrelled daily twenty times with Mrs. Barfoot, and then broke his oath and quarrelled with her again.

Deponent called three witnesses who confirmed these allegations of his.

The learned Judge then summed up the case, detailing the evidence, stating the law, and expressing the points as to the identifying these articles, which Mr. Barfoot had admitted were a very common pattern in the bazar. In conclusion he said, that if the prisoner was convicted of stealing even one of the articles, it was enough to find him guilty of the crime for which he was tried, which was simple.

The jury, after a short consultation, returned a verdict of guilty.

After the verdict had been recorded, the prisoner was sentenced to two years' imprisonment in the house of correction and there to be kept to hard labor.

The grand jury submitted to the judge to-day a petition relative to a commission issued in the case of an inquiry in a case of lunacy. The judge, on perusing it, said that he would direct the clerk of the Crown to lay the papers regarding it before the grand jury, to-morrow, if possible, and if they think fit they can, on its perusal, make a presentment to the court which would order the clerk of the Crown to prefer an indictment on that presentment against the person mentioned in the presentment. The petition was signed by D. Ross the foreman of the special jury, who sat on that inquiry of lunacy for himself and his fellow jurymen.

In the course of the day the grand jury returned true bills against the following individuals :

Abdoollah, for stealing on the 2d March last several articles of the value of 25 rupees, from the house of Messrs. Cockerell and Co. in Clive Street.

George Lloyd and George Morgan, charged with stealing from the person of W. Tippen, on the night of the 14th March 1838, by force and violence, a musica-snuff box valued at 11 rupees.

Pooteeram. For having stolen, on the night of the 22d March, a wooden box containing several brass articles, the property of Kidornauth Bose and his uncle Nundolal Bose, from their house in Puttulblangah.

James Arnold, charged with having stolen from the person of Henry Perks, on Friday, the 16th March 1838, 12 Bank of Bengal notes to the value Rs. 950 the property of the prosecutors.

Mahomed Ruffies, for stealing on the 30th March, from the house of his master F. Barfoot, in China Bazar, several articles of crockery-ware, glasses and a toilet box.

True bill against Meah Jaun for robbing from the person of Bebec Deljaua two gold chains to the value of 200 rupees, at her house in Cossitollah. The judge remarked, that a true bill for stealing, and not robbing should be returned; the jury altered the finding consequently.

Henry Lemsele, for robbing from the person of Edward William Bowbear a gold McCabe watch at Rs. 250 No. 8157, on the 23d March 1838. — *Hurkaru*, April 18.

APRIL 17.

(Before Sir E. Pym, and a Petit Jury.)

James Arnold was tried for stealing from the person of Henry Perks 12 bank of Bengal notes, of the value Co's Rs. 950.

The prisoner pleaded not guilty.

Henry Perks deposed, that he resides at Coiroo Mehter's Lane, and is an engineer employed by William Prinsep, Esq. He has known the prisoner for upwards of two years. The prisoner was formerly a Boatswain to some trading vessel. On the 16th of March last deponent met the prisoner, at about 1 o'clock p. m., at the Cape of Good Hope punch house in the Lali Bazar Road, and prisoner informed him that he was in dis-

tressed circumstances and very thirsty, and that a person named Long had accommodated him with lodgings gratis at his house in Coiroo Mehter's Lane. Deponent compassionated his case and gave him some money and treated him with a glass of grog. Whilst thus engaged they met Mr. Long, and the prisoner advised deponent, as it was late, to retire and sleep that night at Long's house, the American flag punch house. Deponent having obtained Long's consent to this proposition, left the Cape of Good Hope for the American flag, in company of Long and the prisoner. At about 8 o'clock p. m. or gun-fire, after their arrival at Long's punch-house, deponent gave Long some money, and he brought him a bottle of port wine and another of brandy, which they finished there and then. They all retired to sleep. Deponent laid himself on a cot in Long's house, and felt very unwell and was restless all the night, but he was not intoxicated. Shortly after deponent had laid down on the cot, the prisoner came to him and wished to cover him with a quilt, but deponent objected and said, that he felt himself warm enough without it. Soon after this the prisoner put his hand into deponent's pocket and drew out a sock from it, in which were the 12 notes and a memorandum of their numbers, given to deponent with the notes by Mr. Prinsep's sugar. After he had emptied the sock of these notes and this memorandum, he attempted to replace the empty sock in deponent's pocket, in doing which deponent who had been dozing all this time, started up and collared the prisoner and taxed him with the theft. The prisoner then threw the notes down under the cot and attempted to tear the memorandum of their numbers. In this he was prevented by deponent, who snatched the paper out of his hands and called to Mr. Long and desired him to get a constable to take the prisoner into custody. Long then came into deponent's room and helped him to pick up the notes, and they picked up ten of them at that time from under the cot. Long then went out for a constable, after he had stationed four chokedars at the door to prevent any person during his absence from entering or leaving the house. During Long's absence the prisoner struggled hard to escape, and said that these notes were his property. Long returned at about one o'clock p. m., with a constable, to whose custody deponent delivered up the prisoner. The constable took the prisoner to the police office and searched his person, to see if he had the other two missing notes about him, but found no money on his person. He then returned with deponent to Long's house, and, on searching the room again, they succeeded in finding the other two notes lying on the floor near the door of the room in which this transaction had occurred.

On cross-examination deponent stated, that he did not voluntarily give the notes into the prisoner's hands to keep them for him, on account of being too much inebriated at the time, and that they were not turned out of the Cape of Good Hope punch-house, because it was getting late, nor had the doors shut on them, and he never told the prisoner any ill-will, nor did he promise to give Long 50 rupees if he would get the prisoner transported.

Constable T. Wain produced the notes, and the deponent recognized them to be the notes stolen from his person by the prisoner, and compared their Nos. with the memorandum in his possession, and said that they corresponded with the Nos. on the notes themselves.

The witness, George Long, corroborated the testimony of the first witness and said, that he had known the prisoner for about 18 months, a great part of which time he had lived at deponent's house, where monies had often been lying within his reach and if he had chosen to steal any he could have done it often, without fear of detection; but he never did it. This is his first appearance of this nature. Deponent positively swore that he saw the prisoner take the sock out of Perks' pocket, empty it of its contents and then attempted to put the sock

back into it. The cross-examination of this witness by the prisoner elicited answers which excited the risibility of the persons present in the Court, and even brought occasionally a smile over the countenance of the worthy judge, and set some of the jurymen laughing. For example, he said to the prisoner; "When I saw you, Jimmy, take out the sock from Perk's pocket, I got up as fast as I could, but you and Perk's were too quick for me. Jimmy, my rooms have walls and even doors and windows. Jimmy, no house is built without them. I did not see you through a hole in the wall but through the door, where I was laying down and enjoying my glass of grog and a cheroot, which I always take before I go to bed. I told you it was too bad of you to rob Perk's in this way after his kindness to you. I am not a crimp but a register of seamen. You may call me what you like, it matters not to me. My house is not a dirty little hovel; it was good enough to shelter you in it at any rate: nor are my neighbours a parcel of black-eyes as you call them. They are Portuguese, and I have a friendly understanding with them all, in a neighbourly way, to be sure. They are good sort of folk—much better than you, it would seem, Jimmy. I never agreed to take 50 rupees from Perk's to get you transported, and never heard Perk's say a word about it. It would be an insult to me if he said so. I thought at the time Perk's came with me to my house, that he had stowed the money away at the Bank as I had advised him in the early part of the day to do so; for when I spoke to him about it, he said that he had planted it safe, and did not know that they were by him till you robbed him of them. We did not go reeling drunk from the Cape of Good Hope to my house, nor were we turned out. Perk's does not drink grog; every day, and he was sober when he collared you for the theft." The prisoner remarked that he had a good six hour's sleep to sober him. Dependent said, that Perk's was neither asleep nor awake at the time, but a snoring.

The prisoner, in his defence, said, that when Perk's went with him to Long's he was to pay, and had been turned out of the other punch house. Before retiring to sleep he took out the sock and began to count the notes, but through intoxication he was unable to do this. Prisoner then asked him to let him take charge of the notes for him till he awoke sober, and the deponent handed them to him. He had no witnesses to call.

The learned judge then summed up the case, laying down the law and detailing the evidence, and said that the crime of which the prisoner stood charged was stealing from the person, and not a capital felony. He then informed the jury, that the only point at issue, is whether the prisoner had, as deposed on the part of the prosecution, taken the notes out of Perk's pocket feloniously, which, if true, and two persons have sworn to it as a fact, appears strange, that as they were both awake at the time, and sober when the prisoner took the sock out, they did not instantly seize him but allow him time to empty the sock of its contents, and not to collar him till he went to replace the sock in Perk's pocket: or whether it is likely that Perk's had given the notes to the prisoner to take charge of for him, whilst intoxicated, as stated by the prisoner. It seems that by Long's account that this is his first offence of this kind, although temptations were in his way before and after. This is the chief point for the jury to determine.

The jury, after a long retirement of near two hours, brought in a verdict of acquittal, and the judge ordered the prisoner to be released.

APRIL 18, 1838. •

In the case of the petition presented by the grand jury yesterday, regarding their wish to have the papers and the deposition in the case of a commission of lunacy which had lately been held in this Court, and in which the papers were to have been laid before the grand jury

to-day. The Chief Justice suggested to the jurymen, whether it would not be better, as perhaps some of the persons implicated in this transaction, and the witnesses which may be required, might be residents beyond the jurisdiction of this Court, which might cause great delay, to hand, as he had himself formerly contemplated, on a perusal of these depositions, the papers to some magistrate of the police of Calcutta, to make an investigation in this matter, and then hand them up with the depositions to this Court for trial during the ensuing season. But, if they preferred to investigate the matter themselves, and make a presentment on the case to the Court it was for them to decide. The foreman of the grand jury replied, that he and his fellow jurymen preferred adopting the judge's suggestion.

Two sets of petit jurymen were impanelled to-day, to prevent the Court from being at a stand in its business in the event of the jury which took up the first case, being delayed in pronouncing their verdict on it from difference of opinion, and the gentleman selected, were desired to be in attendance at 10 o'clock A.M. for that purpose.

Poolooram was tried for burglariously entering the house of Kaldenath, and stealing from thence several articles, the property of the prosecutor.

The prisoner pleaded not guilty.

The particulars of this case are briefly these:

The prosecutor went, about a month ago, for one day and night to Kidderpoor, leaving his house in charge of Huroonunder Doss. On his return, he found that his house had been burglariously entered during his absence, and several articles taken from thence. The thanadar of the thana was the person who had arrested the prisoner, with some of the goods in his hand. He, when challenged, gave a false name, but the thanadar recognized him to be an old offender, and took him into custody with the goods which the prosecutor's servant claimed to be his master's property. The prisoner and the articles were then taken in custody to the police office. The goods were recognized by the prosecutor to be his property. Owing to the servant who was left in charge of the house during the prosecutor's absence, being laid up with the small pox, he could not come to Court and prove the burglarious entry into the prosecutor's house, and the present charge therefore veiled into barely stealing from the house.

The prisoner in his defence said, that this was a malicious conspiracy of the thanadar and his myrmidons. It was proved that he was an old offender.

The jury, after the judge had summed up the case to them brought on a verdict of guilty of stealing from the house; and the judge sentenced the prisoner to two years imprisonment in the house of correction.

The grand jury returned true bills in the following cases to day:

Punchuand Doss, for burglariously entering the house of Ramsouder Mullick and stealing property therefrom.

Dabee Sing and Doonkul Sing, with having stolen wearing apparel, the property of Golab Sing, a durwan in the employ of Rustumjee, Cowasjee and Co.

Hairee Mug, for the murder of John Pereira, his infant child.

Cheedam Ram Shaw and Ruggonath, for stealing from the house of Sabboo Raur, at Garreuhattah, various articles of value against the first, and the other two for receiving the same.

Nawcaure, for stealing several articles from the house of Ajeem.

No true bill against Khaudim, duftuy, Cauloo, duftuy and Gungaram, for stealing from the presidency pay-office paper to the value of 70 rupees.

The grand jury was then adjourned till Saturday next, the 20th instant.—*Hurkaru*, April 9.

MISCELLANEOUS.

CALCUTTA.

EXECUTION AT HOOGHLY.—On the morning of the 21st instant, a notorious sirdar dacoit, of the name of Nundo Chung, expiated his crimes upon the scaffold in front of the criminal jail at Hooghly, in the presence of an immense concourse of spectators. He died as he had lived, a hardened villain, singing Bengallee songs on his way to the gallows, and shouting *hurree bol' hurree bol'* upon the scaffold, until the drop fell and put a period to his existence. He was a nephew of the celebrated Radha, dacoit, who was executed on the same spot in 1832, and suffered for his share in a dacoity attended with murder, which occurred in the house of one Mohun Sautra, at the village of Bansberria, in the month of October last. The example which has been made of this man and his gang (the greater part of whom has been sentenced to imprisonment for various periods) will, it is believed, be of the greatest use in putting a stop to dacoity in the Hooghly district.

MORTALITY AMONGST THE HINDOO INHABITANTS OF CALCUTTA.—The following appears to be the number of deaths which have taken place amongst the Hindoo inhabitants of Calcutta, from the 13th to the 18th instant, as appears from the reports of the two burning ghauts.

By Cholera.....	237
„ Small pox.....	75
„ Miscellaneous diseases.....	93
	—405

The reader must recollect that by our last report, the number was 927 from the 1st to the 12th.

CHOLERA. The havoc made by the cholera amongst the Hindoos is very extensive, and the cremation fires, are seen blazing in all directions, day and night. The deaths among the Mahomedans are not less few. So rapidly have they died, indeed, that their undertakers cannot afford time to bury them sufficiently deep, and the carcases are, in consequence, exhumed by the jackals and panah dogs, and exhibit a most disgusting spectacle. Several Europeans and East Indians, have likewise fallen sacrifices to the malignant pestilence.

A NEW HOSPITAL.—A hospital has, since the beginning of the current month, been established on the premises of the Medical College, for the benefit, principally, of the students of that excellent institution. It consists of two wards, namely the medical and surgical.

Drs. H. H. Goodeve, W. B. O'Shaughnessy and Egerton, take particular interest in it. There are already a great many patients fed and lodged there. The number of beds provided are twenty-four.

STORM AT CONENAGORE. About nine o'clock on the night of the 19th instant, there was a violent storm at Conenagore which threw down upwards of a hundred thatched houses, and laid prostrate between six and eight hundred trees of different species and sizes. Brick balustrades of pukka houses were also blown down. The blast was extremely powerful towards the river side, and near Hurrosonder Dutt's ghaut especially, where a dingy was driven very high ashore, and left there.

AN ENGLISH SCHOOL AT TRIBENNY.—The *Probhakur* announces the establishment of an English school at Tribenny, zillah Hooghly, by Baboo Jugguth Chunder Sein and Peary Mohun Sein, for the education of such children, whose parents have no means to pay for their tuition.

FIRE AT MOJELPOOR.—A destructive fire happened at Mojelpoor in the 24 Pergunnahs, on or about the 28th of last month. The number of houses burnt, principally thatched, and some brick built, was about a couple of hundred.

RAIN.—On the night of the 10th instant, a most refreshing shower of rain fell at Chinsurah, Bhaoutparah, Haulshahur, Kanchuaparah, and many other places, over an extent of about fourteen miles, on both sides of the river; so that all the tanks which had been completely dry a short time back, were filled. The shower was preceded by a north-wester which destroyed several dingles a little to the south of the nulla called the Banger-khau.

DISSOLUTION OF THE MUNICIPAL COMMITTEE.—The Municipal or Town Improvement Committee, has closed its labours, and, we presume, made its final report to Government on the subject of the investigations on which it was deputed.

THE MANILLA PIRATES.—The six Manilla pirates, who were released on the Queen's free pardon on Saturday last, have subsequently been apprehended by the police authorities, whose intention in so doing, is to have them conveyed from this country to the Dutch Government, to be tried by that Government, as the men whom they had murdered were Dutchmen.

A WHITE CROW.—The strange phenomenon of a white crow, was observed at the police office recently. The bird came out of a nest in the police office and has been captured and retained by Mr. Blacquiere, the magistrate.

JOINT MAGISTRATES AND SUPERINTENDENTS OF POLICE.—It is said that an order has passed the Council Chamber, sanctioning the appointment of joint-magistrates, on a monthly salary of five hundred rupees, and superintendents of police from amongst the uncovenanted branches of the service, on a salary of 800 rupees per mensem.

BANK OF BENGAL.—Mr. Henderson has been appointed Deputy Secretary and Treasurer to the Bank of Bengal, on a monthly salary of Co.'s Rs- 1,000, from the 1st proximo.

Mr. Lee succeeds Mr. Henderson as accountant on a monthly salary of Co.'s Rs- 600, and Mr. Plumb, of the Treasury department, fills up the vacancy, occasioned by Mrs Lee's promotion, on a monthly salary of Co.'s Rs- 400.

This arrangement will give, we are assured, very general satisfaction; and reflects equal credit on those who made it and those who will benefit by it.

RIOTERS AT BARRACKPORE.—It is said that on several nights for some weeks past it has been the amusement of certain of the swelling spirits of the cantonment, flustered, it may be, with the flowing cup and full of mischief, to perambulate the streets, singing here, screeching there, and wherever a decent gate offered, of some particularly quiet family long a-bed, the same has been torn and twisted off its hinges, one half transported east, the other west, and haply left floating in some moderately distant tank, or shattered at the bottom of a convenient ditch. On one occasion, when a guard which had been kept till mid-night on the premises for their protection, had been withdrawn, our heroes assembled by the spot and with continued hooting, howling, hammering, and hurras, alarmed the whole neighbourhood, frightening, in particular, an invalid female into serious convulsions, from which she was not recovered without great difficulty. On another it is understood, we can scarcely yet believe it possible, that their madness gave the means of escape from his den in the park managerie to a tiger, whom we incontinently heard of as slaughtering the cattle around him, and who was not again secured until after the lapse of some hours, and from whose ferocity, that no accident occurred, involving loss of perhaps more than one human life, was extremely providential.

ORDNANCE OFFICERS' BRIGADE COMMANDS.—It is understood in quarters interested in the result, that the reference which is said to have been made to the Supreme Government regarding the claim of ordnance officers to succeed to brigade commands, has been decided in their favour.

THE HULL OF THE STEAMER ENTERPRIZE.—The hull of the Government steam vessel *Enterprize*, was put up for sale on the 26th instant at Messrs. Moore, Hickey and Co.'s auction, but not sold, the highest bid being only 12,000 rupees.

THE LATE MR. ROBERTSON'S.—Three balloons, belonging to the estate of the late aeronaut Mr. D. Robertson, and which coast him according to the catalogue 2,300 rupees were also put up, and brought the enormous sum of fifty rupees for the whole three!

TREASURY ADVANCES.—The Government, will immediately re-open the treasury for the purchase of Bills secured by shipping documents. The rate of exchange has not been mentioned with certainty; but it has been quoted at 2-2 per Co.'s rupee, at six months' sight.

AN EXTRAORDINARY BOY.—There is at present an extraordinary boy, the son of a venerable Hindoo Priest, named Nobokisto Gosam, and aged apparently about five years of age. He resides at Malparah in zillah Hooghly. He has mustachios and beard the same as a grown up man, the latter being more than an inch long. He is stated to have been born with these appendages, but they were not, at the time of his birth, in that degree of perfection at which they have now arrived, as they were short and somewhat downy. He is taught to mutter prayers constantly, and is looked upon by the Hindoos with great veneration, as many among them believe that the body of the boy contains the soul of some saint.

PRESENTS FOR RUNJEET SINGH.—It is said, that Government have issued instructions for the immediate preparation in the Cossipore Foundry of two brass 9-pounder howitzers, mounted complete for field service, intended as a present from the Governor-General to Maharajah Runjeet Singh. The Howitzers are to be handsomely ornamented with suitable devices and inscript

tions, and when ready, will be sent up to Fattyghur by one of the inland steamers to be mounted in the Agency at that place, upon appropriate field carriages, from whence they will be forwarded on to the Political Agent at Ludianal, for presentation to the Maha Rajah.

BISHOP'S TOUR.—It is reported, that it is the intention of the Lord Bishop of Calcutta, accompanied by the Archdeacon of the diocese (who also we believe, combines in his person the joint offices of Chaplain and secretary to his Lordship) to proceed, in all June or July, upon a tour of visitation to the eastward.

FAMINE.—The most distressing accounts of the effects of the famine, still continue to be received from the north western provinces. Every exertion is made by the wealthier inhabitants to feed the famished population; but despite their care, hundreds are daily perishing through sheer starvation. Rs. 88,943-14-8 have been subscribed by the residents of Calcutta, for the relief of the famishing unfortunates.

STEAM AND GAS.—Two prospectuses are now in circulation, one of an inland steam communication and the other for lighting Calcutta with gas, both projected by Mr. Suwerkrop, a Civil Engineer. We think both schemes well worthy of patronage.

CHOLERA.—The cholera still rages most fiercely and about two scores of persons are carried off per diem by it, within the town and suburbs of Calcutta.

DHARJELING.—A gentleman residing at Dharjeling, writes in raptures of the scenery and climate. The former, he says, is most magnificent, and the latter most invigorating. Thermometer at 8 A. M. 50, in the shade, and at 1 P. M. 58 on the 24th ultimo, during the night of which, snow fell in the neighbouring hills. Seven days were occupied by him in reaching the station from Titabya—two to the foot of the hills and five among them in the ascent. The road was very bad the latter part of the journey; but work-people were collecting for the purpose of repairing it, when Mr. ——— thinks the distance may be accomplished in three days from the plain. The Government have ordered a bazar to be formed as there is nothing of the kind at present. The neighbourhood contains all the materials for erecting substantial houses—excellent timber, good stone and lime, and man alone is wanting to bring these good things together for the accommodation of visitors. In a few years, a visit to Dharjeling will be as practicable as one to Simla, and at much less cost of time and money.

NATIVE PREJUDICES.—The Hindoo community in Bengal, and the greater part of the Mahomedans in it, have declined eating the refined Dhoba sugar, in future, because it is refined with bones, consequently they deem it to be impure to use for their domestic purposes. This has lowered the price of the refined sugar considerably in the markets here.

A NEW DEBATING CLUB.—The *Probhakur* announces the establishment of a new debating club for the benefit of native students of English, by the managers of the Hindoo Benevolent Institution. The first meeting of the members of the club took place on the 31st ultimo.

ICE AND APPLES.—A cargo of ice and apples, has been brought round in the *William Gray*. The apples are of a very superior quality.

The *Gasper*, with 322 tons of ice, 46 kegs of grapes, and 180 half kegs of apples, arrived during the week.

NATIVE CREDULITY.—A rumour is afloat in the native community, that Mr. —, one of the secretaries to Government, is endeavouring to have a resolution passed, that henceforward no Hindoos or Musulmans shall hold any appointment, of any description whatever, so long as he does not embrace christianity; but that it is not to affect in any way the present incumbents.

THE PSEUDO RAJAH, PURTARISING, OF BURDWAN.—This individual tried at Barrapore to land it over the zemindar of that place, but the latter soon collected a band of men with clubs, and made his rajahship decamp.

PILOT'S STATION.—Whether False Point or Point Palmiras be the best station for the pilot schooners in the S.W. Monsoon, has been long a *reata questio* in the marine department and with commanders visiting this port. Much has been said, and well said, on both sides, and names of great weight and experience in the pilot service respectively quoted in support of the views entertained by each. A notification has now been issued from the Marine Board, that a pilot schooner, the *June*, has been despatched to bring the matter to a practical issue. She will be relieved by another schooner at the end of four or five weeks, so that the opinions of the most intelligent of the pilot-service may be received, before any final determination for changing the station be adopted.

STORM—HAIL AND LOSS OF LIFE AND PROPERTY.—There was a thunder and hail storm on the afternoon of the 8th instant, which caused great damage and loss of life. Several places were struck by the electric fluid, and upwards of a dozen people killed by it, in Calcutta and the suburbs. The hail-stones, which descended most plentifully, were of extraordinary largeness. The largest crystal, picked up at Dum-Dum, was nine inches in length and three in diameter, and several of about sixteen inches in circumference and five in diameter, were picked up at the same place. Hundreds of men and cattle have been killed through or by the hail, and the greater part of the fruit, has been destroyed. The laborers at Kootghurhat, on being severely struck by the hail, fled for shelter to the granaries there, which were thrown down by the violence of the storm, and, we regret to say, about three hundred laborers were buried under the ruins, and died. At Gortiah almost every hut was knocked down, and several individuals perished. The villages of Bycantoopore and Rannaghur, have been utterly destroyed. About two thousand huts and brick built tenements have been destroyed in them, and from two to three lives lost in each dwelling, and about half the number of oxen and goats. On the banks of the canal, the trees have been laid prostrate, and several boats were raised from the water and laid high on land and their crews either drowned or killed by the hail and lightning. At several other places the injuries sustained have been as great as those recorded; but no authentic report has been as yet received of them. The loss of life and property has been most awfully severe, indeed, and when the short time the storm continued is taken into consideration, unprecedented.

MOHURRUM.—The Mohurrum festival has, as usual, been attended with riots and bloodshed, in consequence of the blind folly of the zelots of caste. The principal rioters were the syces in the employ of Messrs. Cook and Co. and Messrs. Hunter and Co. and three lives, we hear, have been sacrificed to party feeling.

THE LANDHOLDERS' SOCIETY.—The members of the Landholders' Society are daily increasing, and we doubt

not in a short time the society will comprise the most respectable and influential zemindars, European and native, throughout Bengal.

NAUTICAL ENTERPRISE.—A little vessel of forty tons, formerly the pleasure boat of Mr. J. Jenkins, of the firm of Jenkins, Law and Co., was recently fitted up for a sea voyage, and has proceeded to China under the command of Capt. Galle, carrying a cargo of ghee, tamarinds, chillies, &c. She is called the *Ospray*, and is reported to be as staunch a little craft of her size as any which has hitherto floated on the salt sea. We hope the intrepidity of the bold commander will meet with all the success anticipated, and the result of future employment be in full accordance with the expectation now entertained.

MR. KITTOE.—The surveyorship of the line of road between Midnapore and Sumbulpore, become vacant by the death of Lieutenant Abbott, has been offered to and accepted by Mr. Kittoe.

A NEW SHUBHA.—The Hindoo community in the metropolis is in a great fermentation, not about any political affair, but about the reparation and preservation of the system of caste. Certain influential families in town, and some in the interior, are said to have been highly incensed at the unjust decisions which have of late been passed by the Dhurma Shubha in favor of certain wealthy culprits, who had sinned against the rules of the Shubha and to the prejudice of those with empty pockets. Indeed, from an article in the *Probhakar*, it appears that if a rich Hindoo were to be guilty of a gross violation of the rules of caste, little or no notice would be taken of it by the Shubha, but a poor man, for the slightest fault imaginable, is sure to be excommunicated. The heads of the families in question are, therefore, about to set on foot a fresh Shubha, in opposition to the Dhurma Shubha, and in that case the latter is not likely to survive long.

MORTALITY IN CALCUTTA.—The mortality in Calcutta is still very great; upwards of a thousand deaths have occurred in the town and its suburbs during this month, exclusive of those caused by the hurricane, and of this number two-thirds have died of cholera.

FAILURES.—On the 12th instant, the respectable native banking firm of Kissin Doss and Ootumchund, in the Buirah Bazaar, failed.

By a native letter lately received from Mirzapore, it appears, that two shroffing houses of respectability at that place have lately failed.

ESCAPE AND RE-CAPTURE OF A TIGER.—At a very early hour on the morning of the 14th instant, intelligence was brought to Government House at Barrackpore, where the Deputy Governor's family were residing, that the large tiger had escaped from the menagerie and was prowling about the park. Orders were immediately given to apprise the inhabitants of the respective bungalows of the occurrence, and at the same time the sepoy were directed to keep their muskets in readiness. It appears that in locking the cell on the preceding night the bolt of the padlock had missed the hasp, and the tiger seeing the door swing open, had deliberately walked out. On his travels through the park, he took occasion to pat the head of a large monkey, chained near the menagerie, which proved its death-blow. In the morning considerable excitement prevailed in the neighbourhood

and an immense *posse comitatus*, composed almost entirely of natives, armed with no other weapons than bamboo rods, assembled together and proceeded in search of the royal fugitive. He was presently discovered behind a thick jungly hedge, stretched at his ease, but evidently in a sulky fit. After a brief deliberation two natives (one of whom was the keeper) fearlessly walked to the opposite side of the hedge, and thrust a bamboo, to which a rope was attached, underneath the body of the tiger. As soon as they had succeeded in securing the rope, each took hold of one end, and having poked the tiger's ribs pretty soundly with their bamboo rods, they led him between them like a docile poney, and escorted by the shouting multitude, snugly deposited him in his former cell. It is extremely providential that no accident occurred. Visitors at Barrackpore are well aware of the ferocity often displayed by this very tiger; when strangers approach too near the bars, he occasionally springs for ward with a fierce and sudden growl, and at the time of feeding he is generally savage to an extreme degree. Fortunately the monster seems to have been too well fed the night before to be pressed by hunger during his wanderings in the park; for besides the murder of the unfortunate monkey, he felled a large bullock, yet he shewed no inclination whatever to feast upon his slaughtered victims.

GENERAL MARTINE'S ESTATE.—The undermentioned lots, belonging to the estate of the late General Martine, were disposed of at the annexed prices by sale to the highest bidder at the master's office:

Messrs. S. Smith and Co.'s house and premises in Hare Street, for Co.'s Rs. 60,000—(bought by themselves.)

Messrs. Moore, Hickey and Co.'s house and premises, for 30,000—(bought by themselves.)

Mrs. Lindsted's house and premises on the Circular Road, for 12,500—(bought by Mr. Wilkinson.)

THE GOVERNOR GENERAL.—The Governor-General and suite, arrived at Simla on the 5th instant.

THE SPECT VESTRY.—A meeting of parishioners was held at the cathedral on the 16th instant, for the purpose of electing officers for the ensuing year. It having been determined that the old system of re-election should not continue in force any longer, but that the two senior vestrymen should go out as a matter of course, and not be eligible for re-election until they had been out of office a twelve month. Messrs. J. S. Judge and Robert Molloy went out, and were succeeded by Messrs. Thomas Leach and Charles Mackenzie, Messrs. A. Sun and Alexander Colvin were then re-elected to serve during the present year.

NATIVE ASSISTANTS OF THE CUSTOM-HOUSE.—A petition had lately been presented to the collector of the Government customs, by the native assistants attached to the establishment of the custom-house, setting forth their grievance from the invidious distinction which obtains in that office, between them and their christian fellow assistants, that is, in no instance is a native, however well qualified he might be, promoted to any place vacated by a christian; and submitting it as their right to be considered in this respect, as on a footing of equality with the christians, now that all classes of Her Majesty's subjects in this country, without distinction of colour, creed or caste, are eligible for all the offices under government. The Collector gave his orders upon the said petition to the effect, that, in case of a vacancy of

the above description occurring in future at his office, the native's claims shall have every consideration; and that should there be any among the petitioners possessing the necessary qualifications for the berth, there would be no obstacle to his getting the appointment.

CANAL TOLLS.—The Deputy-Governor of Bengal has determined to reduce the present rate of tolls upon the canal one-half, that is to say, to fix the toll at 8 annas per 100 maunds, instead of one rupee.

DEATH OF PROFESSOR GHEASOODEN.—The Madressa or Persian College of Calcutta has suffered a severe loss in the death of their principal professor Gheasooden, whose place has been given to the individual next in succession.

INDIGO PROSPECTS.—It is said the indigo districts have had ample and excellent rains all below Rajmahal; Bangulpoore, Tiroot and the westward, have been less favoured.

FORTUNATE ESCAPE OF THREE ROYAL TIGERS FROM A MILITARY SECRETARY.—The Hon. Capt. Osborne has had a most unprecedented escape from an accident which, according to all calculation, ought to have proved fatal. When out tiger shooting in the Dhooon, three tigers suddenly got up under the very feet of his elephant which so affrighted the animal, that he literally shook his rider off his back. Captain Osborne is said to have actually fallen upon one of the tigers, and strange to say he escaped by the whole three tigers taking fright and running away.

CAPTAIN J. A. CURRIE.—Captain J. A. Currie, late of the Howrah dock has been appointed by the board to the situation of first uncovenanted assistant to the secretary in the room of Mr. W. Peters, who resigns and goes home in the *Robarts*. The place had been promised by the two last officiating secretaries to the assistant who stood next to Mr. Peters; but Captain Currie's eminent talents and position in society, appear to have given him a preference. It is understood, however, that Captain Currie is to be made river magistrate, as soon as that office is created; and has accepted the present office as a temporary convenience, unless the members of the board double his salary to secure his valuable services.

LIGHTNING.—About ten o'clock on the night of Thursday last, a three storied house at Burra Bazar, occupied by, and belonging to, a Hindoostanee shroff, was struck by lightning. The fluid entered the house through the roof, and piercing through the second and first floor, went out at the street door. An account book was the only property destroyed by the accident.

THE INTERMENT OF THE SUFFERERS IN THE LATE STORM BY THE MAGISTRATE'S ORDER.—The magistrate of zillah 24-pergunahs, we are informed, has despatched Serjeant Floyd with a party of convicts to proceed to the villages which have been devastated by the late storms, and to bury the corpses of the persons who were killed by the violence of that hurricane. The bodies, we learn from persons who went to see these places, lie strewn in all directions, some with their arms carried away, some being minus a leg, &c. Cows and bullocks, had been driven so strongly by the force of the storm as to have their horns driven into the earth, and many lie dead in that posture. Brick-built buildings have been thrown down, and the bricks themselves hurled to a great distance by the tempest, and large cocconut trees, &c. rooted from their original situation and buried four or

five feet deep in other places, 30 or 40 yards distance. At one place, called Baiddali, no less than 250 dead bodies were counted by the spectators. Females with their jewels on them, lie dead and untouched, the putrid smell being too offensive and considered infectious by the surviving villagers, so as to deter them from approaching these corpses, many of which were in a state of nudity, with the jackals and vultures feeding on them. The convicts who have proceeded to bury them, we understand, dug large holes in the earth, hurl the dead bodies promiscuously into them, and then cover them up. Native superstition ascribes the scourge to the curses of a fakeer, who asked for some chariv of these villagers, and was refused by all except one old woman, whose house has consequently escaped the effects of this tempest.

MOFUSSIL.

DELHI.—A native, a female, who, to all appearances, had expired, when undergoing the process of ablution previous to cremation, shewed signs of life. Her humane and sagacious relatives around, ascribed her resuscitation to the evil spirit or some equally satisfactory cause; nor was it until the poor creature had been exposed on her funeral pyre the whole day and shewed unequivocal symptoms of life and consciousness, that she was borne home. Suttee is but half abolished while the murders that are frequently perpetrated in cases like the above, are suffered to take place.

It is said that one of the Sudder jung tombs *furavees* has just been secured, after a desperate resistance, in which two of the cantors have been severely wounded. The name of the *furavee* is Jhoon-la, and his companion Unta, had a narrow escape of being secured also.

KURNAUL.—The Governor-General has been holding a levee for the reception of the native community, a large portion of which has flocked to pay their respects to His Lordship.

SAHARUNPORE.—A conflict between a body of thieves and the police of a village called Bela in this district, recently took place, in which several of both parties were wounded. The magistrate proceeded to the spot on learning the affray, and seized the ringleader and others of the gang.

ALLIGHT.—Manik Rae Rao, of Bidjeegurh, a large village in this district, has been sentenced to seven years' imprisonment, in the jail of Allygurh, for being implicated in an affray, in which several lives were lost. The affray was caused by the Rae's attempting to enforce the levy of several dues, which he claimed as his right, from the bunderas of the village, but to which the latter refused to submit.

Small-pox is very prevalent here among the natives, and has extended to the European residents; Mr. Thornton, C.S. and Ensign Coisar of the 61th regiment, have been attacked by the disease. The misery in which the poorer classes of the natives are kept by the scarcity, combined with the approach of the hot weather, will, no doubt, tend to make the disease more fatal.

MORADABAD.—The distress in this district, although not quite so severe as in many others, is on the increase;

and has hitherto been alleviated solely through the exemplary private charity of the judge, Mr. Okelton. This gentleman's good deeds are not performed for the sake of public exhibition, but are the result of qualities of which the possessor will always disdain the tribute of publicity or flattery. His private disbursements in charity have, for many months, been the only means of rescuing from starvation, upwards of a thousand destitute and famished human beings.

AGRA.—Cholera is on the decline, both amongst the troops and the inhabitants generally; and as the magistrate is putting a stop to a further influx of the destitute poor, in as far as practicable, by arranging so as to employ them at some distance from Agra, apprehensions of a pestilence breaking out are beginning to subside. It has been a mistake to conclude, that the congregation of these unfortunate persons, has been the cause of the cholera: as this disease is pretty well known now to arise from a peculiar condition of the atmosphere, rather than from animal or vegetable miasm; nevertheless, it has been found that larger masses of human beings, invite, as it were, attacks of cholera, and beyond doubt sooner or later in many instances are productive of doubtful malignant fevers; but the magistracy is now happily so well directed to the removal of the accumulation of all contaminating matters, both on the land and the river connected with the presence of these huge working parties and the population of Agra generally, so that little is to be feared in the shape of infection by a tainted atmosphere.

Distributors of cholera medicines have been placed at each of the twenty-eight chowkeys of the city.

Mr. Charles Lyall, of Calcutta, has presented the very handsome sum of 500 rupees, to the Relief Society.

The health of the city and station is slightly improving. The following list of the poor employed by Government shews a slight increase since last week:

April 1833.	Men.	Women.	Children.	Total.
12th	30,617	30,518	16,365	77,500
13th	30,917	30,518	16,365	77,800
14th	30,617	30,518	16,365	77,500

THE AGRA PRESS.—The Agra press, with all debts and property thereto appertaining, including the *Agra Ukhbar* was on the 5th of April, disposed of by sale, to Messrs. Moona Lal and Co. of Agra. The editorship of the paper will be conducted as hitherto.

The number of poor employed by Government is daily on the increase: they now amount to 70,000. The following is a list of the number employed this week.

	Men.	Women.	Children.	Total.
1st.	27,418	27,920	14,919	70,257
2d.	28,018	28,520	15,219	71,757
3d.	28,818	28,920	15,519	73,257
4th.	28,818	28,920	15,519	73,257

SHAHJAHANPOOR.—On the 28th day of March, the first steam engine in these provinces was put up in motion at the establishment of Messrs. Saunders, Barron and Co., and is a most interesting spectacle. The engine is of eight horse power, and is intended for sawing wood, raising water, and working a powerful air pump. The

air pump is to act in the twofold capacity—first, of creating and maintaining a vacuum under an immense boiler to be used in the making or refining of sugar, after the manner of the celebrated Howard's patent improved by Messrs. Oakes and Co. of London; second, of curing sugar by what is called the pneumatic process, which consists in placing the recently crystallised sugar in a case with a wire gauze bottom, and exhausting the atmosphere from beneath, when the air rushing through the mass, carries all the molasses below, leaving the crystal perfectly pure.

Dacca, 24th March.—A force consisting of three companies from Major Lister's light infantry corps, under the command of Lieut. Bennett, has been ordered to march against some refractory Cossyah chiefs, within a short distance of the Sanatorium at Cherra Poonjee. It is confidently expected the chiefs with their followers will soon be dislodged from the stockade, where they have taken temporary shelter, and will, probably, submit to any terms after the arrival of our force. A Government demand made by the revenue authorities for lands in possession of the above Cossyah chiefs, situated in the Sylhet district, treating our perwanas with unwarrantable insult, and committing outrages on the peons conveying those notices, are reported to be the ostensible causes of the present movement.

Calcutta.—Cholera and fever prevail to a great extent at this town and the surrounding country. At Humeerpore and Banda an extensive mortality is raging, and almost all the villages are more or less depopulated. The latter station is represented to be unusually prevalent and severe. The mortality extends also to the cattle, few or none of which remain.

Bengal.—The Collector of this zillah, Mr. Hamilton, has dismissed seven of his Ainla, for peculation and embezzlement of the public revenue. The same gentleman has substituted Hindoostanee for Persian in his office.

The Rajah Meetur Jeet Singh has subscribed 1,000 rupees for the relief of the N. W. P. cholera and small pox are both raging throughout the district.

NATIVE STATES.

Owalton.—The raja who lately lost his consort has just selected a fresh one, a daughter of the Mamajee, after sorrowing the usual Musulman period of affliction, forty days. This is the third partner he has taken to himself.

Hydrophobia to a fearful and unprecedented extent is raging in this town from the number of mad dogs in it. Native reports say the mortality caused by it is equal to that produced by cholera. So severe are the sufferings of the poor from famine that they devour the very animals, such as horses, buffaloes, asses, &c., that have died naturally from exhaustion.

Lucknow.—Letters from Lucknow state, that there is apparently something of serious nature going on in that city; and that the authorities are aware of what is going on, and have taken precautionary measures accordingly. The leave of all military men for the present month is

stopped. A fanatic now in confinement has predicted the downfall of the present reigning family; and the queen, the minister, and a wealthy and influential mahajun are said to have all died on the same day: the words of the letter are, "said to have all become defunct on the same day," which gives reason to suppose, that there is some conspiracy on foot to verify by the assistance of poison, the prophecy of the gifted individual now in custody.

Lahore.—"An Urzee from Monsieur Uotaylor was received, stating that a Russian vakeel had come to Dost Mahomed Khan, the ruler of Cabul, for the purpose of negotiating with him.

An Ukbar from Cabul was also received, mentioning that while Captain Burnes was sitting with Dost Mahomed Khan at the Durbar, the Russian ambassador came into the presence, and, with a loud voice, said to the ruler of Cabul, that he would not recommend him taking that gentleman's advice, as the English nation would make friends of people and afterwards deceive and disposes them of their territories. Captain Burnes heard this in silence; when the Durbar was over, he returned to his quarters, from whence he despatched presents consisting of wines, sweetmeats, &c. to the ambassador, but they were refused and therefore carried back to Captain Burnes.

An Ukbar written by the Cazeer of Cabul was also received, which mentions that the Russian ambassador and Captain Burnes met at the Durbar of Dost Mahomed Khan where they had a long conversation, which ended in very angry words, consequent on some expressions from the ambassador disrespectfully made use of towards the English nation. The ruler of Cabul seemed to take notice, but continued the business of the Durbar, secretly enjoying the scene. They then said that they would go to Lahore, and examine its strength, and report the same to their respective Governments. Deenanath said to the Maharajah, that it would be a desirable object if they came into His Highness's presence and there made proffers of friendship.

The Ukbar also mentions that Dost Mahomed Khan wrote to his son Ukbar Khan, advising him to be cautious that the reports of Herat should not be allowed to spread.

The Maharajah inquired of Deenanath and Fakcer Azeezooddeen, if they could inform him how much money Herat yield. They at first replied that the pergunnah of Herat is large and yields one crore of rupees. They afterwards said its revenue was about thirty lacs; but the ruler receives only ten lacs.

At the Durbar of the Maharajah, an urzee was presented from Sawun Mul, Nazim of Multan, stating that a few days ago the Vuzeeree Mussulmans had assembled in large body and plundered the cattle of Multan; but when the news of their depredations reached his ears, he assembled his forces, matched out and attacked them, when after a sharp conflict he succeeded in securing the cattle, completely routing the lawless banditti with a loss on their side of twenty-five killed and fifteen wounded.

Burreroon.—The sickness so general, is very severe in this town. The Rajah has made arrangements for the distribution of medicine in the hope of lessening the calamity which is depopulating the city.

KOTA.—The Raja of this state has taken it into his head to dispense with the services of his Dewan, an arrangement to which the latter appears not disposed to conform, and as he is supported by a portion of the Raja's troops a small fracas is expected. The Rajah has referred the question to Colonel Alves.

MADRAS.

TROOPS FOR MOULMEIN.—It is said that the troops under orders for Moulmein, are not to proceed there until further instructions are received from the General Government, the late pacific accounts by the *Larne* not seeming to require their immediate despatch.

The remainder of the 8th Regt. N. I. has not yet sailed for Malacca and Singapore, in consequence, it is said, of the want of accommodation in the *Batque Fanny*, which was taken up for their conveyance.

THE NABOB—EXEMPTION FROM LEGAL PROCESS.—A somewhat extraordinary application was made to the Supreme Court on the 28th of March, by the Advocate-General, on behalf of the Nabob, and by order of Government, but was not finally disposed of until the 30th. The Court was applied to make an order exempting all persons contained in a certain list (comprising the Nabob's household) from its process. The application was refused on the board ground that the Court was incompetent to make any such order, which would be tantamount to making a law, a power reserved only to parliament.

LORD ELPHINSTONE AND SIR ROBERT GRANT.—It is generally understood, that both Lord Elphinstone and Sir Robert Grant are recalled; the latter having offended both the Home and the Supreme Governments; the former to fill a situation at Court. Sir James Carnac is mentioned as his Lordship's successor.

THE SCHOONER FOR MADRAS AND MOULMEIN.—The General Government has purchased a large schooner for Madras, to ply backwards and forwards between Madras and Moulmein, carrying troops. The uncertain tone of the Burmese King renders every precaution necessary, and makes it desirable that a constant communication should be kept up between Madras and Moulmein.

BOMBAY.

THE COMMANDER IN CHIEF.—The Commander-in-Chief is going to cruise for the benefit of his health in the Hon. Company's ship *Tuptes* between Bombay and Surat, the present station of that vessel instead of going to the Mahabuleswar Hills, which it was His Excellency's intention to do, during part of the hot weather.

CHOLERA MORBUS.—A considerable deal of cholera prevails among the pilgrims who are congregated at Nassick, and that the victims to the disease are numerous, caused principally by the crowded state of a place to which so many went for the purpose of atonement and expiation.

OPIMUM AGENT.—It is said, that the situation of opium agent, vacant by the death of Mr. Taylor, is to be abolished as a distinct appointment, and that the duties are henceforth to be performed by the Custom-house department.

MOHURRUM AFFAIRS.—The late mohurrum festival has been attended with several excesses, which render it rather questionable whether the same indulgence ought in future to be extended to similar exhibitions. One mounted patrol has been murdered, and two police peons have been dangerously wounded, all in the discharge of their duty in protecting the public peace.

BURMAH.

The accounts from Burmah during the month, do not differ from those previously received. The affairs of the country were in the same condition.

PERSIA.

ISPAHAN.—The following interesting extract of a letter dated Ispahan, 27th January 1838, has been received.

"The winter this year is excessively severe. The streets are literally covered with snow, and we are, in consequence, all shut up in our respective houses. We have no further accounts about the movements of Mahommed Shah, and it is difficult to say what will be the result of his expedition. You must have heard of the arrival of Nicholas at Erivan. The visit of his Imperial Majesty to the Convent of Etchmietoun has, I am glad to say, been productive of manifold advantages to the Armenian nation. He has been graciously pleased to testify his acquiescence of becoming patron to that venerable fraternity on whom he has bestowed twenty-four extensive villages in perpetuity, the revenues of which are to be appropriated to the maintenance of schools for the education of Armenian youths, and to the printing of the Armenian classics and other useful books. This is all very good and encouraging indeed! Better and happier days await the devoted country of the Armenians!"

CHINA.

The accounts from Canton to the 27th of February, by the *Water Witch*, indicate no improvement in opium but on the contrary state, that there was a general expectation of the drug falling on the appearance of this year's supply in the market, none of which had been reported as sold. Last year's Opium was respectively, Patna 500 dollars, Benares 450 dollars, and Malwa 380 dollars, but sales were effected with great and increasing difficulties.

New opium was falling hourly, and sales of Patna are reported at 420 dls. Benares at 375 dls. There are discrepancies in the statements of deliveries and stock for the last year, which we are at a loss to reconcile with the shipments from here and Bombay, after making every allowance for the consumption of the Straits.

Without including Damaun, the export from India was about 41,000 chests, of which we have an account to the extent of 26,855 chests delivered and in store at Lintin, leaving nearly 15,000 chests undisposed of. It would be satisfactory to have this explained.

Some smuggling boats had been seized. Fast sailing chippers, for the Chinese rivers, of thirty to forty tons, are now fitting out in the Hooghly, to be manned by Europeans well armed, for the purpose of conveying the drug into places less exposed than the sea coast to the observation of the authorities.

THE
CALCUTTA MONTHLY JOURNAL.

ASIATIC NEWS.

1838.

MR. LINTON'S CONCERT.

We were in hopes, not only from Mr. Linton's choice programme, but the unusual coolness of the evening on Monday, that his concert would have been better attended. Margie the damper of such poor encouragement; he sang with great spirit throughout, and, with his invariable readiness, substituted a right jovial ballad for the promised 'Calumnia' of 'an amateur,' who was *non est inventus*. The gems of the evening were, decidedly, the delightful performances of the Ryckmanns. Both the basso and the petit bassoon were exquisite, but the bijou of bijoux was the piano forte fantasia of the junior Ryckmann—the Thalberg of Ind. There was one pianissimo passage in it, which, what with the delicacy of his touch, the modulation of the pedal, and sundry other musical witcheries

of which we confess our technical ignorance, he so thoroughly captivated the hearts of his auditors, that we heard around us, many an irrepressible ejaculation of delight and 'special wonder.'

Mrs. Chester was in excellent voice, but, we think, the songs assigned to her were not judiciously chosen, inasmuch as her forte lies in those that require more *naïveté* in the singing than so *bombie* a one, for instance, as 'Gardez vous,' Her 'Dashing White Sergeant' and 'Buy a Broom,' afford ample corroboration of this assertion. Mesdames Ventura and Valadares acquitted themselves very creditably, and Delmar led admirably: in short, all went off to the entire satisfaction of the audience.—*Englishman, May 2.*

LANDHOLDERS' SOCIETY.

Proceedings of a meeting of the committee, held at the Society's office, No. 3, Clive-street ghaut, on Monday, the 7th instant.

PRESENT

Rajah Radhacaunt Bahadoor; Rajah Kallykissen Bahadoor; Cowar Suttehurn Ghosaul; Baboo Pro-annocomar Tagore; Baboo Ramcomul Sen; G. Pinsep, Esq.; W. C. Hurry, Esq.; and Moonshree Mahomed Ameer, committee; Captain G. Vint, visitor.

The following gentlemen proposed at the last meeting, were unanimously elected:

Mr. R. Thomas, of Calcutta; Mr. J. C. Miller, of Goorka Rajeshye; Baboo Neelruten Halder, of Calcutta; Allan Gilmore, Esq.; J. McKilligan, Esq.; James Hastie, Esq.; Baboo Issutehunder, Kanbongoe, heir of Baboo Boydenauth, Kanoongoe, of Chittagong; Moulavee Kurrum Hussien, a vakeel of Shaha Woodaha; Moulavee Karamut Ally, of Hooghly Emambarah; and Baboo Kally Kinker Paulit, of Calcutta.

The following gentlemen were proposed as members of the Society:

Proposed by Captain Vint, and seconded by Rajah Radhacaunt Bahadoor,
Mr. John Russel, of Pubna.

Proposed by W. Storm, Esq., and seconded by Baboo Pro-annocomar Tagore,

Mr. Robert Watson, of Calcutta.

Proposed by Cowar Suttehurn Ghosaul, and seconded by Baboo Ramcomul Sen,

Issurchunder Baneerjee, of Calcutta.

Proposed by Rajah Kallykissen Bahadoor, and seconded by Rajah Radhacaunt Bahadoor, that the committee be increased to twenty-four, by adding six European members, and that the following gentlemen be requested to serve:

Captain G. Vint; W. Storm, Esq.; Robert Watson, Esq.; James Hastie, Esq.; J. McKilligan, Esq.; and W. Fergusson, Esq.

Proposed by Captain Vint, and seconded by Baboo Ramcomul Sen, that the question of the vernacular language be discussed on the last Monday of this month, in order to give time to obtain the sentiments of all the members of the Society, and that the meeting be at the Town-hall—agreed unanimously.

WM. COBB HURRY,

P. TAGORE.

Hony. Secretaries.

Hurkaru, May 10.]

IMPROPER USE OF THE AQUEDUCTS.

Calcutta, 4th May, 1838.

TO HER MAJESTY'S JUSTICES OF THE PEACE FOR THE
TOWN OF CALCUTTA.*The petition of the undersigned inhabitants.*

Your petitioners having observed, with feelings of disgust, the filthy and abominable uses to which the water in the various aqueducts is appropriated, by all denominations of the native inhabitants, who are everywhere to be seen bathing their bodies over the very channels, attended with indecent exposure of their persons, washing dirty rags, hawking and spitting into the water, and applying it for the purpose of cleaning ulcerated portions of the body, beg leave to bring the matter to your special notice, under the confident belief that, as it could never have been intended that the water should be applied to such uses, but for the useful and desirable purpose of supplying the domestic wants of the people, watering of the streets and replenishing the public tanks, that the justice of the peace will adopt such measures, consistent with the authority which they possess, for the application of such wholesome restrictions, as the abuses which your petitioners have noticed so imperatively demand, and the health and comfort of the community merit at your hands.

As an efficient measure for the correction of the abuses complained of, your petitioners would suggest the propriety of the day patrols being authorized to eject parties from the aqueducts who resort to them for unseemly, uncleanly, and filthy purposes, or by any other mode which may appear advisable and expedient for the accomplishment of the desired object.

(Signed)

M. Johnston,
James Jacobs,
C. Gould,
D. Clark,
Charles Scott,
J. W. Coombs,
P. Sutherland,
Thomas Boaz,
George Galioway,
P. Collie,
B. E. Harvey,
H. B. Gardener,
R. H. Bain, M. D.
J. H. Madge,
G. E. Smith,
C. Kerr,
F. Dubois de Saran,
A. Dubordieux,
F. Dormieux, junior,
C. W. Lindstedt,
J. W. Judah,
F. Dormieux,
W. Ryland,
T. Bason,
D. Parsick, junior,
W. Clark,
James Howatson,
C. G. Simonn,
C. F. Simonn,
J. Simonn,
J. Mechie,
N. Kerr,
Thomas A. Madge,
George Hornett,
T. Ross,
John Dubordieux,
R. Wright,

(Signed)

James Black,
T. K. Crosby,
T. Brue,
W. DaCosta,
P. S. Horn,
A. Betts,
H. H. DaCosta,
C. H. Baptists,
R. Smith,
W. D. Oehme,
L. H. Boueau,
H. Smith,
H. Boulau, junior,
T. DeLaCombe,
B. Harvey,
W. Oxborough,
F. D. Kellner,
Alexander Aldwell,
F. A. Madge,
L. Manly,
R. Palmer,
W. Foresty,
F. S. Oehme,
J. Weston,
W. Balston,
R. G. Crabley,
H. S. Mercet,
John A. Schorn,
B. S. Bason,
James Hill,
T. Howe,
J. H. Howe,
Robert Smith,
W. K. Old,
S. C. Hornett,
James A. Goodall,

[Hukaru, May 5.

AGRICULTURAL SOCIETY OF INDIA.

A general meeting of this Society was held in the Town-hall, on Wednesday, the 9th May, 1838, at half-past 9 o'clock,

N. WALLICH, M. D., V. P., in the chair.

Present :—Messrs. A. Colvin, W. Storm, M.S. Staunton, W. Ainslie, R.S. Strickland, and J.W. Masters; Drs. Strong, Spry, and Huffnagle; Lieut. Abercrombie; Messrs. John Allan, A. Grant, T. Brue, T. Palmer, G. T. F. Speed, C. Dearie, C. Trebeck, F.L. Beaufort, and D.W. H. Speed; Col. McLeod; Dewan Ramcomul Sen; Baboo Dwarkanath Tagore; Messrs. T. Holroyd, C.W.H. Speed, Jas. Colile, R. Smith, C.A. Dyce, R. Watson, F.T. Fergusson, C.K. Robison, G.A. Prinsep, W. Speir, T.S. Kelealt, D. Hare, E. Preston, T.P. Morell, C. Brownlow, and John Bell.

Visitor :—Lieut. Montrieu.

The proceedings of last meeting were read and confirmed.

The following gentlemen proposed at the last meeting were duly elected members of the Society :

Dr. James Morton; W. Bennet, Esq.; Wm. Agnew, Esq.; Robt. Campbell, Esq.; Andrew Sym, Esq.; K. M. Scott, Esq., Assistant Surgeon; Muneeram Bur, Bemdaree; Lieut. J.G. Gerard; John Gulding, Esq.; G.C. Richardson, Esq.

The following gentlemen were proposed as members, viz.

Capt. H. Macfarquhar, of Tavoy, proposed by Mr. Bell, and seconded by Dr. Wallich.

Dr. James Hutchinson, proposed by Mr. Bell, and seconded by Dr. Wallich.

Thomas Savi, Esq., of Kishnagur, proposed by C. Deverinne, Esq., and seconded by Mr. Bell.

E. Mackintosh, Esq., G.T. Cockburn, Esq., C.S., and Baboo Keenut Sing, Purneah, proposed by J.F. Cathcart, Esq., and seconded by Mr. Bell.

G.G. Mackintosh, Esq., C. S., Purneah, proposed by Mr. Bell, and seconded by W. Storm, Esq.

Rajah Bursinghunder Roy, and F. Kucuhoffer, Esq., proposed by G. Preston, Esq., and seconded by Mr. Bell.

G.M. Hunter and G. Austin, F.grs., Jessore, proposed by G.M. Adam, Esq., and seconded by Mr. Bell.

Motions of which notice was given at last meeting.

No. 1.—Dr. Wallich's motion, to offer premiums for essays on particular subjects, was brought forward and discussed. As there appears to be considerable difference of opinion on the propriety of offering rewards on essays, while the sum of four thousands rupees was already set aside for the best work on Indian Agriculture in all its branches, and as it became a question whether the funds of the Society were adequate to meet the outlay contemplated by the motion in question, with reference to other objects for which the Society have already pledged itself, Dr. Spry, as the seconder of the original motion, moved as an amendment, seconded by Mr. G. A. Prusep,

"That the four articles following be assigned as the staple articles deserving of the Society's support, for practical treatises, viz, cereal grains, sugar, silk and cotton; and that the details be referred to the general committee for report. Amendment carried. The secretary here submitted an account-current, dated 30th April, 1838, from F. Macnaghten, Esq., shewing that the Society has 19,900 rupees invested in Government securities, 10,000 of which unlocked up to meet Society's engagements, to meet the offer of premiums already voted away.

Motions Nos. 2 and 3, carried *nem con.*

NOTICE OF MOTION.

No. 1.—Proposed by John Bell, seconded by W. Storm, Esq.

1st.—That as most of the European vegetables have been brought to perfection in the vicinity of Calcutta, through the stimulating influence of medals and rewards from this Society, it is expedient to withdraw further encouragement from such as may now with safety be left to the profits of industry derivable from local consumption, and limited in favor of artichokes, asparagus, seakole, celery, parsnips and a few others that have not been brought to sufficient perfection to tempt uninterrupted cultivation for the market.

2d.—That the medals and rewards thus taken from vegetables be enhanced (with reference to the more expensive cultivation) and applied to *fruits*, hitherto neglected, there being little doubt that with care and attention, grapes, oranges, apples, strawberries, and other delicious fruits may be brought to perfection in Bengal, and indigenous fruits greatly improved.

3d.—That with a view to secure such a desideratum, parties having approved stocks be invited to contribute grapes (or to sell them to the Society) who will undertake to keep up a nursery for the distribution of young fruit trees.

4th.—That the sum of 500 rupees be annually set apart and laid out in the importation of fruit trees, from the Cape, America, New South Wales and Europe.

5th.—That Government be solicited to authorize the superintendent of the botanical garden at Seharunpore to send down grafts of fruit-trees and shrubs, and that the expense of transmission be borne by the Society.

6th.—That two of the Society's *ordinary* silver medals, and fifty rupees be placed at the disposal of each of the following branch societies, for the purpose of encouraging the natives to cultivate European vegetables as successfully as they are now established round about Calcutta, *viz.*

Hooghly, Burdwan, Beerbhoom, Midnapore, Cuttack, Comillah, Moorshedabad, Azimgur, and Assam.

7th.—That a limited shew of *particular* vegetables shall be held in reference to the season of their coming to perfection.

That a shew of fruits shall be held annually in due season, and rewards given.

Motion No. 2. The secretary brought to the notice of the meeting, that the great increase of new members, had exhausted the stock of the Society's transactions, vols. 2 and 3, and that there were not many of the reprint of vol. 1. remaining.

Proposed by C. K. Robison, Esq., seconded by W. Storm, Esq., that the 1st, 2d and 3d volumes, be put into a second edition, and that the expense be ascertained and brought to the notice of the Society at its next general meeting.

The secretary brought to the notice of the meeting several samples of raw silk, and one sample of sugar, sent in by parties agreeable to a resolution of the Society passed in the 12th April, 1837, to compete for the Society's medals.

The secretary was directed to hand over these samples to the respective standing committees, upon whose reports the medals would be adjudged at the next general meeting.

REPORTS.

Read, the agricultural committee's report on the subject of the distribution of sugar-canes at the end of the year, concerning which an advertisement has already appeared in the public prints.

Read, the report of the silk committee on certain specimens of raw silk and cloth produced on the wild silk worm in Assam, Burzugalpoor, Dinagepore and Boncoorah,—referred to the committee of papers.

Read minutes of the caoutchouc committee recommending that the caoutchouc samples from Lieut. Vetch, should be given to Mr. Robert Smith, for purposes of experiment,—confirmed.

COMMUNICATIONS.

Read the following communication.

Read a letter from Mr. Robert Smith to the secretary, dated 11th April, requesting to be supplied with as much caoutchouc, as the Society can spare, and offering to pay for the same at the rate of eighteen rupees per maund.

The secretary had submitted Mr. Smith's letter to the committee, who were unanimous that Mr. Smith should have what was available, gratis. Resolved accordingly.

Read a letter from Mr. Robert Smith to Dr. Wallich, dated 7th May, submitting for the inspection and opinion of the Society some samples of caoutchouc cloth, which he had prepared as a substitute for wax-cloth for packing purposes.

From Lieut.-Col. Dunlop, dated Simlah, March 25th, to the secretary, advising the despatch for presentation to the society, of a parcel containing seeds of all varieties of hill forest trees, and several kinds of pine-canes which may be considered valuable for transmission to Europe and other cold countries, giving information respecting the description of vines grown at Koomawur, and promising to forward cuttings.

From Messrs. J. Willis and Cole, dated 12th April, presenting to the Society, on behalf Mr. Julius Fitch, four specimens of apples grown in that gentleman's garden at Shalepore, Tirhoot, from English grafts.

	Inches.
1 Apple weight 25 Sa. Wt. measured in circum.	11
1 Ditto " 21½ " "	10½
1 Ditto " 15 " "	9½
1 Ditto " 12½ " "	8½

These beautiful apples were received by the secretary on the day after the last general meeting, and, fearing the apples might not keep, he circulated them as widely as possible. The fruit was equal to any at home, both in appearance and flavor, but Mr. Finch does not state whether these were solitary specimens, or whether the tree or trees bore much fruit.

From C. K. Robison, Esq., dated 14th April, enclosing extract of a letter from Major. Lawrence, dated Dorunda, near Hazareebaug, 3d March, forwarding a small quantity of vegetable-marrow seed.

From T. Sandys, Esq., (without date), received 15th April, acknowledging receipt of Secretary's letter of the 16th January, together with copy of the Committee's report on his model, No. 2, of a machine for raising water, and offering a few observations in reply.

From Captain Macfaquhar, to the secretary, dated Tavoy, February 21st, forwarding presentation to the Society, specimens of caouchouc, dammer varnish, and cotton.

Stating that the former has been manufactured under his superintendance, and that abundance of the gum can be procured in those provinces. That the sample of dammer varnish is made by bees on the same tree from which the rosin is procured, and that the cotton is the produce of his garden from seed raised from Sea Island, and which seems to thrive well in that neighbourhood.

From Mr. Thomas, superintendent of the Baptist Mission Press, intimating that he will print the transactions on the same terms as prepared by the College Press.

From Colonel Stacy, dated 15th April, enclosing a sample of cotton, and requesting an opinion on its quality.

From R. S. Homfray, Esq., dated 18th April, presenting an apricot produced in his garden at Barripore.

The members of the agricultural committee had tasted this apricot. Its fragrance was very fine, but it was sour to the taste.

From Captain P. Torekler, dated April 19th, acknowledging the receipt of transactions, and stating the intention of the committee to agitate the question of establishing a branch society at Dum-Dum.

From Dr. A. Campbell, dated Nepal, 12th April, conveying further information on the subject of his former proposition of acchamany seeds in Nepal for transmission to the plains.

From C. H. Blake, Esq., dated — received 21st April, forwarding a bag containing two maunds of sugar to compete for the gold medal offered by the Society for the best sample "Muscovade."

From Captain Jenkins, dated 12th April, conveying information on the subject of Eua silk.

From E. MacIntosh, Esq., of Purneah, dated 16th April, in reply to secretary's letter of the 2d idem, on the subject of Indian cattle. Promises to give such information as his experience may admit.

From Mr. L. L. Leman, of St. Helena, dated 12th December, 1837, offering to become the Society's agent in London, for the purchase of cotton seed, &c.

From Dr. A. Campbell, dated 15th April, on the subject of correspondence respecting Nepal paper published in vol. 5, Transactions of the Society.

From Major J. D. Parsons, dated Cawnpore, 16th April, promising, in reply to secretary's letter of the 2d idem, to give some additional information on the subject of Indian cattle.

From R. Montgomery, Esq., dated Allahabad, April 18, asking for a supply of cotton seeds for distribution in the district.

From M. G. Rose, Esq., of Ramunagur Factory, viz Coolbariah, forwarding a box containing samples of raw silk to compete for the medals offered by the Society.

From William Storm, Esq., dated 30th April, forwarding samples of silk, to compete for the medals, prepared by Mr. A. McArthur, at the Bamuñdee concern, in zillah Nuddeah.

From N. Alexander, dated 26th April, enclosing a memo. of the mode adopted by him in rearing artichokes.

From the secretary to the Meerut Society, dated 18th April, advising the despatch of some samples of wool for the opinion of the committee. Acknowledges receipt of the secretary's letter, with copies of the cattle Committee's pamphlet.

From W. Storm, Esq., dated 8th May, forwarding some wool taken from English imported sheep.

From H. C. Hulse, Esq., dated Muttra, March, 20th forwarding four samples of wool, viz. two of white, one of grey and one of black, shorn from Merino sheep reared under his care, and conveying some information on the subject.

From the same, dated Muttra, 6th April, transmitting, for the inspection of the Society, samples of grass and grass atta, procured in that part of the country; stating that these varieties of grasses are the present means of subsistence to a large portion of the natives of that district, and that the fact of their being made use of as food appears to be but little known, even to parties long resident in India.

From the same, dated 10th April, acknowledges receipt of secretary's letter in reply to his communication, on the subject of a horse-breeding establishment, &c.

From Dr. J. T. Pearson, dated Jaunpore, 23d April, acknowledges receipt of secretary's letter of the 16th ultimo, returning his communication on cochineal.

From W. Cobb Hurry, Esq.; dated 30th April, presenting an ear of Pennsylvania maize.

From Mr. Hugin, dated 4th April, Kedgeree, acknowledging receipt of parcels of books, &c., intended for the Agricultural Society of Mauritius.

From Mr. A. Millett, no date, received 8th May, forwarding 12 musk melon, of the same description as those presented last year.

From Captain G. C. Dicen, dated Mhairwarrah, 22d April, advising despatch of a quantity of Lucerae seed, for presentation to the Society, and intimating his willingness to forward a further supply at the close of the rains; stating his intention of sowing a large tract of land with cotton-seed and maize, the produce of seed furnished by this Society.

From the Reverend J. Parry, dated Jessore, 17th April, presenting to the Society, about half a maund of Sandway tobacco, and a quantity of Madras tobacco, growing in that district, from seed supplied by this Society to Mr. Cathcart, also a specimen of the soil. Requests an opinion on these samples, and information on the culture and preparation of the plant; stating that he has collected a large quantity of seed from both varieties in distribution at the district.

From Major Syers, secretary Agricultural Society of Cuttack, dated 4th May, advising despatch of samples of Virginia tobacco and Upland Georgia cotton, produced in the Society's garden at that station from seed furnished by this Society.

From F. Macnaghten, Esq., Government agent, dated 2d May, enclosing account-current up to the 30th April, 1838, showing the sum of 19,900 rupees, to be lodged in Society's fixed assets, in Government securities.

From M. G. Maxwell, Esq., M. D. of the Madras establishment, dated 9th May, asking for the coloured drawings of tobacco plants, presented by that gentleman to the Society sometime ago, if not required, for the purpose of being forwarded to Dr. Wight of Madras.

Dr. Maxwell also gave some useful hints as to the manner of preserving seeds from insects,

Some fine parsnips were submitted by Mr. Kirchoffer, the produce of his garden at Ballygunge.

Dr. Wallich submitted a small squash grown by Mr. R. Smith from English seed.

The thanks of the Society were ordered to be offered for all the above communication and presentations.

JOHN BELL,
Secretary.

Town Hall, Calcutta, 9th May, 1838.

[Hurkaru, May 10.]

LANDHOLDERS' SOCIETY.

Proceedings of a meeting of the committee held at the Society's office, No. 3, Chive-street ghaut, on Monday, 30th April 1838.

PRESENT.

Committee Rajah Kallikissen Bahadur, Baboo Prosonocoomar Tagore, Baboo Ramcomul Sen, G. Prinsep, Esq. W. C. Hurry, Esq. Moonshee Mohamed Ameer.

Member—Capt. G. Vint.

Visitors—Baboo Bhubanychurn Mitter and Baboo Bindabun Bose.

Mr. George Preston proposed at the last meeting, was unanimously elected a member of the Society.

The following gentlemen were proposed as members of the Society :

Proposed by a letter from F. Dickens, Esq., and seconded by Captain Vint, —Mr. Thomas, of Calcutta.

Proposed by Baboo Prosonocoomar Tagore, and seconded by Mr. Prinsep,—Mr. H. Miller, of Goorka, Rajeshye, and Baboo Neelruten Halder, of Calcutta.

Proposed by Captain Vint, and seconded by Baboo Prosonocoomar Tagore,—Allan Gilmore, Esq. J. M. Killigan and James Hastie, Esqrs of Calcutta.

Proposed by letter from Baboo Ramruten Roy, and seconded by Moonshee Mahomed Ameer.—Baboo Es-senchunder, Kanoongoe, heir of Baboo Boydenauth, Kanoongoe, of Chittagong; Moulavee Kurram Hussien,

a vakeel of Shaha Woodaha; and Moulavee Kurramut Ally, of Hooghly Emambarrah.

Proposed by Baboo Ramcomul Sen, and seconded by Baboo Prosonocoomar Tagore,—Kalkinker Paulit, of Calcutta.

A petition to Government by a zemindar of the district of 24-pergunnahs was submitted to the consideration of the committee.

Resolved, that the petition be considered at the next meeting, and of which notice to be given by the circular. The following resolutions were agreed to

Proposed by Rajah Kallikissen Bahadur, and seconded by Baboo Prosonocoomar Tagore, that the weekly proceeding of the meeting be published in Bengali in the *Chundrika* and *Darpan*.

Proposed by Captain Vint, and seconded by Rajah Kallikissen Bahadur, that as the question of the vernacular language is important, the discussion be postponed, and notice to be given by circular, stating its taking place at the next meeting. Notice was given by Baboo Ramcomul Sen, that a list of subjects connected with the revenue and judicial system of Government, which involves the general interest of landholder, be submitted by him at the next meeting.

WM. COBB HURRY,
P. TAGORE, *Hon. Secys.*

[Hurkaru, May 10.]

CALCUTTA CHRISTIAN INSTRUCTION SOCIETY.

At a public meeting of the Calcutta Christian Instruction Society, held in the old church room, on Tuesday evening, the 8th May, 1838,

The Lord Bishop of Calcutta, *Patron*, in the chair,

Moved by the Ven. the Archdeacon, and seconded by the Revd. F. Wybrow,

I.—That this meeting feels thankful to hear of the gradual progress of the society, as manifested in the report just read, and recommends that the report be printed and circulated for general information.

Moved by the Revd. Mr. Norgate, and seconded by the Revd. Mr. Ruspini,

II.—That this meeting feels it to be the indispensable duty of every Christian to impart the knowledge of his religion to his fellow-creatures, and, especially, to the domestics of his own household, and that, as this society holds out peculiar facilities for this purpose, it earnestly

recommends to the Christian heads of families to avail themselves of those means.

Moved by Capt. Birch, and seconded by Geo. Alexander, Esq.

III.—That the following gentlemen be the office-bearers of the society for the ensuing year, viz.

Patron.

The Lord Bishop of Calcutta.

President.

The Venerable the Archdeacon of Calcutta.

Committee.

The Revd. R. B. Boswell, Capt. Johnston,

Wale Byrn, Esq., Captain Richardson,

Dr. Corbyn, C. K. Robison, Esq.

The Revd. H. Fisher, Revd. W. O. Ruspini,

The Revd. H. S. Fisher, Revd. J. C. Thompson,
 The Revd. A. Gustin, Revd. F. Wybrow,
 T. S. Kelsall, Esq., Revd. K. M. Banerjee.

IV.—That the thanks of the meeting be offered to the Lord Bishop of Calcutta for kindly presiding on the present occasion.

RYD. T. SANDYS, *Secretary.*

THIRD REPORT.

An unusually long time has transpired since the publication of the last report of this institution. The society was established in May, 1832, and the first report was published at the end of the next year; the second report also was published at the end of 1834, and since that time no report has been published until the present one. The reasons for this delay have arisen, partly from the circumstance of the operations of the society being of a very simple and unobtrusive character, and partly from the desire not very rapidly to increase the operations of the society, until such labourers might be available to carry on the work as could have confidence placed in them by the committee, both as to their own Christian character, and their capabilities of doing their duties in such a manner as, with the Divine blessing, to bring the truth of the Holy Scriptures to bear upon the hearts and consciences of those who are visited by them.

The readers who have been in the employ of the society since the publication of the last report, are Raja Aghaee, Joseph Russic, Lal Ghose, Jutti Ah Alu, Preme Mussee, Samuel Ombika Churn, Meer Jan Jane Shecky, and Mr. De Mattas. Those just at present employed are Raja Aghaee, Samuel Ombika Churn, and Sheetol; of the rest Joseph is now engaged as a Catechist at Culna. Preme Mussee and Jane Shecky went to situations of usefulness up the country where the latter is still usefully engaged in connexion with a school. Jutti Ah Alu and Meer Jan found other employment more congenial to their feelings, and Mr. De Mattas was attacked by cholera last March, and departed this life in peace and in the steadfast hope of entering upon a joyful immortality through the merits of our Lord and Saviour, Jesus Christ, thereby proving that he himself was experimentally acquainted with those truths which he had been going about to impress upon the minds of others.

Raja Aghaee attends at the houses of fifteen subscribers and reads the Scriptures therein on an average to about 150 natives weekly, who, in almost every instance, hear the Gospel with attention, very frequently ask questions upon what has been advanced, and, not unfrequently, hold disputations with the reader concerning those truths which are revealed in Holy Scripture. In only one or two instances can it be said that the people give no attention whatever. Portions of Scripture and of the Liturgy, Hymnes, and Christian tracts, principally in Hindustani, have also been distributed to such persons as were able to read, and desirous or willing to receive the same.

Samuel Ombika Churn attends at the houses of twelve subscribers weekly, and therein reads the Scriptures to about one hundred and twenty persons during the week. This reader also attends weekly at a benevolent institution, in which are usually congregated about fifty natives from all parts of the country, to whom he reads the Word of God. From the report of this reader's visit, it appears, that most of the hearers listen attentively; some hear but do not consider, some question with a view to obtaining a solution of their doubts, and others, with a desire to confound and refute, and to make it appear that which is advanced in the Holy Scriptures, however true, it may be

in itself, and however proper, it may be for Europeans to receive, yet that it is not suitable for them as they are already in possession of a religion of their own.

Sheetol attends at present at only five houses in which about ninety natives assemble and hear him read the Scriptures, and concerning whom it is reported that they do so with attention, frequently holding disputations concerning the doctrines of revelation, and asking questions for the solution of their doubts.

The late Mr. De Mattos, a native of Portugal, was a convert from Popery; soon after his arrival in this country from Lisbon under the ministry of the late Revd. David Brown at the Old Church; he was engaged as a reader in 1835, with a view to his visiting the numerous families of the Portuguese, with which this city abounds, most of whom continue to live in very great darkness with respect to Scriptural truth; since the time of his appointment, about three years ago, to that of his death, he has been constantly engaged in going about from lane to lane and from house to house reading the Word of God to numerous Portuguese families in their own language. During that time he has read the Scriptures to about seventy different families monthly, or, in other words, he may be said to have held about seventy Bible class meetings every month reading the Scriptures, and encouraging the hearers to hold conversation upon the truths of God's Holy Word, and concluding with prayer. It is sincerely hoped that the seed of Divine truth which has been sown by this labourer will prove a blessing to those families who have enjoyed the benefit of his visits.

All the readers are expected, when not engaged in visiting their stated hearers, to devote their time to endeavouring to draw the attention of their countrymen to the consideration of the truths of Holy Scripture.

The following communications received from some of the members, shew, that what is doing is at present only the breaking up of the fallen ground of the heart, which is pre-occupied by all the error and vices of Mahomedanism and Hinduism: they also shew, that there is reason to hope that some of the seeds of Divine truth sown by the labourers of this society may find in some hearts a soil in which it will germinate, take a deep and coterie root, and eventually spring up and bring forth the fruits of righteousness and peace to the honor and glory of our God and saviour, and the salvation of immortal souls. If the husbandman wait for the precious fruit of the earth, and hath long patience for it, until he receive the early and latter rain, it surely becomes the spiritual husbandman to be patient, to be instant in sowing the seed of Divine truth, and to persevere in prayer for the enlightening and sanctifying influences of the Holy Spirit to cause that seed to be productive of repentance, faith, and holiness, in the hearts of sinners of mankind, and be instrumental in preparing many an immortal being for the service and love of God, here below, and for the enjoyments and employments of the everlasting kingdom of heaven above.

One writes, "In reply to your note, I am sorry I cannot bear testimony to any good result as yet produced upon the minds of my servants, who are in the habit of hearing the scriptures read once a week; but as they shew a willingness to listen, some more than others, there would seem reason to hope for the Spirit's influence, notwithstanding the difficulties which apparently obstruct the immediate conversion of adults?"

Another writes, "The servants still continue to give us a great deal of trouble in summoning to assemble, which, if left to themselves, they would never think of doing; there is, consequently, no spirit of enquiry or any visible change of sentiments, but we hope for better times, and, therefore, desire to labour humbly under that hope."

A third states, "I am happy to say the servants attend to the instruction, with care, and acknowledge the truth of the doctrines preached to them: but, that is all. One man, a Hindoo, who has left Calcutta for his country, I had great hope of, and if it please the Lord, I trust he will come back, he altered his conduct, and improved in every respect; and not only acknowledged but felt the truth of Christianity, and plainly told me his intention of embracing Christianity on his return. One of my servants is learning the English language of his own free choice, I trust it will be blessed to him. Upon the whole, they seem to be more willing to hear now than they were about two years ago, and more attentive: they prefer being spoken to in the Hindustani language. One of my women servants related the explanations she had heard here to some of her acquaintances at the house of a friend of mine, and those servants entreated to be spoken to also; they were so, and they seemed highly gratified."

Another writes, "I am sorry I have nothing particular to mention respecting the Christian Instruction Society: most of my servants are Christians, and they appear glad of every opportunity afforded them of hearing the Scriptures read, and I am thankful to find them attentive and consistent."

Another communication is as follows: "I regret to state, that little or no effect appears to have been made on the minds of my servants as respects the Christian instruction they receive on the Sabbath day. I have endeavoured to encourage them to put any questions they thought proper to the reader, and to enter into discussions relative to the truths of Christianity and the tenets of their own belief. For some time they availed themselves of the privilege; but, latterly, they appear contented to attend, listen, and go away unconcerned; and, it appears to me, that several of them would not attend, but from the fear of incurring my displeasure. Our only comfort under this discouragement is, that we are doing our duty in holding forth the light of truth to a very ignorant portion of our fellow-creatures, leaving the result to the All-Wise disposer of events."

Another member writes, "I have received your note inquiring what effect has been produced on the natives in my house from reading the Scriptures in their hearing by the agents of the C. C. I. Society. I am sorry I cannot give you satisfactory information on this subject, because of my inability to converse with them, unable as I am to speak in any of the native languages. All I can say is, that during the reading of the Scriptures in their hearing they listen respectfully, and often with apparent interest, and I should regret if the practice of reading to them were discontinued."

"I have the pleasure of acknowledging the receipt of your letter of the 23th April, requesting a communication on the subject of the effect that the regular reading and expounding of the Scriptures have had on my servants, and in reply I regret that I have nothing to report, (I wish I had) beyond regular and apparently willing attendance. Some of them acknowledge what they hear to be truth, but, as far as I can judge, their hearts appear untouched!"

"Though I cannot see any fruits, I am glad to have the blessed Word read to my people, and the Gospel simply preached in my family of dependants, and I trust to have the regular attendance of the men you now send, as it may not be always in vain that these privileges are imparted to my poor servants."

"The society must, I think, commend itself to every Christian heart. The recollection that we are daily receiving attention and service from those who are perishing for lack of knowledge, is most painful. How sad this constant habit showed in any degree, renders us indifferent to such a state of things, yet we all feel that it does, without great watchfulness. This society reminds us of our responsibilities, and tends to keep alive our sympathy for the stranger that is within our gates, and I have found it useful in this respect even to pray to our soul."

Funds. The total amount received since the publication of the second report is Rs 2,110 4 annas and 0 pie, and the amount expended during the same time is Rs 2,367 8 annas and 0 pie: there is, therefore, a balance of Rs 42 12 annas 0 pie, in hand.

The experiment of reading the Scriptures to the domestic servants of Christian families having now been carried on for the last six years, the committee feels convinced that it is now time to attempt to bring the labours of the society to bear more extensively upon those individuals for whose benefit it was more especially established. They, therefore, now beg to invite the heads of Christian families to follow the example of those who have attempted to bring their domestic servants, so far as circumstances would admit, within the sound of the blessed Gospel, and for that end to obtain the services of a Christian reader, for the purpose of meeting their domestics at a certain convening hour, once, twice, or oftener per week, as circumstances may suggest, and of reading to them, in a language which they can understand, the Gospel of our Lord and Saviour, Jesus Christ. There is one point to which the committee would especially invite the kind attention of those persons who are desirous of benefitting their native dependants, and that is, the desirableness of one of the members of the family kindly devoting the hour of the readers visit to the object of that visit, and as frequently as possible remaining present during the reading of the Scriptures and the discussion which usually takes place, subsequently, as it has been found, that in those cases where this practice is followed, the servants feel that their employer takes an interest in their welfare, and, consequently, are induced to listen with more attention than they would otherwise bestow.

The committee cannot but feel that sufficient attention has not yet been paid by Christians to improve the influence they possess for promoting the best interests of their servants, and, it is feared, that many individuals, who do not think seriously of their dependants, that as they are not desirous of seeing the light of truth, they may be left to themselves in quiet possession of their prejudices, and in ignorance of the only true God and Jesus Christ whom he hath set forth to be the propitiation for our sins, and not for ours only, but also for those of the whole world. The committee feels also that on Scriptural ground, it is the indispensable duty of Christians not only to attend to the spiritual interests of themselves and their own relatives and friends, but also to those of the strangers who are within their gates. If it be the command of God that the privileges of the Sabbath be extended to all such strangers as are brought within the sphere of Christian influence, as, from the fourth Commandment, it evidently is, it undoubtedly is a duty also which every Christian owes to those over whom he obtains any influence, to use that influence, accompanied by his best endeavours, and by his prayers at the throne of grace, for the Divine blessing, to bring them to an acquaintance with that Gospel which reveals the way of salvation through faith in our Lord and Saviour, Jesus Christ.—*Hurkaru, May 11.*

AUSTRALIAN ASSOCIATION.

No. 1.

T. H. GARDINER, Esq.

Secretary Australian Society.

Dear Sir,—As a further proof of the light manner in which the charges have been brought against the qualities of the stores laid in for the *Emerald Isle*, we request you will lay before your Committee the enclosed letter from Messrs. Haworth and Hardman regarding the biscuit.

Yours faithfully,

11th May.

CARR, TAGORE AND CO.

No. 2.

MESSRS. CARR, TAGORE AND CO.

Dear Sirs,—We have the pleasure to hand you (annexed) an extract from a letter received yesterday from a friend at Bombay, who was a passenger on board the *Emerald Isle* to Madras, to whom we wrote immediately on receiving your note of the 5th ultimo, advising us of a complaint that the bread supplied by us to that vessel was bad and uneatable. We addressed him to ascertain if there was any real ground for complaint, as we ourselves felt confident that our stores were most excellent.

We will feel obliged by your forwarding our extract to the Committee, of the Australian Association, with a request, that they will give the same publicity to it that was given to the protest of the passengers received from Madras, as we find that parties now, who are in the habit of supplying ships with such stores, do not hesi-

tate to state that our future supplies will be found (as in the case of the *Emerald Isle*) of inferior quality.

We are, dear Sirs, yours faithfully,

W. HAWORTH, HARDMAN AND CO.

Calcutta, 8th May, 1838.

No. 3.

Extract from a letter, dated Bombay, April 6, 1838.

My dear Hardman,—“ You desire me to inform you, if, amongst the general complaints on board the *Emerald Isle*, there were any upon your cabin biscuit, marked W. H., H. and Co., in reply to which, I must tell you, that I heard none; but, on the contrary, on one occasion, your mark, and, of course, your bread was brought to my notice at table by one of the passengers, before I had observed it myself, and, upon informing him that it was the produce of the new mills at Cossipore, he expressed himself how good it was; and, I do not assure you, it was good, and I did not see a *weevil* in any of the bread all the while I was on board; in short, I did not hear a single complaint about the biscuit in one shape or other, nor would I ever wish to eat better. The complaint seemed to be respecting the wines, of which I partook very little, and confess myself no judge of quality. Beer is my only beverage, and I took more than enough of my own; but that belonging to the ship was good beer also.”

(A true extract.)

(Signed) S. HARDMAN.

Hurkaru, May 15.]

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's apartments, the 15th May, 1838.

Letters from the following gentlemen were read :

From W. Michelson, R. B. Pennington, A. Ross, J. Innie, M. D. Esqrs. Bengal Medical Service; Hamilton, Esq. H. M.'s 17th Regt. and J. Murray, Esq. Bombay Service, requesting to withdraw from the Society.

From Messrs. Leckie and Co. of Bombay, forwarding their account-current with the Society, shewing a balance in favor of the latter of 514 rupees.

From J. H. Stocqueler, Esq., offering to act as agent for the Society here and in England, and stating that the Society if accepting his offer would only be required to contribute as a single subscriber at 10 rupees per annum.

On the motion of Dr. O'Shaughnessy, seconded by Mr. Egerton, Mr. Stocqueler's offer was accepted.

Dr. Goodere then stated, that in the last monthly report the mention of an operation for scrotal elephantiasis similar to his own, performed by Dr. D. Stewart, had been inadvertently omitted to be noticed.

Mr. Richard O'Shaughnessy then communicated to the meeting an account of two operations performed by him. The 1st was an amputation through the

tarsus after Chopart's method upon a native, with cancer of the forepart of the foot, extending over the metatarsus, and destroying the 1st and 2d toes.

The patient had recovered perfectly complete, union having taken place rapidly, although a large articular surface had been exposed by the operation, and the man was beginning to walk well with the remaining portion of his foot.

The 2d case was one of amputation of the right half of the lower jaw for hollow exostosis of that bone. The bone was divided a few lines to the right of the centre of the jaw, and turned out of the socket after separating the soft parts. About 16 ozs. of blood was lost during the operation, but no untoward symptoms had since occurred, and the wound was healed within a fortnight after the operation, leaving scarcely any deformity of the face.

The tumour had been the growth of some years, and had acquired considerable magnitude. The case was accompanied by a beautiful preparation of the bone and drawings of the patients before the operation.

The discussion upon these two cases being continued for some time, prevented any further business being commenced during the evening.

H. H. GOODERE,

Secy. Med. and Physical Society.

Hurkaru, May 16.]

LANDHOLDERS' SOCIETY.

Proceedings of a meeting of the committee held at the Society's office, No. 3, Clive-street ghaut, on Monday, the 14th instant.

PRESENT.

Rajah Radhacaunt Bahadoor; Rajah Kally Kissen Bahadoor; Baboo Prasannocoomar Tagore; Captain G. Vint; W. C. Hurry, Esq; W. Fergusson, Esq. and Moonshee Mahomed Ameer, committee.

J. Humfrays, Esq., member.

The following gentlemen proposed at the last meeting were unanimously elected:

Mr. John Russel, of Pubna; Robert Watson, Esq., of Calcutta; Baboo Issurchunder Banerjee, of Calcutta.

Proposed by the secretary, Mr. Hurry, and seconded by Rajah Radhacaunt Bahadoor,

James Colquhoun, Esq., of Calcutta, as a member of the society.

Read a letter from W. Adam, Esq., presenting a copy of his third report on education in Bengal and Behar.

Resolved, that a letter be addressed to Mr. Adam, asking a copy of his 1st and 2d reports on that subject, and thanking him, in the mean time, for the third, which he has been pleased to send.

The following gentlemen were appointed a sub-committee to examine and report on Mr. Adam's papers.

Rajah Radhacaunt Bahadoor; Rajah Kally Kissen Bahadoor; and Baboo Ramcomul Sen.

Read a letter from Mr. Marshman, stating his consent to publish the proceedings of the committee in his paper gratuitously.

Ordered, that a letter of thanks be addressed to that gentleman.

Read a letter from Coor Suttchurn Ghosaul proposing to establish a branch society at Backergunge, and other suggestions.

Resolved, that it be taken into consideration at a future meeting.

A letter from Baboo Mothooranauth Mullick, with a list of subjects requiring consideration, was also read.

Resolved, that it be laid before the society, with a translation at the next meeting.

Proposed by Rajah Kally Kissen Bahadoor, and seconded by Rajah Radhacaunt Bahadoor,

That a seal be engraved, bearing the name of the society in English, Persian, Bengally, and Debnagur characters, in order to seal the letters and other papers relating to the society, and that the copies of all letters that shall be written by the corresponding members addressed to, and received from, be kept in the records of the society for references.

The revised list of the corresponding committees passed as follows:

A Table showing the distribution of districts of the lower provinces

The Landholders Society's Division No	The Government Division No.	Districts.	The names of the special Corresponding members of the respective districts.
1	11	Behar Patna Sarun Shahad	Baboo Aushootas Day. Raja Burrodacaunt Roy.
2	12	Bhagulpore Dinagepore Malda Moungbyr Purneah Tirhoot	Baboo Roy Callynauth Chowdry. W. Fergusson, Esq.
3	14	Beerbhoom Bogra Moorshidabad Pubna Rajshahy Rungpore	Baboo Sumboochunder Mitter. Capt. Vint.
4	15	Backergunj Cachar Dacca Furreedpore Jyntea Mymcypore Sylhet	Cowar Suttchurn Ghosaul. Raja Radhacaunt Bahadoor.
5	16	Chittagong Noakally Tipperah	Rajah Kallykissen Bahadoor. W. Storm, Esq.
6	17	Durrung Gowalparah Kamroop Nowgung	G. A. Prinsep, Esq. Baboo Ramcomul Sen.
7	18	Bangset Burdwan Hooghly Jessore Nuddea Purgunn 24	Moonshee Mahomed Ameer Baboo Hamruten Roy. Baboo Pranoot Chowdry.
8	19	Balasoar Cuttaek Hidgelle Khoordah Midnapore	Baboo Radhamadub Banerjee. Baboo Mothooranauth Mullick.

P. TAGORE, Hon. Secy.

Resolved, that a few copies of prospectus be sent to the members for distribution.

The list to be published and letters to be addressed to the members, informing them of their appointment.

W. C. HURRY,

P. TAGORE,

Honry. Secretaries.

Hurkaru, May 17.]

SOCIETY FOR THE ACQUISITION OF USEFUL KNOWLEDGE.

A meeting of the above Society, established by a respectable body of educated Hindoos, was held in the Sanscrit College Hall, on Wednesday evening last. The rules of the Society requiring some member to deliver a discourse on the subject chosen for discussion at each meeting, the Rev. Baboo Kisna Mohana Banerjee delivered one, on the advantages resulting from the study of history. The discourse was good and well calculated to rouse a desire in young minds for the acquisition of a historical knowledge, as also to teach how to select the kind of histories fit for study. The speech was a lengthy one, and it is impossible to do justice to its merits within a short compass. After the Baboo con-

cluded, certain resolutions were passed for the guidance of the Society. The meeting broke up about half-past nine o'clock.

There were about a hundred Hindoo youths present on the occasion; but, we believe, the attendance would have been much greater, had not the weather worn a threatening appearance that evening. Two European gentlemen honored the meeting with their presence, namely, that zealous and unwearied friend, and originator of native education, Mr. David Hare, and another, whose name we had not an opportunity to learn.—Hurkaru, May 19.

TO THE SHAREHOLDERS OF THE AUSTRALIAN ASSOCIATION OF BENGAL.

GENTLEMEN,—Having, at your request, undertaken the investigation of the complaints of the passengers of the *Emerald Isle*, we beg to report to you the result of our enquiries, which have been as full as circumstances would admit.

Every article supplied to the ship was by Messrs. Carr, Tagore and Co. or under their orders. We have had before us, lists of the whole with Messrs. Binny and Co.'s letters, and Captain Driver's letter to Messrs. Carr, Tagore and Co., and have tasted two bottles of the condemned port and claret, sent up from Madras per *Malcolm*, and compared them with two bottles of the same wines from the godowns of Messrs. Carr, Tagore and Co. We have also tasted samples of the biscuits and flour. It was not possible to obtain samples of every article, and some we did not deem it necessary to require.

Referring to the passengers' letter to Captain Driver, of the 16th March, 1838, we shall notice separately the various supplies complained of, viz.

TABLE RICE.—Of this we find 20½ maunds was laid in: we have no musters, but are disposed to think that it was not properly prepared for the table by the European cooks on board: the sickness of the children may be attributed to another cause instead of the inferiority of the rice.

OVEN.—The want of a proper oven is next complained of. At the time the *Emerald Isle* sailed, every exertion was used to procure a new and proper apparatus; but none new was to be had, and a second-hand article was purchased from the *Mota*, which ship brought out troops and a number of passengers. If it suited so large a ship, the inference is, that it was a proper article, and Captain Driver is to blame if he did not cause a proper use to be made of it.

LOUR.—Bread and biscuits. Samples of the flour and biscuits were on the table at the last general meeting and tasted by every body present: they were pronounced good, especially the biscuits, and in this opinion we concur and believe them to have been as good as ever was put on boardship. We have, besides, in justice to Messrs. Haworth, Hardman and Co., published a letter from a passenger of the ship to Madras, stating that, instead of the biscuits being woefully and uneatable, they were much liked, and thought very superior. We have already stated that Captain Driver is to blame, if no fresh bread was baked on board, for he had a sufficiency of good flour.

CLARET.—Was St. Julien, and, in our opinion, a very inferior wine, and that sent up by the *Malcolm* is absolutely sour, though the same wine, and, we presume, exposure on deck when sent on board caused this deterioration. We do not consider the committee of the Association to blame in respect to this wine; and are even disposed to exonerate Messrs. Carr, Tagore and Co., for the wine was produced at the public tiffin. Mr. Craoiff then pronounced it inferior; but his opinion was overruled by all the other gentlemen, and among them several who have signed the letter to Capt. Driver; so the unfortunate choice of the wine is in a measure attributable to the passengers themselves—or, at any rate, those who attended the tiffin and approved of it, fifty dozens were put on board, and at Madras a fresh supply of 50 dozens of Chateau Margeaux was taken in.

PORT WINE.—The sample of this wine produced at the tiffin was considered very superior, and the muster received by the *Malcolm* shews that it is the same wine; and though we think it sound and not disposed to condemn it equally with the claret, we are of opinion that

it is a very common description of wine. A fresh supply of 30 dozens was put on board at Madras.

BRANDY.—Messrs. Carr, Tagore and Co. assure us, that they put on board an ample supply of *French* brandy from their own godowns. We find by the lists, 12 dozens, and as no part of it was condemned at Madras, we consider it to have been good.

BEER.—Of this we find supplied to the ship 112 dozens of Bass' pale ale, 24 dozens of golden ale, and 17½ dozens of other beer; no part of this was condemned at Madras, though stated by the passengers to be inferior. Capt. Driver states the consumption was "four dozens per day, so it could not have been very bad; on the contrary must have been very good, and in the published letter of the passenger to Madras, the beer was pronounced to be good; an additional quantity of 100 dozens was taken in at Madras.

SHERRY.—No part of the sherry was condemned at Madras, though pronounced by the passengers to be inferior, and no additional quantity was thought necessary to be supplied to the ship. The original stock was 32 dozens of one sort, and 24 dozens of another.

TEA.—The tea was from the godowns of Messrs. Rustumjee Cowasjee and Co.; there were three half chests of green tea and five ten-catty boxes of souchong. It is notorious that the teas from Messrs. Rustumjee and Co. are equal to any procurable, and Capt. Driver is to blame for not having had it properly prepared.

DEFICIENCIES OF MATERIAL AND ATTENDANCE.—We cannot, of course, pronounce an opinion in a charge stated in such general terms; but it must be evident to all persons, that a ship of the size of the *Emerald Isle* taking passengers upon the moderate rates charged, cannot be expected to have all the advantages of superior accommodations and attendance of large London ships. We are led by the passengers, also in general terms, to infer that there were not wholesome provisions on board; from the lists before us it is clear, that a very large supply, in our opinion, an unnecessarily large supply of caddy stores of every description, pickles, sauces, jams, jellies, preserves, cheese, spices, preserved meats, &c., was laid in for the voyage, and we have a certificate from Messrs. T. Payne and Co. who supplied the greatest portion, and whose respectability is a guarantee of the goodness of their supplies, that every article were good. They challenge proof of any inferiority; besides, no part of these provisions were condemned at Madras.

WATER.—An extraordinary supply was provided, but in a ship containing so many persons and animals, we concur in the propriety of Captain Driver serving it out upon allowance.

It unfortunately appears by all accounts, that the ship was greatly crowded and lumbered, and, we fear, that in every ship proceeding to these colonies, this will prove a source of discontent: to this discontent the discomforts of the commencement of a sea voyage, and the ill-health of some of the passengers, we attribute these complaints, though the crowding of the ship was entirely their own act, in bringing an enormous quantity of baggage in excess of their engagements, without notice, and for which, consequently, there was no space reserved: had this extra baggage been refused, greater dissatisfaction would have been created. In fact, the committee offered to re-land the excess, but no notice was taken of this proposition, and, we understood, that when the ship was unmooring, a passenger brought a quantity of personal baggage in addition to what he had in his cabin, and in the hold of the ship; as there was

no room the officer refused to take it on board. A very unpleasant scene ensued, and the consequence was, that the baggage was taken on board to the still greater inconvenience of the passengers. On this point, Captain Driver writes to his owners, "the crowded state of the ship has arisen from the quantity of baggage brought by the passengers, and, in fairness, Mr. Gardiner ought not to have been blamed." A quantity of freight was for the Swan, and, when landed, no doubt the ship would prove comfortable.

CATTLE AND DOGS.—The dogs belonged to a passenger who signed the letter to Captain Driver, and he might have abated the nuisance had he been so disposed. The horses were also the property of the passengers with two exceptions.

FITTINGS OF THE SHIP.—Doubtless some inconvenience was occasioned by the hurry in which things were obliged to be done; and, considering the great exertions of all concerned in despatching the ship, we should have been disposed to overlook all trifling inconveniences.

Upon the whole, therefore, we are of opinion, that

the greater part of the complaints of the passengers are either unfounded, exaggerated, or referable to their own acts; and that they were not advanced in a fair and candid spirit, for no allusion is made to the public tiffin at which the only two wines we consider inferior (claret and port) were submitted to them, and it is unfortunate that they made so bad a situation for themselves. Capt. Driver states, "the passengers find fault with every thing, still I am determined to keep my temper." Besides keeping his temper, we think he might have made greater exertions, as the provisions and water were consumed, to remove and show away such articles as occasioned inconvenience, and, certainly, he ought not to have left Madras without writing to the Association more particularly with a knowledge of these complaints; besides, he is clearly to blame, having good flour and good tea, that the passengers were not supplied with fresh bread and good tea, as they state.

W. CRACROFT.

W. PATRICK.

Hurkaru, May 21.]

EXCHANGE ROOMS.

MAY 22, 1838.

At a meeting of the subscribers to the proposed Bank of India, Mr. J. Allan in the chair. Mr. Bracken, in behalf of the present committee, made the following report:

I beg to state, on behalf of the provisional committee of the proposed Bank of India, that one of their object in requesting the attendance of the subscribers, is to tender the resignation of their functions in that capacity.

In the infancy of undertakings of this character, it is absolutely necessary that somebody or other should put themselves forward; and, so far they subject themselves to the charge of self-appointment. We are fully sensible of the inconveniences of any such mode of election; and, as the number of shareholders is now sufficiently large, in our opinion, to enable them to undertake the selection of their representatives, we now propose to place our temporary honours at their disposal. I am authorised, however, to state, that we shall not have any objection to continue our services, in co-operation with other gentlemen, to be named by the meeting, if it should be pleased to consider them at all useful.

The progress made in establishing the Bank, in the face of an exceedingly powerful opposition, may be held as favourable. There are already 189 applicants for shares, amounting in the aggregate to 1,476. These are entered in the list on the table; but I understand that, in addition, there are conditional orders in Calcutta for 3 or 400 shares, which, I presume, will now be executed. The prospectus provides for the commencement of business on 4,000 shares being taken; and I am individually disposed to adhere to that provision; but it is proper to mention that some opinions are favourable to the opening of the Bank, so soon as 3,000 shares are registered. Another point to be considered, and it may be

advisable to instruct the committee now to be appointed to furnish a report thereon, is the limitation of time, which applicants in Great Britain should be restricted to, in taking up shares at par. Perhaps six months from a given date, say the 1st of August next, would not be an unreasonable period. It is obvious, that such applicants would come into the Bank relatively on better terms than India subscribers, the working of whose capital had brought the value of its stock to a premium, unless some rule of this kind be made.

I may add that our subscription list embraces all classes in this country. Gentlemen in the civil, military, and medical service; merchants, planters, barristers, solicitors, independent capitalists, who have retired from business, and gentlemen employed in the treasury and other public offices in Calcutta.

1.—Proposed by Mr. Boyle, seconded by Mr. Stocqueler, that the late provisional committee be requested to continue their services.

2.—Proposed by Mr. Syers, seconded by Mr. D. Ross, that the following be added to the committee:

Messrs. J. Boyle, W. Gibbon, Robert Paton, Hurryhur Dutt, W. Oxborough, Anthony DeSouza, I. F. Leith, and W. Patrick.

3.—Proposed by Mr. Bracken, seconded by Mr. D. Ross.

That Mr. Boyle be honorary secretary, with instructions to arrange the preparation of a deed on a sufficient number of shares being subscribed; and to call a meeting of the subscribers for the purpose, fixing a day for opening the Bank, electing officers, &c.

Calcutta, 22d May, 1838. J. ALLAN,

Chairman.

Hurkaru, May 23.]

LANDHOLDERS' SOCIETY.

Proceedings of a meeting of the committee, held at the Society's office, No. 3, Clive-street ghaut, on Monday, the 21st instant.

PRESENT

Baboo Prosonnocoomar Tagore, Ramcomul Sen, and Sumbho Chunder Mittra; Moonshree Mahomed Ameer; W. C. Hurry, Esq; Captain G. Vint, and W. Storm, Esq.; committee.

Baboo Chudder Caunt Chowdhry, of Burshay, member. James Colquhoun, Esq., proposed at the last meeting, to be a member of the Society, was unanimously elected. The following gentlemen were proposed as members of the Society:

Proposed by Baboo Ramcomul Sen, and seconded by Baboo Prosonnocoomar Tagore; G. T. F. Speed, Esq.

Proposed by W. C. Hurry, Esq., and seconded by Baboo Ramcomul Sen; W. Carr, Esq.

Proposed by Baboo Prosonnocoomar Tagore, and seconded by Baboo Ramcomul Sen; Henry Roe, Esq., of Tipperah.

Proposed by Captain G. Vint, and seconded by Baboo Ramcomul Sen; Henry John Leighton, Esq., and Colvin Campbell, Esq.

Read a letter from the Government of Bengal, replying to the Society's application, dated 26th ultimo, asking a copy of the proposed resumption regulation, which is, that 'the printed draft above alluded, has been for-

warded by this Government to the Government of India, and is understood to be now before the Legislative Council. As the letter does not mention whether the Government means to furnish the Society with a copy of the proposed regulation required, it is resolved, therefore, that another application be made to Mr. F. J. Halliday, the secretary, to that effect.

Read a letter from Mr. J. S. Judge, offering his services to take charge of the memorials of the Society to the home authorities.

It is resolved, that thanks be given to Mr. Judge, for his offer of services, and that he be informed at the same time, that the Society has no memorials in preparation at present.

Read a paper of grievances from Baboo Mothoornauth Mullick. Ordered it to be sent to a sub-committee for consideration, of which the following gentlemen were appointed members, and requested to furnish a report as early as possible: Captain G. Vint, W. Storm, Esq., and Baboo Ramcomul Sen.

Messrs. George Prinsep, Moon-see Mahomed Ameer, and Sutteburn Ghossein were appointed a committee, to prepare a draft letter to Government, to accompany the resumption petition.

Wm. Cobb Hurry,

P. TAGORE,

Honorary Secretaries.

Hurkaru, May 24.]

BONDED WAREHOUSE ASSOCIATION.

Report by the Directors of the Bengal Bonded Warehouse Association, submitted to a general meeting of the proprietors, held on the 21st May, 1838.

We have now to lay before you the accounts, and to state the operations, since last general meeting, that is, for an interval of four months.

The receipts and disbursements from 31st December, (the date to which the last examination of accounts extended) to 30th April; an inspection of the books before you, will shew to be as follows:

RECEIVED.			
Subscriptions.....	Co's Rs.	78,050	0 0
Warehouse rent (about Rs 2,500 more are earned and outstanding up to 30th April).....	Rs.	4,500	0 3
Company's paper.....		19,220	0 0
Interest and discount.....		874	13 0
Price of some oil beams and burgahs.....		50	0 0
Excess of cheques on Union Bank, beyond the amount realized by it during these four months.....		803	8 6
	Co.'s Rs.	103,502	5 10
DISBURSED.			
Balance from December.....		0	2 7
Second instalment of the price of the premises paid to Government.....		50,000	0 0
Building of the warehouse.....		44,941	8 9
Building offices.....		2,235	5 0
Warehouse rent.....		769	11 0
Charges general.....		3,161	10 3
Establishment.....		2,581	14 3
Balance to debit of May.....		12	1 11
	Co.'s Rs.	103,502	5 10

The general meeting of January, having recognised the expediency of using pillars of masonry, and wooden beams, for the first range of godowns, as it was of paramount importance to lose no more time in its construction, we sought competition, by publicly inviting tenders for the supply of oak beams and rafters, and of teak planks; and we succeeded in arranging for the former at Co.'s Rs 48,218, including expense of painting and putting up; and for the latter at Co.'s Rs 61,961: and allowing further Co.'s Rs 21,039 for placing and fixing the floors, the result, more especially as regards the latter, will be a very decided reduction of the amount inserted

in the estimate, which was placed before you in January. As to the masonry, you were then informed, that Messrs. Burn and Co. had undertaken to execute the whole of it at the Honorable Company's rate of remuneration, Co.'s Rs- 16 per 1,000 cubic feet. With advice which we deem to be the very best within our reach, we have sanctioned the use of iron tie-bars and plates longitudinally, for strengthening the arches of the two rows of pillars, and of transverse iron tie-bars, with-cast iron boxes and plates, for every alternate pier, to maintain the position and solidity of the walls. We could indeed wish that the erection of these godowns were more forward. The oppressive heat of the weather lately, and the prevalence of sickness have been adverse to celebrity of work; but as the rainy season is at hand, it will behoove us to urge the contractor to the employment of adequate means to insure as rapid progress as may be consistent with safety; for, not only is that the most favourable season for masonry, but we are given to understand that, with even extraordinary exertion, the range cannot be finished before March; and we are sensible that every month's delay in its completion, may make a difference to you of many thousand rupees.

Of the iron work originally intended for this range, but which it was judged advisable to set apart for the second range, we are now enabled to place before you full, and we trust satisfactory information. Mr. T. Anderson; one of the three gentlemen whom we addressed, transmits, under date 14th February, copy of a correspondence, which you will find exhibits a narrative of the progress of the iron indent; and he communicates its position then, furnishing a copy of the plan and specification, by Mr. George Stephenson, a distinguished engineer in England. For details, we refer you to the correspondence. Let it suffice here to state, that your agents, deferring to the opinion of high authorities, whose science and experience were entitled to every respect, judged it proper to depart from the plans transmitted hence. A different pillar and beam have been adopted, although they confined their deviation from the original plan within the necessity of the case.

Having agreed on advice which pronounced such

composition to be indispensable, to use a mixture of Scotch, Welsh, and Shropshire iron, the cost will be enhanced from £2 to £3 per ton, more than of Scotch or Welsh iron alone, run from the ore, had been employed.

Mr. Stephenson proposed that 200 tons were to be delivered in March, and the whole to be delivered in Liverpool by the 30th June. He, or his assistant, was to be at liberty to inspect the work at all times; and every test was to be in the presence of one or other. As Mr. Anderson had, by the middle of February, received only some of the tenders, expecting the remainder in the course of a few days, it is to be assumed that the completion of the work will be later than the date indicated by Mr. Stephenson.

It was computed that the whole iron-work would weigh 900 tons. Mr. Anderson, in letter of 18th January, says, the price would be from £8 to £10; and, in that of 14th February, that the mixture of the three qualities of iron would cost from £2 to £3 extra: so that we may assume the cost, on delivery at Liverpool, will be £11,000. On this account a remittance of £6,000 had been placed in the Liverpool Bank, bearing 3 per cent. interest. We recently wrote to Mr. Anderson, that, an instalment of subscription being required to be paid upon 21st proximo, we would, by the first overland mail after that date, make a further remittance to him of £2,000 or £3,000.

We may dismiss this part of our report by observing, (and we do so advisedly) that we deem your agents (for, although Mr. Anderson writes in his single name, he has been acting in constant communication with his associates, Mr. Arbuthnot and Spein) have throughout proceeded very judiciously, interrogating in the outset various practical and scientific authorities; appealing to experience in different fields; adopting the alterations which such circum-spect examination demanded; and, in the sequel, yielding to no private influence, acknowledging no partiality, but securing to you the cheapest terms; by throwing the contract open to public competition:—and we cannot doubt that you will feel every satisfaction that those agents have thought proper, in the execution of their task, to resort to the guidance of a distinguished engineer. “Mr. George Stephenson” remarks, one eminent in science and practice in India, “is a first rate engineer: in his hands you are perfectly safe.”

In the course of our statement, we come now to direct your attention to the progress of warehousing operations, in the temporary and inferior accommodation it has been in our power to provide. The rent (we speak of its monthly product) at the period of the last meeting, had reached about 1,400 rupees; afterwards it quickly increased to about 2,000 rupees: it then fell back to 1,400 rupees; but soon began to rise, reaching now not less than 2,500 rupees, and likely to be 3,000 rupees by the end of the present month, altogether manifesting a progressive increase, the more satisfactory, as it has prevailed

over no inconsiderable withdrawal of merchandize for despatch into the interior, and for re-exportation, thereby shewing that the augmentation of your warehousing business, is by no means to be ascribed to any peculiar and temporary predicament of the market. The exigencies of the bonding trade even now compel us immediately to look out for more room. The range of dilapidated godowns on the north portion of these premises, may, it is expected, for a moderate sum, be put into such repair, as will serve, at least part of it, for the temporary reception of merchandize. We lately requested the Maine Board to allow us to occupy those godowns, for whatever rent may be proper in reference to their present condition, until the period arrives for paying to Government to the remaining part of the purchase-money: and the Board has in the most handsome and friendly manner accorded to our request. Additional and good accommodation being instantly required, we are in treaty for a fine and spacious godown in the immediate vicinage. We may shortly observe, that business seems now to be in the course of rapid extension; that, when the channels of periodical communication are opened with the interior, we reckon on an extensive removal of wares; but, on the other hand, we know that, with the arrival of the cold weather, there will be a considerable influx of trade into the warehouse. The issue, we anticipate, will permit a dividend to be paid early in the ensuing year, even before your warehouse is erected, from operations, necessarily circumscribed, in the temporary, insufficient, and inferior godowns now occupied.

It is perhaps superfluous to state to you, that such incipient thriving of the undertaking, with the very limited and discouraging means at our command, although beyond all question it augurs well, yet can be received as no just criterion, whereby to measure the magnitude of the trade that will flow into the warehouse when constructed or to appreciate the probabilities of the ultimate development and prosperity of the whole scheme.

It is not for us, in making our report to indulge in the expression of sanguine anticipations, which might unconsciously be charged with some exaggeration; but thus we are free to affirm, that, when the warehouse is completed, if it be so well occupied with trade, and the whole of such experience as we have yet been permitted to have, testifies emphatically that it will be so occupied, then it follows incontrovertibly, that the undertaking will yield you regular and ample returns.

F. MACNAGHTEN.

A. COLVIN.

J. WILLIS.

J. W. J. OUSELEY.

J. CHURCH.

Calcutta, May 19, 1838.

G. Dougal and J. Cullen were elected Directors, instead of Captain Ouseley and A. Colvin, who went out by rotation.—*Hurkaru*, May 25.

ACADEMIC INSTITUTION.

A meeting of subscribers, called by the managers of the above charitable institution, was held at the Town-hall, on Thursday evening last. Baboo Joychunder Bose was called to the chair; he addressed the meeting in a very eloquent speech, stating the object they had assembled for, namely, an inquiry into the conduct of their secretary, against whom the managers had cause to entertain suspicion of improper practices, such as would prove ruinous to the institution. Several charges were laid against him, but, as none of them were backed by sufficient proof to satisfy the meeting of their existence, it is but justice to the accused to withhold them from the public for the present. It was then resolved, that eight gentlemen be elected from amongst the subscribers to make a strict and impartial inquiry into the affair. Nineteen gentlemen were then named, out of whom, it was resolved, that David Hare, Esq., be requested to selected

the required number, “eight.” The committee, are at the close of the investigation of the charges, to lay their report, before a general meeting to be called for that purpose.

Several gentlemen spoke on the occasion, to the same effect as the chairman, to whom a vote of thanks was given for his able conduct in the chair.

The meeting broke up at a rather late hour.

We, as impartial reporters, cannot conclude this without remarking, that some young Hindoo gentlemen who spoke, were a little too free in their use of calumnious expressions to the accused, which could not be decorous under any circumstances, much less at a public meeting. Nor can we pass over unnoticed, the want of order which now and then prevailed. Our object is not to discourage these youths, but to give them salutary advice, that they may behave with more propriety in future.—*Hurkaru*, May 26.

SUPREME COURT.

APRIL 18, 1838.

(Before Sir Edward Ryan and a Petit Jury.)

Sheikh Abdollah was tried for stealing from the office of Messrs. Cockerell and Co., some indigo, on the 16th of March, 1838.

The prisoner pleaded not guilty.

J. M. Dove, Esq., deposed, that the prisoner was a furash, in Messrs. Cockerell and Co.'s office, but had no access to the indigo godowns; but there was at that time some indigo in the compound, in some chests, to which the prisoner had access.

Here Mr. McCann produced the indigo, and Mr. Dove recognized it to be the indigo stolen from Messrs.

C C

Cockerell's house, marked D. D., C. C. for Coliah factory, where this indigo has been manufactured; and D. D. from David Dombal, the proprietor of that factory. All his indigo is invariably consigned to Messrs. Cockerell and Co. for sale; and one of the cakes is a part of the indigo which was submitted to them from a house in Java for sale. The raw silk and wax candles, deponent could not recognize; but added, that the prisoner had charge of wax candles in the office.

Chain Sing, durwan of Messrs. Cockerell and Co., deposed to his having searched the prisoner at 9 o'clock p. m., when he was leaving Messrs. Cockerell and Co.'s office, and found on him some wax candles and three cakes of indigo, and then detained him in the office; and the prisoner, at 6 o'clock next morning, confessed that he had concealed some cakes of indigo in Neeloo Baboo's desk, and Kunniah Sing peon went with the prisoner to this desk and brought the indigo, and then deponent took the prisoner and the indigo to Mr. Dove, who ordered them to be taken to the police office.

Kunniah Sing confirmed this witness's testimony, as to the prisoner pointing out the stolen indigo concealed by him in Neeloo Baboo's desk.

Bhooroosee Ram, naib of the police thana, deposed to his having, by Mr. McCann's order, searched the prisoner's house, and found there some indigo, raw silk, seventeen wax candles, some nails, two pairs of gloves, &c. in a wicker basket in the prisoner's presence.

Prisoner made no defence.

The judge then summed up the case, which he said is larceny, and detailed the evidence and the law in the case.

The jury, without retiring, found the prisoner guilty.

The judge then sentenced the prisoner to two years' imprisonment in the house of correction, with hard labour.

Nowcowrie coolee was tried for stealing a box, containing various articles, the property of Ajim, on the 10th of April, from his house in Mulungah.

The prisoner pleaded not guilty.

Ajim deposed, that the prisoner put up in his house for four days. Two other persons live in his hut. Deponent had a trunk in his hut, which he rented from Ameerun, his landlady, who lived in another hut. This box contained articles, which partly belonged to him

and partly to his landlady, who had then kept these ever since her house was burnt. Some of the other articles in the box belonged to the other two men who lived with him. As the prisoner had no work, the other persons who lived in the hut when they went to work, desired him to look after their property. One day on their return from their work, they missed both the prisoner and the box, and after having searched for him some days, deponent found him in Colingah, with one of the stolen *dhootees* on his body, and asked him what he had done with his trunk, when he denied all knowledge of it. Deponent then asked how came he to have his *dhooter* on him, and made him over to the Colingah thana peon. He next day he saw the box at the police office, where he found all the stolen property except the money and one *dhooter*.

Rahimbux, the naib of Colingah thana, produced the box, which he found in the house of a woman named Chundermony, where the prisoner lived after he had absconded with the complainant's box from Mulungah.

The witness Chundermony, confirmed the deponent's depositions, and the prosecutrix Ameerun, the landlady, and the two persons who lived with the prosecutrix, identified the stolen property to be their property, and confirmed the statements already made in this case.

The prisoner merely said, that the box was not found in his house, but in that of Chundermony at Colingah, whereas he lived at the Chandney Choke. He had no witnesses.

The learned judge summed up the case, and the jury, without retiring returned a verdict of guilty.

The learned judge then sentenced the prisoner to two years' imprisonment in the house of correction, with hard labour.

George Lloyd and George Morgan, were tried for having, on the night of the 14th of March, 1838, stolen a musical snuff box, from the person of William Tippin, in the Seebtollah lane, by force and violence.

The prisoners pleaded not guilty.

William Tippin deposed, that he is a pilot, and lives at Seebtollah lane. On Wednesday evening, the 14th March last, he went with Mr. Hutton, the gun-maker, to Mr. Williams's, at Grea Baboo's lane, and from thence he accompanied Mr. Hutton to his house at Cossitollah, where he took a glass of grog and left him at 12 o'clock at night. On passing Cook's livery stables, he met a country-born young man, who was accompanied by two Europeans, and who addressed him and said "how do you do Tippin? Are you coming on board ship?" Deponent replied, "very well—no," and then walked on without taking further notice of them. When deponent arrived at the Chandney Choke, he saw an European standing at a liquor shop, and an African at a sweetmeat shop. The African addressed deponent and said, "well, friend, are you not gone home yet?" Deponent replied "no," and walked on. It was a moonlight night at the time when deponent arrived at the door of the house, these two persons who had followed him all the way from the Chandney Choke, rushed on him and knocked him down by tripping his heels. The European throttled him and held him down, and the other rifled deponent's pocket and took out his musical snuff-box from it. Mrs. Tippin, hearing the scuffle opened the blinds of the window and called out and said "Tippin Tippin, what is the

matter?" Deponent, because he was throttled, could give no reply. Mrs. Tippin then came down, and when the prisoners saw her coming with the servants to deponent's assistance, they left him and ran away. Deponent then got up and followed them and called out to the chokeydars to stop the thieves. He pursued them as far as the thana, and there he abused the thana people for having let the thieves follow and rob him, and then escape. They replied, that they did not know that those men were robbers, until deponent had informed them that they were so, consequently, they could not arrest them. Deponent, because his eyes were blinded by the tightness with which his throat was squeezed, could not recognize the persons who had robbed him again if he were to see them.

Rosa DeSilva, who lives with Mr. Tippin, corroborated his testimony as far as it related to her.

Buddeat Pummah, peon of Seebtollah thana, deposed, that he knows both the prisoners, who live within the beat of that thana, and that he had seen them pass his stand at 1 o'clock A. M., dressed as Mr. Tippin had described them to be, and shortly after they had passed him, Mr. Tippin came and complained of his having been robbed of a musical snuff-box by them.

Ishamut, peon of Seebtollah thana, confirmed the last witness's statement.

Boran, peon of Seebtollah thana, deposed to his having seen the prisoners following Mr. Tippin down the street, at the time this robbery is stated to have occurred.

Mary Anne Rawlins deposed, that in March last, she lived in Dhobyparrah lane. Deponent knows the prisoner Morgan; he came on the 10th of March last to deponent's house, with a musical snuff-box for sale, and asked 20 rupees for it, and at deponent's request he left it with her to have it valued, and about 10 minutes after this he returned and took the box away. At candle-light he, during deponent's absence, came with an European to her house, and when deponent, on her return, saw them enjoying themselves with a glass of beer, having brought two rupees of it, deponent asked them why they came there. They said to speak to deponent. Soon after this, they began to quarrel about 20 rupees, which the European taxed the African of having stolen from him, and the African called the European a liar. The European then gave the African a slap in the face, and the African then beat him severely with a chair. The European then went and brought a police constable and had the African taken into custody. The African when taken to the police office, left the musical box on her table, and when Mr. McMahon heard of this box, he desired deponent to bring it to the police, and consequently returned to her house, and gave it to the charge of constable Ware. That European is not the prisoner at the Bar. Deponent is a married woman, and keeps a public house. When deponent first saw the musical snuff-box on that night, the prisoner Morgan was making it play and showing it to the European. Deponent cannot say who brought it on that occasion, but it was the same box which the prisoner Morgan had brought to her for sale at 5 o'clock P. M. of that day.

The deponent's durwan and khidmutgar confirmed his testimony.

John Weir, constable of the Colingah division, deposed, that he heard from a chokeydar of the riot in Aune Rawlins's house, and when he arrived there, he saw a buggy with two gentlemen in it, assisting a person named Sheriff, the boatswain of a ship, who said that Morgan had assaulted him and broken his head, and robbed him of seven rupees eight annas. Morgan said that Sheriff had first struck him. Deponent then took Morgan into custody, and Mrs. Rawlins was accused before the magistrate of

assisting in the assault, Mr. McMahon then sent for Mrs. Rawlins, who informed him of Morgan's having left a musical snuff-box there; and as another caffree named Alexander was in custody, for having stolen a musical snuff-box, deponent informed the magistrate of this circumstance, and he desired him to bring the box which he did from Mrs. Rawlins. Deponent did, on arresting the prisoner, say, that he was the greatest blackguard in Calcutta; this, he did, because he has heard repeated complaints against him, and has seen him repeatedly at the police-office in custody.

Here this deponent produced the box, which Mr. Tippin recognized to be his property, and knew it because it has "Boston State House" written on, and is slit slightly inside, and deponent has the key with him which fits it. He fitted it and treated the Court with a tune.

Lloyd in his defence said, that on the night on which the case is stated to have occurred, he was in bed at 10 o'clock, and never quitted it till next morning, and he left them to judge whether he is a thin dark man six feet high and of a dark complexion, as the prosecutor has stated the man who robbed him was.

Morgan, in his defence, admitted that he had been rambling in the quarter where the robbery was stated to have been occurred, but he never saw the prosecutor that night, and he is a perfect stranger to him. The rest of his defence related to his transaction at Mrs. Rawlins' house, in which he attempted to show, that the conduct of Mrs. Rawlins was malicious against him.

Lloyd called two female witnesses, one of whom was his mistress's mother, who swore that on the night in which the robbery is stated to have occurred, Lloyd came home at gunfire, and went to bed at 10 o'clock P. M., and he did not go out again that night, as one of them, who is his mistress, slept in the same room with him, and bolted the door from inside. It appears that these women, when this prisoner was tried for robbing one Baker, were brought forward and deposed to an *alibi* in that case likewise.

Here the learned judge summed up the case, and detailed the particulars of it, commenting on and explained the evidence both for and against the prosecution. The jury could not agree and were locked up all night.

APRIL 19, 1838.

In the case Queen *versus* George Lloyd and George Morgan, for robbing W. Tippin, of a musical snuff box, the verdict was this morning given at the opening of the Court, of *guilty* against both the prisoners.

Just before the adjournment of the Court, at about five o'clock P. M., the judges ordered Lloyd and Morgan, to be brought up to receive their sentence. The judge, in commenting on their case, said, that this was not the first time they had appeared at this bar, and he blamed Lloyd in particular, for having suborned false witnesses to prove an *alibi*. He added that he was fully convinced that they had committed this crime. In conclusion, he said, that he could sentence them capitally or even to transportation for life, if he chose to do so, for this offence; but he would deal milder with them. He then sentenced George Lloyd to seven years' transportation to Van Diemen's Land, and George Morgan to seven years' transportation to the S. E. coast of Maitaban.

The prisoner Morgan, whose demeanour had all along been very contemptuous, on quitting the Court thanked his lordship.—*Hurkaru, April 20.*

APRIL 18, 1838.

(Before Sir Edward Ryan and a Petit Jury.)

Henry Lemesle was tried for robbing from the person of Edward William Bowbear, one silver watch and two silver watch keys, on the 22d March, in Jaun Bazar road.

The prisoner pleaded *not guilty*.

Edward William Bowbear stated, that he is an assistant in the Sudder Board of Revenue. Deponent lived at Warman's shop. On the night of the 22d March, deponent left the shop at half past 10 o'clock, in company with Jones, to go home, and the night was a dark one. When deponent arrived at the Jaun Bazar road he met the prisoner, who was a perfect stranger to him. After Captain and Mr. Jones had passed prisoner, Mr. Jones went to a neighbouring grain dealer's shop to light a segar, and deponent stood at the cross road waiting his return. Whilst thus standing, the prisoner came behind him, seized the ribbon of his watch, and jerked it out of his sob. Deponent then pursued prisoner who ran down the Jaun Bazar road, eastward, calling out stop thief. After deponent had pursued him about a quarter of a mile, a chokeydar came up and arrested the prisoner with the watch in his possession, and took the prisoner to the thana, from whence he was sent off to the police office. During the pursuit deponent never lost sight of the prisoner. Jones came up after this prisoner was in custody. The watch is a silver McCabe's watch, and had two keys attached to it. Prisoner when arrested, said the deponent had put the watch into his hands and had desired him to take him to the Cooly Bazar.

Cross-examined by Mr. Prinsep. The deponent had been drinking; every one who is gentleman drinks a little. Deponent was there about three hours casting and drinking, but they were not flushed, and proceeded home from Warman's directly. Jones knew the prisoner when he was a boy—he is not a boy now. It was about 11 o'clock p. m. when this occurred.

Alfred Robert Jones, deposed, that he is a section writer in the Sudder Board of Revenue. Deponent knows Bowbear, the last witness, and went to dine with him on the 22d March, at Mr. Warman's. The rest of the witness's evidence was a direct confirmation of the testimony of Mr. Bowbear. In the latter part, as to the conversation between the prisoner and the chokeydar, the prisoner declared, that because he would not go with these two witnesses to the Cooly Bazar, they beat him and he ran away, and he said that the watch was his property.

Cross-examined by Mr. Prinsep. Deponent told Bowbear, that the prisoner is living in Dobeyparra Lane, where deponent resides. Deponent has been living in the same neighbourhood for 11 years, but was not on visiting terms with him. Deponent has heard that he prisoner is the son of a steward of a Governor-General. Does not know whether his father died worth property. Deponent quitted his school rather precipitately for good reasons; there were some suspicions against him. Deponent had gone that day to the Botanical Gardens, taking the requisites of nature with him, but there not being sufficient, he went consequently to Warman's, and took an additional supply, and then, after a walk, they returned and took a cool bottle of champaign and another of claret; yet they were neither of them flushed. Deponent previous to being employed at the Sudder Revenue Board, was at Carr and Tagore's and was

discharged for absenting himself; he is not aware of any other motive. He was likewise employed by Mr. Frederick, and was discharged for having appropriated some of the articles in the shop, which were entrusted to his charge, to his own use. It is a very natural thing for a person out of employ to take from another.

Buxoo, chokeydar of Tolullah thana, deposed to his having seen the prosecutor pursuing the prisoner, and calling out to stop the prisoner who had stolen his watch, and that he had arrested the prisoner.

Cross-examined. The prosecutor and his companions were not intoxicated, but their mouths smelt of liquor, as gentleman's mouths usually do at nights.

Owing to some neglect on the part of the police authorities, the nab, who had taken the prisoner and the watch to the police office, was not in attendance.

Mr. McCann produced the watch, and deponent identified it to be his by the No. (1837.)

Prisoner said that he was acquainted with Jones, and on the night this robbery is stated to have occurred he met Jones and Bowbear. The former asked him to treat him to a glass of grog, and when he refused, because the shops were shut, he beat him and wanted him to get the shop opened, as Muddo Soodun Ghose and Guffor Khan, who passed them at the time, can testify. The rest of his defence was that he was a person above want and this was a conspiracy, and he impugned the character of Jones.

Muddo Soodun and Guffor both corroborated the prisoner's statement regarding what passed between him and the prisoner, and said that all the parties were partially intoxicated at the time they saw them together, on the night of the 22d March last, in Jaun Bazar road. Dooga Sing, nab of the Tolullah thana, was then called, but his evidence elicited nothing beyond what had already been deposed.

John Brown Ward, a clerk in the commercial accountant's office, deposed, that he had known the prisoner for a long time, and gave him a good character for honesty. So did Mr. John Lucas and J. Minos; and they said that prisoner's family had money and honour, and were in affluent circumstances.

This closed the case for the defence.

The learned judge then summed up the case, detailing the evidence and commenting on it, and explaining the law on the case.

The jury, after a short retirement, brought in a verdict of *not guilty*, and the prisoner was ordered to be discharged.

THURSDAY, 19TH APRIL 1838.

Dabee Sing and Dookul Sing, were tried for having, on the night of the 16th April, robbed Golah Sing, a durwan in the employ of Baboo Rustomjee, of a trunk containing several articles of wearing apparel, 200 rupees in cash, and other articles.

The prisoners pleaded *not guilty* :

The articles were produced in Court by Mr. McCann, and the prosecutor recognized them to be a portion of the property stolen from his room.

The case for the prosecution is as follows.

The prosecutor and the two prisoners were all durwans in the employ of Baboo Rustomjee, at his garden house, and lived in one room. The prosecutor had been

in the habit of absenting himself repeatedly from his duty. On the night on which this theft is stated to have occurred, the prosecutor's trunk was stolen from his room, and the prisoner, on his return early next morning, discovered his loss, and found the trunk in the Baboo's garden, rifled of its contents. He taxed the two prisoners with the theft, and desired them, if they had, as a matter of joke, removed his goods, to restore them to him. They denied that they were guilty of the crime laid to their charge. The prosecutor then informed his master of this theft, who likewise questioned the prisoners, and before him they persisted in their denial of the crime. The Baboo then desired one of his servants to bring a person who could perform the ordeal of making the suspected persons eat parched rice, the next day. When the prisoners heard of this, they came at midnight and confessed to the prosecutor that they had robbed him, and entreated him not to expose them publicly by making them undergo the threatened ordeal, and to forgive them, and they would restore him his property. The prosecutor replied, that if they would restore him all his property he would overlook their offence. They then restored him all with the exception of 40 rupees, which they both denied that they had stolen. This denial enraged the prosecutor, and he, next day, informed Baboo Rustomjee of what had occurred, who sent for a chokeydar and forwarded in his custody the two prisoners, the trunk and the stolen property recovered to the police magistrate, who committed the two prisoners, and sent the case up for trial during the present session.

The prisoners, in their defence, said, that the prosecutor had been leagued with a gang of conners, and had repeatedly passed counterfeit coin in the Bazar. They advised him to desist from such a nefarious practice, and, as he would not attend to their remonstrances, they went and complained against him to Mr. McCann, at the police office, and had seven of his colleagues in this malpractice arrested. The prosecutor was then absent from the house of his employer, and could not be pointed out to the police functionaries, who apprehended his abettors. They were the witnesses in that case, and five of the men who were arrested on that occasion were convicted and sentenced to the house of correction; and although Ram Deen, the police naib, who had arrested these seven persons, had subsequently repeatedly seen Golab Sing; he never arrested him for the offence of which they had accused him. The prisoners, on that occasion received a reward from the police office, for having had these five persons convicted, and the prosecutor demanded a share of this booty, which they refused to give him; he consequently vowed vengeance against them, and shortly after had them confined on the present indictment. They admitted that they had concealed the trunk and its contents to punish and expose the prosecutor, and to show that if he could not guard his own property, much less was he fitted to guard the property of his employer: and after they had extorted a promise from him that he would not, in future, neglect his duty, they delivered up his trunk and its contents to him, which they had concealed in Baboo Rustomjee's molly's hut. In conclusion, they observed, that if they were inclined to rob, they, instead of robbing the complainant of his paltry effects, would have robbed their master of a considerable sum and abandoned to their native country, where they would have lived all their lives comfortably on their booty. They said that this was a malicious conspiracy against them, hatched by the prosecutor, for having preferred the charge above stated at the police office against him, and not given him a portion of the sum given them for bringing the smuggling transaction to the knowledge of the police office.

They called Mr. McCann and Ramdeen, who corroborated their assertions as to the passing of the counterfeit coin by the prosecutor, and they having brought this to the notice of the police magistrate, and got five men

convicted and punished; and that, because they had refused to give the prosecutor any portion of the money given them by the police office, the prosecutor had threatened them a month previous to his instituting this complaint against them. Mr. McCann gave Dobe Sing a very good character for honesty, and said that he had formerly been a naib of a police thana, and given perfect satisfaction to his employers; and Mr. George Aviet gave dookul Sing a like good character for honesty and activity, whilst he was in his service; and a police peon proved that the prosecutor had passed some counterfeit coin on him.

This concluded their defence, and the judge then summed up the case, detailing the evidence and commenting on it. The jury convicted both the prisoners of crime for which they were tried, but, in consideration of their having formerly borne very good characters, and this being their first offence of this kind, they recommended them to the merciful consideration of the Court.

The learned judge took the recommendation into consideration, and, after the verdict had been recorded, he, under all the circumstances of the case, sentenced both the prisoners to six months' confinement in the house of correction, with hard labor.—*Hurkaru*, April 20.

ADJOURNED INQUIRY OF LUNACY,

APRIL 19, 1838.

(Before Messrs. Marnell and Leith, Barristers.)

IN THE MATTER OF JOYKISSEN, A LUNATIC.

The jury in this case gave in their verdict at about 9 o'clock, p. m., after having demanded and received their fees for their attendance. The verdict was, that the said Joykissen was of unsound mind, and had been so for these 12 years, and was therefore incapable of managing his own affairs, and that his lunacy had been caused by violent anger at the conduct of his brother, Radakissen, who had forcibly prevented him from accompanying his mother on a pilgrimage to Bindabun.—*Hurkaru*, April 21.

APRIL 20.

(Before Sir E. Ryan, and a Petit Jury.)

The judge on the opening of the Court, directed Mr. King, to have the eight prisoners against whom no true bills had been found, if there was no other charge against them, brought up and discharged. Mr. King replied, that there were no other charges against them, and that they were at the jail. The Chief Justice then ordered him to bring them up to-morrow to have them released.

Hurree, was indicted for inflicting, on the 27th of March, 1838, a severe wound on the throat of John Pereira, from the effects of which wound he died instantly, in Old Bow Bazar lane.

The prisoner pleaded *not guilty*.

Lydia Francisca deposed, that she was in Mrs. Ogilvy's service as an ayah, in the month of March last. Deponent is acquainted with the prisoner and has been his mistress these last eighteen months. Previous to her entering Mrs. Ogilvy's service, they lived together in a hired hut in Old Bow Bazar lane, the property of Mrs. Rosina. Deponent had a child named John Pereira, aged seven years. His father was a Christian and had been dead some time. The general conduct of the prisoner to the child was kind. Deponent was supported by the prisoner. Deponent went to service because she and the prisoner had contracted heavy debts, and the prisoner was out of service. Deponent during the time she was in Mrs. Ogilvy's employ, left the child under the care

of the prisoner and she used to visit him once a week. The prisoner was a cook by profession; and, on the morning of the night in which the child was murdered, she got him employed in Mrs. Ogilvie's service, where he worked the whole of that day. At 3 o'clock P. M., of that day, after Mrs. Ogilvie had taken her tiffin, the prisoner requested her to discharge the deponent from her service, and Mrs. Ogilvie replied that it would be better for both to continue in her service, and by earning something, pay off their debts. At 7 o'clock P. M., after Mrs. Ogilvie had dined, the prisoner came to deponent and desired her to accompany him to their house. Deponent said that if he was anxious for her to quit her employment, she would do so at the end of the month, which would expire in a few days, and then she would provide a substitute and go with him. When Mr. and Mrs. Ogilvie heard of this, they sent the sweeper to search for him; and, not finding him, they desired the gate-keeper to shut the door, and sent for the cook and asked him what he required. The cook said he wished to take away the nurse, and asked them to discharge her, and he would get them another; to which they replied that as their child was sick and had just been weaned, it would inconvenience them greatly, so that they had better stop at least the few remaining days of the month. After this the prisoner finished his work and wanted to remain all that night in Mr. Ogilvie's house, but Mr. Ogilvie would not permit him, and made him quit the premises. This he did not do until Mr. Ogilvie was obliged to send for a chokeydar and threaten to send him in custody to the thana, if he would not go. After the prisoner had quitted the house, he held a conversation with the khansama, and requested him to desire the deponent to give up his traps to him, and when the khansama delivered this message, the cook asked him to give up his umbrella to him. After the prisoner had received the umbrella from the khansama, the prisoner informed the khansama that as the nurse did not come it mattered not; for there were two lives of her's, one safe from his reach, but the other at his bid with him—that of her son John Pereira, which was in his power, and which he would finish. When deponent heard this she called out to the chokeydar and desired him to take care and detain the prisoner in custody until she could send for, and receive her child. The prisoner when he heard this, ran away, and the chokeydar pursued him. Deponent then went and informed her mistress of what had then just occurred. Mrs. Ogilvie then asked deponent whether any of her servants knew her house, and she replied the khansama did. By this time the chokeydar returned from the pursuit and Mrs. Ogilvie desired the chokeydar and the khansama to go after the prisoner and bring deponent's child to her. She did so and they returned at three o'clock A. M., and informed her of the death of her child. The day previous to this occurrence the deponent had seen the child at her house in perfect health. Her mistress would not permit her to go to the corpse that night, but she went next morning and saw it.

Nugeem Addee, peon of the Colingah thana deposed, that on the night of the 27th March last, he heard Mr. Ogilvie's gate-keeper call for a chokeydar, and when he met him he said that his master wished to speak to him; and, on his arrival, Mrs. Ogilvie informed him that the prisoner wanted to take the nurse away with him, and if she was willing to accompany him she would let her go; but if the prisoner used any violence or became riotous, to take him into custody. The cook then said that he would willingly go away peaceably; and when he quitted the premises he required the nurse to give up his articles, and she sent him his umbrella. When the prisoner received it he asked for his trunk, and the khansama who had conveyed his message replied, that the nurse had brought no trunk with her to give up. The prisoner then said, "very well, there are two lives, one here, and one at home in my charge, I will see." When the nurse heard this she desired deponent and his

fellow chokeydar to arrest the prisoner; but as the night was dark he escaped. The deponent then went to his stand and his fellow chokeydar accompanied Mr. Ogilvie's khansama to bring the child to Mrs. Ogilvie's house.

Koodrutollah, Mr. Ogilvie's khansama, confirmed the testimony of the two last witnesses, as far as they had occurred under his observation; and, added, that when he arrived at prisoner's house, he asked the landlady for the child, and when she heard the message she lighted a lamp and went into the prisoner's hut, and when she entered it she exclaimed, "Ah! ah! what has been done, what has been done! A murder has been committed!—the child is killed!" And when Hurree, who was sitting in the compound with others heard this exclamation, he ran out and the chokeydar pursued and arrested him, aided by this deponent and a chokeydar of that beat. Prisoner struggled hard with them, but when he was exhausted he sat down and said, "I did this for the sake of revenge, and must die for it; it is useless my attempting to escape." By the time this nabob of Bow Bazar thana arrived and secured the prisoner; afterwards the deponent went into the prisoner's hut and saw the child lying dead on the floor with its throat cut and blood flowing from it. Deponent had never seen the child before.

The prisoner said that this deponent was the nurse's paramour, and it was on his account that she refused to accompany him home. He would swear to anything against him.

Budderoddeen chokeydar confirmed the testimony of the prosecutrix. Koodrut-ollah added, that when they arrived at the prosecutrix's hut they demanded of Beebe Rosina the child, at 9 o'clock P. M. The landlady, after she had learnt the purport of their visit, lighted a *chenag* and went into the hut where the child slept that night, and on her entering the hut, she exclaimed, "Ah! ah! what has happened? What is this, come and see!—the child is murdered." Hurry was at that time sitting in the compound of the huts, which is bounded on the one side, by other huts, on another by a *ch. cena*, and the third by the back of the huts, and on the fourth is the entrance to them. He ran off pursued by the chokeydar, who caught him and had a severe battle with him to secure him. The chokeydar then called out to Koodrut-ollah for assistance, and he and a chokeydar of that beat then seized and secured prisoner. The prisoner then sat down exhausted, and confessed that he had, from motives of revenge towards the prosecutrix, killed the child, and he would suffer for it. Soon after this, the thanadar of Bow Bazar thana came, and the prisoner repeated the expressions before him. The thanadar then secured the prisoner, and saw the deceased's corpse lying on the cot with its throat cut from ear to ear and covered with blood, and found a knife which the prosecutrix subsequently recognized to be her property, lying on a table in the hut covered with blood. The prisoner was then taken into custody to the thana, where he again repeated his confession of having murdered the child. There were neither threats nor promises held out to him to induce him to make these confessions.

The thanadar of the Bow Bazar thana and Beebe Rosina confirmed these statements of these last witnesses, and the latter added, that when she saw the corpse she was so frightened that she lost her wits. She had been out the whole of that day and did not return till past 9 o'clock P. M.

Beebe Nanachee, the daughter of the landlady, deposed, that she last saw the deceased on the night on which he was murdered playing near her at 7 o'clock P. M. At about 8 o'clock P. M., he expressed a wish to retire to sleep. At about half an hour after the child had thus retired, the prisoner came and lighted a *chenag* and went into the hut where the child had slept, and about half an hour after that, she heard a noise at her door, and when she opened the door of her hut, she saw

the prisoner in custody, who confessed the murder in her presence, and she saw the corpse.

Mr. R. H. Bain, police Surgeon, deposed, that he examined, on Wednesday the 28th March last, the corpse of the deceased, which was pointed out to him by Bebee Rosina in a hut in Bow Bazar lane. Its throat was cut from the ear to the jaw-bone, and all the jugular arteries separated. The deceased died from hemorrhage caused from the effects of the wound. An instrument like the knife produced might have inflicted such a wound.

This closed the case for the prosecution.

The prisoner in his defence said, that during the time the ayah was in Mrs. Ogilvie's service, he obtained a situation as a cook to proceed to the upper provinces with a gentleman, on a salary of twenty-eight rupees a month. The gentleman resided at the Bengal Club-house. Shortly afterwards, he heard, that the ayah had returned to her house indisposed, and because she had no person to attend her during her sickness, he quitted his service, gave a substitute, and came to his residence with an intention of administering to her wants. When he arrived at his hut he ascertained that the ayah had that morning hired a palkee and gone back to her mistress's service. A few days after this, the ayah again came to her home to see her child. The prisoner then blamed her for having returned, whilst sick, precipitately to her service. The ayah made some frivolous excuse, and the matter dropped there. Subsequently, the prisoner visited her occasionally at her mistress's residence, and Mrs. Ogilvie, who had observed that he came repeatedly to see the ayah, asked who he was; and when she learnt he was the ayah's protector, and a cook out of employ, she expressed a wish to engage his services from the 1st of April 1838, in consequence of the cook who was then in her service having applied to her for leave to return to his country, and see his mother, who, he said, was seriously indisposed.

The prisoner, when this proposition was made to him, consented to it, and on the day on which this murder is alleged to have been committed by him, he worked at Mr. Ogilvie's the whole day on trial. During that day the prisoner remarked to the ayah, that if both she and he were to remain in service at Mr. Ogilvie's house, who would look after their child? and proposed to her to give a substitute and resign her service, and return home and attend on the child, adding, that he would remain, and by the savings from his wages liquidate their debts. The ayah replied that she was willing to accede to his proposal, provided her mistress consented to discharge her; and requested the prisoner to re-consider the matter, and as they were both deeply in debt, whether it would not be more judicious for them to remain in their situations until their debts were discharged; adding, that if the prisoner, at the expiration of the month, still persisted in his present request, she would then comply with it. The prisoner then, after Mrs. Ogilvie had finished her tiffin, at 3 o'clock P. M., waited on her and communicated what he has just stated in the Court, to her. Mrs. Ogilvie consequently called for the ayah and asked her if she wished to quit her service; who then retracted the promise she had previously made, and replied, that as she was in debt, she would rather stay in service and clear it. Shortly after this had occurred the prisoner overheard Mrs. Ogilvie's advice, the ayah to discard him, observing to her that as she was a Christian and had now obtained a decent service it would be disgraceful for her to remain the kept mistress of a Mug cook, who was a good-for-nothing, idle vagabond. The prisoner, consequently, after Mr. Ogilvie's return from office, waited on him at 7 o'clock P. M., and repeated his request to discharge the ayah, and he would procure them a substitute in her lieu. Mr. Ogilvie then bit his finger and remained silent for a short time; but when he had ascertained that the ayah had no desire to quit his service, he refused the

prisoner's request. The prisoner then asked Mr. Ogilvie to assign a godown to him and the ayah where they could live in his house, and he would then bring his child and moveables, and live there altogether. This request enraged Mr. Ogilvie, who desired the prisoner to quit his house instantly, and never come there again; and added, that if his orders were not instantly complied with, he would send for a chokydar and consign the prisoner to his custody. A chokydar was accordingly sent for, and on his arrival Mr. Ogilvie told that functionary to turn the prisoner out, and if the ayah wished to accompany him she was welcome; but if she refused, and the prisoner became riotous, to take him into custody. Prisoner then quitted Mr. Ogilvie's premises, and sent word to the ayah to return to him those articles of his, which she had in her care. The khansama, who took this message to her, returned with an umbrella. This khansama has an intrigue with the ayah, and this was the motive why prisoner desired her to quit the service, and she refused. Prisoner then asked for his things, and the khansama said if he had anything it must be in his hut not here, as neither the ayah nor prisoner had brought any with them. The prisoner then quitted the place, and, in leaving it said to the ayah: "Very well, Lydia; you have obliged your new paramour, deserted me, and will not now accompany me home, as I requested you; but you will some day come to see your son, John Pereira, who lives at my house, and when you do so, I will detain you and not let you go back to Mrs. Ogilvie's house." On his way to his house the prisoner met the chokydar and the khansama going thither likewise. They informed him that they were going to take the child to his mother. Prisoner replied, "very well, do so," and proceed in a circuitous route on some urgent business. They, it appears, arrived in his hut before him, and when he came there afterwards, they seized him, beat him, and taxed him with having murdered his child, a crime of which he is wholly innocent and unconscious, for he always had loved the child and treated it kindly as if it were his own, and regretted its untimely death. Soon after this, the thanadar came and took him aside into the hut and said to him that if he could see him well he would hush up all further enquiry and get him released. Prisoner replied, that as he had not done anything wrong he had nothing to dread, therefore he did not know why he should give any money to the police people; if they had any offence to tax him with, let them take him to the police office at once, and have the matter investigated by a magistrate. The thanadar on this refusal desired the chokydar to bind the prisoner, and beat him severely, which they did, as they were taking him to the thana. In conclusion, he added, that all the witnesses for the prosecution were either his enemies, or had been hired by the ayah and her paramour to swear away his life, and the affair was a malicious conspiracy concocted between the ayah and the khansama to remove him as an object who was an hindrance to their intrigue, and, consequently, obnoxious to them.

The prisoner then called five Mug cooks who resided in the huts adjoining his. These men deposed, that on hearing an uproar they got up and saw the chokydar binding up the prisoner, and, on enquiry, learnt, that he had murdered his child, whose corpse they subsequently saw; but whether the prisoner or any other person had killed him they did not know. They added, that when the prisoner struggled hard to escape from the grasp of the chokydar, they gave him a few blows to quiet him.

This closed the case for the defence.

The learned judge then summed up and recapitulated the evidence commenting on it, particularly on the expressions deposed by the witness to have been made use of by the prisoner at the time he quitted Mr. Ogilvie's residence to proceed to his own hut, and observed, that in some cases a strong chain of circumstantial evidence went further to clear up a case than positive testimony, which in this court has often been made up of perjured

persons, adding, that the life of the prisoner depended on their verdict.

The jury, after a short retirement, found the prisoner guilty of the crime laid to his charge.

After this verdict had been recorded, the judge thus addressed the prisoner. "Horree, after a patient enquiry and consideration of your case, you have been found guilty of the crime of murder. No rational person who has heard the evidence this day, can have any doubt of your guilt. You have committed a most cruel and barbarous murder on an innocent child, and whom, it appears, you had formerly treated with kindness, and whose life you could not have destroyed from any malicious feeling to the child, but of revenge towards his mother, as your words on leaving Mr. Ogilvie's house, on that night, plainly indicate. You did it to wound the feelings of the mother. You inflicted death on a helpless child of six or seven years of age, whom any other person would have pitied. Such crimes must be punished with the utmost penalty of the law, to check their recurrence, and it only remains for me to pass the sentence of death upon you. The judge then, in the usual manner, sentenced the prisoner to be hanged at 6 o'clock A. M. on Monday (this) morning.

After this the Court adjourned till 11 o'clock A. M. to-morrow morning.

All the gentlemen who were summoned on the petition during these sessions, were in attendance from the opening of the Court at 11 o'clock A. M. till it broke up at 5 o'clock P. M.

ROBBERY AT THE HOUSE OF MR. AMOS.

The chief magistrate attended at the Supreme Court as it was about to adjourn on the 20th instant, to request the chief justice to permit him to send up for trial during the present sessions, the sirdar-bearer in the employ of Mr. Amos, one of the Law Commissioners, and the fourth ordinary member of council. The bearer, it appears, had confessed that he had broken open Mr. Amos's box, and taken out of it a considerable sum of money which he had buried in the compound of Mr. Amos's house; and, on his subsequently pointing out the spot where he had concealed it to Mr. Amos, the place was dug and the money discovered in it. The application was granted by the judge.—*Hurkaru*, April 21.

APRIL 21, 1858.

(Before Sir E. Ryan and a Petit Jury.)

Punchanund Ghose was tried for burglariously entering the house of Ramsoonder Mullick on the 31st March 1858, and stealing from thence a brass *cutee*, the property of the prosecutor.

The prisoner pleaded *not guilty*.

Ram Govind deposed, that he is the prosecutor's son, on the night in which this robbery was committed, he had, after having locked the doors of his place of worship, taken the keys and retired to sleep. He was disturbed late at night by a noise over the roof of the room in which he slept. He awoke the durwan and went upstairs to the place of worship, and perceived the padlock lying there broken, and the doors of the place broken open; and when they entered the room, they perceived a person rush out of it, seize the top of a palm-tree which grew contiguous to the place, and drop down by it, and ran off. Deponent then called out to the chokydars to seize the prisoner, and one of them succeeded in arresting him. Prosecutor, when they saw the prisoner in custody, observed that he was smeared with mud, and had his head bruised, occasioned by his clinging to the palm tree, and passing through a drain behind

the prosecutor's house. He said that he lived close by, and had come to grind corn. The next morning they found a brass water jar lying in the drain, together with a long rope at the spot where the prisoner had jumped down, and they perceived a bamboo-ladder fixed from the roof of Petumber Alonkerjea's house, which adjoins his house, to the roof of the second story of his house, on the top of which is his place of worship. As the night on which this robbery occurred was dark, this deponent did not see the features of the man who jumped from his house to the palm-tree.

Bendoo Sing confirmed the testimony of the last witness, and the thana chokydar and the nab of the thana deposed to their having arrested the prisoner, and his having confessed to them the robbery, and begged of them not to maltreat him. The latter produced the jar, and the first deponent recognized it to be his property.

The prisoner said, that whilst he was proceeding home from his master's service, he was seized by the chokydars, axed with this crime, beaten and taken to the thana in custody. Prisoner called Kasi Hozia, who said that the prisoner had been a long time in his service, and had borne a very good character. So did four other witnesses.

The judge summed up the proceedings, detailed the evidence, commented on it, and then left it to the decision of the jury.

The jury without retiring, found, the prisoner guilty.

The learned judge then sentenced the prisoner to seven years' transportation to the S. E. Coast of Malacca.

Gopeeya was tried for having, on the 17th of April last, stolen from the house of Andrew Amos, Esq., his master, Co.'s Rs. 60-8 annas and 150 Madras rupees, and 13 annas and two silk handkerchiefs.

The prisoner pleaded *guilty*.

Andrew Amos, Esq., then addressed the judge in mitigation of the prisoner's punishment, by saying that he was sorry to say, that there was in this case a large sum of money on the table placed before the prisoner, which might have been a temptation in his way, and which he will never place before any servant again.

Mr. Amos then deposed, that the prisoner was in his service, and had been employed in pulling the punka in his room. Deponent on the 17th instant, missed about Co.'s Rs. 60 and 150 Madras rupees. Deponent had separated the Madras and Co.'s Rs. separately, and put the Madras rupees in a kerchief, tied it and locked it in a box, and put it into another room in the prisoner's presence. About two or three days after the prisoner confessed the crime and pointed out the place where the money was concealed, which was recovered. Deponent has not counted the money recovered, but he believes that all of it has been recovered, at least from its appearing to be the same amount.

The learned judge then addressed the prisoner, and after he had been cautioned and persisted in his plea of *guilty*, sentenced him to two years' imprisonment in the house of correction.

The chief justice informed the grand jury, that in the case of a commission of lunacy regarding which the grand jury had presented a petition to him signed by the foreman of the special jury summoned on that occasion, he had directed the papers to be handed over to the chief magistrate of the police office, who, after he made the requisite inquiry, had informed the judge that he had not on an investigation of these papers, been able to find grounds to prefer any indictment against any particular person; but if the grand jury were not satisfied with the result of this investigation, they could have the papers submitted to them for perusal, and make any presentment on it that they may consider requisite in this matter.

All the persons who are empanelled during the present sessions were desired to remain in attendance during the whole time the Court sat to-day and yesterday. —*Hurkaru, April 23.*

APRIL 21, 1838.

(Before Sir E. Ryan.)

Cheedam, Ramshaw and Ruggonath were tried, the former for having robbed Sheebo Raur, his mistress, of several articles of value, and the two latter with having received the same, knowing them to be stolen property.

Cheedam pleaded *guilty*. The other two *not guilty*. Sheebo Raur deposed, that she resides in Guranhutta. Cheedam was her domestic servant. On the 31 of April instant, she went to see the Ram Nubboomoy Poojah, leaving Cheedam in charge of the house. When she returned she discovered that Cheedam had absconded during her absence, and her trunks and boxes had all been broken open and rifled of their contents. The prosecutrix here detailed the articles which she had lost. On the evening of the 4th instant, she saw her property at the Joorah-bagan thana. Cheedam never returned to her service again.

Bessumber Seth deposed, that he is a writer in the military auditor general's office, and visits the prosecutrix at her house occasionally. On the evening of the 3d instant, he went there as usual, and learnt that her house had been robbed by Cheedam, during her absence, who had absconded; and he then despatched her servant Sadoo to search for him. Sadoo returned the next evening, and communicated to deponent something which induced him to accompany him to a house in Puthurghutta, where he saw Ramshaw and others. Sadoo informed deponent that the stolen property was concealed in that house. When the inmates of the house saw deponent, they fled. Deponent then went to the thana and returned with the jemadar. On his return, he found that Nubboo Kisto Uddee, Banian, had driven Sadoo away from the house, and locked it. At the thanadar's request he opened it, and when they had entered it, Sadoo desired Ramshaw to point out the place where the property was concealed. Hearing this, Ramshaw began to cry. The thanadar said to him, don't weep, point out the property, and you shall be released. Ramshaw then pointed to a trunk in the room, and said that the property was buried under it; but that he had not stolen it, nor was he aware of its being there until Cheedam had informed him of it. The thanadar then caused the trunk to be removed, and after they had dug a considerable depth under it, they discovered a large earthen pot in which were some clothes. Deponent then said, where is the box of jewels, and Ramshaw replied, "beside the earthen pot." It was found there. The thanadar then observed, that it would be advisable to send a person to the prosecutrix, and desire her to come and recognize her property. Deponent consequently ordered Sadoo to convey the message to her; and she came with him and identified her property, and inquired where her silver mounted hookah was. Ramshaw replied, he did not know, but perhaps Ruggonath might. The thanadar then left some clokeydars to guard and search the house, and went in search of Cheedam and Ruggonath, and deponent and the prosecutrix returned to their houses.

Sadoo deposed that he, by the order of the last witness, went in search of Cheedam, and found him at his house, in the village of Khoordah, six coss from Calcutta. He questioned him regarding this robbery, and prevailed on him to confess where he had concealed the property, and to return with him to Calcutta and point it out to him. Cheedam, on his arrival at Calcutta, put up at his cousin's house, sent for Ramshaw and desired him to

go with the deponent and point out the stolen property to him. Deponent then accompanied Ramshaw to his house, and requested him to watch there a short time, till he went and informed his master of what had occurred since he had left him; and they then both came to Ramshaw's house, where the property was found. The rest of this witness's evidence was corroborative of Bishumber Seth's testimony.

Foujoddeen, thanadar of Jorabagan thana, confirmed the testimony of the two last witnesses regarding him, and added, that neither Cheedam nor Ruggonath were present when the concealed property was found in Ramshaw's house. He arrested them about two hours after this, and Ruggonath, on being questioned, pointed out the silver mounted hookah, which was concealed in some jute leaves in the adjoining room.

Nubboo Kisto Uddee deposed, that he is the proprietor of the house in which the stolen property was discovered, and has rented it to the prisoner Ruggonath, who has five under tenants. Deponent is a collecting sircar in Rajah Nubkisson's cutcherry at Nimtollah, and lives contiguous to the house in which the search was made; shortly previous to which, in returning from his employer's cutcherry, he passed it as he usually does, and finding the house empty and the doors shut, he locked it. He witnessed the search, Cheedam was present at the time, and so was Ramshaw and Ruggonath.

In this stage of the proceedings, the thanadar produced the articles found, and the prosecutrix recognized them to be her property.

Bishumber Seth recalled, deposed, that neither Cheedam nor Ruggonath were present when the search was made, and to come from the Rajah's cutcherry to Nubboo Kisto's house, there is no occasion to pass the house where the prisoners live.

Ramshaw in his defence said, that Cheedam had intimated to him where the property was concealed, and had desired him to go and point it out to Sadoo. How or whence it came there, he did not know.

Ruggonath said, that he is a porter that plies for hire, and is consequently out all day, some ill-designing person must, during his absence, have brought these articles to his hut, and concealed them there without his knowledge.

Cheedam said, that he had stolen the goods and had hired the two prisoners to take them to his hut and conceal them there, but they did not know that the property was stolen.

The learned judge summed up the proceedings, detailed the evidence and commented on it, and then left the case in the hands of the jury.

The jury, after a short retirement, brought in the prisoners *guilty* but, recommended them to the mercy of the Court.

After this verdict had been recorded, the judge sentenced Cheedam to seven years' transportation to the S. E. coast of Martaban, and the other two prisoners to be confined in the house of correction for 12 months each.

The grand jury returned the following bills to-day.

True bill against Mazurooddeen, for stealing from a dwelling house.

True bill against Shumshoodeen, for forgery.

No true bill against Rajkissen Mitter, for forgery.

No true bill against Russick Dutt and others, for an assault and false imprisonment.

No true bill against Abdar Syrang and others, for an assault.

The grand jury having finished all bills that were to be presented during the present sessions, informed

the judge that they had perused the papers in the lunacy commission case. To them it appeared to be one of great suspicion; but as they could not make out a charge against any particular person from what they had perused, they had no presentment to make to the judge on it.

After this the grand jury was discharged.

Previous to the adjourning of the Court till Monday next, the 23d instant, at 10 o'clock P. M., the judge ordered Agapetur Dela Raize, Mariana Francisco, Augustus de Amone, Rahameo Antuneo, Clementee, and John Lawrence (the six Dutch subjects who had been tried and convicted of the crime of piracy during the third session of the year 1836, and had sentences of death recorded against them, the execution whereof was delayed pending the decision of the Queen in Council, on their case, which was referred to England for that purpose) to be this day brought up and informed them, that Her Majesty had been graciously pleased to confer her free pardon on them all, and they were discharged accordingly. At about 2 o'clock P. M., the judge empanelled a second petit jury, and then discharged the one empanelled at 11 o'clock P. M. as well as the other gentlemen who were summoned to serve on the petit jury during the present session for to-day, and informed those that had served to-day, that they need not come on Monday unless they wished it.—*Harkara, April 24.*

APRIL, 23, 1838.

(Before Sir E. Ryan, Chief Justice, and a Petit Jury.)

Mazhurooddeen was tried for stealing, from the house of Sookut Ally, in Sheebou Thakoor's lane, a silver watch, shawls, and wearing apparel, to the value of Co.'s Rs- 270.

The prisoner pleaded *not guilty*.

The prosecutor was called on his recognizances, and not answering they were estreated.

Paunchoo kidmtutgar, of Shoucut Ally, deposed, that his master is sick and not able to appear, and he knows the prisoner, who is a teacher. Emdad Ulee was in his master's service. His master was robbed on the 3d March. Looks at the goods and recognises the property produced in Court, and identifies them to be his master's.

Calachund, maker of lustras, deposed, that the prisoner lived near his neighbourhood. He saw the prisoner go to an empty house and put a bundle of clothes in a gumloh. Tarrachand suspecting him, went and took out the goods. Prisoner said they were his. Deponent then sent for a tailor to fit on the clothes, but they were too large for him. Deponent having heard of Shoucut Ally's house, took him there. Shoucut Ally said, the goods are his; but asked where were the shawls and the watch. Prisoner then said that Emdad Ally had left them with him to pledge, and produced the watch and shawls from a drawer.

The thannadar deposed to having arrested the prisoner, and to his pointing out the stolen articles to him, prisoner said that Emdad Ally, who had returned to his country, brought them to him to be pledged for 100 rupees.

The naib and two chokeydars confirmed the last witness's testimony.

This ended the case for the prosecutors.

The prisoner in his defence said, that Meer Emdad Ally brought the shawl and watch to him and said that Meer Shoucut Ally desired him to get these articles mortgaged to him and get him 100 rupees on their pledge. Prisoner at first refused, but on his representing that Meer Shoucut Ally urgently required the money,

he desired him to leave it and tried to raise the 100 rupees on its pawn; but he could not prevail on any person to give him more than 50 rupees upon it, and when Emdad Ally came again to inquire of him, he informed him of it and told him, unless he could bring more articles, he could not raise the 100 rupees; and, he desired Emdad Ally, if he would not get 50 rupees on the articles now sent he had better take them away. He desired prisoner to keep them and take charge of a bundle of clothes till his return from the neighbourhood, and as he did not come soon, he tied up the articles in a bundle, and he intended to proceed, to Shoucut Ally's house, when he heard the call to evening prayers. He went to pray, and on his return he saw the bundle had been opened and the shawl taken away. He saw Calachand by the bundle, and taxed him with having concealed it, and said to him, "brother, if you have taken the shawl return it." Calachand denied that he had taken it; but when the prisoner said that unless he would produce it, he would complain against him to the thanna, he then said if he would make him a slight present he would restore them. Prisoner said he would, and Calachand despatched a person to the thanna and had prisoner arrested on this charge, which is a conspiracy.

Prisoner then called two witnesses, who deposed to Emdad Ally's having brought the articles in their presence to pledge, and gave him a general good character, and that Emdad Ally had gone to his native country.

The learned judge then summed up, detailed the evidence, and after commenting upon it, left the case in the hands of the jury.

The jury returned a verdict of *guilty*.

Meah Jaun was tried for stealing, from the person of Beebee Dil Jaun, two gold neck-chains, valued at 200 rupees.

The prisoner pleaded *not guilty*.

Dil Jaun deposed, that she resides in Emanlaug lane, and lived there in March last. On the night of the 12th of that night, deponent sent her servant Ramzan to purchase some milk for her. Some delay having occurred in his return, prosecutrix stood at her gate waiting Ramzan's return; and, whilst thus standing she perceived four persons coming from the eastward by the light of the moon, and the prisoner who was one of them, when he came up to the prosecutrix, seized the two gold chains on her neck, and giving them a violent jerk, they broke. He then ran off with them to the westward, and prosecutrix, called out to a chokeydar to stop the thief, and one of them came to her assistance, and pursued the thief, so did the prosecutrix and her servant. The chokeydar seized the thief a little beyond the Emanbarrah, near Mangoe lane, and the prisoner threw him down. The chokeydar then called to his fellow chokeydars for help, and one of them came to his assistance and secured the prisoner, and, on searching his person, one of the chains, valued at Rs- 150 was found, but not the other. Prisoner denied all knowledge of them. The prisoner was then taken to the town-guard, and the article which was found, consigned by the order of Captain Birch to the thannadar's care. The prisoner is a perfect stranger to prosecutrix. Cross questioned, Peeroo, the naib of Shibtollah thanna, is not the prosecutrix's paramour, nor did he instigate her, from motives of jealousy to get rid of an obnoxious rival, to trump up this charge against him.

Jaffer and Mobaruk, chokeydars of the Shibtollah thanna, and Ramjaun, her servant, corroborated her statement fully. Mr. McCaun produced the chain and identified the property.

The prisoner put in a petition of defence, the purport of which was, that Peeroo, naib of Shibtollah thanna, had a quarrel with the prisoner, and threatened to be revenged on him; and as he was one night passing by Cosa-

tollah street, they took him up, by the aid and counsel of the thanadar, Beebee Dil Jaun, the prosecutrix, who is Peeroo jemadar's mistress, and other myrmidons of the police. When the nab thanadar mentioned that he could not confine the prisoner on a charge of assault, prosecutrix took out a gold chain from her neck and charged prisoner with felony: they then took him to the police office, and there they took 10 rupees bribe from him.

The prisoner called nine witnesses, who deposed, some to one part and some to the other, with several discrepancies, to the following tale:

The prisoner and Peeroo jemadar had a quarrel. Peeroo threatened to be revenged on him. Dil Jaun was Peeroo's mistress. At 9 o'clock Dil Jaun accused him of having pulled her hand to one of her neighbours, and at 11 they saw him in custody. Some said that they saw the prosecutrix at the time, and she charged the prisoner with the theft: others that she was not there, and they on inquiry learnt from the passers by, that the prisoner was charged with an assault. The prisoner was beaten when taken to the thana. All of the witnesses deposed, that they were strangers to the prisoner with the exception of one, and two of them said that they knew nothing about this affair.

The learned judge then summed up the case, detailed the evidence, and commented on it, pointing out its leading features, and thus left the case to the decision of the jury.

The jury retired for about a quarter of an hour, and then brought a verdict of *guilty*.

After this verdict had been recorded, the prisoner was sentenced to seven years' transportation to the S.E. coast of Martaban. The judge remarked, that he had aggravated his offence by the false defence he had set up. — *Hurkaru, April 25.*

TUESDAY, APRIL 24, 1838.

(Before Sir E. Ryan, Chief Justice)

Pierre Prosperree Millineur, was tried for the murder of Bolaky, syce, on the Chitpoor Road, on the 4th of March, by wounding him with a knife, from the effects of which he died on the 5th of the same month.

The prisoner pleaded *not guilty*.

Mahomed Thumus deposed, that he is the durwan of Agah Mahomed, near the Teretta Bazar. On the night of the 4th March last, whilst deponent was sitting at his employer's gate, two European sailors came there, and one of them attempted to enter the house, but deponent shoved him back, and they desisted, and the man who was shoved put himself in a fighting attitude, and in doing so, some cheeroots dropped from his hat. Shortly after this, in consequence of some intimation being given to the neighbouring thana, the thanadar came, accompanied by some chokeydars; and whilst deponent was putting up the cheeroots for the sailor, asked deponent if he had any complaint to prefer against the sailor. The sailor, who was a short person, seized Jumun, chokeydar's stick, and attempted to wrench it from his grasp. Jumun resisted, and whilst the sailor and Jumun were struggling for the stick, the sailor drew a clasp knife and attempted to wound Jumun with it. Seeing this, Jumun abandoned the stick and ran away. The sailor after he obtained possession of the stick ran up and down the Chitpoor road, striking the passers by, promiscuously, with it. He struck the deponent a blow with it, and attempted to wound the prisoner with the knife; but deponent ran into the house, and shut the door on him. Soon after this, deponent heard that the sailor was taken into custody near the town guard, and, whilst deponent was proceeding from his employer's

house to Mr. McCann's to show him the wound of the blow of the stick, he saw the wounded man lying near the town guard. The night was a moonlight night, and deponent saw the faces of both the sailors, and as he spoke to them he could recognize them again. The prisoner was the person who acted so very outrageously in the streets. The other sailor ran off towards the town guard, but returned again soon after, and stood at Mr. Latour's gate, where he was apprehended, as deponent heard, but he was not present when he was taken up. Deponent saw the other sailor standing at Mr. Latour's gate after the prisoner had been arrested. When the prisoner and his companion came to deponent's master's gate, there were no chokeydars beating him. After deponent had closed the gate on the prisoner, he knocked two or three times at the gate and then went off. As the deponent was within the house at that time, he did not witness the subsequent transaction. Both the sailors were apparently intoxicated. Agah Mahomed only witnessed the latter part of this riot.

Agah Mahomed Bankur, deposed, that he is a merchant, and resides on the Chitpoor road. The last witness was his servant. Deponent is a native of Peperoo, and trades with the Persian Gulph. Deponent recollects the 4th March Sunday. Deponent was disturbed by a noise in the street opposite his gate, and, on enquiry, learnt that two sailors were making a riot in the street. He did not go out then. Shortly after this, there was another disturbance, and when deponent went to his gate to enquire into it, he then saw two European sailors, one standing in the street, and the other standing with his back at his gate with some bright instrument in his hand which shone in the moonlight. Deponent, as he had heard that these sailors had attempted to enter his house, desired his servant if they attempted to do so again to go to the thana, bring some chokeydars, and have them removed. When deponent left his office to see the riot, some of his friends came out with him. The one at his gate with the instrument in his hand, was a short man; but deponent would not be able to recognize him again. Deponent was at his gate four or five minutes, and whilst there he saw no beating or chokeydars.

Enamdee, nab of Loll bazar thana, deposed, that on the 4th of March last, a passer-by gave some intimation at the thana which induced him to go from the thana to the spot, opposite the house of Hukeem Punnahally, in the Chitpoor road. When he arrived there, he saw two European sailors standing there. They pointed to some cheeroots which were lying in the street, and said something in a dialect which deponent did not understand, Agah Mahomed's durwan picked them up, and tied them in a kerchief and gave them to one of these Europeans. The European, when he received them, flung them down, and deponent desired Jumun, chokeydar, to put them up and deliver them to him; and whilst Jumun was delivering them to the European, he seized his stick. The prisoner was the European. The prisoner, whilst struggling for the stick with Jumun pulled out a knife from his pocket, and when Jumun saw it, he let go the stick and ran away, and the prisoner went to the gate of Mr. Latour and spoke to some gentlemen who were standing there. There was a great crowd opposite the shop of a vial-seller, and the prisoner ran towards them. Hukeem Punnah Ulee's house, Agah Mahomed, Mr. Latour's, and the vial merchants are near to each other and in the same street. When the prisoner ran towards them they all ran away; but the vial man, who is blind, cried out "he has wounded me, he has wounded me." The prisoner after this, came back again to Mr. Latour's gate, and from thence he ran off towards the Loll Bazar, and he desired some chokeydar to pursue the European, whilst he took charge of the wounded vial-seller with an intention to send him off to the police hospital; and after he had sent off the wounded man to the thana, he, on his way,

saw Horkawallah syce, lying wounded opposite the town guard near his thana, and when he inquired of him why he was lying there, he said a European sailor had wounded him. The wound was on his left side and his entrails had protruded through the wound. Deponent took both the wounded men to the town guard, where he met Mr. McCann, who directed some of the sepoy to take them to the police hospital. The prisoner appeared to be somewhat intoxicated, but not so the other sailor, nor did the other quarrel with any one but walked away quietly.

Jumun, chokeydar, deposed, that he was one of the chokeydars who accompanied Emamdee, naib, from the thana to the Chitpore road. This deponent confirmed the deposition of the last witness from the time he went to the place where the prisoner had wounded the blind man, to the time when he left the naib and pursued with other chokeydars the prisoner, who was running down the lane and flourishing his knife. When he came near the town guard he met the thanadar of the Loll-bazar thana. When the prisoner arrived at the town guard he attempted to wound Euseph Khan, the sentry at his post; but the sentry intimidated him with his bayonet. Deponent then got behind the prisoner and seized him by the leg and threw him down with a jerk. As the prisoner fell, the thanadar struck his hand with a stick and the knife fell from his grasp, and Bulloo Sing, bukkundaze, took it up. Soon after this a constable came to the place and took the prisoner into custody. The prisoner was the man so arrested. It was a moonlight night, and deponent saw his features distinctly and can identify him. After the prisoner's apprehension, deponent returned to the thana and saw Buckawollah, syce, lying there wounded, and the blind vial-seller. Deponent was one of the persons who conveyed the two wounded men, by Mr. McCann's direction, to the police hospital, where they had their wounds dressed by an European Doctor.

Neamoddiin, chokeydar, deposed, that on the night of the 4th March, at 10 o'clock p. m. a person came to the thana saying that a European was attacking the passers-by on the Chitpore road with a knife. Emamdee, jemadar, went to the spot indicated with some chokeydars, and deponent was one of them. When he arrived there he saw two European sailors and some men assembled there making a noise. This witness then confirmed the testimony of the two last witnesses as to what had occurred at that place, and added, that when the prisoner made towards them they ran off to the door of the vial-man and leaped over a ditch opposite the shop, where the blind man was sleeping, who on hearing the noise came to the acqueduct, where the European sailor came up to him and wounded him with the knife in deponent's presence, who went and staunch-ed his wound. Prisoner then went back to Mr. Latour's gate. Deponent followed him, and when he attempted to seize him, an European gentleman seized the prisoner and snatched his badge from his waist, and asked deponent why he was following the sailor. Deponent replied, that the sailor had wounded a blind man near the acqueduct, and he was following him in consequence, and took the gentleman and showed him the wounded blind man; and whilst so doing Emamdee, naib, joined them. Here the judge desired Mr. Guizenec to be called, and the prisoner said he was the person who had seized his badge. When Mr. Guizenec saw the wounded man he delivered up the badge to the naib, and deponent received it from him and followed the prisoner, exclaiming that a European sailor had wounded an old blind man, and when deponent arrived opposite the town guard, he saw the prisoner in custody and immediately afterwards Hubebullah, naib, came and informed them that the prisoner had wounded a syce likewise; and Mr. McCann, who had come to the town guard on hearing of this disturbance, ordered the prisoner to be locked up there, which a constable did,

and the two wounded men were carried to the native hospital, near the Chandney Choke, and the deponent then went with some chokeydars and arrested the other sailor at the Fonzdarree Balakhanna without resistance.

Constant Guizenec, deposed, that he is a Frenchman, and has resided five years in Calcutta, and can speak the Bengally language. On Sunday night, the 4th of March, 1835, at the hour of 10 o'clock p. m. precisely deponent was coming out of Mr. Latour's house on the Chitpore road, and saw some natives surrounding a sailor and beating him with sticks. The sailor extricated himself from his assailants and joined deponent at Mr. Latour's gate, and as he spoke French, deponent asked him what was the matter? The man replied that he belonged to a French ship lying in this port, and having obtained leave to come on shore, he had been to the bazar and purchased some cheroots, 'keitchies and three knives which he had by him, together with some money, when he was attacked by natives, who robbed him of all except his knives. Deponent then showed the men one of the knives and said, that if they assaulted him again he would be obliged to use it. Deponent suggested to him to deliver up the knives to him, and he would procure him a palkee to take him to his ship. Before the sailor could answer, he received a blow from a chokeydar across his arm with a stick which nearly felled him. The sailor then, without waiting to reply to deponent's suggestions, made a rush at the chokeydars with the knife in his hand. They all ran off towards the acqueduct, towards which the sailor followed them; but when he reached the acqueduct he stumbled and fell. Deponent followed the chokeydar who had struck the sailor, and asked him why he did it, and seized his badge. The chokeydar denied that he was the man who had struck the prisoner. Soon after this the naib came up and informed deponent that the prisoner had wounded a blind man near the acqueduct. Deponent then gave up the chokeydar's badge to the naib, accompanied him to see the wounded man, and when he had seen him he returned home. Deponent did not see the sailor again till on his way home he heard that he had been arrested by the police authorities. The prisoner is the sailor alluded to. The prisoner held the knife in his left hand, and was both intoxicated and in a great rage. The beating which the prisoner got was very violent, particularly the blow which he received at deponent's door. Deponent believes that the persons who had beaten the prisoner were chokeydars; but he did not see their badges. The old man must have been wounded after the prisoner, had received the blow at Mr. Latour's door. Deponent believes the irritation of this last blow must have provoked the prisoner, and he must have wounded the wounded man whilst pursuing with the knife his assailant. Deponent had no conversation with any of the chokeydars beyond what he has just stated.

Hubeeb ollah, naib of the Loll Bazar thana, deposed, that the information of a riot was brought at 10 o'clock p. m. in his presence to the thana, and Emamdoodeen, head naib, proceeded towards the spot, and half an hour after this, hearing the uproar increase, he proceeded to the spot with some chokeydars to enquire into the matter. On his way, he saw a sailor coming down the Chitpore road with a knife in his hand, making blows with it to the right and left, and the crowd running away before him. Deponent seeing this turned to the side of the street and avoided him. The sailor made a rush with the knife at deponent, but missed him and ran on. Deponent and his party followed him, and heard that the prisoner had wounded a man. This deponent related the prisoner was captured, and identified him to be the sailor he alluded to in the same manner as Jumun chokeydar did. Deponent then went by the order of the thanadar to bring the wounded man from the thana to the town guard, where Mr. McCann was to show them to him. When he arrived

at the thana, he saw Baukoollah lying there likewise wounded, and his bowels protruding, and brought both the wounded men to the town guard to Mr. McCann, and by his orders he took both the wounded men to the native hospital near the Chandney Choko. Baukoollah died on the night of the 5th November. On Monday and on Tuesday at 2 o'clock p. m. deponent, by order of the police authorities, removed his corps, to the police hospital, when he pointed it out to Dr. Bain, the police surgeon, who examined it there.

Golam Hossan, thanadar of the Loll Bazar thana, deposed, that after he had sent off the two naibs to quell some disturbance at the Chitpore road, finding the disturbance and uproar to increase, he likewise went to quell the riot with the remaining chokeydars at the thana who were not on duty; and on his way deponent saw a European running down the Chitpore road with a knife in his hand, rushing at every person in the street with intent so stab them, and they avoiding him and Neam Ouldeen, chokeydar following him, and calling out that he had stabbed a blind man. When the European came near deponent, he made a rush at deponent, who stepped aside and avoided him, and when the sailor had passed the thana and arrived opposite the shop of Rutton shoe-maker, where there were four or five persons standing, the sailor made a rush at them with the knife in his hand, and then ran off towards the town guard, where he held a conversation with the sentry on duty, and threatened to stab him; and the sepoy replied that if he approached him he would run the bayonet through his body. During this conversation Runjeet Sing, the naib of the town guard, came out and attempted to wrench the knife from the sailor's grasp; but when the sailor made a rush at him, Runjeet Sing ran back to the guard house and shut the door. Here Jumun, chokeydar, went behind the prisoner and seized him by the leg and threw him down with a jerk. Deponent knocked the knife out of the sailor's hand and secured him. The prisoner is the man. After the prisoner was arrested, Runjeet Sing came out with a knife in his hand and said that he had wrenched it out of the prisoner's hand and had been wounded in the attempt. There was no blood on the knife which Runjeet brought; but the square head knife which deponent struck out of the prisoner's hand had marks of blood on it.

Euseph Khan, deposed, that whilst he was standing at his post at the town guard, he perceived four Europeans passed his thana, and in doing so they said "beware there is a drunken sailor pursuing us with an open knife in his hand." Soon after this deponent perceived the prisoner approach with a knife in his hand. Deponent stopped him, and when the prisoner attempted to stab him, deponent presented his bayonet towards him and desired him to stand still, or else he would bayonet him. Deponent then perceiving the handle of the knife below the prisoner's grasp, wrenched it out of his hand, and gave it unto Runjeet Sing, the town guard naib's hand. Runjeet Sing then attempted to arrest the prisoner; but the prisoner drew a second knife and attempted to stab Runjeet Sing with it. Runjeet Sing wrenched it out of his grasp and was wounded in the hand in doing so; then the prisoner drew a third knife, and Runjeet Sing withdrew to the guard house and shut the door. After this the prisoner stumbled once and hurt himself in the face. Golam Hossain the thanadar and the chokeydars then came to Jumun, chokeydar, seized the prisoner's leg and threw him down; and Golam Hossain struck with a stick the third knife out of his grasp. After this the prisoner was secured. The deponent identified the prisoner to be the sailor alluded to in this affray.

Runjeet Sing Lalla, naib of the town guard, deposed, that seeing an altercation between the last witness and a sailor with a knife in his grasp, he tucked up his sleeves, wrenched the knife out of the sailor's grasp, and as he was going into the guard house he pulled

deponent back by his clothes, and drew another knife and attempted to stab the deponent with it. Deponent seized it by the blade, and in doing so he cut his hand. Deponent then rebuked the sentry for not alarming the guards and securing the prisoner; and he then roused the guard, and Bulloo Sing, peon, snatched the other knife out of his hand, and the sepoys at the guard then came and arrested the prisoner. Deponent here produced the knife which he had taken from the prisoner whom he likewise identified.

Buddul Sing, deposed, that whilst he was in the town guard, their naib called out to the poons for assistance. Deponent came out thereupon and perceived Runjeet Sing and the sailor struggling, and the sailor had a knife in his grasp. Runjeet Sing then secured the knife from his grasp and got into the guard house, and as he went in he gave the sailor a shove which threw him down. The sailor got up instantly, drew another knife and ran at the sentry. Deponent then said to the sentry, is all this fun to you that you did not interfere when the sailor attempted to stab Runjeet Sing, and now if you do not charge bayonet immediately he will stab you. The sentry then presented his bayonet, and the sailor retired. Shortly afterwards the thanadar and his chokeydars arrived and Jumun, chokeydar, seized the sailor by the leg and threw him down, and deponent seized the knife out of his grasp. The sailor was then secured, and Mr. McCann and the constables came. In the mean time a European gentleman passed by and seeing the prisoner seized, asked deponent why they were thus maltreating him. Deponent showed them the knife and said that the sailor had wounded a man with the knife. They looked at the knife and then returned it to deponent and went away. Deponent here produced the knife stained with blood. This deponent identified the prisoner to be the sailor alluded to by him.

Suleem, chokeydar of Loll Bazar thana, deposed, that as he was at duty at the thana, he saw a sailor run down opposite the thana pursuing two natives, with a knife in his hand. Shortly after this he perceived Baukoollah the deceased, come towards his thana crying. Deponent asked him why he cried, and he answered that the sailor who had just passed the thana with the knife in his hand had wounded him. Deponent, when the wounded man came opposite the thana, brought a light and examined the wound which was on his belly and his entrails had protruded. Deponent then took him into the thana and bound up his wound with a piece of cloth and led him on a cot in the thana. Afterwards Hubeebollah, naib, came and took the wounded man to the hospital. As the sailor passed running speedily past the thana he did not observe his features, so as to be able to recognise him again if he were to see him.

C. K. Robison deposed, that he is a magistrate, and he, on the 5th of March went to the native hospital at the Chandney Choke to take the depositions of the Baukoollah sycer, a wounded man there. The prisoner was present at the time, and Mr. Delmar, the French interpreter and Mr. Leal the native interpreter, and a great crowd. Deponent cannot recollect the date, but it is in the deposition. Deponent cannot say if there were any of Baukoollah's relatives present. Baukoollah was sworn at the time. The depositions were explained to the prisoner, but he was asked if he would put any questions to him, and he said no. Baukoollah is since dead: looks at the depositions and says there are them. Baukoollah was perfectly sensible and collected at the time and expressed to deponent a conviction that he would not recover from the effects of the wound. Deponent once before saw him at the native hospital shortly previous to his taking these depositions.

C. F. Leal, interpreter to C. K. Robison, Esq., the magistrate, deposed, that he interpreted exactly Baukoollah what the magistrate said; but he did not

interpret Baukoollah's reply. Baukoollah said that there were Europeans present at the time he was stabbed. One of them, the prisoner at the bar, he said was the man who had stabbed him. He said he recognized him because he was shorter than the other man, and had a bruise under his left eye and a short beard. Deponent read the depositions now in his hands, and he admitted them to be correct, and made his mark to it in deponent's presence, who witnessed it.

C. K. Robison, Esq., recalled, said, he cannot say who interpreted Baukoollah's reply to him; but he is so very proficient in the Hindoostani language in which Baukoollah spoke, as not to be in need of Mr. Leal's assistance in interpreting the replies to him. He commenced taking the deposition after Mr. Leal arrived.

P. Delmar deposed, that he explained Baukoollah's depositions to Milliner, who declined putting any questions, saying, that the deceased is a stranger to him, and if he were to question him he would not answer correctly, and he was too drunk to know what had occurred on the preceding night.

The depositions were then read. Deponent said that he was a syce. On the night of the 4th March, as he was passing down Chitpore road, at 10 o'clock P. M. in company with his cousin, of the two sailors now before him, the latter passed him by, but the prisoner, without any words, having passed between them came up to him and stabbed him in the stomach with a knife. Deponent recognized him by a scar in his face and his beard, and he is shorter than the other man. Prisoner is a perfect stranger to him; he had not seen him that morning at a punch-house. Deponent is perfectly aware that he will not be able to recover from the effects of this wound.

Hyder, syce, deposed, that he is a syce and cousin to Baukoollah. On the night of the 4th March last, at 9 o'clock P. M. as he was in company with him passing through the Chitpore road on their way home to Amrahtollah-street from Banstollah lane, where they had been to have read to them some letters which they had received from their families, and when they arrived opposite the three storied house near the Terretta-bazar, they met an European sailor with two knives in both his hands. As he came up to them he stabbed Baukoollah with one of them and he fell. Deponent through fear jumped across the aqueduct, and when the sailor passed them he came to his cousin by whose desire he returned to Amrahtollah lane, and brought his brother, Ruzzah-oollah, to the spot where Baukoollah had fallen, and not finding him there, they enquired at the Lull-bazar thana and learnt that he had been removed to the native hospital at the Chandney Choke, where deponent and Ruzzah-oollah went and saw him, and saw his wounds dressed. Deponent then went to his duty at his employers, and Ruzzah-oollah and remained with Baukoollah. Deponent was present when Dr. Bain and Dr. O'Brien dissected Baukoollah's corpse. The man who stabbed Baukoollah was a short man, but through fear deponent could not recognize him; but he subsequently heard that he was arrested on that night. If he had observed him sufficiently so as to identify him he would have done it before the coroner and at the police office.

Ruzzah-oollah, the brother of the deceased, deposed, that by information he went to the native hospital at the Chandney Choke, where he saw Baukoollah wounded and the Dr. O'Brien dressed his wounds. Deponent then went to his service and saw the deceased again at the hospital at 6 o'clock P. M. when the deceased informed him that if he would recover he would seek his relatives, but if he died, he had pointed out the person who had stabbed him to the police magistrate in his presence.

P. O'Brien, the first assistant at the native hospital, at the Chandney Choke, deposed, that he recollects the deceased, Baukoollah, syce, being brought at about 11 o'clock P. M. of that night to the hospital. He had a wound on his left side protruding into the abdomen and a portion of the omentum had protruded out. It was a narrow wound $\frac{3}{4}$ of an inch wide and $\frac{3}{4}$ of an inch in length. Deponent thought either of the two knives in the court could inflict such a wound. The deceased gave his depositions to Mr. Robison, the magistrate, on the 5th March, and the deceased died at 11 o'clock P. M. on that day from internal hemorrhage caused by the wound he had received. The body was subsequently, by the order of the police, removed to the police hospital on the 6th March.

R. H. Bain, police surgeon, deposed, that on the 6th of March last, he examined the body of the deceased Baukoollah. There was one wound on the left side of the body a little better than one inch in length. Deponent shewed the head, chest and abdomen. There was a considerable quantity of coagulated blood in the abdomen, the lower extremity of the spleen wounded, the larger intestine had been divided in two parts, and there were two wounds on the omentum. The other membranes were all healthy. The lungs were rather soft, but healthy. The deceased died from internal hemorrhage caused by the wounds on the spleen and the omentum. Either of these two knives might inflict a wound of this kind.

This closed the case for the prosecution. Prisoner declined questioning any of the witnesses, asserting that he was too drunk to recollect the transactions of that night, so as to be able to cross question any of them.

He said, that on a Sunday morning, the 4th of March, he by leave left his ship with 20 rupees, his intention was to purchase some provisions, and three knives useful to his profession as a sail-maker. He likewise purchased three silk handkerchiefs and a box of cheeroots. He went with a shipmate who was arrested with him, to several places. He, from the quantity of liquor he had drunk at these several places, became entirely bereft of all recollection of what happened subsequently; but he has an indistinct recollection of being assaulted by some natives in a street, which so irritated him, that he lost all recollection of what occurred subsequently; and it was not until the next morning, that he found himself in confinement at the town guard and his kerchiefs, his cheeroots, and three knives all lost; and he was then taken to the native hospital at the Chandney, and there he learnt for the first time of the crime he had been charged with.

The prisoner called no witnesses to substantiate his assertions, but put in a petition in English, the purport of which, he said, he had dictated and knew its purport and did not require it to be translated to him.

This petition was but a repetition of his defence. He put in a certificate of good conduct signed by Captain Laor De Paert, Captain of the *Salamander*, French Frigate, on board of which ship he had served as a sail-maker to his Captain's satisfaction for one year. The certificate was dated Toulon, 5th June, 1835.

This closed his defence.

The learned Judge then summed up the proceedings and said, that the charge was one of murder, a very important charge, as on it pendd the prisoner's life; and to clearly decide it, and do justice both to the prisoner and to the public was their important and painful duty. It is very evident that the deceased, Baukoollah, died on the night of the 4th March 1835; but no one has deposed that the prisoner wounded the deceased.

The only evidence of that kind is the deceased dying deposition. There is one person who deposed to his having wounded the blind man. One thing is plain, that the prisoner was intoxicated, and though the law does

not excuse intoxication for a crime, because if so people may first drink and then commit crime. Yet justice Holroyd has decided, that when a man who is intoxicated and had no previous malice against any person, and having without any intention to inflict an injury to any person, but for absolute necessary purposes any deadly weapon, and then and there receives a provocation, as is deposed by Mr. Guizenc, of his having been assaulted, and these irritated with intoxication and maltreatment, he, in a fit of anger, wounds with that instrument any person mortally, the crime is only that of manslaughter; but if any person swears that the prisoner did run a muck with a deadly instrument in his hand in a state of intoxication and wound all the passers by because he had been just previously assaulted by some persons, and stabs a person who was in no wise connected with the assault on him, and wounds him mortally, then the crime would amount to that of murder. Yet there is another circumstance to consider. If there is a great crowd and confusion, and the prisoner is struck by any of the crowd promiscuously, and in this crowd he meets the deceased and wounds him, mistaking him to be one of his assailants, although the man may not have been one of the assailants, yet it is very probable the assaulted person in the confusion might have mistaken him for one of them and wounded him in self defence in the state he then was. It is for the jury to draw this distinction between the crime of murder or manslaughter, from the evidence, and to judge whether the deceased was one amongst the crowd who had beat the prisoner on that night or was he met by the prisoner when he was not assaulted, but running wildly about the street and wounding all the passers-by promiscuously, and had at a time, when no persons were assaulting him, without cause or provocation, stabbed the deceased, as the deceased has declared, and the declaration made at that time by the person stabbed, even if made when the prisoner had passed on, but at the time he was wounded, is strictly in evidence, because it forms a part of the transaction itself.

Here the judge detailed the evidence of each witness, fully commented on the nature of it, and made learned legal observations on them to the jury. The judge remarked, towards the conclusion, that to constitute the crime of murder, malice, is required; but it is not absolutely necessary that sedate and deliberate malice to take the life of any one individual; for if a person without malice towards any person, shouts with a gun wantonly in a crowd, the crime in that case is murder. It is for the jury to decide whether the prisoner had inflicted the wound on the prisoner or not; and if so, whether the deceased was in the crowd that assaulted the prisoner, and in the confusion mistaken by the prisoner for one of the assailants; in that case it will constitute the crime of manslaughter; or whether he, in passing down the street, excited by angry, malicious feelings, wounding every person whom he met promiscuously had thus met the deceased who was not one of his assailants, and wantonly wounded him, which would be murder. If the jury doubted in a case of this kind, they must give the benefit of the doubt to the prisoner, and return a verdict in that case; but if they are convinced that he did it in the latter manner, they must however painful it may be to their feelings, in order to discharge their duty conscientiously, according to their oaths, find the prisoner guilty of the offence for which he is now tried. If they doubt that he even wounded the deceased, then they must acquit him at once. After this he left the case in their hands, remarking that he had, as bound by his oath, tied the law in all its bearings in the case before them, and it now rested with them to return the verdict that they judged to be best suited to the case.

The jury retired for about quarter of an hour and returned a verdict of manslaughter.

The judge then addressed the jury and said, that

as the prisoner had been found guilty of manslaughter in the case just before them and thus acquitted of the capital offence, he could not possibly be thought guilty of having wounded the old, blind man, with an intent to kill, as the indictment charges him, therefore the jury had better be sworn to bring that indictment, and have it formally read to them, and then, after, the prisoner has pleaded *not guilty*, acquit him of that charge. The jury were then sworn to bring the indictment which was read to them, and the prisoner having already pleaded *not guilty*, the jury, as directed, acquitted him of this charge.

The judge then remanded the prisoner for the present, and said that he would, at another time, pass the sentence against him for the crime or which he had been convicted.

The prisoner was then removed, and the Court adjourned at 6 o'clock P. M. till 11 o'clock A. M. to-morrow morning.—*Hurkaru*, April 26.

SESSIONS.—APRIL 25, 1838.

(Before Sir E. Ryan.)

Petumber Mookergia and Holladhu Chuckerbutty were tried on an indictment charging them with having forged a document on the 5th of September 1837, purporting it to be the last will and testament of a Hindoo widow, named Servah Munglah Dabee, deceased, with intent to defraud Bemolah Dabee.

The prisoners pleaded *not guilty*.

Counsel for the prosecution, Messrs. J. Pearson and L. Clarke, Counsel for the defence Messrs. J. Cochrane and C. R. Prinsep.

Mr. Pearson addressed the jury and said, that the prisoners are indicted for forging a will and altering the name, both of which offences are equally criminal.

The deceased Komalunth was the widow of Ram Mohan Chuckerbutty, deceased, and she had an only daughter named Bemolah Dabee. This daughter was at Bindrabund, 600 miles distant from Calcutta, on a pilgrimage. On the 8th of Assaur, when her mother was attacked with the cholera, Servah Munglah Dabee imagining that the malady would prove fatal made a will on that day by which she bequeathed the whole of her property to her daughter, and Nobinchander Chuckerbutty, Anundoo Chuckerbutty, and Ram Kisto Odacare were witnesses and executors to it. She died on the 12th of that month, and her daughter, about 32 days after her demise, returned from Bindrabund and arrived. In Calcutta in the mean time another will, dated 5th Assaur, was filed in the Ecclesiastical Registrar's office, by the defendants, one of whom swore the usual affidavit for a probate by this will. She disposed of the property otherwise and appointed Petumber Mookergia her executor. In this will she mentioned her indisposition, whereas she was not sick before the 8th, and further there are proofs to show that Holladhu Chuckerbutty was seen composing it, and although he declined to be the executor; but by subsequently applied for a probate on that will, and thus he clearly uttered this forged will by this act it is plain; and it would be an absurdity to suppose a person could have made a will on the 3d of Assaur, quite contrary to the one she executed on the 8th of that month.

The witnesses by application of counsels were all ordered out of Court.

Sheehchunder Ghose deposed, he knew Servah Munglah Dabee. She is dead: she died on the 12th of Assaur last. Previous to her death, the deceased made a will. She had an only daughter, a widow named Bemolah Beval, Deponent knows both the prisoners. The father of the last deponent is dead; his name was Guanganrain Chuckerbutty. Deponent never saw the will which Servah Munglah Dabee made, but heard

she made one on the 8th of Assaur last. This will deponent never saw, but he saw a will in the possession of Gunganarain Chuckerbutty and Hollodhur Chuckerbutty. When they made it, deponent saw it in Shraabon last, deponent saw it made out by those two persons. Petumber Chuckerbutty, Beromohon Chuckerbutty, Sheebnarain Holdar, Issurehunder Sircar, Ramlochun Kur, and Sootoopechunder Shaw were concerned in framing it. Petumber Mookerjia was the executor to it, and the others become witnesses to it. This will was made on the 31st Shraabon, about one month and 20 days after the death of the person whose will it purported to be, and was anti-dated the 5th Assaur last. Deponent, if he were to see that paper, could recognise it. Deponent knows the hand-writing of Issurehunder Sircar who wrote it. There was previously a rough draft made and submitted to the prisoner, who made a few alterations and then it was fair copied: the draft was written by Hollodhur Chuckerbutty. When this will was forged, Petumber looked at it, and said the whole responsibility of this affair will be on me. Hollodhur observed "who is to write the name of Servah Mundalah Dabee." Hollodhur then said, "Get Issurehunder to write her name and I will make a cross mark to it," and this was done. After this will had been executed, the witnesses remarked, as every thing was completed, what were they to get for their job, and Hollodhur replied "that matter has been discussed already;" and Issurehunder then wished to know the purpose of it, and Hollodhur said, of the 1,700 rupees of Servah Mundalah, which is of Bobany Lull Sha's hands, he would give 1,000 rupees of it to Petumber Mookerjia and 300 rupees for the costs of this probate; the remainder, after considering what each of the others ought to get will be divided amongst them. Thakordos Chuckerbutty, Kosinath Kur and Prawn Kisto Sen, and the parties concerned in framing this document were present at the time when this conversation occurred. Deponent last saw Thakordos Chuckerbutty about fifteen or sixteen days ago at Sham-bazar. Kosinath Kur for fear of getting a subpoena in this case, has ran away.

Mr. O'Dowda, acting registrar of the Ecclesiastical Court, produced from the records of his office the will which was purported to be a forged document, together with the usual affidavit of the executor named in it, Petumber Mookerjia, for a probate. Probate was not granted on it.

Sheebchunder further deposed, on looking at the will, that he recognised this to be the forged will. It is written in the hand-writing of Petumber Mookerjia. Deponent is acquainted with Issurehunder Shaw, having seen him and Ramchunder Kur write once.

Cross-examined by Mr. Prinsep. Deponent saw Beromohon Chuckerbutty. Deponent knew him. Gunganarain Chuckerbutty, whilst deponent was passing his house, as a friend, called him and informed him, that he had fallen into a fearful predicament, and when deponent inquired what it was, he replied his sister-in-law, Servah Mundalah Dabee, had the cholera on the 8th of Assaur last, when she made a will. She died on the 12th of that month; he then observed that if her daughter were to die, the executors to it would make away with his ancestral property, and added that his son Hollodhur Chuckerbutty and Beromohon Chuckerbutty had consulted together and resolved to make a forged will with an intention to take out a probate and preserve everything. Hollodhur, after his father and his brother had consulted together, said "let us make a draft of it," and so hinted deponent's advice. Deponent replied, "if you succeed in this fraudulent act it will be very advantageous to you, but if you are detected, the consequences will be very serious." Deponent did not assist in the making of this will. He was again sent for by Hollodhur, for the purpose of becoming an attesting witness to it. Deponent is not in the habit of becoming required as a witness on account of his respectability.

Deponent gains his livelihood as a mooktiar in the petty court, but he has never given his evidence in any of these cases, nor was he ever warned by the commissioners of that court regarding his evidence. Deponent did not get any part of the 400 rupees, because he declined to become a party to this nefarious transaction; he suspected it to be wrong, because he saw another sign the name of the deceased, after her death, to a will framed on the 31st Shraabon and anti-dated the 5th Assaur. Deponent knew Rammohun Chuckerbutty; he died about three years ago. Deponent never heard that he ever had a son. Deponent has seen Bemolah Dossee, who is a purdah-nasheen woman. She is the daughter of a Brahmin and does not go a gadding. Deponent sees her on business. Deponent does not know whether she has a husband. Deponent last saw Bemolah Dossee about three or four days ago, when she had the cholera morbus. She is now a widow and has no child. Deponent was not examined before the grand jury in this case, deponent first received a subpoena on it about a week ago. After the grand jury had found a true bill in this indictment, and the witnesses who were examined on that occasion, having mentioned deponent's name, the prosecutors subpoenaed him. Deponent does not know whether the prisoners were heirs-at law to Servah Mungolah's husband, they were the brothers of Suttah Mungolah's husband, and cousins of Servah Mungolah. At the time of her father's death Bemolah Dossee was a childless widow. All the property Servah Mungolah Dossee died possessed of, was left her by her husband. Hollodhur resides at Putthurgutta-street, to the west of Bemolah Dossee's house. The forged will was written in a hall, behind the two side rooms, at the entrance of the house. Deponent does not know whether Gunganarain entered a caveat against the will dated the 8th Assaur last, or whether it was ever filed in this Court.

Cross-examined by Mr. Cochrane. Prawn Kisto was present when the forged will was made, and is a witness in this case; cannot say whether he was examined before the grand jury. Deponent cannot say what relationship there is between Petumber Mookerjia and Bemolah Dossee. Deponent never was before called to witness a forged will. Deponent knows Annuchunder Chuckerbutty; he lives in a separate hut; he is very intimate with Bemolah Dossee, and visits her very often. Deponent is paid for his trouble at the petty court, but he is not to get any thing for his trouble here to-day. He has no note of hand nor promise of a reward in this business. Bemolah Dossee is at her own house. Deponent knows Behary Lull Shaw; he is a rich man. Annuchunder Chuckerbutty is here to-day. Deponent saw five or six, days ago, Beromohon Chuckerbutty at his house. Deponent did not advise the defendants not to commit this act but they did not regard him. Deponent has heard, that every subscribing witnesses to this will has been put into this indictment.

Re-examined by the judge. When Hollodhur was writing the will, deponent saw Prawn Kisto; he came there after the deponent; but why he came deponent does not know. When he came, Gunganarain Chuckerbutty said "sit down;" he was asked to become a witness, but he declined, and said to Hollodhur "you have three or four witnesses, there is no necessity for my name."

Mr. Cochrane remarked to the Court, towards the close of this deponent's examination, that Prawn Kisto had been in Court all this time hearing this deponent's evidence, and has just left the Court. The judge asked Mr. Hillier if this was true, and sent for Pratt the bailiff, who had charge of the witnesses outside the Court to inquire into it: and it then appeared that the constable had only charge of some and not all. The judge consequently asked counsel where the rest were: counsel replied that neither they nor the attorneys in the case knew them all, so as to be able to point them out to the constable, who was to have charge of them. The judge

observed, that it is clear that when witnesses in a criminal case are ordered out and come in again they cannot be examined. Mr. Prinsep replied, that he was perfectly aware of the law in this instance. As Mr. Pearson had supposed that the judge would not re-examine the witness, he had desired Prawn Kisto to be the next witness to be called. He had just come in, but when he found that he was not required as yet, he went out again.

Prawn Kisto was then called and swore to the correctness of this statement of the prosecutrix's counsel, and added that he had been out with the other witnesses.

A Pratt, the bailiff deposed, that he called the names of the witnesses in the list furnished to him, and got some of them, but deponent did not see Prawn Kisto. He was not in his charge nor did any person call any of the witnesses under his charge. The judge then remarked that there ought to be two constables to relieve each other, and the names of the witnesses ought to be called as per list of the witnesses furnished to the constable by the parties, and then made over to their charge and kept in another room, and nobody permitted to speak to them until called for; a similar case he added should never occur again. A sirac of Mr. Hedell, the attorney for the prosecution, having deposed that Prawn Kisto was out during the time Sheebchunder was examined, and he had just called him in by mistake, the judge permitted him to be examined.

Prawn Kisto then deposed, that he knew the two prisoners at the bar and the last witness. This witness, like the former, proved the construction of the alleged forged will, and identified it in Court.

Cross-examined by Mr. Prinsep. Deponent is a broker and an oil-merchant. Deponent undertook on one occasion to be bail for Moonshee Is-hur; but as the Moonshee could not give under bail he declined being bail. He did not receive 64 rupees on that occasion. When the will was signed, no person asked him to become a witness to it, nor did he refuse to become one.

The judge, after he had examined the evidence of Sheebchunder, witness, and found a material discrepancy between his deposition, and had further ascertained that there were no more witnesses to prove the making of the will, remarked to the jury, that if they believed these two witnesses, the case was plainly made out, and must proceed; but if they doubt them, for to him it appears a very strange circumstance that these two persons were, especially the latter, called for no other purpose by the prisoner than to witness their committing a forgery, a crime for which they could be transported for life, and which crimes are invariably committed in secrecy, but to enable them at some other period to appear as witnesses against them, and convict them in this case. Mr. Pearson added, that he had a documentary evidence against Holladbar, and if the actual forgery were proved against him, the fact of the other taking out the probate would in itself be sufficient to convict him of uttering a forged will.

The judge replied, that if the very first part of their evidence as to the perpetration of the forgery could not be believed by the jury, how could the case proceed against them.

The jury consulted and informed the Court, that they did not believe these two witnesses. The judge remarked, then the case cannot proceed, and directed the jury to acquit the prisoners, which they did. They were then ordered to be discharged by the judge.

Shumsnoodeen was tried for uttering a forged document, with intent to robbing Mr. Kuhn, the proprietor of the *Commercial Advertiser*.

The prisoner pleaded *not guilty*.

John Overet deposed that he is a Government pensioner, and lives in North Intally. Deponent is a subscriber

to the *Commercial Advertiser*; its subscription is two rupees eight annas per mension; deponent knows the prosecutor and the prisoner. Deponent looked at a paper in Court and said he recognised it; he had seen it before. The writing on it purporting to be the writing of Mr. Kuhn; is not his, the document is a forged one. The prisoner presented it to deponent at his house the day before the Churruck poonah. Deponent desired the prisoner to write on it his receipt for the money and he would pay it to him. Pischer attempted to write, but the figures he made were no writing. Deponent after having called a sircar and ascertained from him this fact, said he would pay the money to the prisoner's master. The prisoner then requested deponent to accompany him there. Deponent left his house with the prisoner for that purpose, and procured a palkee at the first stand he came to. The prisoner at the head of the Dhurumtollah road gave deponent the slip and ran away. Deponent however proceeded with the paper to Mr. Kuhn, and there he learnt the bill was a forged one, and that the prisoner had been taken into custody on a charge of forgery.

W. C. Macquiere deposed, that Intally, the place where the last deponent resided, and where the prisoner had attempted to utter the alleged forged document, as stated by Mr. Overet, is in the suburbs of Calcutta, and within the jurisdiction of the 24 Pergunnah's Court, and not of this tribunal.

The judge said, that as the indictment stated that the prisoner uttered this will, knowing it to be forged within Calcutta; but as the document now, it appears by the evidence in this case, had been uttered out of Calcutta, this Court has no jurisdiction over natives of this county for crimes committed out of the limits of this city, except in particular Government cases, which he need not mention. He then suggested to the jury, that without entering into the merits of the case, to acquit the prisoner on this indictment, on the ground that the offence had been committed out of the jurisdiction of this Court.

The jury without retiring acquitted the prisoner.

The prisoner was then remanded.

TRAVERSE CASES.

In the case of Queen on the prosecution of Mootee Mangy *versus* Rammond Ghose, Gungapersad Seal, Kishna Ghose, Omit Holdar, Shankama, sircar, and three other prisoners, who were arraigned for having on the 18th of October last, assaulted Mootee Mangy in a violent manner.

The prisoners pleaded *not guilty*.

The prosecutor and his witnesses were then called on their recognisances, and not appearing, they were read and estreated, and a verdict of *not guilty* pronounced against the prisoners by the jury, and the prisoners released. The prosecution, the judge informed the jury, was a private one, and it appears had been needlessly brought before the Court.

The case of the Queen on the prosecution of Gooroo Chund Doss and Hurry Chund Doss, against Kalar Bux, jemadar, Jhubboo naib, and two chokeydars, for having on the 18th of January, assaulted the prosecutors, were then called on, and the jury sworn.

The prisoners having pleaded *not guilty*.

The prosecutor was called and he informed the Court that his attorney, Mr. Martindell, and his counsels, Messrs. Pearson and Leith, who have the sole management of their case, although they were in Court this morning were absent then.

The defendants likewise informed the Court, that their Attorney, Mr. Anly, and their counsel, Mr. Cochrane,

were not likewise present in Court to conduct their case for them.

The chief Justice, after he had made the requisite inquiry from the clerk of the Crown, and ascertained that the attorneys and counsels, both for the prosecution and the defence, were informed that this case would come on to-day, addressed the jury, and said, that it appeared strange to him, after intimation had been given to these attorneys and counsels, that this case, would be tried to-day, that they were absent. A message was then despatched to them to require their attendance, and the jury were desired to await a little.

After a delay of about half an hour the prosecutors' counsel and attorney appeared, and the case was heard.

Mr. Pearson said, the prosecutors in this case were arrested on a false allegation of a theft from some accusers and assaulted very roughly. This class of crime is a very great offence to society, and this is very much aggravated by its having been perpetrated by the very persons whose duty it was to prevent the breaches of the peace.

Gooroochand Doss deposed, that he is a bustom, and resided at Hanokhola. Deponent knows the defendant at the bar. The defendant, on the month of Maugh last, at about 8 o'clock p. m., accompanied many other persons with lighted flambeaux to the prosecutor's house, and began to search the upper apartments. Prosecutor remained below till the jemadar sent for him and desired prosecutor to deliver up the keys of a chest, the property of this deponent, which they brought out of a room upstairs. The prosecutor replied, that the key was not by him, but at his house in Jorahbagan, and he would go and fetch it. The jemadar would not permit him to go there, but broke the chest open, but could not find any stolen property within it. The jemadar then, at the request of Kalloo Ghose, who had brought these persons to his house, took the prosecutor and his brother into custody, and Shoobucamp Shaw having brought a globe which he said he had found under the prosecutor's platform, and that it was a portion of the property stolen from the house of his master Kalloo Ghose, prosecutor, was then taken into the street, and he and his brother bound hand in hand, and taken in custody before Mr. McCann, who ordered the jemadar to release them; but the jemadar, after he had consulted with Kalloo Mullack, again bound prosecutor and his brother, and took them to Captain Birch's office; they were then made to wait below, whilst the jemadar went and spoke to Capt Birch and then took and confined the prosecutor and his brother in town guard all that night. The next day the charge of theft preferred by Kalloo Mulluck and his servant Soobut, was heard by Mr. C. K. Robinson, the magistrate, and dismissed, and the prosecutor and his brother released by his order.

Cross-examined by Mr. Cochrane. Prosecutor gave similar evidence in this Court, when Kalloo Chand and Soobut were tried on this charge and acquitted, and so did his brother who is very sick in his house. Kalloo was his next door neighbour. He had never heard of Kalloo's house having been robbed. Prosecutor put every person into the indictment who entered his premises. Kalloo was on bad terms with prosecutor. The case against Kalloo and Soobut was very prematurely brought on. Prosecutor had not time to subpoena his witnesses. The trial was found one day and the case called on the next. The prosecutor, his brother, Mr. McCann and Mr. Robinson, were the only persons examined on that occasion, and none of his servants. Here the prosecutor named the persons who were present on the occasion. One of them has died subsequently; but prosecutor has subpoenaed the rest. Mr. McCann's order to the jemadar was to deliver prosecutor and his brother to the care of his father. Prosecutor's brother was in attendance in this Court till yesterday, when he fell sick. Prosecutor never heard that Kalloo's house had

been robbed, but Kalloo and his gang behaved like robbers in his.

Re-examined. Prosecutor asked Kalloo and his gang when they entered his house, what they wanted. They made no reply, but seized him. They produced no warrant on the occasion.

J. McCann deposed, that he is the deputy superintendent of the police. Complaints of robberies are made either to the magistrates or the superintendent of the police, and the thanadar. Deponent heard no complaint of a robbery committed in Kalloo Ghose's house on the day the prosecutor's house was searched, until shortly before the prosecutor and his brother were brought in custody to him. He desired the jemadar to take them to their father, and take his security to bring them to the police office the next day, to answer to the charge. It is not usual to search a house without a warrant. Deponent would not do it at night, nor would he take a man into custody at that late hour without an oath of the robbery; and if he had taken up a person in the condition in which these men were brought up to him, he would have sent them up to a magistrate for trial. He would not be punctilious regarding a search in the day time, if he was sure that stolen property was concealed in the suspected house.

Captain Birch deposed, that no person in this matter applied to him for a warrant to either arrest or search their house. He declined at first to answer whether he authorized the jemadar to search the prosecutor's house; but the counsel for the prosecution submitting that he was bound to answer the question, he said that he had given the jemadar authority to search the prosecutor's house. It was a verbal order and not given on any affidavit. The search was to be made in the prosecutor's thakoorbary, to see if any of the property alleged to have been stolen from Kalloo Mulluck's house could be found there, and that if any were found to take the parties into custody. Kalloo Ghose was the complainant on that occasion, and said he suspected these two men as being the thieves. At night the thanadar gave him intimation, that a globe lamp had been found under the prosecutor's platform in his house, and jemadars and peons without seeing the persons brought in custody, ordered them to be confined in the town guard. The next day the case was taken up by Mr. Robinson, who, without an investigation, dismissed the charge.

Cross-examined. Deponent was not then so good a lawyer as now. The deponents, are bound to obey his orders. Deponent did see the lamp. Mr. Robinson did make a preliminary investigation before he discharged the prisoners. They denied the charge against them.

Mr. Cochrane for the defence said, that the prosecutors had not shown that they were acquitted clearly of the charge Kalloo Mulluck had preferred against them. He next condemned in a very strong terms the practice of putting the neighbours and all witnesses in the case into the indictment, and thus deprive the prisoners of all evidence; and even if the search was illegal, it was committed by ignorant natives who were bound to obey the orders of their superiors on that point, and that they had no malicious intention in so doing. If any person had acted illegally, it was Captain Birch, who had given the order for their search; they, therefore, are innocent.

The judge then summed up the case, detailed the evidence, and commented on it, and said, that if the prosecutor's evidence is to be credited, the assault has been proved, and the prisoners have proved no justification. It is true that they searched his house by the order of Captain Birch; but Captain Birch himself had no power to order a search unless it was delegated to him by the magistrate, and thus, if the prosecutor is to be believed, and his testimony is uncontradicted, the jury must find the prisoners guilty, and it is for the judge to decide the nature of the punishment on the merits of the case.

The jury found all the prisoners guilty; and the judge, as the prisoners had acted under the orders of Captain Birch, and could not discern that these orders were illegal, but were bound to obey them, mitigated their offence, he inflicted on them the slightest punishment possible. They were fined 100 rupees each and ordered to be discharged.—*Hurkaru*, April 28.

TUESDAY, THE 30 OF MAY, 1838.

The Lunacy Case.

A commission of lunacy sat this-day at the Supreme Court house to enquire into the lunacy of Baboo Sreenauth Sandail, a supposed lunatic. The commissioners were Richard Marnell, Esq. and W. P. Grant, Esq. counsel for the commission, C. R. Prinsep, Esq., Attorney Mr. P. Peard. The following jurors were chosen and sworn:

George Vint, Esq. Foreman; D. M. Gordon; G. A. Prinsep; W. F. Gibbon; J. Colquhoun; J. S. Kellsad; A. D'Souza; C. Fagan; W. Mackenzie; J. B. Scott, Esq.; Carrapt Jacob; Rajah Dabekissen; Baboo Oboychurn Bonnerjee and Promothnauth Day.

The witnesses called and examined were Drs. H. S. Mercer and Walter Raleigh. A bearer named Gocool and a kansamah called Proncase, were stopped by the jury, who unaniously gave the following verdict: That Sreenauth Sandail was of un-sound mind, and had been so for about three years past, and did not enjoy lucid intervals, so that he was incapable of managing his own affairs; and with regard to the amount of his property no evidence was tendered to them. The jury then adjourned to Saturday, the 15th instant, to meet and sign the inquisition. The gentleman of the jury then directed that all fees coming to them and partly to the commissioners, amounting in all to company's rupees 262; should be forthwith sent to Mr. Patton, the

judge, to be applied by him in relieving the distresses of the sufferers by the late storm at Rungpore or Chingchutta in the 24-Pergunnahs, and the amount was immediately sent by the sheriff's office to Mr. Patton under the directions of Captain Vint, the Foreman.

J. H. PATTON, Esq.

Magistrate, 24-Pergunnahs.

Sir,—I have the pleasure to inclose the sum of 262 rupees, being the jury allowance in a case of lunacy of the 3d instant, which my brother jurymen requested me to forward you as their foreman, to be distributed amongst the unfortunate sufferers in Chingry Guttas village, &c.

I remain, your most obediently,
(Signed) GEORGE VINT.

May 5, 1838.

(No. 183.)

To GEORGE VINT, Esq. *Calcutta.*

Sir,—I have to thank you, and your brother-jurymen, for your donation of 262 rupees intended to be devoted to the relief of the sufferers from the late storm, and beg to inform you that your wishes shall be attended to the best of my ability; a receipt in duplicate for the amount is herewith annexed.

I am, Sir, your most obedient servant,
J. H. PATTON, *Magistrate.*

Zillah, 24-Pergunnahs, the 5th May, 1838.

Received from G. Vint, Esq., a donation of 262 rupees intended to be devoted to the relief of the sufferers from the late storm.

J. H. PATTON, *Magistrate.*

Hurk. May 7.]

ZILLAH 24-PERGUNNAHS FOUJDARRY.

BARRAULT, WEDNESDAY, MARCH 28, 1838.

(Before E. Deedes, Esq., Joint-Magistrate.)

Mr. McDougall, the grantee, appeared this-day, accompanied by Mr. Dias to inform the magistrate that he found it impossible to continue his residence at, or cultivation of the lands granted to him by the state in the Soomerbuns for the constant annoyance and disturbances created by the people of the zemindar of Khas Ballundahs. Mr. McDougall stated, that the zemindar's people had in a couple of hours destroyed a thatched house erected by him at considerable expense and trouble, and that the daring character of some of the attacks made him apprehensive of his life.

A similar representation was made by both Messrs. McPherson and McDougall to Mr. Commissioner Dampier a short time ago, and that gentleman immediately sent an official letter to the joint magistrate, requesting him, under the provisions of Regulation III. of 1828, to protect the grantees from the attacks and practices of the zemindars. Two cases were pending at this time at the Foujdary of Baraset, the one against the zamindar's people for stealing away and destroying several coconut plants, and the other against a sicar and other in the employ of Mr. McDougall for an alleged assault. In the former case the delinquents were sentenced, and the latter fell to the ground for the want of evidence. To our knowledge the latter case was a conspiracy supported by the most bare faced perjury, as the people

charged with the assault, were at the time it was alleged to have occurred in attendance at the judge's Court at Allipore, at the hearing of Mahommed Ameer *versus* McPherson. Both cases were appealed by the Moon-shee's people and pending their issue, the offenders were released on bail.

Mr. Dias informed the magistrate, that his client had come to lodge an information against Moon-shee Mahommed Ameer, the zemindar Bycanto Paul, the Gomashtah, Mudden Mozumdar, the Felsuldar, and two Burkandazes. Mr. Dias said he would prepare Mr. McDougall's affidavits and file it before Mr. Deedes as a justice of the peace and magistrate, and he believed that the court would have no alternative but to issue warrants for the parties and oblige them to find bail for their future good conduct.

A native sicar-looking gentleman, here stepped forward and addressing the magistrate said, "my master is not that sort of man, that will be brought here on such an affidavit."

The following insolence was soon put a stop to by the magistrate telling him, that if he repeated his impertinence, he would let him feel the consequences of it, and that if he felt dissatisfied with any of the proceedings, he had his remedy by appeal to the superior Court. The magistrate then desired Mr. Dias to prepare the affidavit, on which being done, and on Mr. McDougall being sworn to it, writs were granted against the zemindar and his people.—*Hurkaru*, April 12.

MOONGHYR.

Resumption of Toufeer and Waste Lands in Purgunnah Furkea.

The resumption operations in this purgunnah have been nearly brought to a close, resulting, we are sure very much to the satisfaction of Government. The settlements made with the zemindars and others for the land that has been resumed out of the old estates or muhals, show a considerable addition of revenue; and, which will progressively increase, till the close of the several terms for which the leases have been granted. The attempts of Government to procure an enhancement of revenue from the old muhals necessarily created great dissatisfaction among the zemindars at whose cost the increase was to have been induced; and when we examine the nature of the objections advanced by some of them, we are unavoidably led to question the right of Government to encroach upon the possessions of land-holders on any consideration whatsoever, not supported by the argument of pressing exigencies either of unavoidable foreign war, or general urgent measures to be adopted for the improvement of the county, embracing the benefit collectively of both the zemindars themselves and the people at large. The latter, we readily allow, may be prosecuted in a thousand very interesting and extensive channels of desirable improvement; but the former cannot, in the present posture of political affairs, be justified in any point of view. The excess in the former agrarian demands, however, has been laid; the resumptions are progressing; the resources of Government are being multiplied; the waste lands are put in the way of improvement (a very desirable thing no doubt); and the zemindars have sighed, wept, bothered, and bestirred themselves to no purpose, as it respects saving themselves from the aggressions of the *erekequer*, into which, ere long, some forty or fifty thousand rupees, will flow from purgunnah Furkea alone. We could here suggest, that if the advantage of the people has been made the basis of the fresh exactions made from the Furkea zemindars, the additional profits thus secured should, at least, every third year, be appropriated exclusively to the local improvement of that purgunnah; some of which we here briefly point out. Bunds or embankments are very much required to prevent the inundations from the Gunduk, the waters of which, singularly enough, seldom make any productive deposits, while they interrupted the cultivations, and deprive the people of one of the best crops. Roads are very much wanted, sources of artificial irrigation are urgently and absolutely required, and, above all, a more respectable and efficient police is imperiously called for here, as well as in all the other parts of the country. If the people are made to add to the resources of the state, the latter should, in return, use its diligence to add to their comforts, safety, and prosperity.

The arguments generally made use of by the zemindars in support of their objections to the resumption proceeding, have been from time to time put into our possession, and as they are usually of the same kind, we here furnish a brief exposé of them as lately submitted to Government by Raja Bhdanund and his son Koomar Roodraund, zemindars of portions of this purgunnah.

1st. That one of the arguments used to warrant the resumption is that the resumed mouzas were not included in the famous decennial or perpetual settlement on account of their having been mere waste lands at the time. Against which position they urge that, at that time the papers of settlement did not specify the quantity of land comprehended within the area of the several

tuppahs and mouzas included in the muhals, that these papers exhibit the aggregates of the estimated profits of four years, whereby a scale of jumma was formed for the levying of an excess to the revenue of former settlements,—that the sayer collections were taken away, and proportionate deductions were allowed them; that there is not a single mouza included in the tuppahs, nor any description of land that has at any time been exempt from the assessment, and jumma fixed by the perpetual settlement, that they support their objections on the provisions of regulations I. and VIII. of 1793, and the circular letter of the 22d May, 1818, in this particular; that all descriptions of land and mouzas whatsoever included within the boundaries of the tuppahs, as above settled in perpetuity, are unquestionably their rightful property, and can on no account be claimable by Government, and that the present measures of Government can be regarded in no other point of view than as the exhibition of an unjustifiable design of infringing on, and rendering the permanent settlement at once nugatory.

2d. Another argument used in support of the resumptions is the absence of any recorded jumma attached to the resumed mouzas and lands, in the column of jumma of the quinquennial register compiled in 1202 of the Fus-lee year. This argument they rebut by observing, that the tuppahs, and mouzas were perpetually settled in the Fus-lee year 1179, at which period those registers were not in existence; that they were embodied on data furnished by the kanoongoes, to which preparation of them they, the zemindars, were not parties, and therefore were not able to check the inaccuracies that abound in them; that as these registers were not in being at the time of the settlement, their rights, supported by section VII. or regulation I. and several sections of regulation VIII. of 1793 cannot be justifiably impugned, with a view to the intrusion of the claims of Government to lands lying within the land-marks of the tuppahs and mouzas settled in perpetuity before the quinquennial register was formed, that these registers comprise no part of the records of the perpetual settlement, a circumstance which in a peculiar manner renders them unauthentic, especially as they do not correspond with the substance and provisions of the puthals and kuboolets mutually interchanged on the occasion. In proof of this they cite the following instance: Tuppah Jumalpoor, &c. is recorded in the said register, as assessed at Rs. 1,055. 5as. and 10gs. whereas, the amount of assessment specified in the puthah and kaboleet is Rs. 12,429 12as. Again: tuppahs Rehooa and Sehuzaree, &c. in the register is stated to be assessed at Rs. 6,949 3as. but the amount entered in the puthah and kaboleet is Rs. 8,200 10as. 8gs. Hence the spurious nature of the source of the formation of these registers is undeniably evident, that in the settlement books of 1197 Fusley, jummas are attached to each mouza individually, consequently the argument herewith contested is not founded on act, that if any portion, or the whole of the lands comprising the estates of the zemindars had been discovered to be waste at the time of the compilation of the quinquennial register, that circumstance could only serve to prove that the zemindars, and not the Government, must have been subject to losses, from their having been unproductive; that nevertheless they have always faithfully discharged the demands of Government exacted from those very lands, which were included in the perpetual settlement, and that they have proved by respectable corroborative evidence, that the resumed lands were in a state of cultivation, before, at the time, and after a perpetual settlement.

3d. A further argument used is, that they support their objections by two things. 1st, *Fesulas* of the civil court, grounded on regulation XIV. of 1835; and 2dly, That the settlement made with them does not make any distinction between cultivated and waste lands. These objections are controverted by the assertion that the awards of the civil courts cannot abstract the investigation of the rights of Government. The petitioners contend that positively, entering various legal proceedings successively instituted in various courts, *Mofussil*, Appeal, and *Sudder Dewanny*, at the close of all of which the claims of Government were explicitly declared to be illegal, with reference to laying fresh *jumma* on the *mahals* included in the perpetual settlement; that the parties were peaceably put in possession of the lands attempted to be resumed, and that all these decisions were conformable to regulation II. of 1819, XIV. of 1825, and sections XXX. and XVI. of regulation III. 1793.

4th. Another argument started in support of the resumption is, that the regulations and the letters quoted by the zemindars, were only applicable to such *mouzas* as have been assessed by Government, and not to the waste lands. They contend that the settlements were made for *pergunnahs* without a specification of *tuppahs*, for *tuppahs* without a detail of *mouzas*; and *mouzas* without records *in katta*; consequently, all sorts of lands cultivated or waste, had been included in them, and therefore they indisputably belong to them.

5th. It is further urged in support of the Government resumptions, that the village *amils* of the zemindars themselves had pointed out the lands resumed as lying beyond the limits of the *mouzas* assessed at the time of the perpetual settlement. This argument, they say is, not founded in fact, for they flatly deny that their *amils* could possibly have done any such thing, since they knew that the truth of the matter was directly the reverse.

6th. Under this head they object to the argument that they cannot support their *careat* by any trustworthy document, by insisting upon it that they have submitted many of a very respectable and authentic nature, on the strength of which they urge that the claims of Government should be set aside.

7th. For an argument, that the perpetual settlement did not comprehend all the *mouzas* individually, they urge that their *pattas*, and the *kaboulats*, expressly mention *mouzas* numerically detailed (with the collective *jumma* levied on them) comprehended in the several estates they refer to. They comprised in all 207 *mouzas uslee* and *dakhilee*; assessed at a total *jumma* of 22,262 rupees and 12 annas. And these were all perpetually settled.

Thus far we have very briefly represented the arguments *pro* and *con* of the resumption operations, but cannot spare time to enter at any length into the respective merits of the question as mooted by the contending parties. Let it suffice to intreat Government to hold in one hand the sceptre of mercy, while with the *broom* in the other, they sweep away any of those rights which they have themselves created, and till the moment of

the commencement of the execution of the resumption proceedings, have upheld by their representatives in the constituted courts of the country.

But particular justice from us is due to the public officer of Government under whom the resumptions have been carried on in *pergunnah Farkeea*. We allude to the Hon'ble Mr. Drummond, with whom we have, in the way of our humble calling, seldom come in contact. That this officer has acquitted himself, in the execution of his peculiarly trying duties to the satisfaction of Government, nobody will deny, after the result of the resumptions has exhibited a large amount of revenue added to the coffers of the state. That he could, nevertheless, have given satisfaction to the zemindars, nobody will be willing to credit, but we state it with pleasure as a matter of fact. Such, generally speaking, really is the case. We have had opportunities of conversing with many of the landholders concerned (such against their will, no doubt, originally) in the resumptions, and have from them obtained the following facts: That Mr. Drummond had decided upwards of two hundred disputed cases, of which only nine had been appealed to the higher authorities; but of which seven had been confirmed, leaving just *two*, in which his decision had been overruled. We have met with only two or three of the zemindars who seemed to be much dissatisfied with the result of Mr. Drummond's proceedings; but even they have been constrained to admit that in the decision of the rest of the cases justice had been done, since he was acting according to the orders of his superiors, and guiding his measures by the regulations of Government. We are no *panegyrist*, it will be allowed without controversy; but here we cannot refuse to do justice. We have before us the testimony of nearly a whole body of zemindars acknowledging that, whatever they might have to urge against the aggressive and arbitrary measures of Government, as they denominate them, they, with the exception of one or two captious individuals, conspire to represent Mr. Drummond as conducting his proceedings in the most impartial, cool and deliberate manner; readily admitting of remissions; correctly estimating the capabilities of the land; to be assessed, and rather erring on the side of concession than aggression. We are unchangeable in our opinion that the execution of the important functions vested in the younger branch, especially, of *the service*, are improperly regulated; and that but a very small number of them are fit to be entrusted with them. The exceptions are discovered accidentally, as it were. The world but scantily knows what is transpiring on the *Mofussil*. It is our province to search—we have done so; we have, we trust, honestly given them their *dues*. We could have lifted up a finger at Mr. Drummond, but we drop it when we are called upon by the concurring voices of the zemindars of *Farkeea* to say that they have been satisfied with in his public capacity. We hope that Government will, ere long, prove that it is not indifferent to the expression of the sentiments of the people over whom they have set generally very incompetent officers for the distribution of justice, when such instances as the one we now usher into the light, are by the people (though unknown to themselves) brought to their notice.—*Hurkaru*, April 14.

MISCELLANEOUS.

CALCUTTA.

DEATHS AMONGST HINDOOS.—From a report furnished at the police office from the two ghauts, it appears that the following was the number of deaths which occurred amongst the Hindoo inhabitants of Calcutta, from the 1st to the 10th of the present month :

	By Cholera.	By small Pox.	By Miscellaneous diseases	Total.
1	49	6	8	63
2	50	9	13	172
3	87	7	14	108
4	48	8	11	67
5	51	9	10	70
6	44	4	22	70
7	35	6	14	55
8	37	10	9	56
9	28	7	14	49
10	20	8	16	44
	449	74	131	654

By our last notice, under this head, it appeared that the number of deaths within the limits of Calcutta, amongst the Hindoo inhabitants, was *thirteen hundred and thirty-two* from the 1st to the 18th instant. The following has been reported.

	Small Pox.	Cholera.	Miscellaneous diseases.	Total.
Apl.	19	11	41	64
"	20	14	37	62
"	21	12	30	57
"	22	9	39	63
"	23	19	39	69
"	24	18	51	82
"	25	24	80	91
"	26	18	56	87
	125	343	107	575

Towards Tautollah and Cullugah, where the cholera had about a fortnight or three weeks ago been most prevalent, it has become very mild; so that the medical students placed in those two thannas, have been withdrawn as having little or nothing to do. But it is now raging with virulence in the northern parts of the town, which are chiefly inhabited by Hindoos, as appears in the above memorandum.

DISCHARGE OF AN ENTIRE THANNA ESTABLISHMENT.—The whole establishment of the Beng Bazar thanna, namely the thannadar, the naibs, and all the cholעדars attached thereto, were, the other day, discharged for a gross neglect of duty, of which, however, we have not been able to learn the particulars. It is stated that a robbery had lately taken place in their division, of property worthy about eleven hundred rupees, which they had kept a secret from their superior.

JUDICIAL APPOINTMENT.—William Patrick Grant, Esquire, the son of Sir J. P. Grant, has been, through his father's interest, appointed to the vacant office of Master in Equity.

MR. WILLIAM RUSHTON.—The following well merited tribute, has been paid by the editor of the *Englishman* to Mr. William Rushton :

"Our readers have doubtless noticed an advertisement which has been for some days prominently before them,

announcing that Mr. William Rushton, in conjunction with other parties, is about to commence business on his own account as a book-seller, stationer and printer.

As this measure necessarily involves the dissolution of the connexion hitherto subsisting between Mr. Rushton and the *Englishman* establishment, to the extent, at least, of his duties as printer and publisher, we think it incumbent on us to offer him a public farewell, and to express our hearty good wishes for the complete prosperity of his new undertaking. For five years we have experienced from Mr. Rushton the most active and zealous co-operation in the performance of duties of which no one but ourselves can fully understand the difficulty—no one thoroughly appreciate the mental and bodily labor,—because no one was ever required to attempt them in this place before. Our readers may remember when every week, nay almost, every day, brought its meeting of angry creditors of fallen houses,—of steam projectors, ice projectors, literary projectors, free press advocates, civil jury clamourers, bank act petitioners, &c. &c.; when every Saturday produced its Insolvent Court rife with interesting and intricate proceedings—when every term yielded an infinity of cases springing from the commercial *embourgeoisement* of 1833. Many of our supporters will also recollect when an overland packet was a rarity, and never to be calculated upon, and when, in consequence, the arrival of a Liverpool or Bordeaux ship was an event anxiously watched for, as likely to put us in possession of the latest news from home. It was during those periods of editorial difficulty that we felt the great value of Mr. Rushton's unwearied industry and friendly zeal. Day after day might he be seen at the court-house or the town-hall, diligently reporting the speeches, the judgments and the embarrassing 'desultory conversation,' for which all kinds of meetings were then distinguished; and anon, as if gifted with the spirit of ubiquity, he was away down the river in the highest of beachabats to meet the 'latest arrival,' telegraphed but a few minutes previously, returning with her (to us) greatest treasure, the *latest papers*, and creating an 'extra' while our contemporaries were asleep! These were services the value of which we have been reaping for the two past years; and though an alteration in the character of a journalist's labor enables us now to dispense in some measure with Mr. Rushton's further aid, we cannot forget what we owe to his great energy, activity, prudence and integrity, or deny ourselves the gratification of paying a public tribute to his worth.

As the sole proprietor and editor of the *Oriental Observer* Mr. Rushton continues the publication and management of that excellent periodical, but his general printing and stationary establishment is a new undertaking altogether, and, in our opinion, a very great desideratum in this town. We hope he will receive very extensive patronage, for if ever honest man deserved support, he certainly does.

HEALTH IN THE HOUSE OF CORRECTION.—It is considered very strange that the state of health in the House of Correction should be so different from the remainder of the town and its suburbs. While cholera and small-pox are raging in a frightful manner beyond its walls, not a single case of any of these scourges has occurred within them. There are now about a hundred and fifty prisoners in it, and some fourteen or fifteen of them, only, are afflicted with a slight fever.

THE PRETENDED RAJA OF BURWAN.—It is said, that the *soi-disant* Rajah of Burwan, has been ranging about the river lately with a retinue of boats full of his

followers. He set out from hence some time ago with the avowed intention of going to Burdwan. This intention he has not fulfilled; but after remaining opposite to Chinsurah for some time, he proceeded to Culna and landed there with an armed rabble of some 300 men headed by himself in a tonjon, with a drawn sword in his hand, and a European legal functionary attending him. He ordered the sepahis centry at the *Raj Bari* to quit his post, which the man declined to do; and the pretender was prevailed upon, with great difficulty, by the darogah, not to attack the man. If he had done so, as there were probably more than 100 of the actual Rajah's men within the gate, with an abundant supply of arms, the pretender and his rabble would have been repulsed. Information of these proceedings being sent to Mr. Ogilvie, the magistrate of Burdwan, that gentleman immediately sent orders to the police to compel the pretended Rajah and his rabblement to retire. This they refused to do; and the Darogah reported that any attempt to carry his orders into effect would be useless and lead to bloodshed, and he had no force at all adequate to cope with the followers of the Pretender. Besides which, the fellow had been visited by crowds of people, the natives coming daily in thousands down to his boats. In the mean time, letters of his had been intercepted, addressed to all the neighbouring zemindars, calling upon them to assemble at Burdwan and witness his re-ascension to the *gudacs* of his ancestors. Mr. Ogilvie, under these circumstances, proceeded to Culna, with a military force, and apprehended the Pretender, and he is now in custody. The magistrate had previously received orders to apprehend this man, if he should attempt any proceeding of the nature described.

The pretender calling himself Petaub Chund and claiming the Raj of Burdwan, of whose proceedings, at Culna, we gave an account the other day, has been apprehended. It would seem that he never could have had any serious intention of going to Burdwan, as he was perfectly aware that he would not be permitted to go there with an armed rabble, such as he chose to be attended by. He remained, therefore, at Culna until the 2d instant, sometimes going ashore merely to create a *tama-ha*. Crowds of people collected to see him, amounting sometimes probably to 50,000, including a very large population of women. On the morning of that day, however, the magistrate arrived with a company of the 2d native infantry, commanded by Captain Little of that corps with another commissioned officer. They found the impostor in his boats, moored near the mouth of a nullah, in a good position for defence or escape. He had the discretion to choose the latter, and attempted to make off as soon as he saw the troops approach. As soon as the magistrate saw this, he commanded the boats to stop. His orders, however, were disobeyed. Hereupon, by some mistake, a volley was fired by the troops, and four of the deluded followers of this man were wounded by the fire, three of whom have since died. The fellow upon this, jumped into a dingy, but the people deserting him, he threw himself into the river and got on the bank where he lay motionless like a dead body, and had nearly escaped by this artifice. An experienced havildar, however, gave him a kick and thus discovered him. Several of his followers were taken prisoners in the boats, and among them, three Europeans. One of these is Mr. Shaw, the Attorney, who was lodged in the jail of Burdwan, where his countrymen also found quarters; but they have been brought down to Calcutta on writs of *habeas corpus*.

The pretender himself, was, immediately after he was captured, sent off to Hooghly, in charge of Captain Little and his company, and was, early on the morning of the 6th instant, delivered over by that officer to the magistrate of that place, and is safely lodged in the jail. Very few of the natives assembled at Hooghly to witness the *Jai Rajah's* re-entry into the prison; but at Nyah Serai where Capt. Little had encamped the evening before, we learn that many thousands of people had

flocked in from all quarters to see the prisoner. It is said, that the Pacheta Rajah, one of the powerful zemindars, with whom Petaub Chund was in correspondence, has, since the capture of the Pretender, broken out in open revolt and attacked and taken possession of a factory of Dr. Cheek's. Mr. Halkett, the officiating magistrate of Burdwan, has gone out against this man, with two companies of sepoy's.

During the last week, Mr. Shaw made an application to the Deputy Governor of Bengal, setting forth, as report says, that the proceedings on the part of the force employed to apprehend Petaub Chund, were most unwarrantable, and quite uncalled for; he prayed, therefore, that some able and impartial officer may be appointed for due investigation into the affair; and his honour in council was pleased to commission the superintendent of police for the Bengal presidency for that purpose. He has left Calcutta, accordingly, for Burdwan.

The 19th instant was the third day of the examination, and, at about half past five, Mr. Longueville Clarke addressed the magistrates and said, for the present his friend, Mr. Leith, and he would adduce no further evidence, nor as yet press the magistrates to take any further step for an *ex-parte* case, which these preliminary inquiries always were. They had proved all that was necessary; and he would stake his professional reputation, that if the statements were not contradicted, any judge, charging a jury, would tell them that if they believed the witnesses they must find a verdict of guilty. But he would not now ask the magistrates for a warrant; he should, as he had always stated his intention to be, submit the evidence taken down to the Government; they might hand it to their law officers, or, what would be more proper, they might obtain copies of the magistrates' depositions. He would give the Government ample time to consider the matter, and to make every inquiry; and, as he believed there is no fear of Mr. Ogilvie's wishing to escape, or that he could do so, he did not consider that by following this course, the ends of justice could be defeated. But he sincerely believed that the ends of justice would have been defeated, if Mr. Leith and he had not forced this investigation on. They had wanted to see what the Government would do, and they found them sending a gentleman to Burdwan, as he believed, in utter ignorance of the fact, that from the power of Prawn Baboo, and the dread of the magistrate, no witness would go here to depose against them. This he had distinctly proved in evidence, and also Mr. Ogilvie's admission, on a former occasion, "that the Rajahbarry was a sink of iniquity, and that he believed every native in the Government employment at Burdwan, was an annuitant of Prawn Baboo's." The witnesses would not go there, and they were all here, and nineteen of them he had examined. By this course he had saved evidence, which he believed would otherwise have been lost, and he had only caused it to be taken in the legal and proper manner, before the justice of the peace. He appealed to the magistrates to say, whether his friend and he had not conducted the examinations fairly towards the accused, and the witnesses.

Mr. O'Hanlon said, most fairly, that he believed, if it became necessary to issue a warrant, Mr. Ogilvie would surrender. Mr. Clarke replied, that if it rested with him, the accused should not be put to any inconvenience which was not absolutely unavoidable, with a view to the ends of justice. Mr. Clarke also stated, that the intentions of his friend and himself to forward their notes of the depositions, as soon as they could be fair copied, had been communicated to the Government. Mr. O'Hanlon observed, that he also had mentioned it."

DORJELING.—The new settlement at Dorjeling progresses. About fifteen locations have been made, and additional applications are daily flowing in. A line of bungalows is constructing in the new road to the new

settlement, to which all interested subscribe 100 rupees; for this sum Col. Lloyd's agents now call upon them, to enable the good work to proceed.

PUBLIC LIBRARY.—A meeting of the subscribers and proprietors was held on the 5th instant, for the purpose of electing a curator, in the room of Mr. John Bell, who had resigned. Sir J. P. Grant was in the chair. Mr. Bell's letter, assigning, as a reason for his resignation, a difference of opinion with his colleagues, was read. A minute, by the same gentleman, and counter-minutes, by Messrs. H. M. Parker and W. P. Grant were likewise read, and a discussion ensued thereupon. It appeared that Mr. Bell considered the library in a state of insolvency, and that he saw no prospect of extricating it from its difficulties. He also seemed to feel hurt, that he had not been consulted by his colleagues, touching some of the measures which had been adopted by them.

Mr. W. P. Grant, in explanation, denied that a difference of opinion subsisted between Mr. Bell, Mr. Parker, and himself, he likewise disputed the accuracy of Mr. Bell's calculations, and shewed, by the scrutiny of an account laid before the meeting, and prepared by the Librarian, that the library was far from being in a state of insolvency. Mr. Grant further stated, that Mr. Bell had always been duly invited to the meetings of the curators, but having failed to attend, he could not justly complain of not having been consulted. Mr. Grant spoke of the attacks which had been made on the curators in the public papers, and appeared to think, that they proceeded partly from an unaccountable wish to discredit the efforts of the curators, and partly from ignorance of the real state of affairs.

Mr. Stoequeler *pit parole*, and with reference to the remark regarding newspaper attacks, avowed that he grounded those which the *Englishman* had made, on evidence furnished by the curators themselves. He referred to their last published statement of accounts, (1st April) in which it appeared that the library owed upwards of eight hundred rupees to the Union Bank, but had, to meet the debt, only 900 rupees, in course of collection, a sum that might or might not be recoverable.

Mr. Stoequeler said, that he felt much interest in the prosperity of the library, and that, as the public could only be induced to support it by being put in possession of the state of affairs, he thought it the duty of the press, when the affairs were represented to be in disorder, to urge a reform in the management. He was much gratified with Mr. W. P. Grant's present explanation, and regretted that it had not been laid before the public, instead of the imperfect statement which had alarmed him (Mr. S.) and other friends to the library.

Mr. W. P. Grant and Mr. H. M. Parker expressed their surprise, that the imperfect statement should have found its way into the public prints. It contained important omissions, and its appearance had not been sanctioned by them.

On the question of Mr. Bell's resignation being put from the chair, Mr. Bell was asked whether what he had then heard and seen respecting the accounts, did not cause any alteration in his intentions?

Mr. Bell avowed that his opinion remained unaltered.

Mr. W. Adam then proposed that a committee be formed to investigate the accounts, and report upon the state of affairs.

Mr. J. P. Grant seconded the proposition. Mr. Stoequeler moved as an amendment, that the curators be requested to prepare and publish a statement of the accounts made up to the 1st May (instant), exhibiting all

the available assets of the institution, and specifying its debts and dependencies. Mr. W. Oehme seconded the amendment. Mr. W. Adam submitted that the original motion and the amendment might be rendered perfectly compatible with each other, by the curators being requested to form the committee of investigation. In this form the proposals were put from the chair and agreed to *nem. con.*

On a motion that the meeting do proceed to elect a curator, in succession to Mr. Bell, Mr. Morrell proposed Mr. Stoequeler. Mr. S. submitted that, not being a proprietor, he was ineligible. Mr. J. P. Grant then named Mr. William Carr, who had formerly been a curator, and merely resigned because he was about to proceed to England. Mr. Stoequeler seconded the nomination, and Mr. Carr was duly elected.

The meeting then separated after voting thanks to Sir J. P. Grant, for the kind manner in which he had performed the troublesome duties of the chair.

SALE OF COMPANY'S COMMISSIONS.—Despatches have been received in India, announcing the intention of the Honourable Court to withdraw their old prohibition of the sale and purchase of commissions in the army; in other words, it has been found expedient to legalize the purchasing system which could not be prevented.

CIVIL SERVANTS' PERIOD OF PROBATION.—It is said that the Court of Directors intend to vest a discretionary power in the local Government, of modifying the present peremptory rule, which allows to their civil servants, the term of one year only for passing the college examinations, from the date of their arrival at the presidency.

MOVEMENTS OF WAR.—Preparations for a further concentration of forces, are said to be going on, and another company of sappers and miners have marched for Sylhet; and it is hinted, that two more regiments will be added to the Sylhet frontier.

SECTION WRITING.—Government have at length come to a decision on the much mooted question of remuneration to section writers. The pay is hereforward to be one rupee for one thousand four hundred and forty words. The resolution applies to all section writers who have entered the service subsequent to the 1st of January last, but does not affect the remuneration of old servants. At the end of each year a committee is to be formed to take into consideration all matters touching section writing, and to make their report thereon.

DISCOVERY OF MAKING TAPACA.—Mr. D. W. H. Speed has succeeded in making *tapaca* from the *casava* plant. Having obtained some plants of the *casava* from the Horticultural Society, Mr. Speed proceeded to his task with an ability that exhibits itself in the perfect success of his endeavours. To make the speculation in any way responsive to the trouble and time which it requires. It is desirable that the remaining portions of the plant should find a sale in the market; and as it is in its nature nearly, if not altogether, unknown to our native fellow citizen, we have the pleasure to state for their information, that the *casava* is used in the West India as a substitute for bread, and that very pretty eating may be had from it, in the shape of good, wholesome food. If any inducement were given by purchasing these portions, so that on the disposal of the whole plant, a profit might be reaped from his labours, we are given to understand, that Mr. Speed would not be unwilling to manufacture another article of diet, admirably adapted to the uses of convalescents and young children.

ACQUEDUCT IN NEW COOLOOTOLLAH STREET.—The acqueduct, which was noticed in the papers some time ago, as proposed to be made in New Coolootollah street, at the expense of Baboo Moteelal Seal and Baboo

Maudhub Dutt, has lately been begun. It will cost the Baboos about four thousand rupees.

FANCY SALE.—The sale of fancy articles for the relief of sufferers in the north-western provinces, realized about six thousand rupees.

ACCIDENTAL DEATH OF MR. HUNTER.—Intelligence has been received of the death of Mr. Hunter, of the civil service, under very melancholy circumstances. The catastrophe is described in the following extract of a letter, dated Ghazeepore, May 8, 1838.

Mr. Hunter, joint magistrate of this station, was amusing himself yesterday evening about 6 o'clock, leaping a spirited horse over a ditch or drain. About the third attempt, the horse reared and turned, which suddenly unseated Mr. H.,—he fell on his head, crushing the crown inwards, and was taken up senseless; blood was gushing from his mouth and ears. Medical aid was speedily called. Mr. Assistant Surgeon Jackson was first in attendance, but nothing could be done; the poor gentleman never spoke again, and was dead in an hour after the accident.

MR. MANGLES.—Mr. Ross Donnelly Mangles has been appointed to succeed Mr. Walters in the Board of Revenue. This leaves the secretaryship in the judicial department to the Governor of Bengal vacant, and it is not improbable Mr. F. Halliday will be permanently appointed in Mr. Mangles's room.

THE BURMAB AND PISHUL GARDENS.—A letter from Assam states, that the Luturah and Pishul Gardens had returned to their old places, and that there is not the slightest chance of another disturbance at present, they having sent back their hired fighting men.

THE DORMIER AND NEAPOLISE.—Two companies of Assam light infantry have been ordered to keep the pass between Burmah and Nepal, and to intercept all letters that may be passing. A sample of Thawawaddi's scriawl has been sent to Major Lister for his guidance. It is a compound of clumsy pot hooks and hangers, as a great man's manuscript ought to be. The Neapolise Rajah, on the other hand, writes a fine list, something between German text and running hand.

SALE OF THE COMPANY'S SILK FACTORIES.—The under-mentioned silk filatures, belonging to the East India Company, which were put up for sale at the export warehouse on the 22d instant, fetched the following prices:

Bhowannygunje factory, 100 pottery ghyes, &c., standing on about 12 beegas of land, subject to an annual rent of Sa. Rs. 72. Upset price Company's rupees 1,780, was purchased by Baboo Rogoonath Bose for Co.'s Rs. 1,785.

Hajah factory, 180 pottery ghyes, &c. standing on about 21 beegas and 12 cottals of land, subject to an annual rent of Sa. Rs. 43-3-4. Upset price Company's Rs. 2,677, was purchased by Baboo Cos-math Bose for Co.'s Rs. 2,670.

Madaymooree factory, 70 pottery ghyes, &c., standing on about 9 beegas of land, subject to an annual rent of Sa. Rs. 36. Upset price Company's rupees 1,423, was purchased by the same individual for Co.'s Rs. 1,482.

THE COMMANDER-IN-CHIEF.—His Excellency the Commander-in-chief has tendered his resignation. This regulation, in which his departure for England has been fixed to take place in the ensuing cold weather, was sent in last month, various reasons of a public nature, are assigned for this step.

MOFUSSIL.

DELHI.—Colonel Alves, and his *corps diplomatique*, are still at Kotah, emancipating the Rajah from the thralldom of his hereditary prime minister, who has hitherto arrogated to himself all the powers and emolu-

ments of a *Maire du Palais*, but who has now engaged to relinquish these prerogatives, on being granted a *lat jagher*! These arrangements will, in all probability, be concluded by the end of the present month, when Colonel Alves expects to return to Ajmere.

The wealthy *Seths* of the city of Ajmere have munificently come down with nearly two-thousand rupees, in aid of the famishing poor of the Doab.

AGRA.—The weather has been extremely variable since the last report, the wind being chiefly from the north, and north east; at one time hot and oppressive, even long after sun set, but as the night advances, it becomes almost cold. This must be owing to rain from a northerly quarter, and it is known, that a heavy fall took place at Kurnaul on the night of the 11th and 12th instants. Cholera, happily, continues to retrograde, but the hospitals, European and native, are full of fever cases, accompanied by distressing affections of the head. A general deterioration of air, or exhalations issued to an extent in its operation, assisted at the same time by a great diversity of temperature, have, no doubt, rendered the present season a very unhealthy one.

The number of poor working under the magistrate are still ranged somewhat below 80,000. The official return is 77,500, and the new entries are at present not more than sufficient to cover the number of vacancies arising from dislike to hard work, a wish to better situation, death, sickness, and the dread of catching the cholera.

MURRA.—Owing to cholera having prevailed for some time past amongst the Europeans of the troop of Horse Artillery at Murra, where several men have been carried off by the disease, it has been determined to move the troops into tents across the Jumna, for change of air, and to enable the barracks to be whitewashed, and otherwise purified; the same measure having been resorted to, with complete success last year, in respect to the Foot Artillery at Agra.

AYYURH.—The bridge over the Kala Nudlee at Hydrumy in this district, has suffered a serious fracture, one of the blind arches having sunk so as to become separated from the main building. This bridge was only finished in 1830, and cost the Government 96,000 rupees.

Cholera and small-pox have both broken out in this town, but have not assumed any very virulent character.

MYSPOOREE.—Mangoe grove, large enough to hold between 2,000 and 3,000 people, is walled in, and divided by a bamboo fence, into secure and commodious lines. Into this enclosure the poor are admitted every morning at daybreak. Bread is baked on the premises of a Resident, and its distribution is superintended by another soon after sunrise. Three chupatties weigh a pound, and this quantity is given to the leanest adults; two to the less needy, and to the weaker children, and one to the remainder; a man follows, distributing salt, and four buckets of water. Subordinate arrangements are observed, and adopted as suggested by necessity, for convenience of distribution, and the preservation of order: thus, tickets, consisting of an office stamp pasted on wood, are suspended to the necks of the weaker objects, and these are confined to one line; none are allowed to pass the entrance, nor to rise from their seats, after a certain juncture. These, and similar precautions are necessary, for the good of the whole. The number now fed, amounts to about 1,450 souls; and without doubt, the majority of these are nearly, if not entirely, sustained by the charity. One maund of oota bakes into $1\frac{1}{4}$ or $1\frac{1}{2}$ of bread; therefore seven maunds gives about 2,400 cakes,—enough for 1,000 applicants.

SAVOUR.—The weather continues delightfully cool, and the station is remarkably healthy. Much praise is due to Captain K., executive officer, for the attention which he has bestowed on the public roads, and for general improvement throughout the cantonment.

SMILA was never so crowded as it is this season.—The rent of houses is enhanced fifty per cent. Upwards of twenty houses of this and last year's erection, are all occupied. Public offices are converted into private residences by the majority of the Governor-General's office establishments, and the public bazar contains a portion of those who were unfortunate enough not to obtain domiciles elsewhere. Lord Auckland is said to be displeased with his house. It is littered away in paltry closets six and seven feet square, and has only two rooms deserving the name. His Lordship's staff are little better off. Among the Commander-in-Chief's party, there are many in larger and better houses than His Lordship. This is rather charming. His Lordship's *cutee* was rather imposing: the elite of Smila, headed by Sir H. Fane and staff in "review order," ushered him in. Provisions are scarce and dear, which, perhaps, accounts for the monotonous dullness of the place at present. Balls and dinners are talked of, and the political agent is preparing for a grand fête to be assembled at Smila. Theatricals were talked of, but the *dramatis persone* hang back from apprehensions, that their body is neither numerous nor choice enough to afford popular representations. It is said that the Governor General returns here next season, after visiting Lahore, but doubts are entertained whether the Commander-in-Chief does. The death of his mother may induce his return home, but every thing is as yet in profound uncertainty. A mission from Lahore is daily expected, and a return one, headed by Mr. Maonaghien, is talked of. The establishment of a cantonment at Ferozpoor on the Sutlegee is, I believe, determined on, and apprehension seems to be entertained that all is not right on the N.W. frontier. Artillery and Cavalry, it is presumed, will constitute our chief arm at the remodelled fortress and new cantonment. The influenza, an epidemic, which more or less has affected the inhabitants of Upper India during the last four months, visited this place, and is now disappearing. Its symptoms are those of mild fever and partial cold, and with care it is got over in a few days. On Wednesday and Saturday evenings, the public are gratified with good music from the Governor-General's band. There are about 300 Christian residents here now. The weather is still delightfully cool; fires are kept in the houses, and people stroll about all day without even a chatia.

MONOYRA.—A fire broke out in the Surwam Bazar at Monghyr, on the evening of 8th of April, at sunset, which, owing to the high wind blowing at the time, first threatened to be very destructive, but was afterwards happily got under without any very extensive loss. The vicinity of the burnt part of the town to a bazar, in which a vast quantity of grain was stored, caused serious alarm at the commencement of the disaster, but we are happy to have learnt that the flames were arrested before reaching this valuable store. It is supposed that not more than five and twenty houses were burnt, and these, for the most part, were huts. Had the wind blown a contrary quarter, that is from the westward instead of the eastward, a great portion of the town must have been destroyed. The conflagration was accidental, having been excited by the overboiling of a glue pot.

LOANSEWAR.—A deputation, headed by Mr. Secretary Maonaghien, to the Lahore Court, was to leave this station on the 10th instant. Its object is, it is supposed, to arrange preliminaries and forms for the interview between Lord Auckland and Runjeet Sing, which is to take place at Faurapoor on the Sutlegee, next November. The deputation will be escorted by two companies of native troops.

NEEMUCH. This part of the country is in a sadly unsettled state, overrun with plunderers of all descriptions. Capt. Ross, the Deputy Judge Advocate Genl., had a very narrow escape from being murdered, he having been attacked on his road to Allow some days ago by three horsemen. They waylaid him as he was riding along unarmed, and with cries of "maer Funnere salah" charged him spear in hand. One fellow aimed directly at his breast but by wheeling his horse sharply round he escaped the blow, the weapon passing under the bridle arm, without injury. Being no match for the party, he put spurs to his horse and escaped, after being pursued for two miles. A representation of the business has been forwarded to Government by Mr. Bax at Indore, and it is to be hoped that something will be done to rid the country of these scoundrels.

NATIVE STATES.

NEPAL.—It is understood that in the event of a collision between us and the Burmese, the latter will be supported by the Nepalese. Some of the most impregnable of the hill forts are under repair, and a wooden barrier and intrenchment is being erected continuous to our territories. Such are the reports from this quarter.

KOTAH.—Native reports state, that the inconvenient and anomalous system of Government, which has held together now many years, and which it became expedient, if not necessary, for the British Government to assist in establishing at Kota, after the death of that "Nester of Rajistan" Qaleem Sing, who did beyond doubt fill the office of prime minister in most embarrassing times, for a long period, with great tact and wisdom,—is on the point of being disannulled; as the treaties of separation, twixt the Maharao and the Raja Rana are being drawn up, by Captain Ludlow the political agent at that state, Colonel Alves, the agent in chief of Rajpootana, having afforded him the no small advantage, on the occasion of his late visit at Kotah, of witnessing the completion of the arrangement, which the subordinate official had been most anxiously and laboriously employed in preparing for some time past, for the ultimate approval of the greatest chief of all—the Governor General of all India.

HERAT.—By letters from that quarter it has been learnt that the forces of Iran have besieged the fort of Herat for seven months past, but by the bravery and boldness of Kamran, the King of that place, the fort remains unconquered. Large quantities of grain is stored in this fort, and plenty of wells.

The Shah of Iran asked his courtiers to assail the fort at once, but they advised him not to do so, as there would be a great loss on his side. The Shah has determined to take the fort, or die in the attempt.

JYSEPOOR.—The Regent Rawal Beree Sal, is said to be suffering from abscess of the liver, and is expected to sink under it. His death will be the signal for numerous commotions and intrigues in this state. The rubber crop has been a complete failure and considerable depopulation is taking place in consequence.

BHARWAL.—An order from the commissioner over this zillah, enforced by the magistrate, authorizing the slaughter of cows outside the different villages, has thrown the Hindoos into a state of great ferment. Finding their expostulations to the commissioner unavailing, they have referred their complaints to Mr. Metcalf, the Governor-General's agent for these districts.

REHMAN.—Travellers from that quarter mention, that the forces of Khybur having descended from the hill, and stolen away the animals of the Nizam of Multan, while they were grazing in a pasture, and when the owners of Rehman received the intelligence, they

pursued and attacked them. The Khyburis were defeated and hid themselves in the hills.

CADIZ.—Reports from this place say that Captain Alexander Lumsden is enjoying his health well at Cadiz and the Amereis of the place visit him every day. There has been very little snow, and the travellers state that they have never felt so much heat in Cadiz as they do this season.

SCIND.—By intelligence received from Scind, it appears that some ten or twelve thousand of Beloches having assembled together, had committed depredations within the Scind territories, and had plundered and ruined many villages therein, when the amereis of Scind, with a view to put an end to the evil, cut a force against them. On their confronting the enemy, the number of the latter being greater, the former was defeated. The amereis of Scind, about a month after, got up a powerful army, which proceeding against the Beloches, the tables were turned against them, and their number being smaller, they thought it best to retreat. The Scind troops routed the Beloches and killed many of them in their retreat.

BOMBAY.

LOSS OF A LARGE VESSEL AND A PATTAMAR.—A large vessel and a pattamar have been lost between Burn Hill and Mount Formosa to the southward. The wreck was discovered by a vessel which lately passed down the coast, and information of the event communicated to our naval authorities. The person by whom the communication was made, observed to him a large spar about 15 or 20 feet above water, and on proceeding to examine this, another spar was observed in a line eight feet out of the sea. The first was evidently, it is said, the lower mast of a vessel, as the stump of it was clearly distinguishable, and the smaller one was the mast head of a pattamar with the rigging upon it. From the observations which were made, it was supposed that the wreck must have been a brig, and that she must have gone down in a straight direction, her keel resting on the bottom. Those who examined the vessel think that she must have been of a large size. Endeavours were made to disengage each of the spars but without success, although they managed to tow the smaller one about fifteen yards, when it was retained by something to which it appeared to be attached. On sounding there was a depth of 23 fathoms alongside the vessel which was lying with her head to the southward, from which circumstance it is thought she was homeward bound. The pattamar, on examination, appeared to be held down only by the ship's rigging, and could be moved about easily. They sounded also on the deck of the vessel but could not see either its hull or that of the pattamar. The conjecture is, that the vessel and the pattamar must have come in collision during the night of Monday the 23d of April, which was a very dark and boisterous one, and to have gone down both of them instantaneously. Great fears are entertained that all on board perished. The wreck lies in 22 fathoms water about 15 or 16 miles from the shore, in latitude 12° 26' north, longitude 74° 59' east, Burn Hill bearing north 48° east Mount Formosa S. 72° E. and Mount Dilly just in sight from the wreck bearing S. 40° E.

CAYLON.

SETHI TERRA.—A great excitement, it is said, at present prevails in Cayonho, in consequence of a person named John Smith, of British Parents, having lately renounced the Christian faith for the doctrines of the prophet. The prophet is said to be a tailor, but very industrious, who claims that he will soon be able to

led him to change from Protestantism to Romanism, in expectation of obtaining relief, and that being disappointed he has now become Mahometan, in which he has been more successful, having, in the few days since his head was shaved in this dress changed obtained a large sum of money in presents from the Moors. He is in fact a notable hero amongst those people who crowd to see Abdul Rahim Mowlah, which is the name he now assumes. He has deserted his wife and children, declaring however his readiness to provide for them if they like it, but he is shortly to be married to a Moor woman, with whom he will probably get a considerable number of children. There are also said to be different plans to provide liberally for him either to give him a bazaar in the parish or to send him to the coast. Although he has made a fine proclamation of his apostasy, though we secretly think the Moors can derive much credit from their convert.

BURMAH.

MALEMPEIN.—The battalions for the expected European reinforcements for the Burmah and, no doubt, will be ready before the end of the month.

The result of the investigation which was held at Martaban by two Burmese officers of rank, into the outrages committed on our frontier, is just what was all along anticipated. It seems that the Burmese officers sent over to say they had secured two of the men accused of committing murders and robberies. Mr. de la Coudamine proceeded to Martaban to ascertain the fact, and being satisfied they were the men, (although they were any thing but secured, being in fact gentlemen, at large, and in the suit of a high Burmese official who had accompanied the Burmese commissioners) he called for the apprehension of some more of those whose names had been given in by him on a former occasion. To his surprise, however, the Burmese commissioners said they had done all that was required of them. They had made enquiries, they said, and apprehended two men, and they intended to return to Rangoon immediately. Being asked if they intended to try even the two men whom they pretended to have secured, they said no, it was no part of their duty. Mr. de la Coudamine took his leave and the next morning, (the 1st) the two Burmese officers, started on their return, although the day before they had said they intended remaining some days longer. What occasioned this precipitate retreat on their part is not known. Some attribute it to the want of provisions at Martaban for so large a number of followers as accompanied them; others to the preparations going on here for the reception of additional troops. Others again assert that orders have come down from Court, both to prohibit the encouragement of daemons in future, and to put a stop to any enquiry into what they may have already effected. Among the native reports current in the place, one that possesses peculiar interest for the Maikma ship-builders, is that opposition building-yards are to be established at Martaban under the auspices of Mr. Sarkis.

Several vessels have come into the river in search of cargoes of rice. The price of this article has consequently rapidly risen, and may even be quoted at from seventy to seventy-five rupees per 100 baskets. At Rangoon rice sells at twenty-five rupees per 100 baskets, and doubtless, the authorities there objects of their wisdom in keeping down the price of food for the people. At Martaban the sale of rice to our troops is strictly prohibited, but the price is so high there must be some great temptation for the troops to smuggle over.

Private letters from Rangoon of the 30th of April, announce that the second batch of reinforcements, consisting of many young privates, has been ordered to depart with twenty days of the following month.

three females. The charge against him was his supposed predilection towards the English.

The Governor of Bangoon was, in a little way, also indulging his taste for the "advancement of the human race." He had ordered for execution a man convicted of stealing three rupees, and had himself tortured an individual for the purpose of extorting confession. The British merchants are forbade to approach this great man with their shoes on. Fifty thousand baskets of paddy had been sent to Ava, and all the dried buffalo hides. The latter were intended to make shields of. An opinion was gaining ground, that Tharrawadie was determined to refuse compliance with the Yanlaboo treaty, and, as a precautionary measure to guard against internal commotion, he had made away with the young prince, who might have been a rallying cry for the opposite party in Ava.

CAPE.

DREADFUL MASSACRE OF THE EMIGRANT FARMERS.—By the mail which arrived this morning from the northern frontier, we have received the appalling intelligence of the massacre of Mr. PIETER RETIEF, together with 270 persons, comprising men, women, and children! If the account furnished us be correct, the Zoolu Chief, Dingaan, must, with the most subtle treachery, have inveigled the emigrants into his territories, and, having acquired their confidence, he must, at a moment when thrown off their guard by his specious kindness, scattered and comparatively defenceless, have committed this savage butchery. This is a true sample of native character, and shews what Europeans may expect when left to their tender mercies. At present time will not permit us to dwell upon this painful subject; we there-

fore give the following extract from the account which had just reached our hands:

Colesberg, 4th March.

"Agreeably to the wish of Dingaan, as respects the emigrant farmers settling in his territory, Pieter Retief proceeded to take possession of such lands as that chief had previously pointed out for the purpose. After a meagre journey, and having passed through numbers of Dingaan's people, with the most friendly intercourse, they arrived at a spot in the vicinity of Port Natal, where they established their head-quarters, and on which they purposed to build a fort, &c. Two days after their arrival, Retief made known his intention of locating on separate places such families as might wish to be so placed. On the fourth day these persons assembled with their waggons and families, amounting in all to two hundred and seventy souls, men, women, and children. On the fifth day they left head-quarters, and, on the night of the seventh day, they were surrounded, and attacked by a commando of Dingaan's people, and all perished, including PIETER RETIEF!

"Intelligence of this dreadful catastrophe has been received by Mr. Maritz (formerly of Graaff-Reinet), and by him it has been forwarded to farmers residing on the Riet and Modder rivers, together with a communication that he wishes as many as are capable to join him for the purpose of giving assistance to the emigrants remaining at Retief's head-quarters. In consequence, however, of a rumour that all are killed, the farmers are rather tardy in their movements, and some doubt is expressed as to whether they will proceed.

"I have this intelligence on the authority of a gentleman of unbought respectability, who has actually read the document, spoke to Maritz on the subject, and who heard the aged people bewailing the loss of the children."
—*Graham's Town Journal, March 8.*

THE CALCUTTA MONTHLY JOURNAL.

1838.

THE OVERLAND ROUTE.

REPORT.

The steam committee in publishing the following report of Col. Barr's proceedings in Egypt, have to congratulate the subscribers to the fund, and the public in general, on the near completion of arrangements which will so greatly tend to facilitate the transit, and promote the comfort of passengers, proceeding to England via the Red Sea.

It will be in the recollection of the subscribers that Col. Barr, under instructions from the committee, took with him from hence and also purchased in Egypt, sundry articles, consisting of small tents, sedan chairs, covered chairs for ladies and children; tables, small table chairs and cooking utensils; a portion of which he left at Cosnier, to be distributed on the route between that place and Thebes; and the remainder he disposed of between Suez and Cairo. These will be found sufficient for the accommodation of such passengers as are likely to proceed by these routes, before the more extended improvements are brought into operation.

Immediately on his arrival in Egypt, Col. Barr communicated, as requested by the committee, with Col. Campbell, the consul-general there, who entered warmly into our project and addressed to Boghoz Bey, the minister, a long official letter to be submitted to the Pacha, on the subject of the erection of suitable buildings between Suez and Cairo.

Pending the expected answer to this communication, which on the assurance of Boghoz Bey, the committee have every reason to believe will be favourable; arrangements were entered into with Messrs. Hill and Raven, of Cairo, to provide the necessary establishment of carriages and baggage, waggons, &c., for conveying passengers across the desert.—This agreement provides, that in consideration of the sum of £1,000 Sterling, Messrs. Hill and Raven engage to procure and hold on account of the steam committee.

- 4 Light vans with canvas or woollen awnings and stuffed seats.
- 2 Luggage waggons.
- 40 Mules.
- 5 Sets of harness for light vans of 4 mules each.
- 3 Sets of harness for luggage waggons of 6 mules each and to keep up the following establishment:
- 6 Carriage drivers.
- 15 Assistants at station-houses.
- 1 Harness mender, and
- 2 Shoeing smiths; one at Suez and one at the centre station house.

The whole to be kept in a thorough and efficient state of repair for the space of five years, commencing from

five months after the 20th April, at which time the £1,000 was paid to the contractors.

The following regulations as to the time of starting from Suez and Cairo, the rate of travelling, and the fares to be charged, were also arranged.

TIMES OF STARTING AND RATE OF TRAVELLING.

From Cairo.—If more than a sufficient number of passengers for one van are anxious to proceed to Suez; the first van to start within 48 hours before the departure of the steamer from Suez, and the second within twelve hours after the first. If only sufficient passengers for one van, to start thirty-six hours before the departure of the steamer; or as may otherwise be agreed on by the majority of passengers.

From Suez.—The first van to start six hours after the landing of the first lady passengers from the steamer;—the second twelve hours after the first; if the number of passengers exceed ten. In event of there being no lady passengers, then the first van to start six hours after the landing of the first ten male passengers.—Ladies to have always prior claim as to proceeding by the first or subsequent carriages.

The right of male passengers, without families, to a similar choice, to be hereafter determined by the steam committee. Every facility to be afforded to such ladies or gentlemen as may wish to perform the whole, or any part, of the journey by saddle, in place of carriage conveyance.

THE RATE OF TRAVELLING TO BE,

- 20 hours actual travelling, or less if practicable.
- 21-3 hours stoppage at the centre station.
- ½ do. at the other stations.

The votes of a majority of passengers by any carriage, may extend the period of halting at the mid-way station for any number of hours, not exceeding twelve; or of departure from Cairo or Suez for six additional hours. This latitude be necessary at particular seasons.

FARES AND CHARGES.

From Cairo to Suez and from Suez to Cairo, for Ladies or Gentlemen..	£ 6 0 0
Children under 10 years of age....	3 0 0
Servants	3 0 0

The above to include the carriage of one cwt. of luggage for each lady or gentleman, and ½ cwt. for each child or servant, with provisions, attendance, &c.—but not including wines, spirits, beer to go by the luggage. Extra luggage waggons, and be charged at the rate of five shillings per cwt.

To procure the carriages, in conformity with the above agreement, Mr. Raven was about to proceed to England, at the period of Col. Barr's departure from Egypt.

With regard to the buildings between Suez and Cairo, plans have been prepared of a centre station and four intermediate ones in the desert, which are now before the committee, all of which Messrs. Hill and Raven offer to contract to build, for the sum of 5,117 dollars, or about 12,000 rupees. The centre station to contain one room of 24 feet by 18, and 5 sleeping apartments of 14 by 12, and 15 feet high, with stabling and other requisite buildings; the whole protected and enclosed by a wall 15 feet high to be built of stone, in a substantial and workmanlike manner. A water tank also to be added sufficiently large for the use of the mules.

The intermediate bungalows to be built with walls twelve feet high, and to have stabling attached; together with water tanks, the whole to be built in the same substantial manner as the centre station.

At the date of Col. Barr's departure from Cairo, Col. Campbell had not received any positive answer from the Pacha, relative to the erection of these buildings, but in a letter dated Alexandria the 11th April, he writes to Col. Barr, that "the Pacha, who is now in the Delta, has written; in a letter received yesterday; that he will arrange everything satisfactorily with me respecting those buildings on his arrival at Alexandria, which will be in a few days. His arrival however will probably not be in time for me to communicate to you, before the departure of the expected steamer, any arrangements which the Pacha may make with me, and therefore I fear that I shall not be able to let you or the Bombay steam committee, know the result before the steamer which will leave Suez in the ensuing month.

"Nothing, of course, can be undertaken in the way of building or forming establishments of any kind or nature, between Suez and Cairo, until I shall obtain the Pacha's sanction to that effect."

The committee have every reason to believe that the Pacha will himself undertake the erection of these buildings, but in the event of his declining to do so it will be necessary to place at the disposal of Col. Campbell, the requisite funds for carrying on the work on his obtaining His Highness's sanction to do so. In the mean time, however, a sufficient number of tents have been provided as substitutes for the buildings; and as the contract with Messrs. Hill and Raven, comes into operation on the 1st of October, passengers on landing at Suez, from and after that date, will find there a branch of the Cairo hotel, where they can remain comfortably, free of all expense (except for wines, &c.) for as many

hours as they please. From thence a ten hours' drive in a comfortable open, or close carriage, over an excellent road, will take them to the half-way house, whence an additional drive of 9 or 13 hours brings them to Cairo, where they will find comfortable accommodations in the English hotel.

With a view also to improving the communication between Cosseir and Thebes, likely to be visited by so many passengers from India, Col. Barr communicated with a Mr. Prisse, a civil engineer, formerly in the Pacha's employ, now resident at Luxor, and obtained from him plans for a building at Luxor, another at Cosseir, and four intermediate ones in the desert, the erection of which he offers to superintend and conduct.

Mr. Prisse estimates the expense of these buildings as under for a house at Luxor, as per plan..... £500
Ditto at Cosseir ditto..... 250
4 intermediate houses at £175 each..... 700

£1,450

He states, however, that it is difficult to estimate correctly the expense of building in Egypt, where the price of labour and materials varies so much, but he feels confident that the cost of those he proposes, would not exceed, under any circumstances, £1,700.

The Pacha had also given orders to build a number of boats both for the Nile and Canal, to be placed under the entire control of the consul, allowing them to fix a fair scale of passage-money. As we may reasonably expect, from the management under which they will be placed that these boats will be kept in a proper state of cleanliness, this act of the Pacha's will prove one of the greatest boons he could grant to the traveller through his dominions. His Highness had further intimated his intention of having small steamers on the Nile and Canal, as soon as they can be prepared, and has, in fact, promised to afford every facility for the transit of passengers. The committee have only to state in conclusion, that an accommodation building at Mocha or Aden, if the latter should be selected as the coal depôt, appears to be absolutely necessary for the comfort of passengers, as all complain of the discomfort of having to remain on board the steamer while the coals are being taken in.

C. B. SKINNER, *Actg. Sec.*

Bombay, 17th May, 1838.

[Bombay Courier, April 19. — Hur-laru, June 2.

TRIAL BY JURY IN CIVIL CASES.

We invite the attention of our readers to a letter addressed to the Honourable the President of the Council of India, by the committee appointed by a public meeting at the Town-hall to communicate with the Government, respecting trial by jury in civil cases in the Supreme Court, and the answer of Mr. R. D. Mangles, the officiating Secretary to the Government of India. This case of British subjects is strongly and clearly put; and the delay and dilatoriness of the "powers that be" not spared. The answer is anything but satisfactory; for the committee are told to wait the result of the deliberations of the Law Commissioners, "who are engaged in the consideration of the existing law of procedure in all the Courts of India and in framing a code for the future regulation of the same;" and consequently ten years hence we may possibly hear a recommendation of jury trial in civil cases has gone home for the opinions of the Court of Directors, and

Board of Control, and in ten years more, we may, if we are in good luck, ascertain what those opinions may be. Six years have been consumed already, and the only progress we have made is the receipt of an assurance, that "the best attention of the Legislative Council will be given to our wishes," which means, being translated, "open your mouth and shut your eyes and see what the gods will send you."

Calcutta, May 21, 1838.

TO THE HON. THE PRESIDENT OF THE COUNCIL OF INDIA.

HON'BLE SIR,—We beg permission to address you as the committee appointed by a public meeting of the inhabitants of Calcutta, convened for the purpose of promoting trial by jury in civil cases in Her Majesty's Supreme Court of Judicature for this presidency. Our

object is to entreat the favourable and immediate attention of Government to the prayer of the inhabitants of this city, a prayer important in its object, often urged, powerfully supported, yet long left without any reply.

In 1726, British Law was first introduced into India, and in 1774 the Supreme Court was founded in Calcutta, with the same number of judges, and similar jurisdiction as the King's Bench in England. With British Law, and a British Court, the inhabitants had hoped that trial by jury, which is the grand characteristic of that law, and the invariable practice of these Courts, had also been given to this city, but in 1779 the judges determined, that except in criminal cases, they had no authority to try by jury. In consequence of this determination a petition was presented by the inhabitants of this city to the legislature, against a court being established, "who should be at once judges and jury, and invested with uncontrolled and indefinite powers, such as no men were to be trusted with." This petition was presented, but was not followed up by any substantive motion, for then one great obstacle existed to granting its prayer, which has long since been removed, the want of a sufficient number of capable jurymen.

On the 14th of April 1832, a public meeting was convened at the Town-hall to petition Parliament for a legislative enactment, for trial by Jury in civil cases. The requisition to the Sheriff was signed by the unprecedented number of 312 persons, comprehending every mercantile firm in Calcutta, and 162 of the most opulent natives. One of the present judges of the Court, the Hon'ble Mr. Justice Grant, took a most prominent part at the meeting, and all the resolutions were carried with only one dissentient voice, and 3,108 inhabitants of Calcutta, signed the petition to the King and Legislature.

The Right Hon'ble Charles Grant presented this petition to His Majesty and to the House of Commons and the Marquis of Lansdowne to the House of Lords. Mr. Grant, as President of the Board of Commissioners for the Affairs of India, addressed a letter dated November 1834, to Mr. Longueville Clarke, the chairman of the committee, recommending an application to the Governor General and the Legislative Council, as possessing full powers to comply with the prayer of the petition. In consequence of this recommendation, a second public meeting was convened by the high Sheriff at the Town-hall on the 8th of July 1835, at which a petition was unanimously voted to the Hon'ble Sir Charles Philipus Metcalfe, then Governor General, praying for an Act of Council, granting trial by jury in civil cases, and which petition was signed on behalf of the inhabitants by the high Sheriff of the city.

No legislative enactment having been passed, and the Right Honourable Lord Auckland having arrived as Governor General, a third public meeting of the inhabitants of Calcutta was convened at the Town-hall on the 12th of April 1836. At this meeting a petition to the Governor General was unanimously voted, and presented to him personally by the high Sheriff, and the whole committee, on which occasion, his lordship was pleased to say, that the petition should be laid before the Law Commissioners and their attention called to its great importance.

From that time to the present no legislative enactment has been passed, no communication has been made to the committee, and trial by jury in civil cases has not been introduced into Calcutta.

In addition to the above detail, shewing the unanimous wish and continued efforts of the inhabitants of this city to obtain trial by jury, we beg to refer to the repeated charges of chief justice Ryan to the Grand Justices, especially in the 12th of April 1828, and also to the charges of Chief Justice Grey, and Mr. Justice Franks, pronouncing their strong opinions on the importance

of introducing trial by jury in civil cases, while the fact of Mr. Justice Grant having been a member of the committee up to the time that he became a Judge of the Supreme Court, at once establishes, that the judges of the Supreme Court, consider, the introduction of juries in civil cases of essential consequence.

The recommendation of the president of the Board of Commissioners to apply to the Legislative Council, at least establishes that the highest authority in England, did not object to the proposal. The numerous signatures of the barristers, officers of Court, and attornies to the petitions; prove, that the experience of the profession was strongly in favour of the measure.

Such, Honourable Sir, are the facts, under which we address you, and respectfully entreat your early attention to the prayer of the inhabitants of this city. We do submit in plain, but we trust in becoming language, that the strength of our case is almost unparalleled. The capital of British India is now praying for the introduction of that system, which is the most ancient, and the most prized in the British Constitution, a system closely identified with the cher-bud punchyat of the natives, and forming as it were a link still further to unite the European and native subjects of Her Majesty. The introduction of this system has been strongly advocated by the judges of the very Court in which it is to take effect, it has been advocated by the bar, the officers, and the attornies, and three times in the last eight years have the citizens publicly assembled and petitioned the Crown, the Legislature, and the local Government, to grant them that trial by jury, which ought to be inseparable from British rule, and which is rapidly introducing into every country through which knowledge, freedom, and tolerance, are disseminating.

We have the honour to remain, Hon'ble Sir,
Your obedient humble servants,

LONGUEVILLE CLARKE, *Chairman.*
WILLIAM PATRICK GRANT.
DAVID HARK.
GEORGE VINT.
JOHN FAIRBIE LEITH,
ROBERT JOHN BAGSHAW.
DYAKKANATH TAGORE.
PRASADDOOMAH TAGORE.
HENRY MURDOCH PARKER.
CHARLES ROBERT PRINSEP.

TO LONGUEVILLE CLARKE, ESQ. AND OTHERS.

Being "the committee appointed by a public meeting of the inhabitants of Calcutta, convened for the purpose of promoting trial by jury in civil cases in Her Majesty's Supreme Court of Judicature for this presidency."

Legislative Department.

GENTLEMEN,—I am directed by the Hon'ble the President in Council, to acknowledge the receipt of your letter, dated the 21st instant, and to inform you, in reply, that at a time when the Indian law commissioners are immediately engaged in the consideration of the existing law of procedure in all the Courts of India, and in framing a code for the future regulation of the same, his honour in council does not think it proper to forestal the results of their deliberations upon a general subject of such great importance, by introducing intermediately a charge in the mode of administering civil justice in the Supreme Court of Calcutta.

2d.—I am instructed to add, that a copy of your letter under reply, will be forwarded to the law commissioners and that, as stated in the para. 2, of Mr. Secretary Macnaghten's letter to Mr. Cockerell, dated the 30th of May 1836, on the final consideration of the questions as to "what alteration should be introduced in the mode in

which matters of fact are now decided by the Supreme Court, or what modifications generally in the application to India of the principle upon which they are decided in England; the best attention of the Legislative Council will be given to the wishes of the body which you represent, and to the arguments with which those wishes have been urged.

I have the honour to be, Gentlemen,
Your most obedient servant,
(Signed) Ross D. MANOLES,
Offg. Sec. to the Govt. of India.

Council Chamber, May 28, 1838. [Hukaru, June 6.

LANDHOLDERS' SOCIETY.

Proceedings of a general meeting of the members of that Society, held at the Town-hall, on Monday, the 28th May.

PRESENT.

Rajah Radhakant Bahadour; Rajah Kallykissen Bahadour; Rajah Rajnarain Roy Bahadour Cowar Sutchurn Ghosaul; Baboo Ramruten Roy; W. Storm, Esq.; Baboo Callykinker Pallit; G. Vint, Esq.; Baboo Dwarkanauth Tagore; Baboo Prosonocoomar Tagore; W. F. Fergusson, Esq.; G. Prinsep, Esq.; W. C. Hurry, Esq.; D. Hare, Esq.; J. Hunfrays, Esq. and Moon-see Muhomed Ameer.

Baboo Kannoylall Tagore and several other members and visitors, upwards of 60 individuals.

Rajah Kallykissen Bahadour was called to the chair.

The secretary read a short report of the proceedings of the committee since the last general meeting, and which is as follows:

The committee beg leave to lay before the Society, the following short report of their proceedings since the last general meeting.

Their first meeting was held at the Town-hall on the 27th March, when an establishment was voted for carrying on the business of the Society, and Mr. Dickens was requested to find some gentleman willing to undertake the office of secretary. The Union Bank was requested to act as treasurer, and it was ordered that a respectful letter be addressed to Government, informing them of the establishment of the Society, soliciting to be allowed to communicate with Government through the secretary of the Society on all subjects connected with the general interests of the landholders, in the same manner that the Chamber of Commerce does now on matters relating to trade.

An application was presented by the provisional secretary, requesting the Society to memorialize the Government, to introduce the Vernacular language into the proceeding of the Sudder instead of the Oordo, as contemplated at present.

On the 2d of April, the committee met at Mr. Hurry's office, that gentleman having agreed to act as European secretary, and having offered the Society the use of apartments in his house, No. 3, Clive-street ghaut. Baboo Prosonocoomar Tagore also consented to continue to act as secretary for the native languages.

The following gentlemen were elected additional members of the committee.

Baboo Prsnauth Chowdry; Baboo Callynauth Roy Chowdry; Baboo Mothoornauth Mullick; Baboo Shunbo chunder Mitter; Rajah Burrodacaunt Roy; and Baboo Radhamadhub Banerjee.

A list of districts was submitted to the meeting, in order to form sub-committees of correspondence.

On the 23d April, the committee took into consideration the resumption petition, and agreed to forward it to

Government, and support it by a separate representation. It was resolved, that Government should be applied to, for a copy of the draft resumption law, which is understood to have been printed. The answer of Government to the request of the Society, to be allowed to communicate with it having been received, was read, and is as follows:

No. 501.

To W. C. HURRY, Esq. AND BABOO PROSONOCOOMAR TAGORE.

Gentlemen, I am directed to acknowledge the receipt of your letter dated the 7th instant, enclosing the prospectus of a Society to be called the Landholders' Society, and requesting permission to address the Government, through the medium of the Society's secretary, in the same manner as is done by the Chamber of Commerce.

In reply, I am directed to state, that the Hon'ble the deputy Governor of Bengal will always be disposed to receive and consider the representations of any class of the inhabitants, affecting their own interests or the good of the community.

The communications of the Landholders' Society upon matters connected with the lands, revenue, and judicial departments of government, must be addressed in due course, through the secretary of those departments.

I am, Gentlemen, your obedient servant,

(Signed) H. T. PRINSEP,

Sec. to the Govt. of Bengal.

General Department.
Fort William, 11th April, 1838. }

On the 7th of May the committee were increased to the twenty-four, by adding six European members, as follows:

G. Vint, Esq.; W. Storm, Esq.; Robert Watson, Esq.; James Hastie, Esq.; J. McKilligan, Esq.; and W. Fergusson, Esq.

They determined, that the question of vernacular language be discussed at a general meeting in consequence of its importance, and this-day (the 28th) was accordingly fixed for the purpose.

On the 14th May, the distribution of the sub-committees was completed. On the 21st May, the answer of Government to the letter, requesting a copy of the draft resumption regulation was read, and is as follows:

To W. C. HURRY, Esq. AND BABOO PROSONOCOOMAR TAGORE,

Hon'y. Secys. of the Landholders' Society.

Gentlemen,—I am directed to acknowledge the receipt of your letter of the 26th ultimo, applying for a copy of the proposed resumption regulation,

In reply, I am instructed to acquaint you, that the printed draft to which you allude, has been forwarded by this Government to the Government of India, and is understood to be now before the Legislative Council.

I am, Gentlemen, your most obedt. servt.

(Signed) F. J. HALLIDAY :

Offg. Sec. to the Govt. of Bengal.

Revenue Department
Fort William, 1st May, 1838. }

It was resolved that a second application be made to Government.

At the above meetings, the following gentlemen have been elected members of the Society :

Wm. Martin, Esq., C. F. Dumaine, Esq., P. J. Paul, Esq., R. Salano, Esq., James Furlong, Esq., John Carr, Esq., W. N. Hedger, Esq., W. Storm, Esq., John Bell, Esq., John H. Brightman, Esq., H. Harris, Esq., D. Andrew, Esq., A. C. Dunlop, Esq., J. Humphreys, Esq., George Palmer, Esq., W. F. Ferguson Esq., Baboo Ramdhun Buerjee, James Fergusson, Esq., G. Vint, Esq., H. Haimes, Esq., Rustomjee Cowajee, Esq., Ramee Soorjamoncy Deby, Rajah Bejoygovind Singh, Mirza Mahomed Mehandy Isphani, D. W. H. Speid, Esq., M. Larrolata, Esq., W. Patneek, Esq., Thomas Tweedie, Esq., C. A. Cantor, Esq., W. R. Logan Esq., Chuecotam Sing, Joykissen Mooketjee, Rajah of Tipperah, Dewan Mahomed Ally, Baboo Sibjoy Tagore, Gourkisson Roy Chowdry, Moonshee Dalabally, Callycomul Roy, Callyseaud Roy, G. Higgins, Esq., J. H. Arratoon, Esq., Baboo Bissumbhur Roy, Rajah Gungadhar Roy, Baboo Chundercant Choudry, Edward Preston, Esq., John Russell, Esq., Robert Watson, Esq., Baboo Esenchunder Banerjee, R. Thomas, Esq., Mirza Mahomed Mehendy Musky, J. C. Miller, Esq., Baboo Neelruten Holdar, Allan Gilmore, Esq., J. McKilligan, Esq., James Hastie, Esq., Baboo Esenchunder Kanoozjee, Moulouee Curram Hussen, Moulouee Carramutally, Baboo Collykincul Paulin, G. F. F. Speed, Esq., W. Carr, Esq., H. J. Loughton, Esq., James Colquhoun, Esq., Colvin Campbell, Esq., Henry Roe, Esq., being 65 in number, and making the present number of members 161.

The committee in thus giving you a short summary of their proceedings beg to remark, that they have not confined themselves to the monthly meetings prescribed by the rules of the Society, but have met and transacted business every week since its formation, being anxious to bring it into extensive operation as speedily as possible. In the short time that has elapsed, they have obtained the recognition of the Society by Government, and the permission to address it through their secretaries; they have organized permanent sub-committees of correspondence for every district in Bengal, and appointed three sub-committees for special purpose of importance, viz.

G. Vint, Esq., W. Storm, Esq., and Baboo Ramcomul Sen, formed a sub-committee for examining a paper of grievances of the landholders, received from Baboo Mothoornauth Mullick.

Messrs. George Prinsep, Moonshee Mohamed Ameer and Sutoochurn Ghosaul have been elected to consider the resumption petition, and prepare a letter to Government to accompany it. Rajah Radhacaunt Bahadoor, Rajah Kallykissen Bahadoor, and Baboo Ramcomul Sen are to take into consideration the very important subject of public instruction, which though it may not be considered as directly within the province of the Society, as in various ways closely connected with its objects.

Your committee feeling deeply the importance of general co-operation, in order to make the Society really and permanently useful, earnestly entreats every mem-

ber to use his influence to obtain as large an accession as possible to its numbers, so, that it may, in a short time, present almost, without exception the whole body of Landholders, and consequently become the proper organ of their opinions. The short time that has elapsed since their labours commenced, has sufficient to show, that much good may be effected by union and perseverance, and your committee trusts, that in these qualities the Society will not be found wanting.

W. COMB HURRY,
P. TAGORE,

Hon'y. Secretaries.

The translation of the above report in Bengallee has also read by the pundit of the Society, for the explanation of those who do not understand English.

An application from Moonshee Muhupped Ameer, expressing his opinion in favour of the Persian language, was also read by the secretaries in Bengallee and English, which was replied to, by the following gentlemen:—Baboo Dwarkanauth Tagore, Rajah Radhacaunt Bahadoor, Mr. W. Fergusson, and G. Prinsep, Esq.

After a considerable discussion on the merits of the petition, the following resolution was proposed by G. A. Prinsep, Esq. That this meeting generally concur in the opinion expressed in the petition, that it would be desirable to make the Bengallee the language of the courts in Bengal, and the Oordoo that of the courts of Bihar and upper-provinces; but as the question affects not the landed interests alone, but all the community, this meeting do not think it a subject proper to be taken up separately by the Landholders' Society. This was seconded by Baboo Dwarkanauth Tagore, and carried unanimously. After offering the usual thanks to the chairman, the meeting dissolved.

Proceedings of a meeting of the committee, held at the Society's office, No. 3, Clive-street-ghaut, on Monday, the 4th instant.

PRESENT.

Rajah Kallykissen Bahadoor; Baboo Prosoonocoomar Tagore; G. Vint, Esq.; Baboo Ramcomul Sen; Cowar Sutchurn Ghosaul, and W. C. Hurry, Esq.

The gentlemen proposed at the last meeting of the committee, to be the members of the Society, were unanimously elected.

The following gentlemen were proposed as members:

Proposed by G. Vint, Esq. and seconded by Baboo Ramcomul Sen.

J. F. Leith, Esq.; J. Brer, Esq. of Hatbera, Jessore; Gilson Rowe, Esq. Charnerandie, Jessore; Jas. Dalrymple, Esq. Surda, Nattore; and A. H. Sim, Esq. Union Bank, Calcutta.

Proposed by Baboo Ramcomul Sen, and seconded by G. Vint, Esq.

Thomas Palmer Esq.

Proposed by Baboo Prosoonocoomar Tagore, and seconded by Rajah Kallykissen Bahadoor.

Baboo Bhoyrochunder Chowdry zemindar of My-musing; W. Thorp-son Esq; Roy Pronkisson Mitter, of Barrasut; W. Wolby, Esq.; J. Smith, Esq.; A. Porteous, Esq.; Baboo Debendernauth Tagore; Baboo Muttoornauth Tagore, and Muldenmohun Chatterjee.

Proposed by Cowar Sutchurn Ghosaul, and seconded by Rajah Kallykissen Bahadoor.

Oodit Prokas Sing, Rajah of Buxar.

Proposed by Cowar Sutchurn Ghosaul, and seconded by Baboo Ramcomul Sen.

Taboo Sreenauth Bremah.—Read a letter from Mr. F. J. Halliday, officiating secretary to the Government of Bengal, in reply to the application for a copy of the draft resumption Law.

Resolved, an application to be made with reference to the suggestion contained in the above letter to the

Supreme Government in the legislative department to that effect.

The committee to meet again this day fortnight.

W. COBB HURRY.

P. TAYLOR.

Hurkaru, June 7.]

Hony. Secretaries.

AMERICAN ICE.

To the Editor of the Bengal Hurkaru.

Sir,—I am directed by the committee for promoting the importation of American Ice, to forward to you the accompanying resolutions, which will, of themselves, explain the object proposed, and the circumstances in which it has originated. Should you deem it right to aid the views of the committee, may I solicit the favour of your transmitting to me your opinion in writing for the purpose of its being submitted to the Government.

I have the honour to remain, Sir, your obedient servant,
LONGUEVILLE CLARKE, *Chairman of the committee.*
Esplanade Row, July 1837.

Resolved.—It appearing that Mr. Tudor experiences great difficulty in procuring vessels to carry cargoes of ice, and for which he is obliged to pay double freight, the importation might be greatly promoted, if the Government would offer an encouragement to ship-owners by a remission of port duties, a plan which has been successfully adopted by the authorities at Havannah.

Resolved.—That the true ground for soliciting the Government to offer this bounty to vessels landing ice, is the opinion of the medical profession of its vast importance to the public health, especially in cases of fever so incidental to this climate.

Resolved.—Some medical gentlemen of the first eminence, having offered to favour the committee with their opinions in writing on the great importance of a permanent supply of ice to the public health, that a circular be addressed to all the members of the profession at the presidency, soliciting their opinions on the subject, for the purpose of being submitted to the Government in aid of the intended application by the committee.

TO THE HONOURABLE THE PRESIDENT OF THE COUNCIL OF INDIA IN COUNCIL.

HONOURABLE SIR,—I have been directed by the committee for encouraging the importation of American ice into Calcutta, to solicit most respectfully the aid of the Government, in promoting the undertaking.

The grounds on which the committee urge this request are, that the importation of ice is of the greatest importance to the public health, and that the success of the undertaking is endangered, unless assistance be afforded.

The committee are well aware of the unremitting attention bestowed by Government to the great object of public health, and of the vast sums expended for this purpose. They therefore believe, that if they can clearly establish that the importation of ice is of immense consequence to the health of this great capital, that the assistance which they seek will meet with favourable consideration.

The committee have obtained the opinions of all the principal medical practitioners in Calcutta, regarding the efficacy of ice in diseases, peculiarly incidental to

the climate, and I am directed to submit to your Honour in Council, correct copies of the circular, which the committee issued, and the answers which they have received. The letter of the committee distinctly stated the object which they had in view, and that the opinions were to be submitted to the Government. Of the twenty-two answers which they received, twenty-one treat a permanent supply of ice in Calcutta, as of great importance to the public health.

It was about a year ago, that the committee from carefully watching the receipts and expenditure of the speculation, began to entertain fears, that the sale of ice in Calcutta might not remunerate Mr. Tudor, its spirited importer; they believed that the undertaking might be injured, and not benefited, by raising the price, as that would diminish the sale, and if the sale were not rapid, loss would be inevitable, from the perishable nature of the article. The committee were aware, that the Government of Havannah had for the last eighteen years, secured a permanent supply of ice for that settlement, by giving Mr. Tudor a monopoly for its importation, and remitting all port and pilotage duties on vessels landing a cargo of ice; and they were also aware, that this plan originated at the suggestions of the medical profession. It was under these circumstances the committee proposed to adopt a similar course, but forbore making any application until they found Mr. Tudor entertaining doubts of his own success. Mr. Tudor has never been apprized of the fears, or intentions of the committee, but these fears have been realized, by the following paragraph in a letter from that gentleman, dated the 15th of February:—"The profits at best are very small—expenditures, of every kind, very heavy. After a shipment of twelve cargoes, and the consumption of four years of time, the debtor side of the ice account to India exceeds the credit side, and it is still a business of hope and expectations."

Under these circumstances the committee respectfully submit to your Honour in Council, that the opinions of so many eminent medical men, decidedly establish, how important it is to the public health of the capital to secure a permanent supply of ice. The experience of the committee, and the statement of Mr. Tudor, shew that after four years' trial, and expenditure has not been covered by the receipts, and they are fully convinced, that increasing the price would not afford a remedy. It is under the latter circumstances, and on the former ground, the committee venture to appeal to the Government for aid.

The chief obstacles which Mr. Tudor has to encounter, are the objections of ship-owners to carry cargoes of ice, and the very high freight which they charge. It appears to the committee that these difficulties might be in a great measure removed, by the adoption of the plan pursued at Havannah, and if the port and pilotage charges were remitted to eight vessels every year, provided they landed not less than one hundred tons of ice, ship-owners would be desirous of taking the cargoes of ice at prices which Mr. Tudor could afford to pay.

But while the committee, in the best exercise of such judgment and experience as they possess, venture to offer this suggestion, they trust that it may not deprive the undertaking of the benefit of any other plan, which may seem to your Honour in Council more expedient.

I have the honour to remain, with great respect,

Honourable Sir, your obedient humble servant,

LONGVILLÉ CLARKE,

Chairman of the American Ice Committee.

Calcutta, 8th June, 1838.

No. 1.

To LONGVILLÉ CLARKE, Esq., &c.

Sir,—In reply to your letter of this day's date, calling for my opinion as to the importance of a permanent supply of ice to the public, I beg to state, that I consider it would be a very great blessing indeed, if the use of the commodity, could be placed within reach of the poorer classes of the community.

A press of business obliges me to be succinct in my reply. As an article of luxury, I need not expatiate upon the use of ice. It lies more within my province to declare, that the article is a therapeutic agent of immense value in the treatment of a variety of ailments that urgently demand the aid of the surgeon, no less than of the physician. This is especially the case on occasions where the preparation of artificial cold mixtures, would be operose, incur delay—be inaccessible to many on account of the expense, &c. and after all, the substance not be suited for direct application as well internally as to various parts of the external surface of the body, as ice.

Purposely omitting all but affections of imminent danger, I content myself with observing, that there are cases of hemorrhage where during the hot-season especially, the application of ice, and of ice only might save life. In certain fevers, with great determination to the head, and burning heat, the application of ice lessens vascular action, and soothes the sense of rending pain in the brain, bringing not only relief, but a tendency to repose. The same remark applies still more forcibly to the dentition fevers of children, in whom the sensorial excitement and tendency to organicism, are still greater than in adults. In internal inflammation, the surgeon in this climate does not possess a more soothing or more patent resolvent, and in cases of stanguated hernia, through such are not frequently heard of amongst us, ice might literally be worth its weight in gold. I might adduce other instances, but time will not permit.

I have the honour to be, dear Sir, yours faithfully,
8th June, 1838. J. GRANT.

No. 2.

To L. CLARKE, Esq. Chairman I. C.

Sir,—In compliance with the request contained in your circular, I have to state that cold is undoubtedly a most powerful remedial agent in many cases of medical, surgical, and ob-fittical diseases, and ice, affords an easy expeditious, safe, very convenient and effectual means of applying it. In my opinion, in this point of view, ice is as valuable, as it is, as a comfort and luxury, in this torrid climate, and even in these respects it promotes health and makes life worthy having.

I have the honour to be, Sir, your most obedt. servt.

A. HALTIDAY, M. D. *Presy. Surgeon.*
Chowringhee, August 8, 1837.

No. 3.

To L. CLARKE, Esq. Chairman I. C.

Sir,—With reference to our conversation the other day, I can have no objection to state it as my opinion,

that Government can seldom have a more favourable opportunity of conferring a most incalculable benefit upon the inhabitants of all ranks and conditions of this town and neighbourhood, than by holding out every inducement for the importation, and the reduction for the price of ice.

I do not speak of this article as a luxury merely, but as a most important and essential remedial agent in a vast variety of diseases, both medical and surgical.

The substitutes to which physicians and surgeons have for ages been in the habit of resorting, for the relief of many of the formidable diseases of this country, are not to be compared in efficiency to the pure water ice; besides which, they were always very limited in their use or application, in consequence of the expensive nature of the materials of which cold or cooling mixtures were formed.

By relieving the vessels importing ice to this town, of the various duties to which they were now liable, Government will confer a lasting boon upon all classes of the community of this place.

It is not the higher ranks of Europeans and rich natives alone who use ice; on the contrary, I have been credibly informed, that the greater number of purchasers of the first cargo of ice, were drugges who crowded to the ice house every afternoon, to provide themselves with a small portion, ere they commenced their seven miles' walk home.

I am, Sir, your most obedt. servt.

S. NICOLSON, *Surg. Genl. Hosp.*

Calcutta, 2d August, 1837.

No. 4.

There can be no doubt that ice in cerebral and other affections, is one of the most certain remedies we possess: and the only means in some affections, on which we can rely for the prevention of a fatal result.

FREDERICK CORRYN, *Garrison Surgeon.*

Fort William, August 5th, 1837.

No. 5.

Chowringhee, 1st August, 1837.

Sir,—In reply to your circular of the 20th ultimo, which incessant occupation has hitherto prevented me from attending to, I have no hesitation in stating it as my opinion, that a permanent supply of ice in such a climate as this, would not only be one of the greatest luxuries, but one of the greatest benefits, which could be conferred on a large portion of the population of Calcutta. Where disease in every form is so fearfully rapid in its progress, and so frequently attended with great determination of blood to the head, &c. the advantages of having at all times at command, a remedy of the greatest efficacy in subduing high vascular excitement, need only be mentioned to be duly appreciated.

I might enter much into detail on such a subject, but the expression of an opinion, being all you require, I shall conclude by hoping your committee may succeed in persuading Government to hold out every inducement in their power, to the accomplishment of an object, of so much importance to us all.

Believe me, yours faithfully,

A. GARDEN.

To L. CLARKE, Esq., &c. &c.

No. 6.

To L. CLARKE, Esq., *Chairman, Ice Committee.*

Sir,—With reference to your letter of the 20th ultimo, requesting my opinion as to the importance of the

use of ice in a medical point of view to the community of Calcutta, I beg, in reply, to state, that I consider it of essential benefit in many cases of disease incidental to this climate, especially in fevers and inflammatory affections, and likewise to a large class of invalids, whose digestive organs are in an impaired and debilitated state, arising from effects of climate and other causes, an affection, which, amongst the community, prevails to no small extent.

I am, Sir, your most obedient servant,

H. S. MURDER, *Marine Surgeon.*

Calcutta, 14th August, 1837.

No. 7.

To L. CLARKE, Esq., *Chairman, Ice Committee.*

SIR,—In reply to your letter of the 20th ultimo, and its accompanying resolutions, I beg to state, that ice is of the highest utility in the ordinary gastric (commonly called bilious) remittent fever of Bengal. It is also beneficially used in many forms of dyspepsia common to our climate, and, altogether, I think the regular and ample supply of ice a matter of first rate importance to public health.

I have the honor to be, Sir, your most obedient servant,

Calcutta, August 1, 1837.

J. R. MARTIN.

No. 8.

To L. CLARKE, Esq., *Chairman, Ice Committee.*

SIR,—In answer to your letter of the 20th ultimo, I have the honor to submit to you my opinion, "on the great importance of a permanent supply of ice to the public health," for the information of the committee for promoting the importation of American ice.

In all ages cold has been regarded by physicians, as one of the most powerful means of allaying the worst symptoms of inflammatory diseases, and is at present universally used by medical practitioners in all civilized countries.

How invaluable therefore must such a remedy prove in a country like this, (sent to us in its beautifully—cooled form,) with a high temperature of the atmosphere, where inflammatory diseases are so abundant, and assume so formidable an array of alarming symptoms. In the ardent fevers which hourly present themselves in this city, with great determination to the head and other cavities of the body; intense thirst, a burning and dry state of the skin; great restlessness and general uneasiness, with a pulse upwards of 120, the application of iced water is at once a sure means of allaying these symptoms, and affording to the patient the most speedy, grateful, and soothing relief, next to blood-letting, and purgatives. I consider cold effusion to be the next most powerful agent in the cure of fever, and, therefore, a prodigious acquisition to medical practice in this country.

In the diseases of infants, the value of ice is incalculable, especially in dentition, where there is such enormous determination to the head, and which so frequently and rapidly terminate in convulsions and death, there is no means which relieves heat, and distention, by emptying the large vessels of the brain so effectually and so safely, as the application of iced-water to the head, and I can declare, that many parents in this city, owe the existence of their offspring to the judicious use of the invaluable remedy. In that state of debility following acute disease, the patient has been kept alive again, and again, by dipping toasted bread in iced water, when nothing else would remain on the stomach. In the irritable stomach also, which is so frequent and distressing a symptom of acute disease, I have seldom failed to allay it, by giving from time to time, a tea-spoon-full of iced water, the parched mouth and intense thirst

of the cholera patient, has also been relieved by it, of which I have been witness to many instances.

In the long train of diseases to which the delicate female is liable in this country, I can bear ample testimony to the value of ice in these complaints.

Numerous other proofs most convincing and satisfactory, of the efficacy of ice, could be adduced by me; but which I consider, unnecessary after what I have already stated in its favor. In one word, I regard the importation of American ice as one of the greatest blessings bestowed upon the people of this metropolis, both in a medicinal point of view, as well as an article of comfort and luxury.

God bless the ice.

I have the honour to be, Sir, your obedt. servt.

W. CAMERON, *Presidency Surgeon.*

Calcutta, August 1837.

No. 9.

In all cases of febrile excitement, more especially those attended with fixed determination of blood to the head, I look upon the command of a supply of ice, as one of the most valuable and safest of our remedies; it enables us more effectually, than any other application we possess, to reduce, and keep down, the immoderate circulation, and increased nervous irritability which is commonly destructive of life, in cases of fever; to effect which, without it, all our endeavours are in vain, and which it is our most anxious object to effect. As a topical agent, in many ordinary affections, its efficacy is undoubted, and when within our reach, one of which we are always glad to avail ourselves; but it is in fevers, and the acute attacks, common to this climate, that its advantages are most apparent, and Government could in no manner shew its care and regard to the well-being, and protection of its servants and subjects at large, so well, as by affording its most liberal assistance, in promoting the importation of a constant supply of an article, of such active powers, and great value, in the treatment of these diseases, characteristic of, and incidental to, the country.

A. R. JACKSON, *M. D., Offg A. H. C.*

H. C. Dispensary, 11th August, 1837.

No. 10.

Esplanade Row, 24th July, 1837.

SIR,—In answer to your circular of July 20th, wishing my opinion in writing, as to the importance and use of ice in a medical or surgical point of view, I beg to state for the information of the Ice Committee, and the Government, that I consider its use to be truly valuable, and of very great importance, not only in fevers, but in various other disorders, both surgical, and medical, and that there are some cases, in which a substitute for ice cannot be obtained. I have within the last few days had two such cases under my care. I have frequently used ice in this country, and have had many years experience of its utility both in public and private practice in England.

I have the honour to be, Sir, your most obedt. servt.

F. P. STRONG.

To L. CLARKE, Esq., *Chairman, Ice Committee.*

No. 11.

SIR,—In reply to your note relative to the benefits to be derived from ice, as applied to medical purposes, I beg to offer it as my opinion, founded on actual obser-

tion, that ice in fevers and cases of hemorrhage, is of the greatest utility.

I have the honour to be, Sir, your most obdt. servt,
 CHARLES C. EDERTON.

Eye Infry, 14th Aug. 1837.

No. 12.

Club-House, July 19, 1837.

MY DEAR SIR,—With reference to our conversation last night about the ice, I am prepared by professional experience to afford my unhesitating testimony, to the powerful agency, which it possesses, when judiciously employed, in alleviating disease, and contributing towards a cure. It would be tedious to enumerate the cases, in which the use of this admirable adjuvant, tends to produce decidedly beneficial effects; but there is one class of disorders, which I cannot help particularizing (at the risk of writing somewhat more technically than I intended) as cases where I have witnessed wonderfully beneficial results, from its discreet use; I allude to infantile fever during dentition, in which there is always determination to the head, sometimes so sudden and to such an extent, as to prove fatal in an incredibly short time, if not promptly arrested, nature endeavours to counteract this result by increased secretion from the bowels, *i. e.* by spontaneous purging; and the ordinary treatment is to follow up nature's plan by keeping up a free action of the bowels by medicine, many is the little sufferer, however, whom I have seen sunk under this indispensable evacuation, who might have been saved if we had possessed the means, which the ice now affords us, of determining powerfully, and at once, from the brain by its application in substance to the head.

Its beneficial effects in such cases, is almost immediate, by unloading the vessels of the brain and thereby enabling you with safety to moderate, or arrest the aëmic flux, which is draining away the strength of the babe. It will sometimes stop a convulsion fit, as if by magic; and when one reflects that the cranium of the infant is in its upper part almost as thin and diaphanous as an egg-shell, where the several bones are in actual opposition, and that there are several spaces where the membranes covering the brain, and the scalp are only separated by the interposition of a thin membrane, one ceases to be surprised at its immediate effects.

I beg you to excuse my troubling you with such details, but our conversation on the subject was interrupted, and I wish to instance to you how *specifically* the faculty may furnish grounds for their general recommendation of the efficacy of ice in the cure of disease.

I will only add, that the specific cases which I have adduced might have suggested another claim on the patronage and support of the ladies, at least such as are mothers, or hope to become so, and in these two classes, I presume, may be included a pretty considerable majority of our fair countrywomen at the presidency. I again beg your excuse for the length of my note and remain,

Yours very faithfully,

L. CLARKE, Esq.

G. CRAIGIE.

No. 13.

Calcutta, August 1837.

MY DEAR SIR,—I must beg your forgiveness for my remissness to answer your first letter. In reply to your inquiry of the estimate which my professional experience of its use has induced me to form of ice, as a remedial agent in tropical disease, I am really at a loss

for words to express my sense of its value and importance.

I can only state my opinion comparatively, by saying that in all the acute disease, to which European adults and children are liable, I esteem it as a remedy, only second to the lancet, and I believe that a permanent supply of so invaluable and powerful an agent, would prove a source of benefit to public health, and a means of saving life, not inferior to any single article of pharmacy, which can be named, in the hands of an Indian practitioner.

I remain, my dear Sir, very truly yours,

D. STEWART, M. D.

L. CLARKE, Esq.,
 Secy. to the Ice Committee.

No. 14.

I am of opinion that ice is most valuable in certain cases of mania, in fever where the brain is affected in hemorrhage, and, especially, in cases of uterine hemorrhage (flooding) in strangulated hernia, &c., and as an article of diet it may have a beneficial tonic effect,—and I consider this grateful addition to other articles of luxury by no means injurious to the constitution.

F. H. BAERT.

Calcutta, 22d July, 1837.

No. 15.

To L. CLARKE, Esq., Secy. Ice Committee,
 &c. &c. &c.

SIR,—I have the honor to acknowledge the receipt of your letter, dated the 20th instant, in which you inform me that the Ice Committee are desirous of learning my opinion, as to the utility of ice in the case of disease.

In reply, I have to state that, in my opinion, the use of ice as a remedial agent, is very important, whether with reference to its immediate application in diseases of congestion, inflammation, and hemorrhage, or to those still more extensive though not so direct benefits, arising from the tonic effects of cold fluids, taken in moderation into the stomach.

I have the honour to be, Sir, your most obdt. servt.

J. T. PEARSON, Assistant Surgeon.

Calcutta, 14th Aug., 1837.

No. 16.

SIR,—In reference to your circular of yesterday. I con with much satisfaction and confidence add my testimony, to the value of "Ice" as a pharmaceutical agent, in some of the most important and fatal diseases of Bengal.

As a local application in cases of fever, where determination to the head prevails, and induced, in local inflammation wherever situated. "Ice," constitutes one of the most efficacious antiphlogestic remedies, in conjunction with bleeding, and purgatives, whilst as a source of relief, and luxury to the feverish patient, by affording a naturally cool beverage, which no art can imitate, its advantage cannot fail to be generally admitted, and appreciated.

WALTER RALPH,

1st. Asist. Surg., Genl. Hospl.

Calcutta, July 23, 1837.

No. 17.

L. CLARKE, Esq. *Chairman, Ice Committee,*
&c. &c. &c.

The advantages we have lately enjoyed in Calcutta, by obtaining ice at all seasons of the year, must be obvious to every medical practitioner. For my own part, I regard this article as important in the highest degree as a remedial agent, none have had so much reason to rejoice in the benefits afforded by the use of ice, or the sick whether we consider it, as a comfort beyond all price to the sufferer, or as a powerful aid in promoting the cure of disease.

It is unnecessary to detail the particular instances wherein ice is valuable in medical treatment, but I have no hesitation in saying, that in fever, in various forms of inflammation, in many cases of external injuries, and in the practice of midwifery, there are numerous instances, in which the life of the patient may depend upon the internal administration, or the external application of this substance. In cases of impaired digestive powers also, I believe it to be highly useful, as a stomachic tonic. Indeed, so much do I value it, that apart from every consideration of individual comfort, I consider it to be the duty of every medical practitioner, to use all his endeavours to ensure a never-failing supply of ice in this city.

H. H. GOODLVE, M. D.

Professor of Anatomy and Medicine, Medical College.
Calcutta, July 20, 1837.

No. 18.

Medical College, Calcutta, 8th August, 1837.

SIR,—In reply to your circular of the 6th instant, I have much pleasure in expressing my conviction, that the successful importation of ice, and its constant preservation in Calcutta, place within the reach of the humblest member of the community, a remedy of the highest efficacy in the treatment of many varieties of tropical disease. Considering ice solely as a medical substance, I would deem all the subscriptions we have made and all the support you now seek to encourage the importation, as well and cheaply bestowed.

Yours sincerely,

W. B. O'SHAUGHNESSY.

L. CLARKE, Esq.; *Chairman, Ice Committee.*

No. 19.

Calcutta, 28th August, 1837.

SIR,—I beg to apologize for having so long delayed answering your circular of the 20th July, and your note of the 13th instant, on the subject of ice, and its importance to the public health. This arose in the first instance, from my considering myself unconnected with, and unknown to, the inhabitants of Calcutta, and that my opinion consequently, could not be regarded by them as of the slightest importance, and since the receipt of your last note, I have been much occupied.

There can be no doubt, that ice is an article which contributes largely to the enjoyment and the health of those, who can afford to purchase it, and, were it cheap enough, and procurable at all times, it might be turned to various uses in medical practice. But at the same time I must express my opinion, that the committee have not taken up the true ground for soliciting the bounty of Government on this occasion, the real importance of ice is, as an article of luxury, during health,

much more than as a means of cure either in fever or any other disease.

I am, Sir, your obedient servant,

WM. BELL, *Surgeon, H. M. 26th Regt.*

To L. CLARKE, Esq., &c. &c. Esplanade Row.

No. 20.

Calcutta, 24th July, 1837.

SIR,—I have the honour to acknowledge the receipt of your letter of the date of the 20th instant, requesting my opinion on the subject of the importance of ice to the public health, and more especially in cases of fever so incidental to this climate.

I have now the pleasure to communicate through you, for the information of the committee, that I regard ice as subordinate to no other agent, in the prevention or treatment of disease, and as a remedy in controlling fever, in its various applications, the power of which is second only, if, under some circumstances, it be not even superior, to that of the lancet; a remedy which can never supersede the lancet, nor dispense with it, but which, when added to it, forms by the combination a treatment so powerful and efficacious, that it will render death from the acutest cerebral inflammation, as rare, as recovery is at present. Employed as a remedy (known by the name of the ice cold dash) there is no degree of burning heat which the animal economy is capable of producing, no intensity of vascular action, and no violence of pain, that can resist its continued application. The cold evaporating lotions, which were in former days applied to the head, proved useful in mild cases, but to hope to control the more formidable cases of the fever of Bengal, by their aid alone, is to expect to coerce a giant by twisting around his arms a spiders thread, the impression which the one makes upon the brain, compared with the effect produced by this remedy, may be said to be, what the application of six leeches to the temples, is to the abstraction of thirty ounces of blood.

With the earnest hope that Government may be induced to listen favourably to the appeal of the committee, and thereby secure to the inhabitants of this city so powerful and so blessed a remedy in the hour of sickness.

I have the honour to be, Sir, your faithful and obt. servt.

WILLIAM GRAHAM, M. D.

No. 21.

There are few in this country who will not concur in the opinion, that the importation of ice is a valuable auxiliary to the comfort of an Indian life. But if we completely lay aside the notion of its forming a part of the luxuries of the East, we shall find numerous reasons to hail its introduction as highly subservient to the preservation of health.

I will not take up your time by referring to any theoretical opinions on the subject, but will merely adduce a few instances in which my personal experience, can bear testimony to its salutary effects. I have found it essentially useful in cases of *dyspepsia*, which is a very prevailing disease in this climate, and a slight acquaintance with its tonic powers will sufficiently elucidate the cause.

I have likewise proved its beneficial effects, in cases of retention of the placenta, when all other remedies have failed, though administered to the utmost extent, and in the following cases of *hemorrhagia cutanea*, I have used it with great success, viz. *Navicum* or bleeding at the nose, *hemostasis* or spitting of blood, *uterina* or uterine hemorrhage, in certain cases of fever too, its powerful aid has frequently been proved especially during the hot season of the year when an inevitable

exposure to the heat of the sun, frequently produces considerable derangement of the brain.

I have no doubt that the experience of every individual, will tend to corroborate the opinion, that the addition of ice to the luxuries of our table, ought to be considered equally desirable in a medical point of view.

J. MAXTON, Surgeon.

Calcutta, July 29, 1837.

No. 22.

Calcutta, August 1837.

To the Chairman of the Ice Committee.

SIR,—In reply to your letter of the Calcutta Ice Committee, in which you requested my opinion of the

utility of ice in the treatment of some of the diseases of India, I beg to state that I consider it one of the most valuable auxiliaries, the medical man has at his command, for the alleviation of suffering, and cure of the most dangerous diseases of this country. In fact I look upon it, as one of the greatest blessings we possess, and I have reason, I think, to consider it as such, since to ice, I feel I am indebted for the restoration to health, from nearly fatal illness, of one of my nearest and dearest relatives.

I remain, yours very truly,

R. O'SHAUGHNESSY.

Hurkaru, June 12.]

BANK OF INDIA.

CALCUTTA, JUNE 11, 1838.

At a meeting of the provisional committee of the Bank of India, held this day, it was resolved, to recommend that the bank be opened on the 1st of January; and that a meeting of the subscribers on the 15th September, be convened for the purpose of considering that recommendation, and for fixing a day for payment of the first instalment; the committee expecting to receive before the last mentioned date, communications from England, respecting the co operation of parties in that country interested in the formation of a new India Bank.

It was also resolved, that the honourary secretary do address Messrs. Kearsay, Hughes and Thomas, of London, authorizing them to register applications for shares, provided that the parties making such applications shall not be considered to be proprietors, unless the instalments on their shares shall be paid in Calcutta, within six months, after notice in England of the same having been called for in India.

JOHN BOYER, Hon. Sec.

Hurkaru, June 13.]

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a meeting of the medical and physical Society of Calcutta, held at the Asiatic Society's apartments, on the 2d of June, 1838.

Letters from the following gentlemen were read :

From J. Graham, Esq., assistant surgeon, and Johnstone, Esq., surgeon, requesting to withdraw from the Society.

From Mr. Bouchez, requesting to be appointed librarian to the Society, stating, that he had for some months past acted in that capacity. This request was referred to the committee of management.

From H. T. Prinsep, Esq., secretary to the Government of Bengal, forwarding a copy of Copland Hutchinson's " Practical observations on Surgery," which was presented to the Society's library by the Hon'ble Court of Directors.

J. G. Vos, Esq., M. D., was proposed as a member of the Society by Dr. O'Shaughnessy, seconded by Dr. McClelland.

The following communications were then presented :

1st. A case of lithotomy terminating fatally on the 5th day after operating, with remarks on the causes of failure in extracting large calculi, by Dr. D. Stewart, M. D.

2d. Illustrations of the poisonous effects of the external application of arsenic, and its employment in some of the manufactures of Bengal, by the same gentleman.

3d. A case in which a bony deposit was found adhering to the falx cerebri, by T. B. Colledge, Esq., surgeon, Macao.

4th. An interesting case of placental presentation, also by Mr. Colledge.

These two cases were presented by Dr. D. Stewart, on behalf of Mr. Colledge.

5th. A report upon cholera, which prevailed in the 3d troop, 1st brigade, horse artillery, by W. McGregor, Esq., M. D.

6th. Two cases of traumatic tetanus, successfully treated by tartar emetic, by Dr. Rowton.

7th. Dr. Goodeve read an extract from a letter he had lately received from Mr. Cumberland, of Pooree, containing an account of a hot spring at Khoordab, in that district. The temperature of this spring, varied from 112° to 128° of Fahrenheit, when the water in a neighbouring tank stood at 64°, the air being 56°. The water appears to be impregnated with sulphureted hydrogen. Mr. Cumberland sent a specimen of fish, several of which were swarming in the spring, where the thermometer stood at 112°. These fishes died when they came in contact with the water at 128°.

8th. Mr. R. O'Shaughnessy, presented a magnificent and unusually large specimen of calculi which he had removed from the urethra of a native.

A long discussion upon various topics followed, chiefly upon matters connected with the obstetric art in connexion with Mr. Colledge's second paper.

H. H. GOODEVE, M. D.

Sec. Med. and Phy. Society.

Hurkaru, June 13.]

BATHING IN THE ACQUEDUCTS.

To THE REV. T. BOAZ,

And other subscribers of the petition on the subject of natives bathing at the aqueducts.

GENTLEMEN,—I have the pleasure to send copy of the reply from Government to my letter forwarding your petition on the subject of natives bathing on or near the aqueducts.

I am, &c.,

(Signed) D. McFARLAIN.

Calcutta Police Office, June 12, 1838.

To D. McFARLAIN, Esq.,

Chief Magistrate of Calcutta.

Judicial Department.

SIR,—I am directed to acknowledge the receipt of your letter dated the 12th ultimo, with its enclosures and to acquaint you in reply, that the Deputy-Governor does not think it necessary to pass any order on the subject to which it refers.

His honour, however, desires me to convey to you his opinion that whilst unusually indecent exposure of the person should be prohibited, it would be objectionable to prevent natives from resorting to the aqueducts for the purposes of bathing when clothed to the extent customary with them on such an occasion.

I am, &c.,

(Signed) FRED. J. HALIDAY,

Secretary to the Government of Bengal.

Fort William, June 5, 1838.

AGRICULTURAL SOCIETY OF INDIA.

A general meeting of this society was held at the Town-hall on Wednesday, the 13th June, 1838.

PRESENT.—The Hon'ble Sir E. Ryan, President, in the chair.

Dr. Wallich, v. p.; Dr. Spry; Col. McLeod; Messrs. W. Storm; C. K. Robison, v. p.; J. Guilding; R. Watson; A. Grant; A. Colvin; W. Ainslie; W. Earle; Jos. Willis; G. A. Prinsep; E. Prestou; F. T. Fergusson; W. F. Fergusson; A. Poitens; Thomas Blacken; M. S. Stautton; W. K. Ewart; C. Dearie; Dwarkanath Tagore; Ramcomul Sen; R. Walker; C. A. Dyce; D. Hare; J. Allan; W. Mackenzie; H. Cowie; D. W. H. Speed; G. T. F. Speed; J. W. Masters; A. McArthur; Thomas Leach, and John Bell, secretary.

The proceedings of last meeting were read and confirmed. After an alteration had been made by the President, on Dr. Spry's suggestion, viz.

In motion No. 1, of last meeting, for the words "Dr. Spry, moved as an amendment," read "Mr. G. A. Prinsep, moved as an amendment."

The following gentlemen proposed at the May meeting were duly elected members of this Society, viz.

Captain H. Macfarquhar, Dr. Jas. Hutchinson, Thos. Lane, E. Mackintosh, G. T. Cockburn, E. G. Mackintosh, C. S. F. Kirtchholfer, C. M. Hunter and G. Austin, Esquires, Rajah, Nursingchunder Roy, and Baboo Keenut Singh.

The following gentlemen were proposed as members, viz.

Major H. Cox, 58th regiment, N. I., proposed by Dr. Wallich and seconded by the secretary.

Henry Freeth, Esq., assistant surgeon, Nowgong, proposed by Captain Jenkins, and seconded by the Secretary.

H. J. Leighton, and Colin Campbell, Esqs., proposed by W. F. Fergusson, Esq., and seconded by the Secretary.

Brigadier General Sir Thomas Anbury, k.c.b., proposed by F. T. Fergusson and seconded by the Secretary.

W. R. Logan, Esq., Mymensing, and Baboo Peary Mohun Day, proposed by D. Hare, Esq., and seconded by A. Grant, Esq., and Dewan Ramcomul Sen.

W. F. Dowson, Esq., proposed by John Allan, Esq. and seconded by W. Storm, Esq.

Major J. D. Parson, n. c. g., proposed by the secretary, and seconded by Dr. Wallich.

Col. L. R. Stacy, 32d N. I., proposed by the secretary, seconded by Dr. Wallich.

Motions of which notice was given at last meeting.

Motion No. 1, by the secretary seconded by Dr. Strong, was brought forward and carried, *nem con.*

Motion No. 2, by C. K. Robison, Esq., seconded by W. Storm, Esq., was next brought forward and carried *nem con.*

Notice of motion.

Proposed by G. A. Prinsep, Esq., seconded by C. K. Robison, Esq. "that the sum of 500 rupees be appropriated for procuring cotton-seed of every variety in estimation from South America, and that a correspondence be opened with Rio Janeiro, for the purpose of obtaining it."

Reports.

The President drew the attention of the meeting to the subject matter of motion No. 1, of April meeting which was brought forward at the last meeting, and carried by an amendment on the original motion, being at the same time referred to the general committee, for consideration. He (the President) would read the report of that committee, drawn up at a meeting held on the 9th instant, as follows:

"The committee having given the subject of reference to them their best consideration, are of opinion that upon the account of the state of the funds laid before them by the Secretary, the means of the society at present are inadequate to admit of its offering any sufficient rewards, for the four practical treatises on cereal grain, sugar, silk, and cotton; and the committee have therefore abstained from entering into any further detail, conceiving that the general operations of the society will be endangered if the present ascertained surplus be applied to these purposes."

(Signed) E. RYAN.

" C. K. ROBISON.

" F. P. STRONG.

" W. STORM.

" D. HARE.

" JOS. WILLIS.

" JOHN BELL.

Proposed by G. A. Prinsep, Esq., seconded by W. Earle, that the above report be confirmed. Carried *nem con.*

The President read the report of the silk committee, on three samples of yellow and white raw silk, sent in for competition, with reference to the prizes offered by a resolution passed at a general meeting of the society held on the 12th April, 1837.

The Committee are of opinion that the samples submitted by Mr. W. G. Rose, of Ramnaghur factory, near Coolbarish, are the best and entitle that gentleman to the society's gold medal.

That the sample of yellow silk sent in by Mr. Jay, superintendent of Mr. Larruletta's filatures at Jungypoor, is the second best, and entitles that gentleman to the society's silver medal.

Moved by C. K. Robison, Esq., seconded by the Secretary, that the silk committee's report be confirmed: carried.

The President also read the sugar committee's report on a sample of sugar submitted by Mr. Blake of Dhoba, who was the only competitor for the prizes awardable under the same resolution as those for silk.

"The committee are of opinion that the sample before them, does not come within the meaning of the Society's intention, as expressed in the printed conditions, the sugar in question having been made from *gour* by a double process, and not by a single boiling, as practised in the West Indies, &c.

The committee recommended that the premiums shall be open to competition till the 1st May, 1839, and that a specific advertisement be published and transmitted to all known cultivators.

Moved by C. K. Robison, Esq., seconded by G. T. F. Spred, Esq., that the committee's report be confirmed: carried.

The following communications were submitted to the notice of the meeting:

From H. Piddington, Esq., dated May 10, enclosing copy of a letter written by him to Col. James Young, in February, 1831, on the subject of *cañe cochineal*, prepared from the *Sylvestre* insect.

From J. Guilding, Esq., dated May 23, forwarding a sample of *cañe cochineal*, made by him from *Sylvestre* insect, abounding in Madnapore, and asking for an opinion upon its quality, &c.

From Professor O'Shaughnessy, dated May 31, giving his opinion on the cochineal paste prepared by Mr. Guilding. Having submitted it to chemical test, the Professor speaks in very favorable terms of this dye. "This I think completes the proof that between the *Jina* and *Sylvestre* insects there exists at least no chemical difference." The conclusion at which Mr. Piddington and Professor O'Shaughnessy arrive are very similar, the only difficulty appearing to be in obtaining a complete absorption of all moisture from the paste, immediately after the process of manufacture.

(Referred to the cochineal committee.)

From Major W. H. Sleeman, dated Subbulpore, May 7, conveying much interesting information on the mode of cultivating the lac insect.

(Referred to the committee of papers.)

From the Revd. C. E. Driberg, dated May 9, annexing a paper on the "culture of the cocoanut tree in Ceylon," received from a friend in that island.

(Referred to the committee of papers.)

From Col. Dunlop, a parcel containing varieties of hill forest trees, referred to in his letter to the Secretary, on the 25th March.

From G. H. Smith, Esq., dated Delhi, May 8, promising to forward, shortly samples of cotton of the first and second year's crops, raised from Upland Georgia seed.

Gives a favorable account of an experimental plantation of Otahcite sugar cane in Deyrali Dhoon.

From the same, dated May 18, forwarding for the opinion of the committee, samples of Upland Georgia and Sea Island cotton, the produce of his garden at that station, as alluded to in his former letter of the 8th.

From R. Lowther, Esq., dated Allahabad, May 20, advising despatch of two cases containing samples of the produce of four varieties of cotton-seed forwarded by the society for distribution in that and the neighbouring districts.

Enclosing a memo. received from Mr. Lambert regarding these samples.

From Dr. Hufnagle, dated May 30, forwarding a bale of cotton, being a portion of the second crop produced from 400 plants grown at Cossipore, raised from Upland Georgia seed imported by the society in 1836.

Suggesting that the bale of cotton be sent to England for a competent opinion as to quality. Forwarding also two bottles of oil pressed from the seed of this cotton.

From T. O. Crane, Esq., Secretary Agricultural Society of Singapore, dated May 11, acknowledging receipt of Secretary's letter of the 17th March, together with the Seychelles' cotton-seed, and transactions of the Society vol. 5.

Enclosing a small sample and a few seeds of a description of cotton resembling Sea Island.

From Major Sers. Secy, to the Agricultural Society of Cuttack, presenting samples of Upland Georgia cotton and Virginia Tobacco, grown on that district from seed received from the society referred to in his letter of the 4th May.

Note.—All these samples of cotton ordered to be referred to committee for reports.

From Mr. A. Harris, dated 24th May, forwarding three cuttings of cane (variety unknown, but resembling the China cane) together with a large cane, retained from the small stock.

Mr. Harris states, that the original cuttings from which these three average canes were produced, did not exceed the thickness of a common ratoon, shewing a vast improvement on the plant canes; but the most extraordinary improvement is upon the *ratoon*, which is nearly four times the thickness of the plant or parent stock,—a fact which is at variance with the course of ratooning in general, since ratoons are invariably smaller, and can only be accounted for, in the extraordinary fertility of the Soondebund soil, and holds out fair prospect of ultimate remuneration to those grantees who are now laboring to convert a rank pestilential morass, into a highly cultivated sugar country.

A full length sugar cane was submitted, said to be produced in the Island of Ceylon by Mr. Henly, from Mauritius plant,—of four months' growth.

From A. Harris, Esq., dated May 28, offering a few remarks on a trial made with a plough recently received by the society, made at the Porto Novo foundery from an American model.

From Major J. A. Moore, dated Hyderabad, May 18, advising de-patch of three apples of the nonpareil species, grown in a friend's garden a few miles from the station.

From Colonel Stacy, dated Dacca, May 20, forwarding a bag containing the roots of a plant, common in that part of the country, called "*Suth Mootee*," or the sixty radishes, also a few bags of a climber termed "*Tiel's Gula*."

From Captain Cautley, dated Saharunpore, May 11th, advising the despatch of a quantity of *bansmutti* seed rice, which he presents to the society.

From Dr. W. Montgomerie, dated Singapore, April 23, acknowledging the receipt of Secretary's letter of the 17th March, intimating a resolution of the Society for awarding him a silver medal.

In reply Dr. Montgomerie returns his best thanks to the society for this mark of its approbation, but regrets that "circumstances should render it necessary to decline the intended honor."

From Signor G. Mutti, dated Kootroor Bagh, Poonah, 7th May, acknowledging receipt of Secretary's letter of April 15, and returns his best thanks to the society for the resolution therein conveyed of awarding him the society's gold medal.

Promises to afford further information to the Society on the cultivation of the standard mulberry trees, &c.

From Major Parsons, dated Cawnpore, May 4, acknowledging receipt of Secretary's letter intimating despatch of cotton seed.

Mentions having raised a quantity of fine Guinea grass from seed forwarded by the Society in 1836.

From Major Gawtkin, dated Coel, May 2, acknowledges receipt of cattle committee's pamphlet, but regrets his inability to give any information on the subject in question.

Advises despatch of sample of four growing of oats, and promises to send seed of the "*Prangoo*" if successful in raising plants from a few seeds lately received.

States that the Guinea grass seed has vegetated, and alludes to trials made with the French oat seed, and Italian six grass seed received from the society.

From Captain Jenkins, dated Gowhatti, May 13, advising despatch of two parcels of fresh Fia cocoons.

From W. Prinsep, Esq., dated May 19, reporting on musters of raw silk forwarded by the committee for his opinion as to the market price.

From James Anderson, Esq., M. D., secretary to the Agricultural Society of Boerbhoom, dated June 5, giving cover to a copy of the proceedings of a late meeting of the Branch Society and calling the attention of the parent institution to a few of the resolutions contained therein, viz. for the supply of sugar-cane, fruit trees, seeds, &c. Encloses also a copy of the proceedings of their society since its formation up to the present time.

From W. Rushton, Esq., dated May 12, offering to print the transactions of the Society on the same terms as the Bishop's College or Baptist Mission-Press.

Memo.—The question had been settled before the receipt of Mr. Rushton's letter, and the 6th volume is now printing at the Baptist Mission Press.

The Madras Journal of Literature and Science from January, 1837, to March 1238, 5 numbers, has been received through Messrs Thacker and Co.

From Captain F. Jenkins, dated Gowhatti, May 31, intimating his intention of forwarding by a different mode to that hitherto pursued, which has proved unsuccessful, some eggs of the Fia worm to try if by this means they can be received in a living state.

From James Anderson, Esq., M. D., secretary Agricultural Society, Boerbhoom, forwarding the samples of cotton alluded to in his letter of the 5th instant.

From Miss Peacock, a pod of a large species of tamarind the produce of Mhow.

Dr. Wallich stated, that it was not a tamarind, but the *adansonia digitata* or boobab of the West Coast of Africa.

From Dr. Wallich, dated June 13, annexing extract of a letter from Mrs. Captain Milner, presenting a basket of beautiful and perfect bunches of purple and white grapes, with some interesting details as to the mode adopted by that lady in treating the vines. Proposed by the president, seconded by the meeting, that the special thanks of the society be offered to Mrs. Milner, for her highly interesting and beautiful present, which clearly proves that nothing but taste and attention is wanting, to secure as fine grapes and as plentiful in and about Calcutta, as in the finest vine countries.

Memo.—The Secretary had also received within the last week, a splendid bunch of grapes from Col. James Young, the produce of the vine planted by C. K. Robison, Esq., in the Union Bank compound, and a bunch from Mrs. Smith, the produce of her garden in Short's Bazar. If every householder in Calcutta would plant but two vines, he would secure at once a cool retreat, and delicious fruit by simply planting cuttings in a soukey corner. Mr. George Prinsep presented a fine specimen of cotton grown from *Persian* seed, valued by Mr. Hill at fifty per cent. more than Surat. It has the advantage of black seed which are easily detached.

Mr. Masters presented a fine graft of the *Ficus Elastica*, of 48 day growth, 10 feet in length and 6 inches in circumference.

Mr. G. T. P. Speed presented a specimen of hemp grown from the purple *Ibiscus*, grown at Patna.

The thanks of the meeting were ordered to be given for all the above communications and presentations.

JOHN BELL, Secretary.

Town-hall, Calcutta, 13th June, 1838.

[Harkum, June 14.]

DARJELING.

CALCUTTA, TOWN HALL, 15TH JUNE, 1838.

At a meeting held this-day, J. W. Grant, Esq. in the chair, the following report, drawn up by two gentlemen, to whom the public are greatly indebted, was read to a rather numerous and most respectable assemblage.

The present meeting has been called by a few of the applicants for sites, with the view of promoting such measures, as may be likely to insure comfortable accommodation to all parties, who propose to visit the station. It is, perhaps, scarcely necessary to inform the

meeting, that unless active steps are now taken, another year will be lost to the community. Many parties are anxious to build bungalows, and expressed their determination to do so; but the difficulty of procuring builders to direct and superintend these operations, has been already experienced by the whole of them.

Under these circumstances, the idea of starting a hotel on the scheme of a *tontine* has been suggested, as likely to induce respectable builders to undertake its erection, while, at the same time, the opportunity thus afforded to settlers of procuring competent persons to enter into contracts, &c., would no doubt be taken

advantage of by many, who from want of time and other causes could otherwise do nothing.

A plan of a hotel has been prepared by Messrs. Burn and Co., which Mr. Spence approves of; and he agrees to open it on much the same footing as the one conducted by him here, the question now remains to be considered, "whether or not an adequate sum for its erection is likely to be raised? Messrs. B and Co. are not at present prepared to give an estimate or enter into a contract; but from the abundance of materials on the spot, they are disposed to think, the expense of such a building at Darjeling would be considerably less than in Calcutta. The scheme of the proposed tontine has been kindly drawn out by Mr. Curmin, and along with the plan, both are now submitted for consideration.

Doubts have been expressed by some persons as to the probability of a hotel succeeding at Darjeling, and the Mussoorie one is quoted as being nearly a failure. Without enquiry here into the accuracy of this assertion, it appears to us, that the circumstances are totally different. The Mussoorie hotel was started after the number of bungalows built exceeded the demand for them. At Darjeling there is not a hut at present available. No doubt it may be argued that the hotel is not likely to be patronised after parties have built their own bungalows; but the answer here again is, that the cases are not parallel; and whatever number of bungalows are built at Darjeling, it may be fairly presumed, there will always be a sufficient influx of Bengal visitors, who, from various causes, would prefer a residence at the hotel, to the trouble and expense of building houses for themselves.

Most persons present are aware, that measures are now in progress for the construction of a public road, and four staging bungalows. These undertakings will probably be completed against February next. There are other matters of importance to the settlers. Such as arranging for a proper dak line; managing the details connected with these bungalows; fixing on a European of respectability near Titaley, who would keep a store there and at the station, and act likewise as an agent in procuring bullocks, &c. &c. These objects must be attended to by the committee to be now appointed. It may be satisfactory, however, to the meeting to learn, that a statement regarding the alteration of the dak line has been already submitted to the proper authorities, (with every prospect of success,) which, if adopted, will enable a traveller to lay dak from Calcutta at once to the second bungalow at Punkabancee, 1,500 feet above the sea level, and where he may arrive with ease on the fourth evening.

With these observations this report may be concluded. The subject in all its bearings is now before the community at large; and whatever difference of opinion there may be, as to the means proposed, discussion cannot fail to promote the speedy establishment of an object, conducive alike to the health and recreation, of a great proportion of the Europeans in the Bengal presidency.

HENRY M. LOW.
W. M. BRUCE.

Calcutta, 15th June, 1838.

It was then proposed by Captain W. N. Forbes, and seconded by Mr. W. Storm,

Resolution 1st.—That the report be approved of.—
Carried unanimously.

Proposed by Mr. C. K. Robison, and seconded by Captain Forbes,

Resolution 2d.—That the scheme of the tontine be approved of.

An amendment was, however, proposed by Dr. O'Shaughnessy, seconded by Mr. Patrick, and carried, that instead of a tontine scheme, the necessary funds be raised by proprietary shares of 250 rupees each.

Proposed by Mr. Samuel Smith, seconded by Mr. Deane,

Resolution 3d.—That a committee be appointed for the purposes stated in the report; with instructions to call a meeting of subscribers, when it shall appear that a sufficient number of shares are subscribed.

This resolution being carried *nem. con.*, it was moved by Mr. R. Stewart and seconded by Captain Forbes,

Resolution 4th.—That the committee do consist of the following gentlemen, *viz.* Messrs. J. W. Grant, C. K. Robison, J. Curmin, Samuel Smith, W. Patrick, Theo. Dickens, H. V. Bayley, Major Garstin, Capt. Bruce, Lieut. Gilmore, H. M. Low, W. F. Fergusson, G. G. Macpherson, Dwarkanauth Tagore, and Prosnoroomar Tagore, with power to add to their number.

Proposed by Mr. C. K. Robison, and seconded by Captain Forbes,

Resolution 5th.—That Mr. H. M. Low be requested to act as honorary secretary. *Carried nem. con.*

Proposed by Captain Forbes and seconded by Mr. W. Storm.

Resolution 6th.—That the committee be authorized to incur any necessary expenses in circulating books, &c., for which expense the subscribers shall be responsible.

Proposed by Mr. W. Prinsep, seconded by Captain Forbes,

Resolution 7th.—That the committee be requested and authorized to place themselves in communication with Government on all subjects connected with the Sanatorium, and particularly to endeavour to have the road now in progress, converted into a good carriage road.

Proposed by Mr. H. M. Low and seconded by Mr. C. K. Robison,

Resolution 8th.—That the thanks of the meeting be given to Mr. Curmin, for the trouble he has taken in preparing the plan of a tontine.

Resolution 9th.—That the thanks of the meeting be given to the chairman.—*Hurkian, June 16.*

MRS. CHESTER'S FAREWELL DRAMATIC CONCERT.

On Tuesday evening, we attended the above performance at the Town-hall, and considering the circumstances under which it had been got up, we were agreeably surprised to find it so well attended. There could not have been less than twelve hundred rupees in the room.

Mrs. Chester welcomed with hearty congratulations, which, doubtless, stimulated her to do her utmost to please her audience; for she acquitted herself much to their satisfaction.

Mrs. Valadares warbled through passages of considerable length, with great rapidity and delicacy of tone.

O'Mauley was quite at home: his comic song of "St. Patrick was a gentleman," was very good, and more so his Duett with Mrs. Chester; "When a little farm we kept." He has good taste in his singing, as all the world knows from Dublin to Calcutta, and is an excellent comic actor.

Mr. Linton was in good voice: he sang, "Oh maiden fair," with Mrs. Chester in very beautiful style; but we think he was not quite so successful in "The Mid-

night review." We are aware that it is a very difficult piece, and we have seen Phillips fail in it.

Jem Crow and "The Lover's Mistake" certainly were mistakes, and we would recommend Colonel Free-love to save the prompter a great deal of trouble, and himself too, by learning his part better the next time he undertakes one.

Mr. Rykmann, senior, on the Basso Bassoon, was beautiful. His son, through indisposition was unable to attend.—*Hurkaru, June 21.*

R. D. MANGLES, Esq.

R. D. Mangles, Esq. who has been appointed to officiate as a member of the Sudder Board of revenue, in the room of Mr. Walters, who has proceeded to sea for the benefit of his health, took his oath and seat at

the board on Tuesday last, the 19th instant, it being the first board day, at which he has attended ever since his appointment as a member of it.—*Hurkaru, June 26.*

THE DARJELING MEETING.

A meeting was held at the Town-hall, this morning, Friday the 29th June inst.

PRESENT.

Messrs. J. W. Grant, J. Abbot, S. Smith, W. Patrick, J. Cumin, C. Deane, W. Bruce, W. Storm, A. Grant, D. McPherson, M. Dugal, C. K. Robison, J. Spence, Davidson, J. H. Stocqueler, Gray, W. Jackson, R. Evans, R. Walker, Captain Harrington, A. H. Sim, G. Pinsep, Willis, Earle, Barwell, and H. M. Low. The secretary read the following report from the committee:

THE COMMITTEE'S REPORT.

By the 3d resolution passed at the public meeting of the 15th instant, your committee was directed to call a meeting of shareholders so soon as it appeared a sufficient number of shares had been subscribed for. Upwards of ninety having been taken on the 22d, your committee felt justified in calling the present meeting, and they have now to report the number of shares subscribed for as 105.

It will be in the recollection of the meeting that two plans for the proposed hotel were produced on the 15th instant; and that neither of them were approved of. Your committee at their first meeting, came to the same conclusion, viz. that there were objections to both; and Major Garstin having kindly undertaken to make a new plan, it was accordingly submitted for consideration at a meeting of the committee on the 22d. At this meeting too, another plan by Messrs. Burn and Co. was laid on the table.

Your committee do not feel authorized to recommend either for adoption. They approved generally of Major Garstin's, as from the explanations given by him, it seems to combine comfort with economy. But before adopting a plan at all, it is evident that some reference must be made to the amount of funds subscribed for, as well as to the opinions and wishes of the tenant who is to occupy the premises. Another consideration is impossibility of finishing a building on the scale contemplated so early as March next. Your committee, therefore, are decidedly of opinion, that a temporary building should be erected at a moderate expense; and, though at first this recommendation may almost have the appearance of throwing away money, they are satisfied the result would prove a saving. Ample time would thus be given for practically ascertaining the value of materials, cost of labour, &c. &c. and in afterwards effecting

a contract for the more durable building, the Company would no doubt have the benefit of a competition, which at present cannot be expected. On the whole then, after giving the subject their best attention, your committee would recommend;

1st. That authority be given to levy the subscription forthwith;

2d. That a sub-committee of three be named for the above purpose, and with power to carry through the necessary arrangements for vesting the property in their names, as trustees for the company;

3d. That the committee be directed to make arrangements for the erection of a temporary building at an expense not exceeding Rs 6,000, and at the same time to secure a respectable tenant for opening it as a hotel. In conclusion, your committee have to observe, that though active operation cannot be commenced on the spot, before the month of October, still it is very necessary that certain measures should be in progress here, with as little delay as possible. That some difficulties exist is unquestionable, but if resolutions are passed to the effect recommended, your committee feel confident, these difficulties will soon be surmounted, and that the sanatorium of Darjeling will thereby be established on a permanent footing, by next hot-season.—*J. W. Grant, Chairman.*

RESOLUTIONS.

1st. Moved by Mr. Abbot, and seconded by Mr. Stocqueler, that the report now read be approved, and that the meeting do authorize the committee to carry through the whole measure recommended. Carried *nem. con.*

2d. Moved by Mr. Smith, and seconded by Mr. Deane—That Messrs. J. W. Grant, W. Patrick, and Dwarkanauth Tagore, be the trustees for the company with the powers recommended. Carried *nem. con.*

3d. Moved by Captain Harrington, and seconded by Mr. George Pinsep—That at present a temporary building is alone in contemplation, it will be sufficient at first to raise Rs- 100 per share. Carried *nem. con.*

4th Moved by Captain Harrington, and seconded by Mr. Bruce.—That the committee be authorized to apply Rs- 200, in aid of the bungalow subscription.—Carried *nem. con.*

5th. Thanks to the chairman, moved by Mr. Patrick, and carried by acclamation.

LANDHOLDERS' SOCIETY.

Proceedings of a meeting of the committee held at the Society's office, No. 3, Chive-street ghaut, on Monday the 25th instant.

PRESENT.

Rajah Kallykissen Bahadoor; Rajah Rajnarain Roy Bahadoor; Rajah Burrodaraunt Roy; Cowar Sutichurn Ghosaul; Baboo Dwarkanauth Tagore; Baboo Prosonocoomar Tagore; Baboo Ramcomul Sen; G. A. Pinnsep, Esq.; G. Vint, Esq.; W. C. Hurry, Esq., and W. F. Fergusson, committee.

Baboo Shreemonthloll Khaw, member.

The gentlemen proposed at the last meeting as members of the Society were unanimously elected.

The following gentleman was proposed as a member.

Proposed by G. Vint, Esq. and seconded by Baboo Dwarkanauth Tagore—W. Bruce, Esq.

The stamp duty now levied on the kabooleats and security bond of the gomastahs and other mollusil servants, was mentioned by Baboo Dwarkanauth Tagore

as a grievance, and he proposed that a respectful application be made to the board of customs, salt and opium, pointing out the grievances sustained by landholders, particularly in consequence of a new order of the board, that the security taken from any gomastahs or other servants should be on a distinct stamp, by which the amount previously required is doabed to 16 (on salaries of 3 to 5) rupees per month. That, as all leases and kabooleats between zemindars and ryots are exempted from all stamps, it appears, that persons who are employed in collecting the rents from the above lessees, ought on the same principle, either to be exempted, or at least put on a lower stamp. This was seconded by Rajah Kallykissen Bahadoor, and carried unanimously.

Resolved, that a circular letter, inviting new members to the Society be lithographed for distribution.

W. COBB HURRY,
PROSONOCOOMAR TAGORE,

Hurkaru, June 30.]

Honorary Secretaries.

A CASE OF VIOLENCE.

The following has just reached us from a correspondent and we publish it without comment :

"A firm in your city, having some causes of discontent with a gentleman, with whom they were in partnership in a sugar concern, contrived first to have him arrested upon a partnership balance sworn to, it is said, as a private account! The arrest was illegal, being performed by bursting open his door, at nine o'clock at night! to the unspeakable terror of his family.

Having got the managing partner out of the way, their next step was to demand possession of the factory, which the assistants, acting by orders of their principal, refused to give, and, in two or three days, boats with about thirty EUROPEAN SAILORS, and forty burkandauzes, were brought up from Calcutta, and the factory taken by storm; though there was no great fighting of course, for the assailing party were headed by Europeans, and the two European assistants in the factory, very properly turned the whole of their attention, to protect the managing partner's lady, her two children, and female servants. She fortunately escaped across the river in a dingy, to Chinsurah, and is now in safety.

The assailants were perfectly aware that the mother and her children were residing in the factory, and that there was, moreover, from 5,000 to 6,000 gallons of rum in the distillery store. It was with the full knowledge of this circumstance, that these gentlemen led a party of sailors to assault it! Can any husband or father think of the possible consequences without a shudder? There is "no mistake" here, Mr. Editor, for one of the gentlemen has actually admitted before a magistrate, that he was accompanied by sailors! A friend of his an officer of a ship, on the river for his health! and he, walked in to the factory, by accident, as one might say, seeing all quiet and abandoned! This occurred on the morning of the 10th instant, but owing to the absence of the magistrate of Barrasut, on duty, the parties are in full possession of the factory, to which they might suppose they had some right; but they have, moreover, taken possession of the dwelling house of a respectable family, and seized the property of all kinds, both factory and private, and some of it is on its way down to Calcutta! Petitions have been presented to the local authorities, the joint magistrate at Barrasut,

and the superintendent of police, and proceedings will be immediately instituted in the Supreme Court. It is needless to say, that the assailants had no sort of legal process with them, which could give any colour to their proceedings."—*Hurkaru, June 21.*

With reference to a statement which appeared in your paper yesterday, from a correspondent, respecting an attack on a sugar factory by some sailors and others, I beg to inform you, that the facts alleged to have occurred are highly coloured, although there is some faint resemblance in the general outline. With the parties sent to take possession, there were 10 not 30 sailors, who were carried up, in order to prevent a breach of the peace, which it was supposed might follow any collision between the burkandauzes of the respective claimants to hold the factory. There was not the slightest resistance, the late occupiers having gone and all left the premises, it is supposed, on the report of a party of sailors advancing being received, and no part of the furniture or private property was removed. The house belongs to the factory, and the entire concern to the firm in question. As the matter will be shortly brought before the Supreme Court, when and where the actual circumstances and merits of the case will be fully disclosed, it is unnecessary to say one word more on the subject. The public will soon be enabled to judge who is right and who is wrong.—*Hurkaru, June 22.*

I observe, Mr. Editor, that your devils have overlooked a note in which I requested you to give my name and present residence in Calcutta to any person who may inquire for them; pray do so, if you please. My respondent informs you, that the facts "are highly coloured." I promise you they are not coloured enough; and, verily, the idea of carrying up sailors "to prevent a breach of the peace" is a rich specimen—almost as rich as the comfortable ignorance in which he appears to be, that the bodily fear is quite equivalent in the eye of the law to the violence. The entire concern did assuredly not belong to the firm in question. If their title was so clear, why use such means? and why, within ten days of the violence, claim in writing, ONLY a joint proprietorship? This document I have seen, Mr. Editor.—*Hurkaru, June 25.*

SUPREME COURT.

TUESDAY, JUNE 5, 1838.

In the matter of Thomas Wilson, of Dhurruntollah, paper manufacture, Messrs. Baillie and Molloy, attorneys for the insolvent, applied on filing his schedule, that Saturday the 28th of July next, be fixed for the hearing of the petition of the insolvent, filed in the court on the 26th May last. Application granted, on the usual notice of hearing being served upon all the creditors of the said insolvent. — *Hurkaru, June 7.*

SATURDAY, JUNE 9, 1838.

John Pratling Green and *Taranychurn Neaghy*, were this day brought up before the court for the hearing of the matters of their respective petitions. The latter was discharged, and the former remanded to the 28th of July next, for the purpose of serving notice of hearing on the detaining, and several other creditors, who had not been already served to that effect.

Joseph Snelson Morton. — Mr. Strettell applied on behalf of this insolvent, on filing an amended schedule, that Saturday the 28th of July next, be appointed for hearing the matters of his petition. Granted, on the usual notice of hearing being served upon all the creditors of the insolvent.

The assignees of the estates of Messrs. Alexander and Co.; Messrs. Cruttenden, Mackillop and Co.; Messrs. Ferguson and Co.; Messrs. Colvin and Co.; and Messrs. Mackintosh and Co.; applied, that their quarterly accounts with the estates and effects of these insolvents, be received and filed in the court. Applications granted. — *Hurkaru, June 11.*

FRIDAY, JUNE 15, 1838.

THIRD TERM.

This was the first day of term. The chief justice sat alone, and little was done except the taking of common motions.

SEEDDOOSONDERY DOWRY VERSUS COMMONWEY DOWRY.

Mr. Clarke (with whom was Mr. Nott) wished to apply to the equity side of the court, for a new trial of the issue at law, tried in this case last sittings, and he intimated an intimation of calling upon the other side to shew cause in the first instance.

The *Advocate General* (with whom were Messrs. Leith and Morton) for the defendant, objected to this course, and cited the case of *Morris v. Davis*, 3 Russ. Rep. 3-3 in which upon a similar application the Lord Chancellor Eldon, after consulting with the Vice-Chancellor, held that the proper course of proceeding was to make an *ex parte* application for the judge's notes of the trial, showing some reasonable *prima facie* ground for questioning the verdict.

Mr. Clarke said, that there was a distinction in this country, where, although the court was nominally a different court, the judges were the same in law and equity.

Sir E. Ryan was of opinion, that a statement of ground ought first to be made in order to satisfy the mind of the court of the probable necessity for reconsidering the verdict. This was not by any means a motion of course.

The usual practice was, as laid down in the case cited from Russell.

Mr. Clarke said, that he should adopt this mode of procedure, and that he should make his application on Monday next.

RUSSICKCHUNDER SEAL VERSUS MILLETT.

Mr. Leith moved that the payment of a sum of money directed to be paid by the master's report in this cause, should be made by a transfer of accounts, instead of the usual mode of payment into the hands of the accountant general. Notice had not been given of this motion, but it was apprehended that no objection could be made. Motion granted.

In Mr. Ogilvy's case no application whatever was made to the court, the objections to the return of the writ of *habeas corpus*, have been dropped, as the prosecutor is anxious that the proceedings may not appear to be vigorously and harshly pressed against the defendant.

The chief justice intimated that only common motions would be taken to-morrow, Saturday (this-day).

In *Macnaghten v. Tandy* the demurrer to the bill (which is a bill of discovery to ascertain the names of the proprietors of the *Agri Ukbar*) stands for hearing on Monday. — *Hurkaru, June 16.*

Our Supreme Court report of Saturday was incorrect (as mentioned by our morning cotemporary) in stating, that the demurrer to the bill of discovery in *Macnaghten versus Fandy* stood for hearing on Monday (yesterday) This was a clerical error for *Thursday*. We may mention, however, that the *Englishman* is by no means altogether accurate in warning its readers not to confound this case with the famous *label case* in which the same parties appear as plaintiff and defendant, and in informing them that the two cases have no connexion with each other. It is very certain indeed, that a bill in equity to compel a discovery is not quite the same thing as an action at law to recover damages for a libel; but in the present instance the former is closely connected with the latter, inasmuch as the bill is filed for the purpose of ascertaining the proper parties to the action, and it may be considered, therefore, as supplemental and auxiliary to the proceeding at law. The defendant has demurred to the bill on the well established principle, that no party is bound to discover any matter which may subject him to penal consequences. The precise question, however, involved in the present instance, has not been forestalled by any reported decision, and is still quite open to argument on behalf of the complainant.

MONDAY, JUNE 18, 1838.

THIRD TERM.

(before Sir E. Ryan and Sir J. P. Grant.)

HURRYLOLL TAGORE VERSUS SHAMYLOLL TAGORE.

Mr. Clarke moved that judgment might be entered upon a cognovit given by the defendant to the plaintiff. The defendant died in May last, and application was made within a few days after that event to a judge in chambers to enter up the judgment as of the preceding term, and liberty was then reserved to make the applica-

tion, without prejudice, in the present term. According to the old rules, if a party had died in vacation, the judgment might have been entered up as of the term preceding, and, although by the new rules all judgments are to be entered of record of the day and year, whether in term or vacation, when signed, yet a discretion was reserved to the court to allow a judgment to be entered up *nunc pro tunc*. In the recent case in the court of exchequer at home *Mann v. Lord Ardley*, 5, Dowling's Reports, 595, the application was refused, merely because it could not have been granted under the old rules: the defendant had died in Hilary Term, and the motion was not made until the Easter Term following.

Sir Edward Ryan said, that it was an important point, and the court would take time for consideration.

JOSEPH versus PRINSEP AND OTHERS, EXECUTORS.

The *Advocate-General* moved, that certain words of course, accidentally omitted in a clerical order made in this cause in July 1837, might be inserted by amendment. The other parties had given their consent. The order was interlocutory only, and it was the custom for the registrar only, and not the judge, to sign interlocutory orders. The clause omitted was the usual direction to take an account of the debts due to the testator. In *Wallis v. Thomas*, 7 Ves. Jun. a similar application was granted; at least the master was authorized to take the accounts without any alteration in the decree itself.

Sir E. Ryan said, that the alteration would be a material alteration in the decree, yet as all parties had consented, it might be made. His lordship added, this could not form a precedent for future cases.

IN THE MATTER OF W. CURRIE, DECEASED.

The *Advocate-General* moved, that the usual citations should issue in the goods of this party. Mr. Currie left debts and effects in this country and also in England; and by his will appointed his son and another party executors, who had proved the will in the proper ecclesiastical court at Canterbury. But it had been decided that such probate would not extend to India, and it now became necessary to take out administration with the will annexed in this country. A power was given by the executors, to Messrs. Colvin and Co. to institute actions, and otherwise to act; and the question was whether this power extended to enable them to take out administration and act as executors here.

Sir E. Ryan was of opinion, that the power was insufficient.

Motion refused.

SREEMUTTY SREEMOONDREY DOSSFE versus SREEMUTTY COMULMONEY DOSSLE.

This was the issue out of chancery tried last sittings, to inquire into the validity of a certain clause in the will of a wealthy Hindoo Kissenchunder Seal. It may be recollected that the cause occupied four entire days in the hearing, and that a verdict was found for the defendant, negating the clause.

Mr. Clarke now moved for a new trial. He felt himself placed in a very difficult position in applying for new trial upon evidence on which their lordships had once already expressed an opinion; but the case appeared to him so full of doubt and uncertainty, that he was inclined to hope the court might see some ground for a re-hearing. He should now state the chief points upon which he founded his present application.

Sir E. Ryan. Have you any new statements to bring to the notice of the court? If not, your position is one of insuperable difficulty. The court cannot well come to a different conclusion at this stage of the proceedings,

from the verdict which was pronounced when the evidence was fresh in their minds. I feel bound to say that it then appeared to myself and Mr. Justice Grant, that you had argued the most ably and ingeniously, and indeed urged everything that could possibly be advanced; yet we felt that the probability was, if anything, slightly the other way, and that the plaintiff had not succeeded in making out her case.

Mr. Clarke said, that there were one or two points which he had not then dwelt upon strongly enough; chiefly the circumstance that the defendant had instituted equity proceedings immediately after the death of her husband, when if the will she set up had really been in existence, such proceedings would have been quite superfluous. His grounds for the present motion were,

1.—That the plaintiff's case was supported throughout by probabilities.

2.—That the plaintiff's case was consistent with that which she had previously set up in equity, and that the defendant's was the reverse.

3.—That the plaintiff's witnesses were consistent with themselves and with each other, whereas the testimony adduced by the defendant was highly contradictory and inconsistent.

4.—That all plaintiff's witnesses were perfectly uninterested in the result, while most of the defendant's had some interest.

5.—That the witnesses for the plaintiff were far superior in character and station of life, and therefore more worthy of credit.

Sir E. Ryan said, that he retained his former opinion. He did not say that the defendant's story was the most probable, or that her witnesses were more worthy of belief; but the *onus* of proof rested upon the plaintiff, and the court could not come to the conclusion that the plaintiff had succeeded in clearly establishing it.

Sir J. Grant fully concurred.

Rule refused.

Mr. Clarke and Mr. Nott for plaintiff.

The *Advocate-General*, Mr. Leith, and Mr. Morton, for defendant.—*Hurkaru*, June 19.

THURSDAY, JUNE, 21, 1838.

THIRD TERM.

(Before Sir E. Ryan and Sir John P. Grant.)

HURRYLOLL TAGORE versus SHANYLOLL TAGORE.

Sir Edward Ryan said, that Mr. Clarke had applied to the court in this case, for liberty to enter up judgment, on a warrant of attorney given by the defendant, empowering the plaintiff to enter up judgment on a cognovit. (See the *Hurkaru* of Tuesday.) The cognovit had been prepared, but the defendant died before judgment was entered up, and the application was made a few days afterwards to a judge in chambers, and by his direction referred to the court. Now according to the old rules, all judgments had reference to the first day of the preceding term, but by the new rules every judgment had effect from the day when signed. It was true, that the court had still a discretionary power of allowing judgments to be entered *nunc pro tunc*. But it was the opinion of their lordships, that since the new rule, it was necessary for the party to be actually living, at the time when the judgment was signed. Such opinion had been expressed in the last edition of Archbold's practice, and also

by Mr. Baron Parke in *Mann versus Audley*, 5 Dowl. Pract. Reports. Under these circumstances, the court could not grant the application.

Motion refused.

ADMIRALTY SIDE.

IN THE MATTER OF THE SHIP "CALCUTTA."

This was a claim of salvage. An application had been made to direct the sheriff, to cite Charles Howe Cockerell and others, owners and consignees of the bark "Calcutta," to shew cause why salvages should not be allowed to Captain Charles Henry West and the officers of the steam-ship *Enterprise*, for the rescue of the said bark from the perils of the sea.

It appeared from the affidavits, which were put in and read in this cause on the part of the salvors, that in the month of October last, the steamer *Enterprise*, employed on Government service in the river Hooghly, observed a vessel off Satgor point, in apparent distress, and making a signal that no pilot was on board. This vessel, which was the bark *Calcutta*, burden 440 tons, P. H. Bentley, commander, was at that time drifting rapidly towards a dangerous shoal, with a heavy gale blowing, threatening squalls, and a strong flood-tide. She appeared to be dismasted. The *Enterprise* immediately left the duty on which she was engaged, and proceeded to the assistance of the *Calcutta*. After considerable exertions, and with no small difficulty and risk, the steamer succeeded in making fast a hawser, and in getting the bark clear of the sands, and then towed her to Kedgerie, where she anchored. The whole of the ensuing night was tempestuous, and the steamer remained near the rescued vessel, for her protection, until day-light the next morning, when she towed her up the river to her moorings at Diamond Harbour. The affidavits on behalf of the claimants stated, positively, that, from the dangerous position of the *Calcutta*, and the strong wind and tide, she must have been infallibly wrecked, but for the timely aid afforded by the steamer. One of the affidavits was that of Longueville Clarke, Esq. who was on board of the *Irrawaddy* steamer, Captain Warden, commander, and witnessed the danger of the *Calcutta*, and the exertion of the *Enterprise*. The vessel and cargo were valued at more than a lac of rupees.

The counter-affidavits (among others) of Captain Bentley, the commander, and of Mr. Middleton, the first officer, set forth, that no signal of distress was made by the *Calcutta*, that she was in no danger whatever, and that the only signal was the union-jack, which had been flying all day for a pilot. They added, that, observing the *Enterprise* and *Irrawaddy* in sight, they had supposed that those steamers were disengaged, and they wished, therefore, to obtain their services. These gentlemen positively swore, that to the best of their judgment and belief, "the steamer rendered no material service, and that the *Calcutta* could have easily reached Diamond Harbour in safety, without aid. The *Calcutta* was a strong new vessel, totally uninjured; she was not dismasted, but had struck her upper spars, and double-reefed her top-sails.

The *Advocate General* and *Mr. Leith*, addressed the court on behalf of the defence. The learned counsel contended, that there was no ground for this claim, upon the other party's own showing. No danger was incurred by the steamer, and nothing was performed except what was within the scope of her usual duty and occupation. The steamer, therefore, was merely entitled to the ordinary rate of remuneration for her services, (which had already been received) and to no extraordinary reward in the shape of salvage. Cases had been decided in which it was held, that the claim could not be sustained for the performance of a mere

duty. In the instances of the *Governor Raffles*, and the *Francis and Eliza*, 2, Dodson's Adm. Rep. the crew of a vessel were held not entitled to salvage from the owners, for rescuing their own vessel from mutineers and pirates. And in the *Joseph Harvey*, 1, Robertson's Reports, it was laid down that mere pilotage duty, even under hazardous circumstances, must be distinguished from salvage services, and is entitled only to the common remuneration.

Mr. Prinsep, for the plaintiffs, urged, first, that quite sufficient appeared upon the affidavits to shew the extreme danger in which the vessel was placed. It was sworn positively by persons competent to judge, that the vessel was placed in so precarious a position, that she must have been speedily wrecked without aid. This inference was very natural too, considering the circumstances of wind and tide, and it was absurd to suppose, that the vessel could have got off, and arrived at her moorings in safety, if left entirely to her own devices. Authorities were not wanting to shew, that no great exertion was essential to be proved on the part of the salvors, and no vast risk necessary to be incurred, in order to entitle the salvors to their claim. In the case of the *Maria Edward's Adm. Reports*, 175, the vessel had been totally abandoned and first taken possession of by two fishing-boats; yet, although these vessels were proved to be fully competent to the task of carrying the vessel safely to shore, a King's ship interfered for the purpose of giving assistance, and was held entitled jointly with the original salvors. Secondly, it had been urged on the other side, that the steamer had done no more than her duty, whereas to entitle a party to the claim, such party (it was alleged) must be a mere volunteer. Now the cases cited, relating to the saving of a ship by her own crew, were utterly inapplicable, because the crew had done nothing more than they had actually contracted to do, and could not, therefore, claim any reward: and the distinction between pilotage and salvage might be safely admitted, without affecting the present claim. If the commander of the steamer had been a regular pilot, and had performed nothing more than a pilot's duty, he certainly could not have demanded any additional remuneration; but the case was not so. It was true, that to a certain extent, it is the general duty of commander of a steamer to interfere, because general instructions to that effect have been promulgated under the sanction of Government. But to a certain extent too, it is the duty of every ship to assist another in distress, as it is the duty of every good Christian to lend a helping hand to his neighbour. The case of her Majesty's vessels being allowed salvage for saving other ships from damage or destruction, was precisely in point. It was the bounden duty of a King's ship to aid and protect a merchant vessel under British colours—in the instance, for example, of such vessel being attacked by a hostile ship of war,—yet the King's ship might institute a claim for salvage. In the matter of the *Marianna*, Haggard's Adm. Reports, 158, where the vessel was saved by the King's sloop *Arrow*, Lord Stowell said, that the sloop was entitled to salvage, although there was an obligation upon her Majesty's vessels to aid the merchant ships of this country.

Sir Edward Ryan said, that the court wished to look further into the affidavits, and that they should postpone judgment until a future day.

Cur. adv. vult.

This case occupied the court until between 3 and 4 o'clock; and the demurrer in *Macnaghten v. Tandy* was postponed on that account until the next equity day, (Monday.)

Two cases stand for trial to-morrow, (this-day) on the Common Law Board.—*Hurkaru*, June 22.

FRIDAY, JUNE 22, 1838.

THIRD TERM.

(Before Sir E. Ryan and Sir John P. Grant.)

CROWN SIDE.

THE QUEEN versus MOSAHUB ALLY AND FAY ALLY.

These two prisoners, who were convicted of theft at the 3d sessions of 1836, and whose case was transmitted home by the judges, for the merciful consideration of the crown, were this morning, placed at the bar. The clerk of the crown read aloud her Majesty's free pardon, signed with the royal sign manual, and countersigned by the secretary of state. The pardon was interpreted to them by the sworn interpreter of the court, and the prisoners were ordered to be discharged from custody.

Prisoners discharged.

PLEA SIDE.

JAMES YOUNG versus MUDDOOSODEN SITT.

This was the first cause on the common Law Board, and stood for this day.

The *Advocate General* had been instructed to apply to the court for liberty to postpone the trial, as *Mr. Clarke* (to whom the learned *Advocate* was opposed) was the only counsel on the opposite side, and had met with an accident in spraining his ankle, which unavoidably confined him to the house.

Sir E. Ryan said, that if the opposite counsel consented, the case might stand over.

*Stand over.***IN THE MATTER OF JUDGE, GENTLEMAN.**

The *Advocate General* moved the court, that leave of absence for three years might be granted to *Mr. Joseph Spencer Judge*, an attorney of this court, for the benefit of his health.

*Leave granted.***PROSOONOCOMAR TAGORE versus WOOMESCHUNDER PAUL CHOWDRY.**

This was an action upon a bond, and was heard *ex parte*.

The plaintiff and defendant were sureties in a bond given to the receiver (*E. Macnaughten, Esq.*) for securing the payment on the part of their principal, of certain money payable by instalments. — After the payment of a certain portion, default was made by the principal, and two instalments falling in arrear, the receiver, having applied without success to the principal debtor, instituted proceedings against the present plaintiff, as surety. The plaintiff paid the amount due, Co.'s Rs. 10,500, and now sued his co-surety upon a separate bond, which he had taken from him for his own indemnity.

The plaintiff was very nearly nonsuit d, from inability to give legal proof of the default in payment on the part of the principal debtor; but he was allowed to recover on giving evidence of the demand made upon the principal, and of the proceedings at law instituted against himself at the suit of the receiver, and under which he had paid up the arrears which had accrued due.

The *Advocate General* and *Mr. Prinsep* appeared for the plaintiff.

Verdict for Company's Rupees 10,500.

EQUITY SIDE.

MUDDOOSODDUN SANDELL versus RAJSMONEY DOSSEF.

This cause stood for hearing on the pleadings, the bill having been filed for an account.

Mr. Prinsep (with whom was *Mr. Cochrane*) for the complainants, stated, that the parties had agreed that a decree should be taken by consent. The learned counsel proceeded to specify the terms.

Mr. Osborne rose and said, that in the consultation at which he was present, the terms consented to were not the same as those now stated on the other side, and in the absence of his leader, *Mr. Clarke*, he did not feel himself justified in consenting to any alteration.

Mr. Prinsep said, that if *Mr. Clarke* had been present, he would not object to the terms now stated.

Sir Edward Ryan observed, that this was a curious position to place their lordships in. The court were first informed, that a decree would be taken by consent, and then, as soon as the matter was opened, it appeared that there was a dispute between counsel, respecting the precise terms. The regular course was, whenever the parties were willing, that a decree should be had by consent, to draw up the decree before coming into court, and then for the senior counsel on each side to sign it. If counsel could not agree, the cause must be gone into, and the court would decide.

It was at last settled, that a decree should be taken on the pleadings, and that a reference should be directed to the master to take an account of all matters in the pleadings mentioned.

MUTTYLOLL SEAL versus MUDDENMOHUN NUNDUN AND OTHERS.

This was a bill for a foreclosure, stating the loan to a deceased party, (represented by the defendants,) and that the same was secured by bond with warrant of attorney, and a mortgage of certain premises.

Mr. Prinsep and *Mr. Leith* appeared for the mortgagee.

Mr. Osborne appeared for three infant defendants, the cause was heard *ex-parte* against the adult defendants.

Sir E. Ryan. Let there be the usual decree of foreclosure.

MUDDENMOHUN MITTER versus JUGGERNAUTH PERSAUD MULLICK.

In this case the bill was filed for a foreclosure upon two mortgages. The cause was heard *ex-parte*, and the usual decree made.

The *Advocate General* and *Mr. Leith* for the mortgagee.

Decree of foreclosure.—Harkaru, June 23.

MONDAY, JUNE 25, 1838.

THIRD TERM.

(Before Sir E. Ryan and Sir John P. Grant.)

SREEMUTTY NIBRUNMONEY DABEY v. SHAMLULL TAGORE.

Mr. Clarke moved that the master's report might be confirmed. The former master had made his report in the cause, to which exceptions had been taken and in

part allowed. The report had been referred back, and the present master (the vacancy having occurred in the interim) had made his report upon only the matters excepted to. At the present time, therefore, there were two separate reports, forming one entire and complete report in the cause, and the object of the present application was to consolidate and confirm the same. The learned counsel argued, that it would involve both the master and the parties in great hardship and difficulty, if the whole of the matters brought before a former master were obliged to be gone into a second time before the new master, and the whole report drawn up afresh, while, perhaps, the portion requiring reconsideration and amendment, might bear a very minute proportion to the entire report. Moreover, there was another obvious objection, inasmuch as the master would make the whole report his own, by embodying the former report in his fresh report upon the matters excepted to, whereas the special direction and authority given by the court, would extend only to the latter.

Sir E. Ryan said, that this was an application to add together two separate reports by two different masters, and transmit them into one. Such an application was without precedent in this court, and could not be granted.

Refused.

MANUK AND OTHERS versus SARKIES OWEN AND OTHERS.

The *Advocate General* (with whom was *Mr. Clarke*) moved upon affidavits, that the present trustees of the marriage-settlement might be removed, on the ground of insolvency, and others substituted in their stead.

Mr. Prinsep, for the trustees, did not object, on the part of his clients, to their discharge, and to the substitution of new trustees. His clients, indeed, were anxious to be relieved from their trusts, and secured from all future liability. Yet he conceived it necessary to submit to the court, whether the present proceeding was strictly regular, and whether trustees appointed under a solemn deed, could be removed by a mere petition to the court. He submitted that the parties might change the trustees of their own act, and discharge the present trustees from their liability, a regular deed of release.

The *Advocate General*, in reply, observed, that he could not understand the course adopted by his learned friend, and he was not aware that there was any middle course between opposing a motion and not opposing it. The parties could not effect the change required without the aid of the court, first because one was under age, and secondly because another had refused to give his consent.

The Court said, that it appeared that no opposition to the change was wished to be made on the part of the present trustees, and they unquestionably possessed the right of coming in and opposing the application in its present form, until they were themselves duly discharged from all liability. There must be a reference to the master.

— versus —

Mr. Clarke applied for a sale by the sheriff, of the goods of the defendant, seized under a writ of sequestration for want of an appearance. The affidavits stated, that the goods seized were perishable commodities, and that damage and loss would inevitably ensue, if the sale were delayed.

Sir E. Ryan. Why, it appears that the property in question consists of GRAM, and I am not aware that gram can be called a perishable commodity. I have heard of cases, indeed, where a sale of cattle has been permitted, on the ground of the expense incurred in the keep: in vulgar language, they "eat their own heads off."

Mr. Clarke suggested, that at the commencement of the rains, gram was likely to be damaged by being long kept, and in support of this position, he referred to a report of the agricultural society, who (the learned counsel observed) must be deemed a better authority upon such a point, than even their lordships! Besides, the price of gram was likely to fall in a short time, and this property, therefore, would be sold at a depreciated price.

Sir E. Ryan said, that even if this were the case, it did not bear out the statement that gram was a perishable commodity. The actual sale of the property would be a measure of some severity, and the court saw no reason for hastening it. No judgment had yet passed against the party:—he was only in contempt for non-appearance. The ground of the affidavit be must amended.

Refused.

NIBBUNMOONEY DABEY versus SHAMLOLL TAGORE AND OTHERS.

Mr. Leith rose and said, that he had to shew cause in this case.

The *Advocate General* observed, that he had not expected to be called upon, as the motion was his own, and it was in his discretion to press it or not.

Sir E. Ryan said, that the course was certainly not strictly regular. It was for the party who had obtained the rule, to apply to make it absolute if they chose. The other side need not interfere, because, unless a motion is made to make the rule absolute, of course it falls to the ground.

The *Advocate General*, however, said, that he was perfectly ready, and he proceeded accordingly to support his rule. The nature of the application was this. A creditor Juggomohun Mookerjee, had applied, at a late stage, for leave to come in and prove his claim before the master, and the court had allowed this upon a special order, directing that all costs incurred by the proceedings before the master, should be paid by the creditor. The question was, whether the costs of certain objections to the items of a bill before the taxing-officer, were to be considered as included in the terms of the order. The learned counsel contended, that these costs did not arise from the delay of his client, that they would have been equally incurred if he had come in six months earlier, and that they did not fall, therefore, within the purview of their lordships' order.

Mr. Leith shewed cause, contending that the costs of the objections were clearly, to all intents and purposes, costs occasioned by the application of the creditor, and fell within the express words of the order.

Sir Edward Ryan said, that the court had given leave to this creditor, with considerable reluctance, and that the order then made was, that all the costs incurred, should be borne by the applicant, as they considered that he had placed himself in the most unfavourable position in this respect. It was the intention of the court, and the order so expressed it, that the party who had already suffered from the creditor's wilful delay, should not be put to any expense at all in the matter. The order extended, not merely to costs caused incidentally by the delay which had occurred, but to all costs whatever which the application should occasion.

Rule discharged.

BONNERJEE versus BONNERJEE.

Upon the application of the *Advocate General*, the court said, that judgment would be given in this case (upon exceptions to the master's report) in the course of a day or two.

The motions occupied the court to-day until so late an hour, that the two demurrers standing for hearing on the plea and equity side, were postponed. Their lordships intimated, that in the event of the causes, which stand for to-morrow and the next day, being terminated at an early hour, the demurrers would be taken upon one of those days.—*Hurkaru*, June 26.

TUESDAY, JUNE 26, 1838.

THIRD TERM.

(Before Sir E. Ryan and Sir J. P. Grant.)

RANDIONE GHOSE *versus* RAMANUND GHOSE.

The case was called upon, but stood over, being tied up by a rule nisi for its postponement until next term, on the ground of the absence of two material witnesses.

JAMES YOUNG *versus* MOODSOODDUN SULT.

Mr. *Prinsep* opened the pleadings.

The *Advocate General* stated the case for the plaintiff. The action was brought to recover the balance of principal and interest due upon promissory note for Sa. Rs. 15,000, of which the defendant was the maker, and which had been indorsed over to the plaintiff as secretary to the Union Bank. The defendant and his brother were partners, and had established a cootic or banking-house, which transacted the business with the Union Bank. This promissory note had been given to secure a loan, and the defendant upon two different occasions, had paid up a sum, amounting to between two and three thousand rupees, upon account of the note. The defendant's brother was in the habit of signing for himself and his partner, and had signed his brother's name in his presence upon the present occasion. The learned counsel submitted that proof of the payment on account of the note would preclude the defendant from denying his own liability, and the authority of his brother to indorse.

Evidence was then tendered in support of the above facts.

Mr. *Clarke* for the defence submitted, that there was not sufficient proof of authority, or that the instrument was duly explained and recognised by the present defendant; and further, that, as it had appeared from the plaintiff's own case that several dealings had taken place between these parties and the Union Bank, there was nothing to shew satisfactorily to what account the alleged sums had been paid. He therefore prayed a nonsuit.

Sir E. *Ryan*. There is quite sufficient *prima facie* evidence to shew that the sums were paid on account of this promissory note. If you go for a nonsuit, that evidence must be assumed true for that purpose;—it is otherwise, if you submit the case to us as jurors, and claim a verdict for your client.

Mr. *Clarke* then called a witness to prove that the cootic was the sole property of the brother, and that the defendant had no interest in it whatever. This witness was examined and cross-examined at great length, and the plaintiff produced testimony in contradiction of the material parts of his evidence.

The Court was of opinion that the plaintiff had succeeded in proving the authority, and was entitled to a verdict for the whole balance claimed.

Verdict for the plaintiff.

WOODDYCHUM DOSS *versus* BRINDABUN.

Mr. *Marnell* opened the pleadings.

The *Advocate General* stated, that this was action upon an account stated between the parties. Judgment had been allowed to pass by default for want of appear-

ance, and the plaintiff now proceeded to assess damages. Both of the parties carried on business in Calcutta, and there had been several extensive mutual dealings. Upon the settlement of accounts between them, some time since, a large sum was found due, and acknowledged to be due to the plaintiff; to recover which with interest from that date, the present action was brought.

The Court were of opinion, when the evidence had been gone through, that the plaintiff was only entitled to recover the sum acknowledged to be due upon the settlement of accounts, and that there was no evidence before their lordships to support his claim for interest.

Verdict for the plaintiff.

Mr. *Clarke* moved, in the cases, in which a motion was made yesterday to confirm the two separate master's reports; that the said reports might be taken off the file, and referred to the master to be consolidated, when the consolidated report might be afterwards moved to be brought up and confirmed.

Sir *Edward Ryan* said, that the court would direct that both the reports should be taken off the file, but that when they were referred to the master, that officer must deal with them according to his own discretion, without any special order from the court.

versus THACKERAY.

Mr. *Leith* moved, that judgment might be entered up in this case as for want of a plea. The plaint was framed upon a bill of exchange, and the plea was the general issue, which, since the new rules, is a nullity.

Motion granted.

The demurrers were again postponed. Sir *John Grant* said, that in the demurrer on the plea side he had only just received the paper-books. Sir *Edward Ryan* intimated an opinion to the counsel for the defence, that most of the authorities relied upon by them, had been expressly overruled by more recent decision.—*Hurkaru*, June 27.

WEDNESDAY, JUNE 27, 1838.

THIRD TERM.

(Before Sir E. Ryan and Sir J. P. Grant.)

RUSSICKCHUNDER NEGICHY *versus* SUREMUTTY HUNNEE-MONEY DOSSFE.

The *Advocate General* (with whom was Mr. *Prinsep*), for the plaintiff, stated, that this was an issue from the equity side of the court, directed for the purpose of trying the question whether the complainant in the equity suit (the defendant at law) had accepted and acknowledged a certain Bengallee security in the nature of a bill of exchange for the sum of Sa. Rs. 2,900. The defence set up was that the defendant had never signed her name to any such paper and that the whole was a forgery; but the plaintiff would call the subscribing witnesses, and show when and how the whole happened. The brothers of the defendant (who is a lady of property) by name Cossinauth Dutt and Bisinnauth Dutt, had been indebted in large sums to the plaintiff; some of these debts were liquidated by the sale of certain property mortgaged by them to the plaintiff. The present defendant had paid several large sums at different times and given securities, on account of her brother's debts, and among others had signed the present acceptance to cover the balance found due to the plaintiff from Cossinauth Dutt, on a settlement of accounts between those parties.

Several witnesses were called on behalf of the plaintiff, and examined and cross-examined at great length. Among others, the alleged subscribing witnesses to the instrument were called to prove its validity; the defendant's counsel endeavoured to shew that their names had been subsequently added.

Sir Edward Ryan observed, as soon as the case for the plaintiff had closed, that the court would not call upon the other side for their defence, as they were of opinion, that the plaintiff had failed in proving the genuineness of the acceptance.

Mr. Clarke and Mr. Leith appeared for the defence. Verdict for the defendant.

This case occupied the court the whole day.

The case in yesterday's report, entitled "*_____ v. Thackeray*," ought to have stood "*Hulodhar Ghose v. Thackeray*." Our reporter accidentally failed to catch the plaintiff's name.—*Hurkaru*, June 23.

THURSDAY, JUNE 28, 1838.

THIRD TERM.

(Before Sir Edward Ryan and Sir J. P. Grant.)

SCHNEIDER *versus* MORGAN.

This was an action upon the common counts for goods sold with which particulars of demand had been filed, stating that the plaintiff claimed the value of a buggy sold to the defendant. The plea was special, and stated that the chattel sold did not correspond with the representation of the seller. To this the plaintiff demurred upon the ground that the plea was bad for duplicity, and, moreover, amounted to the general issue.

Mr. Clarke stated to the court, that after the intimations thrown out by their lordships, questioning the validity of the plea, the defendant would, with the permission of the court, withdraw his plea, instead of risking an argument upon the demurrer. Upon the question of costs, he submitted, that some allowances might reasonably be allowed, on the score of the doubt and uncertainty in which the point had appeared to be involved, and that the amendment, therefore, might be allowed without costs, the costs to abide the event of the cause.

Sir Edward Ryan said, that the court would permit the plea to be withdrawn and amended, but that there was no ground for refusing costs to the plaintiff. The cases relied upon by the defendant, had been clearly and expressly overruled.

Leave to amend on payment of costs.

JOHN REVELEY *v.* BENJAMIN HARDING AND OTHERS.

The Advocate General, shewed cause against the rule nisi obtained by the plaintiff in this case for entering up judgment as in the case of a nonsuit. The action was brought against an insurance office for Co.'s Rs. 12,600. This plaintiff was resident at Penang, from which place the ship sailed, and where she had been insured. The vessel was wrecked at Cochin, and the owners now claimed for a total loss. A Mr. Philip and Mr. Morton had been material witnesses to prove the plaintiff's case;—the former had sailed from Calcutta, and the latter was dead. There were other persons at Penang, capable of giving important evidence, and it would be necessary to apply for a commission for their

examination. Under these circumstances the learned counsel submitted, that no unnecessary delay had been shewn.

Mr. Leith in support of the rule, contended that the plaintiff had been guilty of laches and unwarranted delay. The original action was commenced more than a year ago, and discontinued;—issue had been joined in the present action last January, and nothing had been done since. The defence was that the ship had been run on shore by fraud and design; and although underwriters were generally unwilling to take defence in actions upon policies, yet in this case they conceived it to be their duty to defend, as they were confident of the truth of their case, and the fraud of the claimants.

Sir E. Ryan said, that if the underwriters were so confident of their case, it would be more satisfactory to give the other side a full opportunity of procuring all the necessary evidence. The court however, would not compel a commission to examine witnesses, unless the defendants consented.

Mr. Leith consented to a commission.

Rule discharged—costs to abide the event.

RAMDHONE GHOSH *versus* RAMANUND GHOSH.

Mr. Clarke shewed cause against the rule nisi for the postponement of this trial, obtained on the ground of the absence of two material witnesses. There was no affidavit on the part either of the defendant himself or his attorney, nor was there any sufficient ground shewn for the continued absence of these witnesses. The learned counsel put in counter-affidavit of his client and attorney, and it appeared that these witnesses were at Dacca, which was stated to be only 200 miles from Calcutta, and readily accessible by dawk communication.

Mr. Leith supported his rule.

Sir Edward Ryan said, that the rule must be discharged, and with costs. There was no other affidavit but that of the gomastah, and the court observed, that frequent attempts had been made lately to postpone trials upon such vague grounds. Their lordships would require a much more certain and substantial foundation for such applications. A suspicion naturally arose that the application was made merely for the purpose of delay.

Rule discharged with costs.

MACNAGHTEN *versus* TANDY.

This case being called on, the counsel for the defendants were about to support their demurrer, when the court observed, that they wished to hear the complainant's counsel first in support of the bill.

The Advocate General stated, that the defendant was the editor and publisher of a newspaper called the *Agra Ukhbar*, and that the present bill had been filed against him for a discovery of the names of the proprietors of the said paper, in aid of an action at law about to be brought against them for certain libels contained in that newspaper. There were several grounds stated in the demurrer, but the chief grounds were that the bill sought a discovery which would subject the defendant to pains and penalties, contrary to the principles recognized by courts of equity, and, moreover, that the defendant himself might be examined as a witness at law in an action of libel against the proprietors, and that he was not subject, therefore, to a bill of discovery.

Sir J. Grant suggested, that the learned counsel might confine himself to the former point, as it appeared *prima facie* to make strongly against him.

The *Advocate General* submitted, that there was no ground for the objection. It was only stated, that an action was about to be brought against the proprietors, and the defendant was not necessarily included in this. There was nothing whatever to shew that the answer to this bill would attach criminality to the defendant. Besides, there was no possible object to be gained by calling upon him to acknowledge himself responsible a proprietor, because he was already amenable as the avowed editor. But, even admitting for argument's sake, that part of the discovery sought in the bill extended against the defendant himself, and afforded a ground for the objection that he was not compellable to criminate himself by his answer, this did not apply to the whole bill, and there were abundant authorities to shew that a defendant might demur or plead, to part of a bill and answer to the remainder. The present demurrer, therefore, was at all events too large.

Sir Edward Ryan. There certainly is some distinction, by the manner in which *Mr. Advocate General* has ingeniously shaped his case. The court now wish to hear the opposite side upon the other main point taken in the demurrer.

Mr. Prinsep, in support of the demurrer, contended that their opponents were placed in this palpable dilemma:—they mean to argue that this defendant was an interested party, and as such liable to the bill of discovery, then the first objection would arise, that he was called upon to make a discovery which would criminate himself as proprietor, and if on the other hand it was contended that he was not interested, and was in this respect a mere third party, an equally insurmountable objection arose in the principle that a party capable of being made a witness at law could not become a party to a bill of discovery. Now, it was stated in the bill that *C. G. Mansell* (and others were proprietors of this paper:—then, why was not an action brought against *Mr. Mansell* and *Mr. Faudy* subpoenaed as a witness to prove the proprietorship? No authority could be shewn for making a witness defendant in an equity suit for the mere purpose of obtaining his evidence; and, indeed, if such a principle were once acknowledged, it would lead to endless abuses. Every one was liable to be subpoenaed as a witness; but was every one therefore compellable to answer a bill of discovery? Besides there were no grounds alleged how or why this party possessed any knowledge upon the subject, or enjoyed peculiar opportunities of procuring information. It was true, that he was editor of the paper in question, and as such employed in the office, but this was no guarantee that he was acquainted with the names of the proprietors themselves. The bill might just as well have been filed against the *Printer's devil*, who of course was also employed in the office. The whole proceedings was a mere experiment; the bill was (as it were) shot into a mob, and the complainant might go on in the same manner from party to party, until he succeeded in hitting upon some one capable of giving him the desired information. But, farther, the learned *Advocate General* had considered the former objection upon two narrow grounds. There were authorities to show that no bill of discovery would lie in aid of any criminal proceedings, whether the defendant himself was implicated or not, and that it was very questionable whether it could be supported for any tort whatsoever. These positions were laid down by *Lord Langford*, the master of rolls, in a recent case reported in *1 Keen's reports*, *Glynn v. Houston*, where the bill was in aid of an action for false imprisonment against the Governor of Gibraltar. So in *Causton Douglas*, 16 Vesey Junior, it was laid down, that it was material whether the criminal matter affected the defendant or other parties, and that no one was bound to answer matters tending to implicate another in a criminal charge.

Mr. Leith followed on the same side, and urged the points dwelt upon by his leader, contending that this demurrer was founded upon two well-established principles of equity, viz. that no party was bound by his answer to criminate himself or any other person, and that a witness could not be made a party to a bill of discovery. The learned counsel further proceeded to argue, that it was necessary for a party to come into a court of equity (as usually expressed) "with clean hands:" whereas it here appeared upon the face of the bill, that the complainant himself had given ample provocation, and had in fact commenced hostilities by publishing gross libels against this very defendant.

Sir E. Ryan. That appears upon the face of the bill no further than this,—that you have accused him of it in your own libel!

Mr. Leith then urged another point, viz. that the party was bound to deny solemnly all the charges against him contained in the libel of which he complained: otherwise it would not appear but that a plea of justification might be put upon the record in the action at law; and proved;—in which case no bill of discovery could aid him a jot. Now the charges contained in the alleged libel were not denied by the complainant, and the charges, therefore, must be assumed as true.

Sir Edward Ryan. That position would be good, where the party libelled sought for a criminal information against the libeller, but the principle is quite inapplicable to the present case. The complainant is not prejudiced by omitting to traverse the truth of the charges.

The Court then directed the attention of the complainant's counsel to the dilemma in which they appeared to be placed.

The *Advocate General* said, that there was not only the authority of legal decisions in support of their side, but the express declaration of an Act of Parliament. By the 38 Geo. III. c. 78. s. 28, it was expressly enacted, that in all cases where bills were filed for the purpose of discovering the names of the proprietors or publishers of any journal, or ascertaining other necessary matters in aid of an action at law for libel, it should not be competent for the defendant to plead or demur, but that he should be compelled to answer the matters required. Now he did not mean to say that this act expressly extended in India, but it amounted to a clear admission, by inference, that bills of discovery had been formerly entertained, and were not wholly unusual in such cases.

Sir E. Ryan. It seems to me merely to narrow a right in the part of the defendant, which formerly existed!

Mr. Clarke followed on the same side. The learned counsel took a new ground of argument with reference to the above cited Act of Parliament, and contended that although the act itself did not extend to India, this court, sitting as a court of equity, would recognize the principle there laid down, because by the express provisions of the charter, it was empowered to decide according to equity and good conscience, and the practice was directed to be regulated according to the rules which were acknowledged, and acted upon at home. Now, it was clear that such a bill as the present would be entertained by the court of chancery at home, because it would not be competent for the defendant to plead or demur, and the demurrer must therefore be overruled. The same principle ought to be acted upon here.

Sir J. Grant. I understand this act to mean that the defendant, when interested, shall not shelter himself from a discovery upon the mere ground that such discovery may subject him to penal consequences.

Mr. Clarke. The act contains no such restriction, my Lord. It provides generally that the defendant

FRIDAY, JUNE 29, 1838.

shall be compelled to answer, and he has no right to demur upon one ground more than upon another; whether it be his liability to penalties, or his competency as a witness at law. The object of this enactment is plain. It was, doubtless, occasioned by those disgraceful tricks to which the proprietors of journals (as in the notorious case of the *John Bull*) had recourse, in putting forward men of straw to become the scape goats for the most atrocious libels. There were exceptions to the rules that no bill of discovery would lie for torts, or against parties competent to be called as witnesses. In the first place, there were cases (reported in Vernon), where it was expressly laid down that a court of equity would entertain a bill in aid of an action in the form *ex delicto*, as well as for actions *ex contractu*. As to the other point there was one instance where witness was compelled to answer to a bill of discovery in a matter relating to canal-tolls, and another where a factor was compelled to answer, although a real principal was concerned. Now it might be said, perhaps, that these cases arose *ex necessitate rei*, and were mere exceptions to the general rule, inasmuch as the witnesses, made defendants, were the only ostensible parties. But the present case was fully as much an exception, and presented peculiar features which justified a modification of the general rule.

Sir Edward Ryan. I retain my former opinion, and I have no doubt whatever that such a bill as the present cannot be sustained. This is a bare question of law, and unconnected with any dispute which may exist between Mr. Macnaghten and Mr. Tandy. We are told that an action of libel is pending, but of this we can take no notice.

If the party answers this bill as it stands, he must, infallibly criminate himself. It has been ingeniously suggested, that the part relating to the defendant might be omitted; but this is impracticable. It is impossible for the defendant to answer the bill at all, without stating that he is connected with the paper, or otherwise interested so as to make him incompetent as a witness.

Again, no authority is shown and I believe none exists, which contravenes the general principle, that such a proceeding is untenable in the case of a mere personal tort, whether the defendant be implicated or not.

The exceptions to the rule that a witness cannot be made a party to a bill of discovery, are founded upon peculiar circumstances, which have no sort of existence in this case. They are exceptions which only confirm the general rule.

As to the 38 Geo. III. c. 73, I must confess myself utterly unable to perceive the grounds of the learned *Advocate General's* inference. It appears to me to imply, not that such bills were formerly entertained but that such demurrers were formerly allowed. The other argument founded upon that act is inapplicable. If this were a mere matter of practice and procedure, it might be otherwise, but it is a question of general right. Besides it seems quite clear that even in England this could not extend to the case of witnesses made defendants, because even if an answer, were obtained, it would not be evidence against a third party, and unless the act went so far as to make such answer legal evidence, the provision so far would be utterly nugatory. Possibly this very act, may have given rise to the present novel bill of discovery! The demurrer must be allowed, and the bill stand dismissed.

Sir J. Grant concurred.

The *Advocate General*. I hope your lordship will not allow costs, to a party guilty of such gross libels.

Sir E. Ryan. We have no grounds before the court Mr. Advocate, for assuming that the allegations are libels.

Bill dismissed with costs.

RAMDHONE GHOSE, REPRESENTATIVE OF MUDDENMOHUN GHOSE, DECEASED, versus RAMANUND GHOSE.

Mr. Morton opened the pleadings. The plaint was on the common counts for money lent and interest, laying the promises both to the deceased and the plaintiff. The plea was *non assumptis*.

Mr. Clarke stated, that this action was brought to recover the balance due upon a Bengallee instrument in the nature of a bond, given to secure a loan of Sa. Rs. 1,600. This was the case in which their lordships had discharged the rule nisi on Thursday, for the postponement of the trial, obtained on the alleged ground of the absence of two material witnesses for the defence. There was an order drawn up by the court under the new rules, compelling the other party to admit the execution of the instrument, in default of having appeared to shew cause before a judge at chambers against making such admission.

Sir E. Ryan said, that the order was incorrectly drawn. The rule in question, R. 59, gave no power to compel the admission of any document, but merely allowed a discretion with respect to the costs of proof, in the event of a refusal to admit the execution.

Mr. Clarke said, that the order had certainly appeared to him inaccurate, and he was prepared therefore to prove the instrument in the regular way.

The subscribing witnesses were then called, and the instrument and consideration were proved, also the fact that the plaintiff was the only surviving son. The sum of Rs. 838 were allowed by the plaintiff, as having been paid on account of interest, and a verdict was taken for the balance.

Verdict for the plaintiff.*

SHAIK BENGALLY, BUTCHER, versus SHAIK PEER ALLY.

Mr. Leith opened the pleadings. The plaint was for goods sold and money lent.

Mr. Clarke stated the plaintiff's case. Part of the claim was for the principal and interest of a loan, and the remainder for the value of certain cattle sold to the defendant. Witnesses would be called to prove the transactions, and an admission of the debt on the part of the defendant, coupled with a promise to pay.

Evidence was given to shew that the parties had agreed to settle their money disputes, that they met at defendant's house, and that the defendant eventually agreed to pay Rs. 1,600. A written statement of the court was intended to have been drawn up on the following morning.

The *Advocate General* (with whom was Mr. Prinsep) for the defence contended, that this could not be received as proof, since it was clearly nothing more than an attempt to compromise the threatened action, and was an offer made merely to purchase peace.

Sir Edward Ryan thought that it was evidence, and conclusive unless the other side could rebut it.

Verdict for the plaintiff for Rs. 1,600, each party paying his own costs.

* SYED MERRAH versus ABDOL GUNNEE.

Mr. Barwell opened the pleadings. This was an action upon the common counts. The plea was the general issue.

* Mr. Clarke in the course of the day suggested as a general point of practice though immaterial in this case, as the plaintiff had obtained a verdict,—that according to rule (34) of the new plea rules, it was unnecessary to prove that the plaintiff was the legal personal representative. That rule provides, that the character in which the plaintiff sues shall not be considered in issue unless especially denied.

The Court acquiesced.

The *Advocate General* appeared for the plaintiff, who is a Mahomedan trader. Several commercial transactions had taken place between these parties, and the plaintiff claimed the sum of Rs. 2,064, as the balance due to him.

After a lengthy examination and cross-examination of witnesses on both sides, it was agreed, at the suggestion of the court, to refer all matters in difference between the parties to arbitration, the costs of this action and of the award to be in the discretion of the arbitrator.

The *Advocate General* and Mr. Barwell for the defence.

Referred by consent.

RAMTODD SEAL *versus* BISUNNIA DHUR, HEIR AND REPRESENTATIVE OF RAJKISSEN DHUR.

Mr. Clarke and Mr. Leith appeared for the plaintiff. The claim was for Rs. 2,125.

The defendant had put in an appearance, but had not pleaded, and now appeared in court personally, to confess the action.

Verdict for the plaintiff.

The chief justice intended that he should sit alone to-morrow (this-day) at eleven o'clock, to take common motions.—*Hurkaru*, June 30.

SUDDER DEWANNY ADAWLUT.

JUNE 5, 1838.

(Before J. R. Hutchinson, Esq. Judge.)

A petition was presented for an appeal by a party to a suit tried before the judge of zillah Tifhoot.

The petitioner stated, that a person named Shibchunder, who resided within the district of Tifhoot, had become security to another person for the payment of a debt due to him by a third party. The original debtor having failed to pay this debt when it became due, the creditor sued both the debtor and his security for the amount, and, having obtained a decree in the zillah court of Tifhoot, he seized some lands and houses for the execution of his decree, situated within the jurisdiction of the zillah court of Dacca, as the property of Shibchunder the security. The petitioner admitted that these lands and houses had been formerly the property of Shibchunder, but he had sold them to the petitioner long previous to his becoming security for the debt, for the liquidation of which they were now seized. He further added, that he was a resident within the district of Dacca, and consequently not amenable to the jurisdiction of the court of zillah Tifhoot. He therefore prayed the Sudder Court to reinvestigate the merits of his case, and order the replevin on his lands and houses to be withdrawn.

The vakeel of the party who had seized these lands, &c. as the property of Shibchunder, replied that at the time that Shibchunder became security for the payment of the debt for the realization of which the property which this petitioner claims to be his, had been seized, he had represented to his client that the property in question was his, and it was on this very property that his client had consented to accept the security of Shibchunder. The judge was of an opinion, that there were sufficient grounds to admit the appeal to be heard, and it was ordered to be registered accordingly.

JUNE 4, 1838.

(Before E. R. Barwell, Esq. Commissioner.)

Several proprietors of lands in a zillah appealing to

the Bengal presidency, petitioned the commissioner against the collector of that zillah.

The petitioners stated, that the collector in question had in one day decided the cases respecting their lands against them, and that they had subsequently petitioned the collector for official copies of the decisions passed by him on their cases, which he had refused to grant on the plea, that by the time these documents could be furnished to them, the period of three months allowed by the regulations from the time of the decisions being passed in their cases, to file their appeal to the superior court would expire.

On perusal of those petitions, the commissioner, directed a precept to be despatched to the collector, desiring him to forward to the superior court his replies to the charges instituted against him by these petitioners. The collector thereupon made his return, in which he stated, that he conceived that the period of three months allowed to any dissenting party from his decision to appeal to the superior court, commenced from the date of the decision of their case and not from the time when the order passed by him was engrossed and ready for transcription, as these petitioners conceived it to be, and consequently as three months would expire from the date of his award in their cases, before they could obtain copies of the documents they required, and file their petition of appeal before the superior court, he had declined furnishing them with official copies of these documents.

After the receipt of this return of the collector to the precept directed to him in this case, Mr. E. R. Barwell, the commissioner of the Sudder Special commissioner's court, took up the matter pending on these petitions, and after he had carefully perused the petitions and the collector's reply to the charges urged against him or them, he decided that in his opinion, the period of three months allowed to a dissenting party to appeal from the award of the minor court to the Sudder Court, commenced from the date on which the orders on their cases were ready for transcription, and directed the collector to furnish the documents required by these petitioners.—*Hurkaru*, June 15.

SUDDER REVENUE BOARD.

MAY 15, 1838.

THE SETTLEMENTS TRANSFERRED TO MR. LOWIS.

The secretary to Government in the revenue department, informed the secretary to the revenue board, that the Government had at the suggestion of the revenue board, approved of the transfer of the settlement

department to Mr. Lewis, as a temporary measure, and desired the members of the revenue board, to put him in immediate possession of it, as this measure would enable Mr. Tucker, now in charge of this department of the business, to resume his usual business at the board, and thus supply the vacancy occasioned by the absence of Mr. Walters, who has proceeded to sea.

TRANSFER OF THE BACKERGUNGE DIVISION OF THE SUNDERBUNDS FROM THE DACCA DIVISION COMMISSIONER TO THE COMMISSIONER OF JESSORE.

Government has, at the suggestion of E. M. Gordon, Esq., backed by the recommendation of the Sudder board of revenue, been pleased to transfer the control over the proceedings of the divisions of the Sunderbunds, appertaining to the zillah of Backergunge, from the surveillance of E. M. Gordon, Esq., the commissioner of the 15th or Dacca division, to the superintendence of Dampier, Esq., commissioner of the 18th or Jessore division; and the secretary to the revenue board was directed by the secretary to Government, in the revenue department, to inform the two aforesaid commissioners of the transfer.

DEFALCATION IN THE CALCUTTA COLLECTORATE.

Defalcation of sicca rupees 5,014 was lately discovered to have occurred in the office of the collectorate of Calcutta, whilst it had been under the superintendence of Mr. C. Trower. This was duly reported to Government, and his honour the Vice-President in Council,

after minute inquiry and due deliberation, informed the secretary to the revenue board, through the medium of the secretary to Government in the revenue department, that Government did not consider the case of this defalcation attributable to Mr. Trower, nor did it attach any blame regarding it to that gentleman in his official capacity; therefore his honor the deputy Governor of Bengal, did not consider that gentleman in any way blameable or responsible for this deficit.

The revenue board was further informed, that the revenue accountant had been directed by the secretary to Government in the revenue department, by the orders of the Vice-President in Council on this subject, to write the amount of this defalcation, in his account of the revenue, to the profit and loss entry in his books, with a memorandum that the amount is to be debited conditionally to Hollodhur Roy. In the event of the bills for the amount of this deficit being found, the amount is to be recovered by a bill from the said Hollodhur Roy, as the discovery of these bills are considered by Government to be necessary in order to prove his responsibility for this amount.—*Hurkaru, June 26.*

SITTINGS IN THE SUDDER DEWANNY AND NIZAMUT ADAWLUT.

Since the commencement of the present, month the judges of the courts of Sudder Dewanny and Nizamut Adawlut, have commenced their private sittings in

which they adjudicate matters submitted to the court as a joint body, twice a week, instead of once a week, as was formerly the case.—*Hurkaru, June 26.*

TIRHOOT.

PRINCIPAL SUDDER AMEEN'S COURT, MAY 28, 1838.

(*Ubdool Wahid Khan, Bahadoor.*)

This case was originally instituted in the court of the moonsiff of Mudepoor. The plaintiff sues three individuals, viz. Premjha, Hemunjha, and Shamjha, for a bonded debt of Rs-200 with 11 Rs-8 As. interest that has accrued thereupon. The defendants contest the demand by denying the genuineness of the tumussook; and producing witnesses to prove as much. The plaintiff substantiates his plea, by the depositions of witnesses, who swear to the money claimed, having been paid to one of the defendants, and to the rest being parties to the instrument produced in court. The moonsiff decrees the suit in favour of the plaintiff. The defendants appeal; the case is referred to the former principal Sudder ameen, from the decision of the moonsiff is reversed. The respondent resorts to a *khas* appeal, i. e. to the court of the additional judge, who, considering the grounds of the decision of the principal Sudder ameen as inconclusive, refers the case to this Court.

This-day the principal Sudder ameen examined the case, and had all the papers on the file read. It was discovered that two of the vakeels, a mookhtarkar and the stamp vender attached to the moonsiff's court, named by the respondent as witnesses to the defendants' preventing him by entreaties from prosecuting him, some time before the institution of the suit, had not been called in by the principal Sudder ameen. This court thought it desirable to have them produced, and gave the vakeel of the respondent two weeks' time for that purpose. The vakeel of the appellant, was also permitted to produce, if he wished it, any other witnesses or proofs in support of his side of the question.

In the course of examining the file of the proceedings in the case, the *fysula* of the moonsiff was read. Ere it had been gone through, it struck the court that half of the *fysula* related to one, and half to another case. The under part of the paper had been added evidently by carelessness or accident, without the incongruous junction having been discovered, by any of the courts through which the file had been travelling in quest of a final decision; and but for the watchfulness of this court, it might have had to stand a second *khas* appeal.

ADDITIONAL PRINCIPAL SUDDER AMEEN'S COURT.

(*Shoojaodeen Ulles Khan, Bshadoor.*)

On entering, we found the court engaged with a suit respecting the right by law, and fact of occupancy, to certain real property, lustily being contested by four vakeels. There was apparently so much said by all of them, several speaking at once, that if the court could by any possible means, remember but a tithe of what was spoken for and against the merits of the case, we warrant the result would be the most inconclusive conclusion, at which any judge or jury could arrive. We were utterly foiled in our attempts to make anything of the business. The court, however, patiently endured the wrangling of the legal twigs, and seemed to be very much at its ease, as to the drift of the speeches addressed to it, as if out of a four-mouthed speaking trumpet.

In the midst of the hubbub, we caught the eyes of the court, which led to the inquiry, "what is that gentleman about?" One of the vakeels, who had seen us perpetrate our mischievous work in the other courts,

explained the sum and substance of our business, with which the Khan seemed satisfied; and turning to us asked, whether we should like to consult any of the papers in the file, to furnish ourselves with accurate data for our reports. We should have accepted the offer, but contented ourselves with replying, that we would at present rather dispense with any other mode of preparing our reports than that which we have hitherto adopted.

THE PUNDIT'S COURT.

There is yet another court at this station to be noticed. We have several times passed by it, while it sat in the verandah of the building in which the magistrate's kutcherry is held; but could not possibly suppose it to be a court of justice. We had taken the whole concern as the *darbar* of the nazir, or dufter of one of the pleader's practising here. Being told this morning what it meant, we took a closer survey of it than it had deserved, without a label to point it out. "This too is a judge; and this is a court of justice!" To this court criminal cases are referred by the magistrate,—sometimes with a direction, that if the case turned out to be a serious one, it should be sent back for trial to the magistrate's court. The Pundit seemed to be a quiet, harmless personage, with two smart right and left hand men, to help him to sustain the labours of justice.—*Hurkaru, June 18.*

THE JUDGE'S COURT, MAY 25, 1838.

Since our appearance in this court, we had no apprehension that our avocations would prove unpleasant to the authority that presides over it, we could not possibly anticipate any thing but ready encouragement in the prosecution of our labours. Publicity, we should have imagined, would be courted where there was a consciousness of the characteristics which adorn the bench. Our first report will offer a satisfactory testimony of readiness to set in the fairest point of view, as we are in justice bound to do, those qualities which are entitled to approbation, and this we shall continue to do wherever and whenever we may have opportunity.

Adulation we hold in contempt; but we shall never forget ourselves so far as to withhold the meed of praise when the authorities deserve it. On the other hand we have fearlessly brought to the notice of the public every thing that required to be dragged from mofussil obscurity to the knowledge of the world. Of this nobody that values the weal of the community, the impartial distribution of justice, the correction of abuses which seldom find the light of publicity through any other channel, can possibly question the advantages. And we always had an impression on our mind, not yet obliterated, that the appearance of public reporters in the mofussil courts could not but be appreciated by Government, likely as it is to be left totally in the dark, respecting a thousand things and circumstances which transpire at a distance from the presidency. Such has been and are our views; and we persuade ourselves that we are not harbouring chimerical notions.

When we made our *debut* as a reporter at Monghyr, we had our fears; we did not, we frankly own, expect that ready and civil encouragement in those courts which we were satisfied would by no means be long withheld. The authorities there not only offered no hindrance to the prosecution of our duties, but seemed to help us forward, though we are sure the freedom of our remarks was calculated to rouse into irritation the corrupt passions of human nature, and expose us at least to the exhibitions of some tokens of the displeasure of those who had not been accustomed to have their public proceedings roughly handled, or freely commented on; still they took no means of obstructing us of even indirectly exhibiting any hostile feelings. We were readily accommodated with a seat, though there were not wanting people, among those who frequented the courts, who regarded our being allowed to sit in court as reprehensible. It was argued that it was a mark of the favour of the court towards us; for what was more monstrous in the mofussil than to permit any person not a functionary to be sitting in open court!

At Bhaugulpore, too, every facility was afforded us by all the authorities; nay, they seemed to be studious to render us perfectly satisfied that we were before liberal-minded judges and magistrates, who desired no kind of concealment from the eyes of the public at large. They seemed rather to court publicity; and both there and at Monghyr, we pursued and terminated our career without the slightest impression on our minds that we could possibly give umbrage. Had we published any misstatements we should have been happy to have had our mistakes rectified: we courted no favour, but we received kindness freely.

On our arrival at this station, we heard a rumour that our pursuing the avocations of a reporter would not be relished by the authorities; but we gave no credit to it: we went quietly round the courts and were much gratified by what we saw in some of them. We readily laid the result before the public. To-day we appeared in this court and took our stand not far from the bench in a part of the court-house to which the vakeels and others freely resorted, and where we ourselves went several days without any objections being raised. But when we went to-day with pencil and paper in hand, we were desired by the judge to place ourselves there were the populous was standing—a place so far removed from the *presence* that we are certain we shall not be able to catch distinctly what transpires about it. There was not another individual, vakeel or mooktear, in the place where we had stationed ourselves, we incommoded nobody: we were merely taking notes in our memorandum book placed on a kind of railing that separated us from the vakeels, &c. that were standing before the court. Whatever might have been the object of the direction we received this-day, we cannot view it in any other light than at a manifestation of those sentiments which we were on our arrival at this district told to expect. We were unwilling to call away the attention of the court from the case which it was then occupied upon; but we intend to bring the matter formally before the judges, as it is obvious that we cannot rely on the accuracy of our reports, if we have not an opportunity of distinctly hearing the proceedings.—*Hurkaru, June 23.*

MISCELLANEOUS.

CALCUTTA.

MEETING OF THE GOVERNOR WITH RUNJEET SING.—It is said that a large force, under the command of Major General Duncan, will proceed, soon after the rains, towards Ferozepore, on the Sutledge, in which neighbourhood the meeting between the Governor-General of India and the ruler of the Punjab, will take place. The force will consist of one regiment of native cavalry, a troop of European horse artillery, two squadrons of Her Majesty's 16th lancers, one regiment of European, and five of native infantry.

THE GOVERNOR OF SERAMPORE.—The Hon. Mr. Hanson having been appointed Governor of Serampore, by His Majesty the King of Denmark, arrived in the river on the 20th instant, and landed in Serampore the next day at noon, under the salute due to his rank.

THE BHOTAN EMBASSY.—Within the last few days, letters have been received in this city from the British embassy in Bhotan, from which we learn, that Captain Pemberton and party have abandoned their original plan of proceeding into Tibet, and may be expected in Calcutta towards the latter end of June.

THE CULNA AFFAIR.—Mr. Shaw, who had gone in company with Mr. Hedger to attend the investigation at Burdwan, had been again arbitrarily seized by order of Mr. Ogilvy, the magistrate, who was still in power there, and dragged through the streets to the cutcherry; three men having seized him to effect that purpose, without any previous warning. After having been kept in the compound for upwards of an hour, (his papers having also been taken possession of,) he was admitted to the "presence," where he found Mr. Ogilvy on the bench, and another person, whose name Mr. Shaw was not acquainted with. He requested Mr. Ogilvy to inform him who the gentleman was; but Mr. Ogilvy declined. Mr. Shaw insisted on his right to be informed who it was, by whom he was to be judged; whereupon both the gentlemen on the bench rebuked him harshly, and paid no attention to his protest, against the examination of his private papers. Mr. Ogilvy at length said, that he considered Mr. Shaw's bail to be invalid, and that, therefore, Mr. Shaw was to be detained in custody. Upon this Mr. Hedger, who had hastened to the scene, on hearing of Mr. Shaw's arrest, informed Mr. Ogilvy, that as he Mr. Hedger, had been bail for Mr. Shaw, he considered himself discharged from all further responsibility. To this Mr. Ogilvy demurred; but Mr. Hedger informed him with firmness, that as he had chosen to take Mr. Shaw again into custody, he had, *ipso facto*, freed the bail, and that Mr. Hedger should act accordingly. Thus Mr. Shaw was again incarcerated by a proceeding so arbitrary, that we should have thought no magistrate would have dared to have exercised his power in such a manner upon a British subject, since, at least, the revolution. As to the investigation which has been going on there, it seems from the accounts received, to be worse than mockery. Mr. Ogilvy, who stands accused of the highest crime known to human law, was actually conducting the investigation. He has, however, been temporarily removed from his acting magistracy—a course of proceeding which will secure an impartial investigation of the affair. Mr. F. C. Smith, condemns as especially indiscreet and improper, the conduct of Mr. Ogilvy, subsequently to the first arrest of Mr. Shaw, and the magistrate has been accordingly summoned to Calcutta.

It is said, that besides sundry indictments against Mr.

Ogilvy, and a criminal information against Mr. Barlow for improper neglect in the discharge of his magisterial and judicial duties, no less than *thirteen* civil actions, arising out of the Culna affair, have been instituted by different parties against the first-named gentleman, who has been arrested by Mr. O'Hanlon, the magistrate, but bailed on two lacs of rupees.

The preliminary proceedings in the case of the pretender to the raj of Burdwan, commenced before the magistrate of Hooghly on Monday. *Pertaub Chund was in the cutcherry, the greater part of the day, having portions of the documentary evidence read. He admitted many of the letters addressed by him to neighbouring Rajahs. On Tuesday, Mr. Shaw and Mr. Graham attended on his behalf. Neither of these gentlemen had taken out a *mauktar-nameh*. There was no objection to his cross-examination of any of the witnesses on any points relating to himself; and he very frequently addressed the magistrate. The proceedings were not of much importance. The *soi disant* Rajah was not present on Tuesday.

On the 14th instant, seven other witnesses were examined for the prosecution in Mr. Ogilvy's case, in the course of which one of the witnesses said, his son was one of the people shot, and gave other particulars which we are requested by the magistrate to withhold, also the other evidence given. At the conclusion of this day's examination, Mr. Prinsep observed, that no distinct evidence had been heard of Mr. Ogilvy's giving the order for the firing. In reply to which, Mr. Longueville Clarke said, that very plain evidence had been given on that point.

The final examination of witnesses for the prosecution and defence, in Mr. Ogilvy's case, concluded at seven o'clock on the 22d instant. The nazir and darogah of Burdwan, were the two last witnesses examined for the defence. The former deposed, to his being sent for by Pertaub Chund, and to his going on board his budgerow, and to his having received a letter written in English for the magistrate, but which he returned to the bearer of it; and also to his having received two other letters written in Persian, from Pertaub Chund. He could not state the hour he received the letters, nor from whom they came. They were signed by Rajah Pertaub Chund. He directed the bearer of the English letter to send it himself to the magistrate, if he wished it to be sent. To the bearer of the two Persian letters, he gave no reply, but sent the epistles to the magistrate, after the disturbance was over. The contents of one of the Persian letters was a request to him, the nazir, to point out or say, how many and what part of Pertaub Chund's followers he wished to disperse. He further said, that he informed the magistrate of the whole of the proceedings; but when cross-examined, he stated, that he was *about* to inform the magistrate of the letter he had received, but was interrupted by the magistrate's saying, "insert all in your report." This conversation took place on his way with the magistrate and others, to Mr. Alexander's house. He saw the sepoy's load their guns, but could not say whether they put balls in or not. He was on the bank of the river when the sepoy's were drawn up in a line. A boat was seen making off from Pertaub Chund's boat, and the Captain ordered two guns to be fired over them. They were fired; then three others were fired, and afterwards many others were fired, one after another. He did not hear Mr. Ogilvy give any orders to fire. Mr. Ogilvy was in

his sight all the time. Deponent further said, that forty-two burkundazes had been sent to Culna, by a person in Prawn Baboo's, or the Raja of Burdwan's employ. He saw them on the banks of the river. After some further questions were put to this deponent, the darogah was called.

The darogah deposed, that no riot or disturbance had taken place on the part of Pertaub Chund's people.

In many instances he denied what the nazir had stated. He was examined as to the deposition he had made before Mr. Ogilvy at Burdwan, and, respecting which, he could give no explanation. He said, that he could neither read Bengallee nor Persian; that the nazir had done all. He gave further evidence, which we are not permitted to publish. Mr. O'Hanlon said, that himself and Mr. Robison thought the affair was bailable, and he doubted not but that such would be his determination on the following day. It was then intimated, that the same bail which had been given, would again be offered. Mr. Leth, addressing the magistrate, said, that he had no wish to throw the least obstacle in Mr. Ogilvy's way, but that it was for the magistrate to consider the heavy amount that would be required to bail Mr. Ogilvy, and the efficiency of that bail.

Ross Donnelly Mangles, Esq. and John Lewis, Esq. have since become bail for Mr. Ogilvy's appearance, to stand his trial at the next sessions of oyer and terminer. Messrs. Prinsep, Ogilvy, Mangles and Lewis, were closetted with Mr. O'Hanlon; but the subject of their confabulation has not yet transpired, as all reporters were prevented from entering the room. Nobody attended on behalf of the prosecution.

BURDWAN.—In consequence of the failure of the Ranees of Burdwan to pay the Government revenue with punctuality, the Sudder Board of Revenue have, on the report of the local commissioner, directed that immense zemindarree to be brought under the jurisdiction of the court of wards. This will eject Pran Baboo, who is the brother of one Ranees and the father of the other, from all management of, or concern with, the property.

The commissioner for the division, will proceed by dawk to carry these orders into effect, and in person make arrangements for the future control of the estate.

PILGRIMS TO JUGGURNAUTH.—Letters have been received at Calcutta from Balesour, and other stages on the way to Juggurnauth, stating, that the pilgrims proceeding to that place, to witness the approaching festival of Rutujatras, are immense; and that the price of provisions has, in consequence, considerably risen almost everywhere, a circumstance which has inconvenienced the poorer orders very much.

CIVIL APPOINTMENT.—Mr. F. Halliday succeeds Mr. R. D. Mangles, as secretary to the Government of Bengal, in the judicial and revenue departments, an appointment calculated to give general satisfaction.

THE BERENICE.—By private letters of the 19th ultimo, received from Bombay, we learn there was a rumour at that presidency, that the *Berenice* would be despatched, not to the Red Sea, with the May packet, but to the Persian Gulph with troops, in consequence of disturbances having broken out in that quarter.

POLITICAL APPOINTMENT.—It is said, that Captain Wilkinson, the political agent, is to be transferred from Chota Nagpore to Burra Nagpore, and that Captain Eric Sutherland is to succeed Captain Wilkinson. Major Sutherland, they say, has been offered the resi-

dency of Hyderabad; should he accept it. Colonel Spiers will go to Gwalior, and somebody else to Rajpootna. Major Sleeman is spoken of, as likely to be appointed superintendent of police for all India.

JAIL OF CALCUTTA.—The great jail of Calcutta is at present, and has been for some days past, crowded to excess by debtors in large and small amounts, and criminals from different parts of the country—many debtors are there on account of small debts of nine and ten rupees.

INSURING GOODS.—The recent action brought by the consignees of goods against the insurance office, (although the ultimate decision of the court on the legal question was in favour of the defendants) has suggested to most insurance offices the adoption of the measure of precaution by inserting in every policy a clause somewhat to the effect following:

"It is hereby further declared that nothing herein contained shall be construed or taken as a guarantee or affirmation on the part of the assurers, that the above-mentioned goods or any parts thereof have been or shall be laden on such vessel or any other, and that no such guarantee or affirmation is hereby intended to be given by or on behalf of the assurers, to the assured or to any person or persons whatsoever, before or at the time of granting this policy."

EXTORTION OF THE THANADARS.—That worthy gentleman, J. H. Patton, Esq., the magistrate of the 24-pergunnahs, has ordered notice to be stuck up both in Bengallee and English, at the boundary guard at Malauly's durgah and elsewhere, authorizing any person or persons to take into custody any one found extorting from the vendors of fish, vegetables, or other articles, and hand him or them to the police authorities.

KIDNAPPING.—Several cases of kidnapping have been brought to light during the month, which call imperatively for the interference of the Government to check the abominable system of enslaving the people, which has been for some time going on. In one instance, at Chuckkeibare, thirty-two individuals were released from imprisonment in a gaol, guarded by an armed burkundauze force, and where some of these unfortunate wretches had been confined for about five months, and from what we learn, dealt with very cruelly. One old man, in particular, had been daily subjected to flagellation, for refusing to comply with the requests of his captors, and when he was released, his back presented a truly pitiable sight, being horribly scarified and inflamed from the nape of the neck downwards. Information has also been received by Mr. Patton, the magistrate of the twenty-four pergunnahs, that several hundred individuals are confined in different parts of his district and the town of Calcutta, and he has instituted a search for their prisons. Much praise is due to the indefatigable magistrate and Mr. Dias, who has been mainly instrumental in bringing this affair under the cognizance of the magistrate, for their exertions to release the unfortunate kidnapped individuals from durance vile and ultimate slavery. We hope the miscreants who have been the prime movers in this nefarious traffic, will be brought to condign punishment.

JUNE 11.—BRUTAL AND COWARDLY ASSAULT.—Mr. Charles Augustus Kresting, the youngest son of the late Hon. Jacob Kresting, Governor of Serampore, appeared before the magistrate this day and presented a petition to the following effect. That on the night of Sunday last, he called on a Mr. F. Lynch, (who reside in Armenian Bazar, Entally, and with whom he was on terms of intimacy) on private business, when he was

suddenly assaulted by several inmates of the house. He was first of all thrown on the steps by two burkandazurs, who held him one by each arm. Lynch then sprang upon him and seated himself across Krefling's chest, and while in this defenceless state he beat him across the face with his clenched fists in the most cruel and unmanly manner. When Lynch had got tired of this mode of ill-usage, he laid hold of Krefling by the hair of his head, which latter he kept dashing against the step for some time. When he was released by Lynch and his myrmidons, he was delivered into the hands of chokeedars, who conveyed him to the Mannicktollah thanah, and after having been kept there upwards of two hours, the thanadar was pleased to release him. The confinement and release was done without the knowledge or consent of Sergeant Dyson, to whom Krefling stated all the particulars. Mr. Krefling's clothes were actually torn from his back, and a new hat was stolen from his head. Several ladies and gentlemen who were at Allipore as witnesses against Lynch, informed us, that they had heard Lynch and a fellow named Baboo Oboychurn Doss, assert, some days previous, that the first time they caught hold of Krefling they would either beat him severely or murder him outright. Mr. Krefling never gave any cause whatever for this unmanly treatment. His face is in a shocking condition; he can scarcely see out of his eyes, and his forehead is cut and bruised in a most shocking manner.

Mr. Krefling attended the magistrate this day, Monday, when the depositions of his witnesses were taken and he applied to Mr. Patton to admit Mr. C. B. Marnell, junior, as his attorney, to conduct the prosecution against Lynch, which was granted.

DACOITY AND MURDER.—On the 24th of June, a dacoity was perpetrated in the house of a baboo at Sulkeah, by a band of nearly one hundred armed men! who cruelly murdered two men, and severely wounded three others. The object of the villains, in attacking the house of the baboo was to obtain possession of twenty thousand rupees, which he had received the day previously; but they were disappointed in their expectation, as the money had been sent to Calcutta. They, however, took away property to the amount of twelve thousand rupees. Strange to say, the whole of this large body of dacoits, after perpetrating the murders within three miles of Calcutta, with torches burning, and playing their flutes, drums, &c., effected their escape and remain undetected!

Several dacoities attended with murders, have lately been committed within a short distance of Calcutta, with impunity, the villains almost invariably effecting their escape; and latterly these robberies seem to have greatly increased. This state of affairs, calls loudly for a speedy reform in our police system. While the police committee are maturing their plans for the amelioration of the system, peaceable citizens are being pulled out of their beds and murdered, by bands of lawless marauders, who roam the country *sans peur*, undeterred by the impotent police of the mofussil.

CAPITAL PUNISHMENTS.—It appears that the statistical inquiries which the committee of the Capital Punishment Society has instituted, have led them to the conclusion, that milder penalties are more efficacious in all cases, and that the total abolition of Capital Punishments, would be a measure equally of humanity and expediency.

SUICIDE.—On the 28th of June, between the hours of five and six o'clock, Mr. Charles Dasa, a respectable East Indian, residing in north road Entally, was discovered suspended by a rope from the ceiling of his bedroom. His friends who live but a short distance from

the house where this tragic scene occurred, were immediately informed of the circumstance, and they lost no time in repairing thither; when, finding the body still warm, they cut it down, but life was quite extinct.

AN EUROPEAN FOUND DROWNED.—On the 20th instant, the thanadar at Howrah, reported to J. H. Patton, Esq., that an European was found drowned that morning, whose body washed on Sulkea ghaut.

CRIM. CON.—The decent monotony of mofussil life has recently experienced a slight shock at a station not 100 miles from Dinapore, in consequence of the sudden fancy of a married lady, the wife of a staff officer, to occupy the bungalow of a gallant son of Mars, distinguished for his literary and theatrical talents. The attraction is said to be purely platonic; but, nevertheless, the gentlemen of the long robe, are about to institute a cold matter-of-fact inquiry into all the pros. and cons.

CASE OF SEDUCTION.—An East Indian, who is a writer in one of the public offices, lately seduced a young female, who, it appears, had formerly been a ward of the Free-School, and had been subsequently apprenticed to a milliner. He, under some pretence, took her on board a boat in the river, and there, after effecting his purpose, left her completely destitute. Information of this occurrence was conveyed to Mr. A. Garstin, the secretary to the Free-School, who proceeded to the ghaut, where the boat was moored and brought the girl out of it, and took her to the residence of the chief magistrate, who took down her depositions in which she charged the young man with a rape. He was consequently arrested on the charge, and gave bail for his appearance at the police office to defend himself. The case was fixed for trial on Monday, the 21st instant; but as the prosecutrix has not yet made her appearance to conduct the case, it is to be supposed, that the affair has been hushed up.

SEDUCTION AND BREACH OF PROMISE OF MARRIAGE.—Mr. T— appeared at the police office, accompanied by his daughter, to prefer a charge of seduction and breach of promise of marriage, against one Mr. William F—, who is on the eve of marriage with another party. We could not ascertain what decision the magistrate passed in the case, but we heard Mr. F. loudly declaiming against the gay Lothario, who, we sincerely trust, will be made to pay the penalty of his overt gallantry.

STEAMER ENTERPRIZE.—The hull of the steamer *Enterprise*, which was put up for sale to-day at Messrs. Moore, Hickey and Co.'s auction room, for the second time, was, we hear, again bought in—the highest bid being but 7,000 rupees.

SHAFT OF THE BERENICE.—What the skill of the Bombay engineers was unable to effect, and what in truth they despaired of getting effected out of England, has been successfully wrought by the superior scientific ability of Major Forbes. The shaft which was preparing at the mint, for the *Berenice*, has been completed under the able superintendence of that officer; and we consider that the simple fact speaks more than anything we can presume to utter, as to the praise he may justly claim for having thus shown our friends the ducks that a remedy was nearer at hand than they had ventured to imagine.

SHIPWRECK.—The American ship *Gasper*, has been totally wrecked near Hooghly Point.

DISTRESS IN THE UPPER PROVINCES.—The following extract of a letter shows the great distress prevailing in the upper provinces:

MAY 27, 1838.—The present state of things in this part of the country, presents matter for consideration, in my opinion not less interesting to the legislator than

to the philanthropist. The city and suburbs of Agra are supposed to contain a population of 80,000, and now nearly an equal number of paupers from the neighbouring districts may be added. By the last daily report, the burials by the police were 400, and were from three to four hundred for several days before—say 10,000 a month, at which rate the whole population, ordinary and accessory, would be swept off in sixteen months. From 100 to 150 per diem, of those taken to the asylum die within twenty-four hours, from the impossibility of restoring the exhausted powers of nature, impaired as they generally are by disease. It is understood, that of the low caste village servants, few beyond those now congregated at Agra and other places, where relief is afforded, survive. Even of the small renters a large number have perished, others have abandoned their lands to escape from claims for rent or debts due to mahajuns, which they had no means of satisfying: but a still more extraordinary fact is, that some who hold rent-free lands have fled to other parts of the country, deserting their rights in despair. Everywhere are some roofless villages, and even large towns thinned of half their inhabitants. So utter has been the destruction of agricultural capital, that unless Government will advance to the remaining zemindars the means of purchasing the necessary cattle and seeds and supporting the labourers, there can be no cultivation, however favourable may be the approaching season for agricultural purposes. Mark that this does not proceed from any actual dearth of provisions. The markets are well supplied with corn enhanced indeed in price by the expense of bringing it from a distance, but not so dear as to be beyond the reach of the labourer employed at the usual rate of hire. Does not this shew that the root of the evil lies in that part of the agricultural system that makes the labourer dependant on the profits, and not on the wages of his own individual labour? The labouring agricultural population becomes multiplied to the utmost extent that an average season will afford surplus falls below the average, they borrow; when it exceeds it they refund. In such circumstances the failure of two crops successively, necessarily brings with it utter privation without resources. The capitalist may, on reduced means, support a smaller number of labourers, and those who are cast adrift may starve; but the ryot who has by the failure of one crop, exhausted his means of borrowing, must perish with all his family, if the second crop does not yield a sufficient return to subsist upon till the first crop of the following year is realized. Half a crop will not be applied to the maintenance of half the population for six months, but of the whole population for three months, leaving the whole no resource for the remaining three months. Such is the cottar system. Such has it been found in Ireland, and if not equally destructive in the Highlands of Scotland, it is because in seasons of distress the landlords racked their means and their credit to support their dependants. The prosperity of a neighbouring district affords no resource to the population of the less fortunate. That is already stocked chock full of labours, and can employ no more. Perhaps, indeed, a few hundred families may find room in new lands, as has happened this year at Dehra Doon. Even the village manufacturer or artisan perishes in the ruin of his customs. To see clearly where the mischief originates, is one step towards the discovery of the remedy. The legislature treats the zemindar as a contractor for the rents of certain lands, of which rents it leaves him a share for his trouble and responsibility. It does not assign to him, but to the cultivators, the fruits of superior culture or of a succession of favourable seasons. He is interested in affording the ryots assistance only when that is indispensable, and only in so far as it is so for the realization of his rents. He has no further interest than that, either present or prospective, in agricultural improvement, and practically his concern and interference are limited precisely to the attainment of that single object. Then comes the ryot who is just able to pay his rent and support himself and his family, while

another harvest is preparing. Thus, of the whole produce, the only part that is not consumed by the actual labourer and the tax-gatherer, is that which is sold to pay the Government dues. The most intelligent persons here estimate the Government share at one-sixth of the next produce, after deducting seed and food for cattle. Supposing the share of the zemindar to be another one-sixth then two-thirds remain to repay the labour of production. Were the zemindar the party entrusted in raising the produce to the maximum of value at the minimum of expense, he would of necessity become a capitalist. Very possibly more produce might not be raised than is at present, but the surplus after payment of labour would undoubtedly be far greater. A much smaller portion of the whole population would be altogether dependant in the course of the seasons, and there would be a fly-wheel power or compensation-spring in the hands of the farmers to equalize irregularities. Here is a great legislative object, the means of accomplishing which may not be very obvious or easy of attainment, but are surely well worth the consideration of the council.

LIGHTNING.—On the 6th instant, the gunpowder magazine at Howrah, had a narrow escape from destruction by lightning. The south-east corner was struck and a piece of the masonry knocked off. The sepoy on guard gave the alarm expecting every moment the magazine would explode. On examination, however, it was found that the building was but slightly injured and the lightning had not penetrated the interior.

THE SOCIETY FOR THE ACQUISITION OF USEFUL KNOWLEDGE.—The second monthly meeting of the society for the acquisition of useful knowledge took place at the Sanscrit college-hall on Wednesday evening last. The business of the meeting commenced with a discourse on anatomy delivered by Baboo Rajkissen Dey, a student of the medical college. The discourse was a creditable one. After he had taken his seat, Baboo Uday Chaud Addy delivered a speech in Bengallee on the vernacular tongue, pointing out the imperfect state in which it is at present, and the ease with which it may be rendered copious and expressive; and shewing the necessity on the part of his countrymen to cultivate it. The Baboo spoke at considerable length. The Reverend Mr. W. Adam, who is famous for his familiar acquaintance with the vernacular tongue, was present on the occasion, and expressed himself highly gratified with the Baboo's style.

THE HINDOO CHARITABLE INSTITUTION.—The second annual examination of the pupils attached to the Hindoo charitable institution, and the distribution of prizes to such of them as had rendered themselves deserving of the same, took place at the Town-hall on the 13th instant. This institution, which affords instruction in English to a number of boys whose parents are void of means to pay for tuition elsewhere, is principally conducted by Baboo Gopal Lal Mitter, a student of the Hindoo college. The examiners, Mr. Hare and Rajah Kalikissen, expressed themselves gratified with the progress the students have made.

THE EAST INDIA POLITICAL REGISTER.—The prospectus of a periodical, under the above title, to appear once a week, commencing from Saturday, the 9th of June next, has been circulated. It is to be of the size of Cobbett's Political Register, containing thirty-two closely printed columns, and giving the fullest detail of all English, foreign, and domestic news, parliamentary debates, &c.

This journal is to be edited by T. Beresford Gahan, Esq., late proprietor of the national advocate, and a special magistrate in the West Indies, and now a resident at Calcutta. The register has since appeared, and we are of opinion, that the editor has mistaken his vocation. If we may form an opinion from the rabid nonsense the journal contains, we would say, that the

best thing the editor could do, would be to locate himself forthwith in Mr. Beardsmore's asylum, and entrust himself to the safe-keeping of that gentleman.

MISSING MAIL.—The Calcutta dawk of the 16th of May, for Delhi, Meerut, Saharanpore, Goolianah, Simla, Subathoo and Umballa, is reported missing after passing Mynpore with all letters and papers, but under what circumstances, there is no information; and from the length of time that has elapsed, it is to be apprehended, none is forthcoming.

MR. PEARSON.—We are informed that Mr. Assistant Surgeon John Thomas Pearson, is likely to be appointed assistant surgeon in medical charge of Darjeeling.

WAX-CLOTH versus CAOUTCHOUC.—Previous to determining upon the substitution of caoutchouc for wax-cloth, it has been deemed advisable to have a certain quantity prepared for the purpose of ascertaining how far, in common wear and tear, it is superior or even equal to wax-cloth, its comparative cheapness with the usual cost of the latter being undoubted. In conformity with this design, a small piece of caoutchouc cloth was lately submitted to a committee, who, it appears, after testing its quality by various experiments, have pronounced it inferior to wax-cloth, and not at all calculated to constitute a *saving* substitute, which it was expected to form.

MOFUSSIL.

DELHI.—The skeleton of a human body, measuring nine feet four inches, was dug up by miners, near the southern extremity of the Hymalyan mountains, during the past month, at a very short distance from the surface of the nearest stratum of mould.

Captain Abbot, of the artillery regiment, reached Delhi from *Mhow*, some days ago, having been neither stopped nor robbed on the way up.

Captain Abbot, merely heard the voices of some fifteen horsemen, who passed on the closed side of his palanquin, at about twenty yards distance from it, and after whom a "hue and cry" was raised, by a rabble of villagers, near Humeergurh.

The rise of the river Jumna, has carried away the bridge of boats at Rajehat.

Rumours of the murder, in Persia, of Mr. McNeill, the British representative, prevail at Delhi and the neighbouring stations.

The artilleryman, Cotter, who was sentenced to death, by a general court-martial, lately assembled at Kurnaul, underwent his sentence in presence of all the troops at that station, on the morning of the 8th instant. The unfortunate man met his fate with great firmness, and marched round the square with a steady and deliberate step, keeping as exact time with the music, as if he had been one of a funeral party following a comrade to the grave.

PURNAH NUGGER.—Several natives of Delhi, to whom the Nawaub of this zillah is indebted, lately made a representation to the Governor General, in which they stated, that they could not sue the Nawaub in the Session Judge's Court, for the recovery of their debts, as the judge of that court would not try complaints against a man of the Nawaub's rank. In reply to this, His Excellency very properly directed all complaints from parties within the Company's jurisdiction to be heard against the Nawaub, and adjudged.

AGRA.—Government have refused to acknowledge the claims of Mirza Kamber, to be considered as heir to his late father Prince Sooleeman Shakoh. One branch of the native noblesse has thus been cut off.

Slight shocks of an earthquake were felt at the station on the 26th and 27th ultimo, but very imperceptibly. They were most distinct beyond the city.

Captain Runbeer Singh, an officer in the Nepal Rajah's service, lately passed through Agra on a mission to Candahar.

The late revisit of cholera in the 23d regiment has nearly ceased, but the native portion of the troops are still suffering with fevers to an unprecedented degree for Agra. The native part of the community is tolerably healthy, at least that part of it which is pretty well sheltered from the intense heat of the season; but amidst the miserable employed or unemployed destitute poor, who have assembled here, the mortality is quite appalling. The state of the weather is most appalling from intense heat and sand; the burden of the atmosphere is altogether almost unendurable.

MYNPOORE.—A bhangy dawk from Calcutta was recently plundered near this station. No particulars have transpired beyond the precincts of office.

JAJEMOW.—On the 28th ultimo, the house on the Jajemow estate, the residence of Mr. J. Amman, adjoining Cawnpore cantonments, was entered by 70 or 80 armed depredaters, who managed to carry away property to the amount of 8,000 rupees, chests of drawers, &c. were broken open by hatchets. Mr. Wilson, the magistrate, repaired instantly from his residence at Nabob Gunge to the spot, but the thieves had by that time gone away with their booty. However, it is hoped, that they will not escape unpunished. Mr. Amman was from home during the outrage, and Mrs. Amman with her two little children and her mother-in-law, Mrs. Trickett took refuge in a fisherman's boat which happened to be at the ghaut. The chokoolars were unable to offer effectual resistance; three of them were severely injured in opposing the attacking party.

NAJMOON.—The remains of the Joorra force were expected to return to this station by the 29th instant. Nobody appearing inclined to take the country, it was abandoned to the lawful and most lawless owners. None of the murderers for whose apprehension the force was sent out have been apprehended, so when was the business managed?

NU-SERABAD.—Heavy showers of rain have recently fallen here and in the neighbourhood.

HORR.—Cholera is raging here with great violence. On the 28th instant twenty people are said to have died in one hour, and from that time till the succeeding day, not one, who was attacked, escaped.

CANPORE.—The heat is intense; much sickness prevails amongst the European troops, especially Her Majesty's 3d dragoons. Eight funerals took place on the evening of the 2d instant, at the calvary end of cantonments. Every door on the windward sides of the dragoon barracks, closed at night "by order," and not a breath of air sufficed to perfuse those densely inhabited buildings. The prevailing sickness, which partakes much of the nature of apoplexy, cannot be attributed to want of exercise, as the dragoons are indulged with riding school every morning, and frequently enjoy foot parades, which last until dark in the afternoon.

ALLAHABAD.—The following is an account of a dreadful whirlwind at Allahabad:

On Saturday, the 2d June, (that is the day before yesterday,) the whole sky looked strongly hazy, and the barometer for three or four days previously having indicated the approach of bad weather. I left office rather early in order to be at home when the gale should come on. About 5 o'clock, we were at dinner when the room became so very dark, and there was such a cry of surprise outside amongst the natives, that I went out to see what was the matter. The whole sky was blood-red, not with clouds, for there was not a cloud to be seen, and, overhead moved immense masses of dust; but below there was not a breath of wind! The people said they never before saw such a sight.

Shortly after, it became dark and the wind moved on strongly, carrying with it the sand and dust. We collected together in the compound, to witness what was going on, and it soon became so extremely dark, though the sun was still up, that we could not see one another at the distance of two yards.

* * * * *

The darkness was not only visible, but tangible, and as each volume of it passed, the light from above flashed down like lightning, so that those whose eyes were not thoroughly stuffed up could get a glimpse of what was going on around. It was really terrific. At last there came on a dreadful crash; every thing moved from its place, bundles of bamboos clattered along, branches of trees, crows, and tiles were swept furiously past, and the frame-work of the tiled roofs shook like a sheet, sending a shower of tiles up with every shake. It now became much clearer; but soon after this, there was another dreadful gust accompanied with total darkness. I left my tent and staggered about trying to get to my family, as by a great crash of tiles and the sound of falling timbers, I thought they were buried under its ruins; but I could see nothing. Thank God I found them safe, but the building was much shattered. Some ran with hail and thunder now came on and the sky consequently cleared. Chairs and tables, a large bed, and the other usual furniture of a room had a reel about the compound; every rope of the tent having snapped, and the traps made their escape. Such a storm was never remembered by that venerable authority, always appealed to in such cases,—the oldest inhabitant. The loss on the river must have been dreadful, but I have not yet heard anything particular. On shore, people were dashed into ravines, and against walls and trees, others suffered by the falling of buildings and trees, and many were cut by tiles, and I understand that two dead bodies have been picked up. I forgot to mention that a few days ago about seven in the morning we had a slight shock of an earthquake.

Now, this has a good deal of the marvellous in it; and would read well in the *Wonders of the Universe*, or any other veritable work on the mysteries of nature; but it only forms the first course to a rare treat;—so, be prepared to give your powers of belief a little further relaxation. Yesterday, at the same hour, on it came again, though not heralded in with so much grandeur; but I will not tell you with so much minuteness; let it suffice, that the gale was very dreadful throughout; but, at one particular moment, it was more like a thunderbolt than the effect of wind. Buildings, and even trees of great size, were laid prostrate in the twinkling of an eye. The Sudder Board office is in such a state of wreck, that another house has been taken for the business, and the disarrangement and injury done to the records, will much impede the public business for some time. Several bungalows are irreparably injured, and the tiled houses of the native are every where unroofed. Even the Sudder Dewanny offices, which are thoroughly pukka government buildings, had sustained injury. We hear of many people having been injured. I heard one man crying who was crushed under a tree, and it is wonderful that any who were out, were able to save themselves, for the tiles were quoted down at times with sufficient force to split a man's skull. All my own property is injured, and a great proportion of it, is utterly destroyed. When the great gust came on Mrs. * * and I were standing at the door of the little building I before mentioned; the terrific rain that accompanied its bursting upon us, made me determine to run to the open garden. The moment I said "we had better run," Mrs. * * ran forward, that door being to the leeward, instead of keeping under the wall;—but just then down came the roof upon us. I heard her shriek, and after getting close to the place myself, I looked for her and found that she

was still buried under the rubbish. I screamed to the people, who were about the compound, but could get none to hear;—when I attempted to run forward against the wind, I was, really moving backwards, and it was with the greatest difficulty that I managed to keep about the spot. My own strength was not of the slightest use in extricating Mrs. * *; and I tried to lift the roof which I found had fallen edgeways across the small of her back with a beam of wood. Fortunately, I at last made myself heard, and a man came to my assistance, and we got Mrs. * * out, wonderful to say, unhurt, except from a few slight bruises. Thank God it is over, and so well over. Beams of wood with nothing attached to them, to give them wings, flew fifty yards. A rabbit coop which takes six men to lift, jumped away about thirty feet,—a tree growing in a grove was lifted up into the air carried over a compound wall, right up to the door of the dwelling. I need not give you any other specimen.

It is really worth while to see a dust storm up here at any time; you can have no idea of the sublimity of the approach. There is nothing admirable afterwards. The day before yesterday my mouth got so full of dust, that I looked as if a rajmistry had been feeding me with a handful of catcha plaster. The whole station is in consternation.

I learn that the barometer indicates a still more severe storm for to-day than either of the last. If so, God help the poor inhabitants.

MUSSINGABAD.—Letters from Saugor, of date 3d June, state that a most daring dacoity had been lately committed at Hussingabad. The rascals attacked the city, adjacent to the cantonments, so early as half past seven o'clock in the evening, cutting down every one who opposed them, killed five men and wounded several, and carried off 15,000 rupees in money and goods. Major Ouseley has his people in active pursuit, scouring the country in every direction, but with what success, has not yet been ascertained.

NATIVE STATES.

HERAT.—It appears that Herat has at length fallen to the besiegers. The son of Dost Mahommed Khan had previously proceeded with a considerable body of horse to pay his court to the King of Persia. Dost Mahommed Khan has now himself treated with the King, and to incite the latter to attempt the conquest of Hindoostan, has assured His Majesty that Cabul and Candahar are prepared to obey his bidding, and that he may deal with these countries as in his wisdom and mightiness he may think fit, provided only he will aid him in the invasion of India. Thus there seems every prospect of a very promising flare-upon our frontiers!

LAHORE.—Ukhbars from Lahore state, that on the Maharajah being informed that a letter had arrived for him from Captain Burnes, announcing his withdrawal from Cabul, his Highness observed, that Dost Mahommed Khan might live to rue the day, and it was now clear enough that that chief believed he had made a better book with the Russians. Sirdar Ummur Sing remarks, it was impossible to say what such a combination of powers might effect, but that, if it were every man for himself, the khyburwalla, with his one hundred thousand horse and twenty-five thousand infantry, might come down when he pleased. He would encounter Sikhs, who have been victorious in the mountains in Moolton and in Cashmere.

SURPOOR.—The Rawul Beree Sal expired here on the 27th ult. His death, it is thought, proceeded from apoplexy. Luclwan Singh, his nephew, succeeds him in his regency for the present. Cholera still rages.

ULWAR.—The reforming Rajah of this state has not reformed his own barbarous and inhuman habits. He recently ordered the hands of a Meenah to be cut off,

and the poor wretch to be, in this condition, exposed outside the gate of the city, where he expired from loss of blood. Before life had become extinct, he was attacked and half devoured by swine and carrion birds! This unfortunate creature's crime was, that as a sentry on duty on the palace some years since, he became cognizant of the murder of a thakoor, who had, while engaged in an angry dispute with the Rajah, kicked his highness in the belly, an insult which so enraged the other thakoors present, that they murdered the author, as he retired by the passage which the Meenah guarded.

Not is the cruelty of this Rajah confined to his own direct acts. He sanctions, and even encourages the atrocious crime of suttee, two instances of which occurred in his estate, within the last seventeen months, one of them at Ramghur. Yet this is in the face of a positive pledge given by him to Government, that he will discountenance and prohibit this barbarous rite!

BOKHARA.—By letters received from merchants at Bokhara, it appears, that Shah Morad, the ruler of Bokhara, considering himself as an old friend to the ruler of Herat, had forwarded an army, consisting of four thousand musketeers, for the protection of the territories of the latter. When they got near the fort of Gorgan, spies took information to the chiefs of the Iran army, that forces from Turkistan had arrived for the aid of Herat, and their intention was to enter the fort. On this, measures were adopted to stop the progress of the said army, and the consequence was, that they were obliged to return home disappointed.

CAUBOOL.—The chief of Caubool lately held a council of the wise heads of his empire, to consult about the best means to be resorted to for the safety of the state. The chief requested to know whether it would be wise for him to form alliance with the chiefs of Hindoostan, or with the people of Iran. Some of them maintained that the latter ought not to be done, as the Iranians belonged to the *Sheas* sect of the Mahometan creed; but this objection was overruled by one of the Moulavees stating, that inasmuch as the *Sheas* are not prohibited from reading Namauz and the Koran, and they perform the pilgrimage to Mecca, and other ceremonies prescribed by the Mahomedan religion, there can be no harm in making friendship with the ruler of Iran. The chief approved of the remarks, and made up his mind to send one of his sons to Iran.

MADRAS.

ICE HOUSE.—The good folks in Madras, have determined on leaving the luxury of ice afforded them, and are about to erect an ice house.

ERECTION OF A THEATRE, &c.—It is said, that some public-spirited gentlemen at Madras, have projected a scheme for an establishment to comprise a theatre, an assembly room, and accommodation for the Masonic Lodges working at Madras. It is calculated that a sum of about 35,000 rupees will be required to compass these objects, and this is proposed to be raised on the principle of a joint-stock company, in 700 shares of fifty rupees each.

LORD ELPHINSTONE.—The report of the recall of Lord Elphinstone, is not true.

MR. HARRY VEVEASH.—This fortunate gentleman has come in for a fortune of £100,000, by the death of his cousin, and is now Harry Baskerville, Esq.

MESSERS. BANNERMAN AND GARROW.—The commission to investigate the charges preferred by Mr. Bannerman against Mr. Garrow, is now complete. It consists of Mr. Stonhouse, Mr. Babington, and Mr. Ashton.

THE NABOB AND HIS FAMILY.—His Highness the Nabob and his family, after embarking on board the *Herefordshire* and proceeding to sea for twenty-four hours, have returned without accomplishing the object of their voyage. The mother of his Highness suffered so se-

verely from sea-sickness as to create serious alarm and uneasiness in the mind of her son, who was induced to join her in requesting Colonel Walpole to get the Captain, to steer back to Madras. The Nabob by all accounts is a good sailor, and was quite well on board, but the rest of the party were in the most deplorable state. The trip including passage-money, &c. cost fourteen thousand rupees!

THE TANJORE COMMISSIONERS.—The H. C.'s sloop *Amherst* arrived at Madras, for the purpose of conveying the ex-Tanjore commissioners to Calcutta, and they received a notice to be on board on the 2d instant last, but not having completed their arrangements, and believing that Government would order the ship to wait here for a few days longer, they neglected to obey the summons of Captain Jump, who has actually sailed without them, and left them to experience the inconvenience of not taking a *jump* in time.

CAUSEY CHITTY.—That ill-fated man, Causey Chitty, has at length, after an incarceration of nearly a quarter of a century, obtained his liberation, unconditionally.

ROBBERS.—A short time since, as Mr. Babington's party were travelling through the Salem district, on their way to Coimbatore, they were attacked, near a place called Tripatore, by a gang of robbers. The leader seized and stopped the palankeen of Miss Mollie, a young lady who accompanied them, but not being readily supported by his less valiant companions, he was knocked down and beaten off by the bearers.

Shortly after the same set made an assault upon the baggage, but there also meeting with superior opposition, they took their revenge by stoning the defenders of the property, and spoiling the beauty of some of the female followers.

THE BARQUE STAR.—The barque *Star*, which left Malacca on the 26th ultimo, with a detachment of the 48th regt. N. I. on return to Madras, got aground off the coast of Lookoet on the 30th ultimo, and little hopes were entertained for her preservation. The *Fanny*, which arrived at Malacca, on her way to Singapore, with the head-quarters of the 8th N. I., disembarked the troops, and went to the assistance of the *Star*, but had not returned at the date of the last advices. The *Star* narrowly escaped an attack while conveying a detachment of the 8th to Malacca, having been surrounded by five piratical praos, but owing to the gallant assistance of the troops and the prompt discharge of a few volleys of musketry, an attempt to board was not made.

WAR WITH BURMAH.—On dit, that dispatches have been received by Government bringing the following unfavourable intelligence from Ava. "*King Tharrawaddie had positively and finally refused to receive a new resident, or to comply with any of the other demands which were insisted on by the agents of Government.*" If this information be correct, a war is inevitable, and the necessary preparations will soon be in progress.

BOMBAY.

EXTRAORDINARY FALL OF ICE.—At Nowloor, in the neighbourhood of and about two miles from Dharwar, there fell, a few days since, a block of ice or a body of hailstones in one mass, which measured nineteen feet ten inches. This extraordinary mass fell on a Sunday night, and on the Wednesday succeeding a servant, who was sent for the purpose of bringing away a pail full of the bulk, reported that the mass then still remaining was as large as three palanquins.

INDUS TRADE FAILURE.—The four boats which left Bombay in April for the Indus, with a return cargo for Loodiana, have failed in entering that river, off the mouths of which they with difficulty escaped shipwreck, and have returned to Mendavee with damaged cargoes. One of them was thrown on her beam ends by the heavy

swell which sets in there at this season, but fortunately righted again. The poor men have been kindly received by the resident, Colonel Pottinger, but it is to be regretted that any attempt was made so late in the season.

WAR WITH PERSIA.—The course of events in Persia has called for an armed interference on the part of the Government of Bombay. An armed force is to proceed the Persian gulph forthwith, according to directions received from Lord Palmerston, and take possession of the island of Kurrack, which is situated a little to the northward of Bushme. The ridiculously small number of 600 sepoy, is to be despatched on this expedition.

THE WRECK.—The following is an extract from a letter which has been received from Captain Jump, of the Hon. Company's ship *Amherst*, who was directed on his voyage down the coast to survey the spot in which the wreck of a 600 ton ship was said to have been discovered by Capt. Green of the *Triumph*.

"At $\frac{1}{2}$ past 5 p. m. I went myself in the cutter to examine the wreck, and found the peel of a mast 8 to 10 feet above water, and a small spar about 4 feet above water. This must evidently belong to a large buggalow, being a rough poon spar 18 to 20 inches in diameter, and the smaller one appears to be the yard (of poon also). The heel of the mast is much bleached, and the part under water is covered with barnacles, showing it must have been there some time.

* * * *

They must not be very secure in that description of vessel, must have got un-shipped, and is now hanging by rigging. In that case it would give way to a concussion such as that of a ship running against it, and not be more dangerous than a large fishing stake.

Captain Green's bearings were pretty correct."

Captain Green, however, must have been very short-sighted, not to distinguish the difference between the mast of a buggalow and that of a large ship. He besides said nothing about the spar being loose, although his men tried to detach it, and not a word was spoken of the barnacles.

DUTY ON NUTMIGS.—The Government has thought proper at last to give up the duty imposed on nutmigs, &c. on being imported into the island.

ANOTHER REVOLUTION EXPECTED AT GOA.—There is a rumour among the Portuguese population of Bombay, that another revolution is on the point of being perpetrated at Goa. According to the latest accounts from that unfortunate city, a private notice had been received by the secretary to Government, that three of the regiments had leagued together to take up arms against the constituted authorities, the object of the combination being, to depose the Governor and certain others of the leading factionaries, with the exception of the Commander-in-Chief. The reason assigned for this movement, was the irregularity in the payment of the troops, who are now, it would appear, three months in arrears. The embarrassments of the Portuguese Government may in some measure be accounted for, by the necessity that occurred lately, for the fitting out of an expedition which proceeded to Macao, for the purpose of supporting the Governor of that place, who, but the last accounts, was in daily expectation of being compelled to abdicate, on account of his having rendered himself exceedingly unpopular with his new subjects as well as obnoxious to the Chinese authorities. The force sent, consisted of 270 soldiers and sailors, who left Goa on the 15th ultimo, in a corvette. Should the threat of a rising at Goa be put in execution, there can be but little doubt of its success, as the military there are all powerful and have invariably succeeded in cashiering their chiefs, civil or military, when prompted to do so by that impatience of control so habitual to troops serving under a weak and impoverished Government, the conduct of which easily affords a pretext for rebellion.

THE INDIAN NAVY.—The pay of lieutenants in the Indian navy is to be increased sixty rupees per mensem, by the addition of batta at the rate of Rs- two per day. The allowance to captains of steamers from passage-money to the Red Sea is to be reduced to Rs- three hundred instead of as at present Rs- four hundred.

BUILDING OF SEVENTY-FOURS.—Orders have been received from England for the construction at Bombay of two seventy-four-gun ships, for the royal navy. This will put the dockyard establishment in motion, and lead to a good deal of bustle in the building department. These vessels for want of room in the regular docks, are to be built at Cross Island, which will thus be turned to good account, and perhaps be rendered permanently very useful as an auxiliary to the dockyards.

DISCOVERY OF THE SOURCE OF THE RIVER OXUS.—The interesting discovery of the source of the river Oxus has been made by Lieut. Wood, of the Indian navy, attached to Captain Burnes's mission. This celebrated river rises among the mountains of Pameer in Sirkool, from a lake nearly fifteen thousand six hundred feet above the level of the ocean, and encircled by lakes on all sides except the west, through which it finds a channel. To the late Captain Burnes and Lieut. Wood have given the appropriate name of "lake Victoria."

SECUNDERABAD.—Accounts from Secunderabad state, that the present is one of the severest seasons that has been known there for many years, the thermometer being in the shade 104 degrees. There has been no rain, and consequently no decent forage is procurable. The fruit trees are drooping fast, notwithstanding all the watering and care bestowed on them. The troops are, however, extremely healthy. Murders and robberies are common in the neighbourhood of the camp.

THE TUNKS.—It is said that a Turkish force has overrun one of the finest of the south-western provinces of Persia. Should then the force sent up to the gulph be of no further service, it may yet be extremely useful in restoring this unfortunate province to a state of order. We have heard no further particulars.

THUGS.—An extensive execution of persons convicted of thuggee has taken place at Mangalore, and no less than eight of these miserable enemies of mankind pushed on the scaffold. A large number is also on the road to Madras for transportation to Moulmein.

BURMAH.

Moulmein Chronicles of the 28th of April, have been received during the week. Affairs seem to be in *status quo*. Major Benson, of the H. C. 11th native infantry, and late military secretary to Lord William Bentinck, proceeds immediately to Rangoon, in the room of Colonel Burney; and we shall soon learn how far the determination of Tharrawaldie not to treat personally with any representative of the British Government, will be persevered in.

In the mean time the clouds are collecting on our Nepaulese frontier.

Mr. Blundell and the British residents at Maulmein, assisted by a few Burmese and Chinese, have subscribed Rs- 1,117 to the famine fund for the north-west frontier.

THE LATE HEIR APPARENT.—The late heir apparent, it appears, was put to death in the most violent and outrageous manner, usual forms in all cases of executions of any of the royal family, having been dispensed with,—he was dragged forth and beheaded like a common criminal. That he had been guilty of attempting to recover his rights of which he had been deprived by the usurpation of the present king, has not yet been established on sufficient evidence.

The execution of the young late heir apparent to the throne, has been followed by that of a great many individuals connected with him. The measure is said to have proved most unpopular throughout the country. A correspondent writes, "Tharrawaldie's measures are becoming very unpopular among the people—a perfect

change is visible since the period of this Woodcock's arrival. But I am convinced, that the ruling passions of the Burmese are those of patriotism and loyalty, I would say, they would willingly join any party, to be from Barrawalhe's Government." * * *

"But for the salutary check of the advice of the more moderate of his court, I believe, the King would long since have broken out in open war. He believes his star to be in the ascendant; perhaps, believes himself destined to expel us out of India. At all events, he cannot know how far Providence is in his favour, till he has a quarrel with us, an event which he seems to covet rather than to dread."

Coal has been found, in large quantities in Mergui.

THE GEORGE SWINTON STRUCK BY LIGHTNING.—On the 23d of May, the *George Swinton*, was struck by lightning, by which the fore-royal and top-masts were shattered, but her gallant and lower masts escaped with little damage. No person on board was injured.

THE VICEROY OF RANGOON.—Accounts from Rangoon mention that the viceroy of that place begins to manifest a better feeling towards the English residents there. The shoe-order has been restored to its former footing at the top of the stairs, or at some other respectful distance from "the presence."

The viceroy has also abolished or modified the orders in respect to head-coolies, which will probably remove some vexatious, attending unloading and loading vessels.

But the most remarkable act of the Rangoon viceroy is, that he has lately decided receiving a handsome and valuable present from an European merchant, who had the honour of an audience soon after the shoe-order was rescinded.

SINGAPORE.

PIRACY.—We have advices from Singapore to the 10th May, but there seems nothing of importance stirring at that settlement. Piracy, however, continues to flourish.

A most barbarous act of piracy and murder was committed on the crew of a small boat consisting of four Chinese, all mere lads, on their way from Rhio to Singapore. At the entrance of the Straits of Rhio, in the vicinity of the Pan Shoal, she was set upon by a sampan containing six Malays, who boarded her and butchered in cold blood, three of the poor Chinese, apparently with no other object than to gratify their diabolical cruelty, as there was nothing for them to plunder; the other was left on board cruelly mangled, and weltering in blood, and probably owes the preservation of his life to the belief of the savaged that he was also dead. He was three days in the most denorable condition, suffering from his wounds, and subsisting on the leaves of trees growing on the beach, towards which he had contrived to paddle his boat, when he was fortunately fallen in with by a sampan pukat, and taken to Singapore, where his wounds have been attended to.

DESTRUCTION OF PIRATES.—The *Diana* steamer was on the 18th of May, off Tringganu, in company with her Majesty's sloop *Wolf*, engaged in action with a fleet of six large Illanoon pirate prahus, as they were in action with and nearly capturing a junk that had sailed a few days before from Singapore laden with a valuable cargo for China.—It appears from Captain Congalton's account, that the pirates were discovered about 9 o'clock in the forenoon by the *Wolf*, as they were attempting to enter Tringganu road, where she was then lying at anchor; but on perceiving her they stood out to sea and attacked the junk under sail some miles distant. The *Wolf* instantly got underweigh, but without her armed boats or the gun-boats attached to her, which had been ordered to a neighbouring island in quest of another fleet of pirates that were reported to have committed depredations upon some Tringganu. The steamer was seen from the *Wolf* to the northward at about noon, when Captain Stanley immediately despatched his gig and jolly boat to her, well armed and manned with

directions to Captain Congalton to down to the junk; but it was not until half past 4 o'clock, that the steamer thus reinforced, reached the pirates, who were then a little astern of the junk, and repeatedly fired on her as she neared them. As soon, however, as she took a position, she poured in such a murderous fire on each of the prahus that their decks were soon cleared, and on a breeze springing up five of them hoisted sail, leaving their *commandore* in the large prahu to continue the action. She was, however, soon silenced, boarded, and brought astern of the *Diana* pass sun-set; but finding she was in a sinking state, Captain Congalton cut the tow rope and left her to her fate after taking out the prisoners, while the *Diana* proceeded in chase of her consorts; but they escaped with the darkness of the night, aided by some squally weather that followed. There was no doubt, from the severe manner in which they were mauled by the *Diana*, that these prahus will never again be fit for sea, and that the remainder of their crews have had an awful lesson for their temerity, nearly one hundred and forty having been killed and wounded, and thirty taken prisoners out of three hundred and sixty, the number which the fleet is stated to have been composed of. The prahus were from fifty to sixty feet in length, each mounted with a long cannon and numerous swivels, in addition to muskets, blunderbusses, spears, &c.

The *Wolf* returned into harbour on the 2d of June, having left her armed boats, together with the gun-boats belonging to the station, to prosecute search after the prahu which escaped in the rencontre. On the day following that occurrence, the *Wolf* was joined by the boats, (which had been absent on a cruise to some islands on the coast) and were instantly despatched in pursuit by Captain Stanley, with orders to proceed in the direction of the *Redang* islands to which it was considered likely the pirates would resort for the purpose of refitting; the boats of the *Wolf* having, on a previous visit to this island, discovered traces of a piratical rendezvous at that place, with docks for laying up the prahus, &c. As the piratical fleet was in a manner cut off from the main land, besides being at the same time in too disabled a state to permit of their continuing their course homeward, there seems every probability of the expedition of the boats to the *Redang* islands being attended with success. The only probability against it, in the minds of those who were present at the encounter, and witnessed the crippled condition of the prahu that escaped, is, that they all went down during the tempestuous night which succeeded the engagement.

CHINA.

Files of Canton papers to the 20th May, have been received during the month.

The creditors of Hing Tai have determined on memorializing the home Government respecting the postponement of the settlement of their claims by the Colong.

The opium trade still continues much embarrassed, and scarcely a prospect of improvement. The advices from Pekin are very unfavorable to the probability of any legislative interference to protect the importation.

Captain J. T. Lancaster, formerly of the *Caledonia*, Bombay ship, lately of the *Agnes*, at Lintin, in consequence of the difficulties of a situation in which it devolved on him to keep many and complicated accounts, to which he had been hitherto a stranger, and which had for some time irritated his mind, and induced him to believe that he could not give satisfaction to his employers—an impression which was not founded on fact, his owners being, on the contrary, perfectly contented with his management; became unsettled in his mind and a fever with which he was afflicted during the last three days of his life, probably assisted in subverting his reason altogether, and on the 10th of March, he went on shore at Lintin, proceeded inland and blew out his brains.

THE
CALCUTTA MONTHLY JOURNAL.
 ASIATIC NEWS.

1838.

MEETING OF THE AUSTRALIAN ASSOCIATION OF BENGAL.

CALCUTTA, JULY 2, 1838.

At a meeting of the Australian Association of Bengal, at the Town-hall this morning,

Edward Stirling, Esq., C. S., in the chair,

The secretary read the report of the committee as follows:

THIRD REPORT OF THE COMMITTEE OF THE AUSTRALIAN ASSOCIATION.

We are happy to have it in our power to commence our third report, by announcing the safe return of the first ship dispatched by us.

The *Gaillardon*, Capt. Rapson, left Calcutta on the 17th Dec., and the Sandheads on the 20th, and returned here on the 20th ultimo, exactly six months. The passage to the Swan was rather a long one, and in consequence of the great delay and detention, the vessel was likely to suffer by going to the new settlement in South Australia. Capt. Rapson decided with the concurrence of the majority of his passengers, to proceed direct to Hobart-Town, and there to take up freight and passage for the cargo and passengers bound to Adelaide; under the circumstances, we approve of Capt. Rapson's determination in that respect. The vessel returned through Torres' Straits, and although a trifle was earned by her after she left Calcutta, the amount will not materially add to the profit of the voyage, which we reckon about 1,500 rupees, though we have no accounts yet from Sydney.

Our agency at Sydney was addressed in the first instance to Mr. R. H. Biowie, late of the firm of Shedden and Co. of this place, but as that gentleman had no settled purpose of remaining in the colony, or at any rate residing at Sydney, our affairs passed into the hands of Messrs. Campbell and Co. of George-street, as provided for in our instructions. We are inclined to think, that the discretion exercised by them in sending the vessel back at once in ballast, rather than incur certain expense for the chance of freight and passengers, has been advantageous.

We attribute the success of our first ship in a great measure to the active exertions of Capt. Rapson, who obtained the most satisfactory testimonials from the passengers, as to the table and general conduct of the voyage. We consider him deserving of our best thanks, and trust the meeting will join us in the expression of them.

It was our desire to take up the ship again immediately, but no sufficient freight or passengers have yet offered to warrant our doing so. We have, therefore, suggested to Capt. Rapson to take an intermediate voyage, so as to be back here in time to sail in December, and should he act upon our suggestion we

shall be prepared with your sanction to make arrangement with him for a further voyage.

Our letters from Sydney are few, and hitherto from Van Diemen's Land we have none; and, therefore, cannot say what support we can reckon upon from the colonies. As yet we have only received good wishes for our success.

We would observe, that although the voyage of the *Gaillardon* is satisfactory in its results, we think, there are grounds for the expectation of still greater success in future operations. First, because the ship is calculated to earn a larger freight than on her last voyage. Second, because Captain Rapson is now willing to undertake the voyage for a specified sum, and third, because we may reasonably reckon upon more freight and passage-money in return voyages hereafter, when our arrangements shall be more complete and more generally understood.

The disasters of our second ship, the *Emerald Isle*, have been a source of much regret and annoyance, and, we fear, the voyage will entail considerable loss on the association, but we have the consolation of knowing that every thing was done by us that could be done to insure success, as will appear by the report of the gentlemen you deputed to inquire into the matter at the last general meeting. We trust that the conduct and language we and our zealous secretary have had to endure from the passengers of that vessel, will be deemed by you to have been wholly unmerited.

We have reason to believe ourselves unfortunate in the choice of the ship and of her commander, the former being a new ship, her defects only became apparent in the course of the voyage; we trust they will have been remedied ere she leaves the Mauritius. Her sailing qualities are spoken very favourably of. We have yet no information of her having proceeded on from the Mauritius, but the intelligence may be daily expected.

As a strong prejudice appears to have been excited at Madras, and, as we have but one subscriber at that presidency, we submit to the meeting, whether it may not be desirable for the future to avoid the expense of time and money, which must be incurred by calling there, and which, so far as we can see, is likely to be thrown away.

We beg to submit the accounts of the association with our secretary.

(Signed) { NATH. ALEXANDER.
 R. W. G. FRIER.
 W. CHACROFT.
 C. R. PRINSEP.

It was then moved by Mr. Wm. Prinsep, and seconded by Mr. R. J. Bagshaw.

That the report just now read be approved of.
 Moved by Mr. J. Bagshaw, and seconded by Mr. W. Prinsep.

That the thanks of the association be offered to Captain Rapson, of the *Gaillardon*, for his zealous co-operation with the agents of the Society, and the satisfactory manner in which he has fulfilled his engagements.

Proposed by the chairman, and seconded by Mr. C. R. Prinsep.

That the *Gaillardon*, Captain Rapson, be advertised for the colonies for the first week of August.

Moved by Mr. W. Prinsep, and seconded by Mr. Gardiner.

That the meeting, finding by the proceedings, that Madras has not responded to the endeavours of this association, to include that presidency in their ar-

rangements, in the manner they had expected, only one subscriber having yet come forward, and the delay occasioned in the last voyage, by touching at that port, having cost more than it is worth,

It is resolved, that none of their packets shall call at Madras, unless the association is guaranteed freight and passage-money to the amount of rupees, and that the delay shall not exceed days.

It was understood, that both these blanks were to be filled up at the discretion of the committee.

Thanks were then voted to the chairman, and the meeting separated.—*Hurkaru*, July 3.

COOLEE TRADE PETITION.

To JAMES YOUNG, Esq. Sheriff of Calcutta, &c. &c.
Calcutta, June 15, 1838.

SIR,—We, the undersigned, respectfully request you will call a public meeting of the inhabitants of Calcutta, at the earliest convenient day, for the purpose of petitioning the Governor General in Council, for the suppression of the present system of exporting coolies to the British colonies.

D. — (Calcutta)	J. Bennett
T. Dealtry, Archdeacon	C. P. Harvey
Henry Fisher	J. R. Harvey
H. S. Fisher	R. Jones
Rustomjee Cowarjee	T. Bason
Thomas Boaz	R. Dias
Samuel Smith	C. W. Pittar
J. W. Alexander	George Martin
Alexander Colvin	C. Gray
J. V. Prinsep	A. W. D'Crux
W. Bracken	W. Smyth
Longuville Clarke	Manick Chunder Sein
James Charles	Govindo Holdar
W. Speir	Prankishoon Churkerbutty
Wm. Martin	T. Kenderdine
R. Walker	T. Andrews
(Unintelligible)	J. Campbell
W. Balston	R. Staunton
Dwarkanauth Tagore	J. Boyce
Geo. Alexander	Thos. Boyce
T. Bracken	George Pearson
J. F. Leith	C. Kenderdine
J. Robinson	T. W. Smyth
M. Cockburn	R. Beatson
John Miller	C. Riley
H. Andrews	J. Campbell
Krishnamobun Bannerjee	J. Penny
M. Johnston	W. Morton
J. Bartlett	Charles Pitance
A. Ward	Thos. L. Lessell
John Andrews	James Bradbury
J. M. Voss	J. Thomas
C. Francis	A. F. Lacroix
J. Mariott	W. Robinson

G. C. Hay	Thos. Dickens
W. Byrn	R. M. Thomas
Robt. J. Rose	Woodenley Mohun Tagore
F. James, (Unintelligible)	N. B. E. Baillie
J. Hughes	H. (Unintelligible)
P. H. Browne	C. Egan
John Lamb	George F. Humfrey
J. Spence	W. J. Judge
Llewelyn and Co.	Nath. Alexander
D. Wilson	W. (Unintelligible)
Muddoosoodun Mullick	J. Smoora
Sonaton Mullick, and Co.	Thos. Casper
Muddunmohun Chunder	P. Pereira, (senior)
Nundocoomas Dutt, [Bazar	A. G. Miller
Nundolol Dutt, 77, Chuna	E. R. Coser
H. Woollaston	P. Pereira, (junior)
W. Renfy	C. W. Tyler
R. J. Ding	A. D'Silva
Jos. Hayes	John Collic
W. H. Micklejohn	J. Robertson
Geo. Higginson	T. W. Jones
Thos. Desbulaus	C. P. Sealy
Jadobchunder Bose	J. M. Cantopher
W. Turner	J. Smith
F. E. Elphinstone	S. Dossa
H. Brown	J. Henry
H. C. Kemp	— Donello
N. Grant	J. Gill
R. Lepago	M. Pinto
Nilmadob Chund	D. W. Madge
N. Rees	G. Galloway
George Grant	A. Cones
W. J. Twentymen	C. Grose
E. Gray	J. R. Hayes
D. Edmonds	T. Gregory
J. Holmes	E. Gill
R. W. Allan	P. Martinelly
R. Forbes	M. Payne
W. R. Wallis, (junior)	G. A. Peroux
R. B ^o Wallis	J. Dossa
W. Wallis	J. M. Maddocks
R. Parks	J. H. Stocqueler

[*Hurkaru*, July 5.]

LEPER ASYLUM.

Abstract report of the sub-committee appointed by the central committee, District Charitable Society on the 30th April, 1838—for admitting patients into, and enquiring and reporting on the state of the Leper Asylum, and on the extent of the leper population of Calcutta.

The report of the sub-committee first records the pristine unsuccessful efforts which were made to provide for the most calamitous portion of natives whose claims on the humanity and benevolence of their countrymen, especially among the wealthy natives, are still more cogent in the present æra. With reference to the origin and progressive history of the Leper Asylum, it endeavours to shew that the suppoed apprehension on the part of Government that the institution would tend to attract an influx of lepers from the country to Calcutta, is altogether effaced, by many years' experience to the contrary, and the reluctance with which lepers are inducd even in the present day to avail themselves of this asylum.

The sub-committee's very interesting report thus continues :

In October, 1826, in consequence of some improvements which Dr. Stuart perceived from the administration of iodine, a medicine which had never been publicly tried in this disease before, an application was made to Lord Auckland for assistance to enable Dr. Stuart to conduct his experiments in a more satisfactory way than from the limited means, from the District Charitable Society, he could then possibly do. His Lordship, at the suggestion of Dr. Stuart, was generously pleased to order the erection of a vapour bath on the premises, on the part of Government; and granted a monthly sum of 80 rupees for six months from himself, to procure a better diet for the patients, and expressed a wish to be furnished at the expiration of the six months, with a report to shew the benefit which had during that time been derived from the bath and improved diet. When the period for furnishing the report arrived, one so satisfactory as might have been expected, could not be drawn up, owing to circumstances which were at the time explained to the District Charitable Society, and which may be shortly recapitulated here.

It was the medical superintendent's wish to try the improved diet and vapour bath conjointly, but considerable delay occurring in the erection of the bath, he commenced with trying the effects of the improved diet, by itself. Just as the bath was ready for use, and when there were still four months before him to try the effects of both together, the asylum with every thing it contained was burnt to the ground; and until it could be re-built the patients were removed to another situation which proved to be excessively unhealthy—they were crowded together, had no opportunity of attending to cleanliness from the want of water for bathing, &c. &c. The fact that there was more sickness of different kinds, such as fevers, cholera, dysentery, spleen &c. &c. during the short time the patients were in their new abode, than had occurred in their former situation in the course of twelve months, will serve to prove how much both surgeon and patients had to contend against.

The bath of which nothing but the bare walls were left has been re-built by Government, and since the patients have been subjected to the vapour bath simply and also impregnated with the tincture of iodine, the only result has been that persons on whose bodies there was no trace of moisture perceptible for months, nay years, have perspired profusely. In others, partially affected with leprosy, and who used to perspire on the healthy parts only, by means of the vapour bath the diseased part have been caused to resume that healthy action. As the patients leave the bath their bodies appear much improved, but as soon as the perspiration has dried

up the skin assumes its former unnatural appearance. Though Dr. Stuart, now that he has had upwards of two years' experience is not so sanguine as he was some time ago, still as improvement though slowly continues to progress, he is not perfectly destitute of hope.

When the Leper Asylum was re-built in November 1837, which cost the District Charitable Society Rs. 2,877, it was intended to accommodate 20 Christians and 96 natives, (viz. 40 Hindoos and 59 Musselmans). At the Committee's first meeting it was found to contain 87 individuals, 64 of whom were actually afflicted with leprosy, and 23 their relatives free from disease, but equally supported. Considering the proportion of relatives too great, and many being capable of doing something for themselves, it was determined on decreasing their number, but having ascertained that most of them had been for years in the asylum, it appeared cruel to eject them; your committee has confined itself to passing a resolution that no relatives should in future be admitted except in cases where the state of the patient demands such additional aid.

Independent of Rs. 100 per mensem, which Dr. Stuart receives as travelling allowance, a monthly grant of Rs. 360 is made for the support of the Leper Asylum, of which Rs. 151-13 defray the establishment, inclusive of ground rent, as per annexed statement, and the remaining sum is

Ground rent.....	47	5	0	laid out in doting
1 Shca.	10	0	0	the patients, the
1 Native Doctor.....	8	0	0	average monthly
2 Dressers, at 5 each..	10	0	0	cost for each
2 Mallies, who also	8	0	0	Christian being
act as water carriers, &c. at 4 each.				
3 Cooks at 4 each....	12	0	0	Rs. 3-4-6 and for
3 Mellers at 4 each....	12	0	0	each native Rs.
1 Shaver.....	1	8	0	1-13-9; although
1 Washerman.....	5	0	0	at first sight the
1 Durwan.....	6	0	0	item of establish-
Country medicines....	22	0	0	ment appears high,
Sundries.....	10	0	0	on personal in-
				vestigation the
				committee is sat-
				isfied that no
				useless or unneces-
				sary expenditure is

Rs. 151 13 0

incurred, nor could any retrenchment be attempted without materially affecting its efficiency; as almost the same establishment is required to keep the premises clean, and attend to the wants of the present number of inmates, as if it contained many more.

It has occurred to your committee that, in order to reduce the amount of ground rent which amounts to 47-5-0 monthly, it would be advisable to take a lease of the grounds on which the Leper Asylum is situated, as the site appears very eligible; consequently application has been made to the several proprietors.

Were the inmates of the Leper Asylum to be considered merely to the light of pensioners, the present diet allowance would be quite sufficient, but when it is remembered that they are all more or less under a course of medical treatment for the amelioration of their disease which imperatively demands a generous regimen, we are induced to recommend an increase of one anna and three pie to each monthly, which has already been adopted confident of the central committee's concurrence.

The apothecary formerly employed in the Native Hospital was transferred to the Leper Asylum, when the District Charitable Society took charge on a pension of his full salary (Rs. 60 monthly) which is paid by the Governors of the Native Hospital, and he is provided with a suitable dwelling on the premises.

To aid the surgeon in preserving peace and good order among the inmates the members of the committee

have agreed to become monthly visitors of the asylum, and conduct the current duties in rotation.

Your committee having been requested to admit an increased number of lepers in proportion to the existing accommodations, which will admit of 33 additional patients, has opened for the present, the asylum to all applicants afflicted with leprosy who obtain their subsistence by begging in the streets, without reference to their birth place. Should none but strictly Calcutta-born lepers be admitted, the huts might for a long time remain untenanted because they are seldom compelled to apply to the asylum being in some degree supported by their friends in addition to what they can obtain by begging. Lepers from other quarters, for diametrically opposite reasons, are frequent applicants, and more likely to be found in the streets.

Since your committee has been acting two persons who were afflicted with leprosy, but who by some oversight had always been placed on the list of relatives, were added to the number of patients. Nine new lepers have been admitted, two who were absent on leave, have returned, one has died, one is on leave of absence to his country, and eight relatives have been discharged, and two lepers with five relatives have left the asylum at their own request, making the number at present in the asylum as follows :

Patients.....	73	Christians.....	18
Relatives.....	13	Hindoos.....	27
		Musselmans.....	41
Total.....	86	No.....	86

There is abundant vacant space within the boundaries of the asylum to erect sufficient huts accomodating almost double that number of persons.

From the returns obligingly furnished by Mr. McFarlan, the chief magistrate, it is ascertained that the extent of the leper population of Calcutta at present amounts to 531 individuals, out of which only 118 are beggars, and the remainder are either supported by their relatives or are able to support themselves by various trades.

Although your committee is aware that the funds of District Charitable Society are not immediate competent to meet an increased outlay, yet your committee anx-

iously and boldly recommends the admission of the total number of leper beggars now infesting the streets of Calcutta, confident that a public appeal to the liberality of the native community will readily supply any exigency. The charity now extorted by lepers is principally from natives, and is obtained as much if not more by working upon the fears of the givers as from any feeling of commiseration for the wretched condition of the afflicted. A small sum of 4 annas or 8 annas monthly from each individual would soon place at the disposal of the District Charitable Society means more than sufficient, not only to accommodate all the poor lepers in Calcutta, but render their situation within the limits of the asylum so comfortable that they would gladly forego all the advantages they reap by begging.

To the accomplishment of the grand object in view your committee urge the necessity of the Central Committee of the District Charitable Society authorizing the chief magistrate to offer shelter and support in the asylum to each poor leper individually, and in the event of any refusing to avail themselves of the proffered relief, that the laws which must be in existence for the suppression of vagrancy should be rigorously put in force, against any individual who refusing the advantages now offered, persists in infesting the streets and bazars for the purpose of extorting alms; and if this be carefully enforced your committee is of opinion that we shall soon have all the poor lepers spontaneously resorting to the asylum.

Lastly, your committee beg to state that it has suggested to the general committee for the relief of the sufferers in the late fires, the claims the Leper Asylum has of having any surplus balance transferred to the general funds of that institution, in payment of the amount the District Charitable Society has disbursed for re-building the Leper Asylum after its complete destruction by the general conflagration on the memorable 27th day of April, 1837.

(Sd.) J. LOWIS.
 „ G. VINCE.
 „ W. BALSTON
 „ R. STUART.
 „ J. GREGORY VOS, M.D.

Calcutta, June 22, 1838. [Hulka, July 5.]

CALCUTTA PUBLIC LIBRARY.

At a monthly meeting of the proprietors of and subscribers to the Calcutta Public Library, held on the 7th July, 1837.

H. M. PARKER Esq., in the chair,

The librarian reported the following donation of books :

E. I. U. S. Journal, for June, by J. H. Stocqueler, Esq.

Sporting Magazine, for July, ditto.

First report of the committee for the preparation of a Pharmacopœia in Bengal, pamphlet by Dr. Strong.

And the following circulation of books, during June .

General Literature sets 217, vols. 410

Prose Works of Imagination, ditto 235, ditto 668

Periodicals, ditto 132

Total circulation, vols. 1,240

Baboo Rangajit Ghose has become a proprietor,

and the following eighteen gentlemen have become subscribers :

Hon'ble A. Anos	E. T. Trevor, Esq. C. S.
J. W. Prescott, Esq.	E. Wally, Esq. ditto
M'herjee Hooma-ree, Esq.	F. A. E. Dallymple, Esq. do
J. Allan, Esq.	W. F. Dogson, Esq.
J. Beckwith, Esq.	Capt. Debudey
Capt. F. Palmer	G. H. Harding, Esq.
A. Parker, Esq.	Capt. Waugh
R. Pallas, Esq.	R. S. Rees, Esq.
J. Ward, Esq.	W. Clarke, Esq.

Capt. A. Watt has withdrawn. Dr. J. Ranken wishes to discontinue his subscription, having left Calcutta, and Mr. J. B. Higginson has quitted India, for England.

State of Funds as on the 1st July, 1838.

Balance of last month in the Union Bank, on open account	246 7 9
Collections sent	605 10 8
	<hr/>
	252 2 5

Paid subscription to *Hurkaru*, *Englishman*, *Courier*, *Herald*, *Monthly Magazine* in advance for one year..... 224 0 0
 Paid advertisement, in the newspapers
 Do. Establishment, for April and May
 Do. Doyal Chund Dhur, for books bought..... 58 0 0
 Do. Stationary and petty charges..... 11 1 0

615 2 0
 Balance 237 0 5
 Balance in the Savings' Bank..... 23 14 11
 Surplus of the fixed account in the Union Bank..... 492 0 0
 752 15 4

Outstanding.

Instalments from proprietors. 660 0 0
 Arrears of subscriptions.... 278 0 0
 Small sales unrealized.... 52 9 0
 990 9 0
 1,743 8 4

Vested Fund.

Amount collected..... 36 8 0
 In the course of collection. 95 0 0
 3,703 0 0
 Total credit Co.'s Rs... 5,446 8 4
Hurkaru, July 9.]

SUBSCRIPTION FOR THE RELIEF OF SUFFERERS BY THE FAMINE IN THE NORTH WESTERN PROVINCES.

Already advertized.... Co.'s Rs- 162,264 12 3
Berhampore additional Subscription.
 Ensign N. J. Blake, 56th N. I. 20 0 0
 J. W. Laidlay, Esq.'s establishment..... 4 0 0
 The police establishment of Mr. H. Elliot, Esq magistrate..... 282 15 9
 Per the Rev. Mr. Hill..... 306 15 9
Mumensing Subscription.
 Molvee Bukawoolah..... 16 0 0
 Golam Sarveur..... 16 0 0
 Kassee Julaleddeen, P. S. A. 40 0 0
 Brijnath Roy..... 19 0 0

Mahomed Kershed P. S. A. 2d subordinate 30 0 0
 Ramohun Turkhagees. 16 0 0
 Kallynauth. 16 0 0
 Amcerudden. 20 0 0
 Temserudden..... 15 0 0
 Shaw Newazkhau..... 20 0 0
 Kallynauth..... 15 0 0
 Mahomed Saddy 20 0 0
 Mahomed Kurim..... 15 0 0
 Ramjoy Roy 15 0 0
 Sibnauth. 15 0 0
 Sundry..... 183 7 0
 462 7 0
 Co.'s Rs- 1,63,634 3 0
Hurkaru, July 9.]

STEAM TUG ASSOCIATION.

A: a special meeting of proprietors of the Steam Tug Association, held at the office of the secretaries, on the 9th July, 1838,

Mr. J. W. CRAIG, in the chair,
Present.—Messrs. W. Bruce, K. R. Mackenzie, J. Carr, D. Tagore, J. Someville, J. Colquhoun, D. M. Gordon, G. A. Prinsep, Purosoocoonar Tagore, A. Thompson, A. H. Sun, Wm. P. Pison, C. P. Pison, and Rajchunder Mookerjee.

The secretaries laid before the meeting a memorandum of the earnings of the two boats, *Forbes* and *Seetakoond*, since the 1st March, showing a net balance of about Co.'s Rs- 24,500.

Also a statement of the subscriptions to the new stock realized, and in the course of realization amounting to Co.'s Rs- 130,000, showing, therefore, that there remain 70 shares of the 200, forming the additional capital, still unsubscribed for, and a consequent deficiency of 70,000, in the capital required for the completion of the two new boats.

The secretaries report one of the new boats to be nearly fished, and that Capt. Henderson, the agent in England, states in his letter of the 14th April, 1838, that a pair of fifty five horse engines, by Fawcett and Wilson, with boilers, and every thing complete, will be shipped from Liverpool in a few days. The second boat is entirely in frame and partly planked.

The total expenditure on account of the increased capital for the above purposes, including £ 5,000 remitted to England at the exchange of 2-2½ for purchase of engines, amounts to Co.'s Rs 92,413.

The secretaries report that the applications for steam tug hire have greatly increased, and that they have not the least doubt of finding constant employment for all four boats, as soon as the new ones are ready.

Proposed by Mr. Bruce, and seconded by Mr. Mackenzie, and resolved,

That the proprietors of this association be urged to exert themselves among their friends and constituents, and particularly among those interested in insurance offices, who derive the greatest benefit from this application of steam, towards the completion of the subscription to the new increased stock, and that the secretaries be authorized in the meantime to borrow money for the completion of the work on hand, upon the security of the association.

Read the abstract of Captain Henderson's correspondence regarding his provision of engines and materials, for the new boats, and the measures he had adopted in the absence of replies to his proposition for substituting a pair of seventy-five horse engines, for the *Forbes*, and for placing her present pair of sixty in one of the new boats.

Proposed by Mr. G. A. Prinsep and seconded by Mr. Jas. Colquhoun, and,

Resolved, that it is not considered advisable to adopt Captain Henderson's proposition. But, as it seems possible that the engines of larger power, which he has ordered, may have been shipped before the fresh instructions from hence can reach him.

It is resolved, that the building of the second new boat now in frame, be suspended, in order to be able to make such alterations as may be hereafter found necessary to

enable her to receive the engines of increased size and power; also that Capt. Henderson be desired, in case the large engines have not been shipped, to negotiate with the makers of them for the substitution of a pair of fifty-

five, as originally ordered, with authority to pay a penalty, if absolutely necessary to the extent of £500.

I. W. CRAGO, Chairman
Calcutta, 9th July, 1838. [Hutkaru, July 10.]

BENGAL MEDICAL RETIRING FUND.

Proceedings of the third quarterly general meeting for 1838, of Subscribers to the Bengal Medical Retiring Fund.

At a quarterly general meeting of subscribers to the Bengal Medical Retiring Fund, held at the Town-hall, at 4 o'clock P. M. on Monday, the 9th July 1838, in pursuance of advertisement, dated June 19th ultimo, and provision of section XIX. of the deed,

PRESENT,

Geo. Angus, Esq., 7th battalion, artillery, in the chair,
Frederick Corbyn, Esq., garrison surgeon, Fort William.
A. Garden, Esq. M. D., presidency surgeon.
J. Grant, Esq. apothecary E. I. Company.
Geo. Smith, Esq. surgeon 33d N. I., leave at presidency.

H. Chapman, Esq. 21 assistant, presidency general hospital.

Henry H. Spry, Esq. M. D., officiating assistant garrison surgeon, Fort William.

H. H. Gooleve, Esq. M. D., professor medical college.
Wm. Shirrell, Esq. 1st troop, 3d brigade, horse artillery.
J. Gregory Voss, Esq. M. D., deputy apothecary East India Company.

The secretary read the proceedings of the last quarterly general meeting, and the following report of the proceedings of the committee of management for the quarter ending this day.

REPORT OF THE COMMITTEE OF MANAGEMENT

Medical Fund Office, Calcutta, 9th July, 1831.

In pursuance of the resolution passed at the last quarterly general meeting, the committee of management submitted a requisition to the honorable the President of the Council of India in Council, praying that the authority of Government may be issued, directing paymasters and other disbursing officers regularly to deduct from the monthly pay, arrears of all subscribers to this fund, the amount of their monthly subscriptions, in the same manner as is done in respect to the orphan fund, and officiating secretary Lieut. Col. J. Stuart's letter, dated 30th April last, communicates that Government have been pleased to comply with the requisition, and that the proper Ministerial officers have been directed to carry the measure into effect. The committee of management have to congratulate their constituents on the establishment of this important measure, and if disbursing officers act up to Government orders, there can be no further accumulation of arrears of subscription.

In compliance with the second resolution passed at the last quarterly general meeting, the subscribers who are now in India, and who had intimated their desire to become members of the fund, but had not formally signed the fund-deed, nor continued the payment of their subscriptions, have been addressed, and all have sent in powers of attorney, to enable the secretary to sign the fund-deed on their behalf, with the exception of Mr. Surgeon James B. Clapperton and another, the latter of whom has returned no answer to the two references made to him on the subject, though he has since made a payment in account through his paymaster. This gentleman will be again addressed on the subject reminding him of his omission. Mr. Clapperton observes, in his assistant to become a subscriber was conditionally given, "that the Fund should be formed upon the calculations then submitted to him, that of the subscriptions of the whole service, and that it should meet the approval of the Court of Directors, none of these conditions, observes Mr. Clapperton, have been fulfilled, and the greatest of

all objections has arisen since of its being the only obstacle to our obtaining pensions for length of service, which would give him a better retiring pension, than the fund and Government pension, as it now stands," and therefore he adds he means "to take some time to consider." Mr. Clapperton having withdrawn from the fund, his name has accordingly been struck off the list of subscribers. This gentleman had contributed nothing towards the fund, and the circumstance of his not having signed the fund-deed, precludes the committee of management from demanding payment of arrears up to date of his letter, communicating his withdrawal from the fund.

Agreeably to the third resolution of the last quarterly general meeting, a copy of the proposed memorial to the honourable the Court of Directors, reiterating the prayer of a former memorial for reduction of the period of service, and pension according to length of service instead of rank, was duly sent to each superintending Surgeon, to take the sense of the medical officers in their respective divisions, and the suggestions received up to date have been incorporated in the memorial, that will be presently read to the meeting. To obviate delay, superintending surgeons have been further called upon to obtain the signature in duplicate of the several medical officers in their respective divisions, to accompany the revised memorial.

The following resolutions of the committee of management under date the 23th February 1838, being a graduated scale of penalty on all admissions from and after that date, noticed in the committee's report read at the last quarterly general meeting, as being in circulation for the votes of subscribers, having been sanctioned by more than two-thirds of the subscribers, the same is accordingly passed into a bye-law of this institution.

Resolved.—That as the admission from the medical list as it now stands, of new members to the Bengal medical retiring fund, so many years after its formation, gave advantages to such new members over the earlier supporters of the fund, in having avoided the long time risk incurred by the latter, all persons applying for admission as subscribers to the said fund, or who are not actually subscribers, this Wednesday, 28th February 1838, shall, previously to their application for admission (in the conditions of sections III. of the fund-deed) being circulated for the votes of the subscribers resident in this country, pay as a penalty for the exclusive benefit of the fund, but to be repaid to the applicant, should be rejected by a majority of votes, a sum of money equal to one moiety of his arrears of subscription to be calculated in the first instance from the 1st January 1838, to the date of his application; and in the second from the date of his application to the date of his final admission as a member, to be decided by the committee of management of the fund, after due examination of the votes of the members residing in India. Such amount of penalty to be according to the rank of applicant as provided in section IV. of the fund-deed, or the annual sum according to the following table, and that such applicant or applicants shall also pay the expense of printing and circulating the reference for his or their admission previous to the result of votes being declared.

Amount penalty to be paid on admission, reckoning from 1st January 1833, to date of admission.

	Co.'s Rs.
Members or officiating members of the medical board.....	708 0 per annum.
Superintending surgeons or officiating superintending surgeons...	512 0 ditto.
Surgeons.....	179 3 ditto.
180 Senior assistant surgeons on the medical gradation list....	102 6 ditto.
60 following on the list.....	61 0 ditto.
Remaining assistant surgeons....	38 6 ditto.
The state of the poll on this question, is as follows:	
For the penalty resolution.....	167 0
Against.....	8 0
Majority for the resolution.....	159 0

Dr. Wallich and Mr. Assistant Surgeon T. W. Burt, whose applications were noticed in the last quarterly report, have been admitted as subscribers to the fund, by a majority of votes. Neither of these gentlemen, being subscribers on the 28th February 1833, they have been admitted under the provision of the above resolution, Dr. Wallich has paid up both amount of arrears and penalty, and has signed the fund deed; but Mr. Assistant Surgeon T. W. Burt, contemplates an appeal to the subscribers for exemption from the penalty.

The state of the poll on the election of Surgeon Dr. Wallich and Mr. Assistant Surgeon T. W. Burt, as subscribers was as follows:

For Dr. Wallich's admission.....	150 0
Against.....	28 0
Majority for admission.....	122 0
For Mr. Burt's admission.....	157 0
Against.....	21 0
Majority for admission.....	136 0

Mr. Surgeon James Hutchinson has also been admitted a subscriber under the prescribed penalty. The state of the poll on this gentleman's admission, and for imposition of the penalty (from which he claimed exemption on the grounds stated in his letter of the 31st March last, which was duly circulated to the subscribers) is as follows:

For Mr. Hutchinson's admission.....	155 0
Against.....	27 0
Majority for his admission.....	128 0
For payment of penalty.....	149 0
Against.....	27 0
Majority for penalty.....	122 0

Thomas Smith, Esquire, member of the Medical Board has been elected a manager in the room of Dr. James Ranken proceeded to Delhi.

Objections having been urged by some to pay interest demanded on the balance due on the 1st September 1837, the committee of management deem it necessary to notice, for the information of subscribers, that under a resolution passed at the quarterly general meeting held on the 11th July 1836, time was allowed up to the 31st August 1837, to pay up arrears without interest; but on all balances due after that date, interests at the rate of 1 per cent. per annum was made chargeable, agreeably to the provision of section VIII. of the fund rules.

The sum of Co.'s Rs. 34,010-4-2 * has been invested in treasury notes since last quarterly meeting, which

makes the amount of investment in treasury notes since May to November 1837, Co.'s Rs. 123,075-6-9.

The sum of Co.'s Rs. 261-7-10 has been transferred this year from credit of unappropriated to "appropriated funds," agreeably to provision of section XXXVII, to make up deficit of amount required at credit of the letter head for value of annuities of present incumbents as per annexed account marked A.

The committee of management beg to draw the attention of their constituents to the abstract account of the pecuniary state of the fund from the year 1832-33 to 1837-38, exhibited in the paper marked B. Up to the 30th April 1837, the books of the fund have been balanced, but the accounts of 1837-38, continue open, owing to some confusion having arisen from the change of system introduced in May 1837, for remitting amount of subscription by drafts on the general treasury, instead of, as heretofore, affording credit to the fund on the Government books. In some instances, drafts have been sent for realizations effected previous to May 1837, which, from appertaining to a period before the noticed change, and, therefore, coming under the old rule of settlement with the Government offices of accounts, have been returned to the parties transmitting them, for credit to the fund in their public accounts; in other instances accumulated subscriptions of months have been remitted by one draft, thus requiring adjustment of date from which interest is to be paid to the fund; on the respective monthly payments before credit can be taken for amount of such drafts; until, therefore, this matter is settled with the Government financial officers, it is impracticable to close the books of that year and to arrive at a correct balance; however, the unappropriated funds actually in hand on the 30th April 1838, exclusive of interest on the receipts of that year, are readily ascertainable. The amount is Co.'s Rs. 160,000, from which deduct Co.'s Rs. 48,000 reserved for probable half value of annuities to be granted to Messrs. Thomas Tweedie, T. Stoddart and Alexander Scott, the amount available on the 30th April 1837, for annuities for the coming year is Co.'s Rs. 112,000, which sum will yield seven annuities, valuing the moiety required to be made up by the fund at Co.'s Rs. 16,000 on each annuity.

As the amount of monthly subscriptions at the present rate receivable from the number of subscribers at present resident in India, is short of the value of even six annuities that the fund is pledged to grant every year, it would be hazardous, though there is a considerable outstanding balance under recovery, to estimate the receipts of the coming six months beyond the actual amount anticipated from current subscriptions; the committee have accordingly confined their expected receipts at 5,000 rupees a month, from 1st July to 31st December next. This estimated receipt, enables them to add two more annuities, they accordingly declare nine annuities for the coming year. Should sufficient surplus beyond the estimated amount appear at credit of "unappropriated funds" on the 31st Dec. next, additional annuity or annuities beyond those now declared, to the extent of such surplus, shall be offered at the quarterly general meeting to be held next January.

The allotment of the above nine annuities is as follows: two of 1834, which completes six annuities for that year, six of 1835, and is of 1836, leaving still seventeen, annuities in arrears.

To obviate expense to the fund and trouble to the Government office, whence information of those who have completed their period of service must be obtained, the committee purpose to discontinue the practice of addressing circulars, to such subscribers as have completed their period of service, to intimate the number of annuities declared; they would, accordingly, recommend that subscribers who are entitled to annuities, and

may be desirous to accept of the same, should communicate their intention to the secretary to the fund before the 31st October next, as on that date the applications will be opened, and candidates declared. Applications for annuities must be super-scribed on the envelope. "application for annuity," to prevent their being opened until the day of examination. Some subscribers in India have already intimated their intention to accept annuities this year, but it will be necessary that they also observe the form here laid down. The usual advertisement declaring the annuities will be continued. The committee beg to announce two additional subscribers since last quarterly meeting by the undermentioned new arrivals from England.

Date of arrival in Calcutta.	Surnames.	Baptismal names.	Remarks
12th May 1838.	Dunbar, Mr.	James Alexander	
27th June 1838	Boult.	Edmund.	

Mr. Surgeon Daniel Harding (furlough, 25th December 1836) has intimated his having sent into the Honourable the Court of Directors his request to retire from the service of the East India Company, and has requested admission as an annuitant. From this gentleman's standing in the service, it is likely that an annuity will offer for his acceptance. Mr. Surgeon Ewen Macdonald (furlough, 14th January 1836) he also expressed his wish to retire, should be admitted an annuitant.

The rate of exchange being so much in favour of this country, has induced the committee of management to remit £1,500 or Co.'s Rs. 13,584-14-6, exchange 2 1/2 per Co.'s Rs to the London agents, to meet the payments of annuities receivable from them. The amount of this remittance is drawn from the sum of Sa. Rs. 30,000 or Co.'s Rs. 32,000 reserved under section V. for "contingencies" under "appropriated funds."

In consequence of information reaching the committee of management, that certain veterinary surgeons stationed at Cawnpore, have addressed a memorial to the Governor General of India in Council, seeking admission in the same way as their colleagues on the Madras establishment, as members of the Bengal Medical Retiring Fund, the committee addressed a letter on the 21st May last to the officiating secretary to the Government of India in the military department, for a copy of this memorial, with which they were favoured in Lieut. Colonel J. Stuart's letter of the 18th ultimo. The precedent established at Madras for the admission of veterinary surgeons, on the fund there, is taken as the ground for preferring the request, and hence the present applicants have, notwithstanding the negative given by the committee of management to a former application from one of their service, petitioned Government to be authoritatively nominated members of the fund in opposition to the convictions and wishes of the subscribers at large, by whom such admission would not

be only considered unjust, but as utterly at variance with the constitution of their retiring fund. The Madras medical fund includes a scheme for the maintenance of widows and orphans, and affords support to sick subscribers on furlough to Europe, and grants to a certain class of subscribers a higher rate of retiring pension by £100 than the Bengal Medical Retiring Fund. The military fund of this presidency is similar in principle in these respects to the medical fund at Madras, with exception to the annuity branch that the latter has in addition; and to these advantages veterinary surgeons are admitted as subscribers to the military fund; but as the medical retiring fund of this presidency is an exclusive institution constituted solely with the view of accelerating promotion, by offering annually an additional retiring pension of £300 per annum as annuity to the six seniors of the medical service, the injustice of pressing the admission of veterinary surgeons to subscribe to it is at once apparent; the committee accordingly intend to submit a respectful remonstrance to the local Government against the encroachment contemplated by veterinary surgeons.

The advertisement convening this meeting has apprised you that the committee of management are about to be deprived of the benefit of the experience of their colleague Mr. C. C. Egerton, at their Council board, owing to his duties at the medical college preventing his attending at the meetings of the managing committee of this fund; you are accordingly to choose his successor until next election for January next, conformably to provision of section XV.

By order of the committee of management,

Geo. Hill, Secretary M. R. F.

Resolved—That the report of the proceedings of the committee of management for the past quarter just read, be confirmed and adopted.

Resolved—That the modified memorial for the *boon* drawn up by Dr. J. Grant, and approved of by the service at large, and read to this meeting be adopted and copied for transmission to the Honourable the Court of Directors through the regular channel and of military correspondence.

Resolved—That the thanks of this meeting be presented to Dr. Grant, for the trouble he has taken in drawing up the memorial for the *boon* in its present form.

Resolved—That any expense attending the getting up and transmitting the memorial for the *boon*, be defrayed by the resident members of the medical service at the presidency.

Resolved—That H. Chapman, Esq. be elected, until next regular election, for January, 1838, a manager in the room of C. C. Egerton, Esq. resigned.

Resolved—That the thanks of this meeting be voted to George Angus, Esq. for his conduct as chairman.

(Signed) Geo. Angus, Chairman.

Town-hall, Calcutta, July 9, 1838. [Hurkaru, July 11.

MEETING FOR PREVENTING THE EXPORTATION OF COOLIES.

JULY 10, 1838.

At 4 p. m. the sheriff of Calcutta took the chair, and soon after the room became exceedingly crowded; there could not have been less than four hundred gentlemen present, among whom, we observed several distinguished natives.

On taking the chair, the sheriff read the requisition, by which the meeting had been called, and observed, that, in conducting the proceedings, he would observe the utmost impartiality.

The following resolution was then moved by the Lord Bishop:

I.—Resolved, that this meeting having heard of the

commencement, continuance, and extension of a system of exporting the natives of India to the British slave and other colonies, expresses its deepest regret that such a traffic should exist, and, more especially, that it should have originated in this port, believing the system to be fraught with unmixed evils to the so called "free emigrants."

His lordship addressed the meeting in a very animated speech. He appeared there to support the cause of humanity, and to urge upon the attention of Government, the necessity of adopting every measure which suspicion, jealousy, and the utmost circumspection, suggested towards a traffic which, to say the least of it, presented every feature of a suspicious character. Nay, he would go further to express to the Government their fear and apprehension, lest this traffic involve them in the commission of a crime, nothing like which had been heard at any period from the beginning of the world. His lordship's suspicions were first awakened on this subject by the representations in the newspapers. He did not like a trade in his fellow-creature, and would do all in his power to put it down. Under the mask of freedom and all that was good, the blackest deeds were perpetrated. His lordship was ready to admit, that freedom of action should not be checked, but, he asked, if that principle applied to men who were so ignorant as not to be aware where they were going or what they were about. Where were the laws to protect them in an old slave colony and from the tyranny of task-masters who had spent a whole life in driving slaves! These were the circumstances which had awakened his lordship's worst suspicions. He was, however, far from imputing improper motives to any; but when he called to mind what he had heard and read in his native land, as well as here, during the course of some forty years, regarding slave trade, all the horrors of those scenes recurred, and, in reviewing the struggles of freedom against slavery, the battle of humanity against brutal oppression, he could not but behold with alarm, in this rising country, just at the moment, when the dawn of freedom was about to burst upon her, the commencement of one of the greatest evils connected with commerce. These were the causes that created a suspicion in his lordship's mind, and had induced him to propose that we should go up to our paternal Government, and seek redress for the helpless coolies. His lordship observed, that when a servant was to be taken on board, a deposit of about a thousand rupees was required. He asked no more in behalf of the coolies; let their exporters do something of that sort, deposit even half that amount as a pledge for the return of the coolie to his native land, and the evil would in a great measure be remedied. Even in Rome and Greece, the mention of such atrocities afforded whole multitudes; and when, in a heathen amphitheatre, the examination of

"Homo sum, nihil humanum à me alienum puto,"

thrilled through a thousand bosoms, and made an assembly of Pagans rise as one man, and respond to this great and ennobling sentiment, shall I, a Christian, having the light of the purest faith, be backward in raising my voice in behalf of suffering humanity. (*loud cheers.*)

The Revd. Mr. Charles then rose to second the resolution, and addressed the chair in a most eloquent speech, of which it is impossible for us to convey any adequate idea. We shall merely attempt to give a sketch of the substance of what he said. Having complimented, in suitable terms, the Lord Bishop, who had preceded him, he observed, that so far as it depended on strong reasoning, the cause was already won. Enough had been already stated to justify a strong representation to Government. Although the practice was *prima facie* a detestable one, he would admit the grand principle of the right of every body to employ his limbs, his labour, and his energies in any manner and at any place he chose, provided no public right was infringed, and that

no one had a right to interfere with this freedom of locomotion and action. How then could they, in the face of this principle, go up to Government with any representation to prevent the coolie from exercising this right. He hoped he had stated the case fairly, and given to the opposite side of the question its due weight. He would now endeavour to explain the grounds on which he opposed the traffic. He rested his whole argument on the circumstance that the coolies in question were not in a condition to enter into the contract required of them in this case, and that if they did, they were not capable of defending their rights agreeably to the terms of that contract. In England, children were permitted their parents to hire out their labour for their own as well as their parents' benefit. But even in that enlightened country, the Parliament found it necessary to legislate between the cupidity of parents and masters on the one side, and the protection of those children on the other. If then the British Parliament in its wisdom had found it necessary to set this example of interference, under certain circumstances, with the freedom of action, why could not we under the most urgent circumstances go up with a respectful representation to Government. The coolies were exactly in the situation of those children, unable to help themselves, and requiring the protection and interference of Government. They were not in a fit condition to enter into the contract. It had been justly remarked, that they were more allied to monkeys than to men; their only care consisted in eating and drinking; these wants being satisfied, they thought of nothing else, and would never reflect on the probable consequences of what might befall them hereafter. They were, therefore, quite unable and unfit to understand what they were about. The police authorities, before whom these people are taken for examination, might be competent to explain to them the terms of the contract they were about to form; but were these ignorant men, the recipients of those explanations, capable of understanding them? That was the question, and there could be no doubt that these men were not capable. What idea had the bill coolie of the horrors of sea sickness, the first week or two of the voyage? What can he know here of the manner in which he will be employed at the scene of his labours, the period he will be kept to his work, the effects of a climate to which he is a perfect stranger, and to the circumstances in general of his new situation? What could all the care of the police authorities here do to protect these men from the ill treatment of their employers at that Mauritius and Demerara? What laws could be provided to defend their rights when entrusted into the hands of men who had been born and bred in an old slave colony? (*loud cheers.*) Could these men on the arrival of the coolies among them be at once transformed into kind and sympathizing beings? Who would there come forward to defend them when ill-treated and oppressed? Was there a Wilberforce at the Mauritius, and in every town where these coolies are to go, to protect them? Was there a Lord Brougham in every place to plead the cause of the oppressed? This then was the case, and he would put it to every one present to say whether there was not sufficient cause to go up to Government with a strong representation.

The supporters of this traffic, observed the Rev. speaker, called upon us to make out a case; he thought they were bound to do that on their part. Could they expect us to forget all that had been recorded about this trade in the history of our country? The traffic in coolies was the same in principle. What meant the application of the word *trade* to this business—what but that it was a *slave trade*? When you once turn man into an article of merchandize, you cannot but make him suffer slavery. All that had ever been said in defence of the old slave trade, was urged here, and every feature of that horrid traffic was applicable to the traffic carried on in Indian coolies. (*loud cheers.*) When he looked back to the history of his country, his

bosom glowed with the recollection of glorious deeds. The great achievements of his country, recorded in the page of history, arose before him in review. But not all the glory of Rome and Greece—not all the laurel-won by his country from Crecy to the memorable field of Waterloo, could, in his estimation, equal in glory the emancipation of the slave and the payment of those millions which flowed from the British treasury, to ransom the wretched beings. That, that was the greatest of all the acts which Britain has done. The victory of freedom over slavery has already been achieved there; was it necessary to renew the contest here, and fight the battle over again? No, let us, without impeaching the motive of any individual, raise our united voice in the cause of suffering humanity; let us with one accord appeal to all that is dear to human nature, to our country, and our religion: let us now pledge ourselves one to another, that we shall not rest until we have accomplished the great cause we have undertaken. Let us resolve that so far as the sun shines we shall not see it slime upon the slave. (*Loud and continued cheers.*)

Dr. Stewart claimed attention for one minute, for he had not many to spare. He held in his hand a copy of the *Hurkaru* of the 31st May, which contained, under his signature, the following statement:

“The system as at present followed, possesses as many checks and is fraught with as much consideration for the emigrants, as is possible.”

He begged thus publicly and frankly to proclaim his recantation. The exposures made during the last six weeks by the press of Calcutta, and before the Magistrate of the 24-Pergunnahs, were quite enough to convince any candid mind, that these checks were inefficient that in operation they were next to useless.

In this conviction, he knew that he was borne out by many gentlemen engaged in the “coolie trade,” many of whom he was proud to acknowledge as personal friends; but he begged distinctly to say, that this conviction was not the result of the eloquence or oratory of my Lord Brougham, but the press of Calcutta and the zeal of the magistrate of the 24 Pergunnahs, in detecting and exposing, in open court, the dreadful and fearful frauds to which the present system was liable.

Mr. Osborne alluded to some points in Mr. Charles's speech, which referred to something he had written concerning the coolie traffic, yet he would not dwell upon the subject, but content himself by stating that he was not a supporter of slavery. The strongest argument which had been urged against the traffic was, that the coolies could not understand the terms of the contract they entered into, and that they were not able to defend themselves. Against this he had nothing to urge; but as to the newspaper reports on which his lordship's suspicions were founded, he had not much confidence in them; for although the editors, he was willing to allow, would not misrepresent any fact, yet the reporters, on whom they depended, might act very differently. His lordship's suspicions were based on these reports; but whatever they were based upon, they amounted to nothing more than suspicion, and he did not see how a verdict of guilty could be returned on such grounds. The comparison which Mr. Charles had drawn, between the old slave trade and that carried on now, in regard to the coolies, was not, in Mr. Osborne's opinion, a just one; the likeness of the two trades was not so great as had been represented. He fully admitted the horrors of slavery; but observed that in the present case there had not been one authenticated fact adduced. Mr. Osborne dwelt upon the act of Lord Glenelg, and the authority of the Government of India, by which the coolie trade had been sanctioned, and thought that suspicions founded on mere newspaper reports, which could not be depended on, ought not to be permitted to upset a measure so supported. There was not proof of the alleged atrocities, and he did not see

why the condition of the coolies at the Mauritius would be so bad as had been represented. Mr. Charles, he said, had alluded to a Wilberforce, and asked where could these coolies find such a protector? He (Mr. Osborne) would reply, by pointing to Mr. Charles himself, and say, that in him these people had found a Wilberforce, and he did not see why they could not find another at the Mauritius (*much laughter*). Why should the benevolence of the whole world be concentrated around this table?

Captain A. G. McKenzie here said, that he took the liberty of addressing the present meeting, from having had considerable experience in what had been called the trade, which he denied was of that inhuman description as those who, by allowing their imaginations too much vent and their tongues to run riot, in their touching and eloquent appeals, had made it appear; and as a charge of so serious a nature as that of the Bengal community supinely conniving at a system of slavery for years past, had been preferred against us, that it was but justice to ourselves, before petitioning Government, to be guilty of so great a stretch of authority, as preventing or even suspending the emigration of free British subjects, to appoint a committee to enquire whether any such traffic existed; as by at once petitioning for its abolition, it would appear to the world on acknowledgment, that we had permitted a slave trade to grow up and flourish under our eyes, until exposed to the world by Lord Brougham.

The Revd. Mr. Boaz replied, that the principal object of the meeting was to ask Government to institute a strict enquiry into the case.

The resolution was then read from the chair a second time, and carried unanimously.

Mr. Dickens—Gentlemen.—The substance of the resolution that I am about to propose for your adoption is, that the Government shall be solicited to institute a full enquiry into the abuses said to exist in the trade, which has been commenced, of exporting the hill coolies and other natives of India, to countries where slavery recently existed; and, in the meanwhile, that the exportation of persons of these classes shall be suspended altogether. It cannot be urged against us, that this resolution pledges the opinions of the meeting too deeply without due caution; it cannot be said that we prejudge any man or any question. It is moderate, perhaps too moderate, in the opinion of some amongst the denouncers of the traffic, but I wish to guard ourselves against the imputations of being actuated by a zeal without measure or by the spirit of party. Abundant ground has been laid for enquiry by facts and circumstances of alleged abuse within the knowledge of all the world, and if it should be said that we are prepared to act without evidence, our resolutions of to-day will shew that we do not, in asking for enquiry—which is all that we ask for, except intermediate suspension, which is evidently most reasonable and necessary to prevent irreparable mischief, in case the enquiry should terminate—as I believe it will, in that degree of evidence which is sufficient, in almost every occurrence in life, on which all men act every hour of their lives, when they do things from a strong moral conviction of their propriety or necessity, without pausing for legal proof. The degree of evidence required as the basis of a special legislative enactment, which may be considered as an exception to general rules is one thing, and that is for the Government to consider hereafter; the degree of evidence that is required to justify men in assembling in a public meeting, to ask for enquiry is another, and that is all we are going to do, and we do it in the strongest conviction that common justice, and the protection of our fellow-creatures cry aloud and ask for it in a voice that will not be silenced. I understand that we shall be met by two arguments, the first that there is a law already, which is adequate to the occasion and fully sufficient for the purpose of protecting these poor, igno-

rant fellow-creatures of ours from all abuse and oppression in these contracts for foreign service; and the second argument is, that it is an infringement of the rights of that class of her Majesty's subjects called hill coolies or Dhangers, to prevent them from carrying their free labour to what market they will; an interference, it is urged, which militates against an abstract principle of high value, and unnecessary interference with the liberty of the natives of India. Let us examine the law of the 1st May, 1837, which Lord Ellenborough, in the House of Lords, in a late debate, seemed to take for granted was framed by the scientific wisdom of the then Law Commissioners, and let us put it to the test of critical analysis and see if it be sufficient for the purpose for which it was intended; but, before we test it by reason, let us recollect how it has been treated by authority, by very high authority, nay by the very highest authority. Lord Brougham pronounced it wholly inadequate to the end proposed; the Duke of Wellington, that great man, whom I feel that it is almost presumption in me to praise, whose sound and clear judgment in civil affairs, will in the eyes of posterity be acknowledged to be as conspicuous as his most brilliant deeds in the field of battle, and in whom a perfect and manly candour is as conspicuous, as sound judgment, has commented upon it in detail and exposed many of its defects. Lords Lyndhurst and Ellenborough, no mean authorities, have made the subject of animadversion and not a single minister of the crown, has, as far as I can see, defended it though they expressed, as was to be expected, a full reliance that the wisdom of Lord Auckland and the local Government, would be found wholly adequate to all the purposes of repression of these evils.

The law in question, gentlemen, was passed on the 1st May, 1837, and is styled Act No. 5. By the first clause, it is enacted, that no native who makes a contract on service abroad, shall be received on board any vessel without a permit from an officer authorized by Government to act in that behalf. By the 2d clause, the native is to appear personally, accompanied by the exporter or his agent, and exhibit a memorandum of the contract written both in English and the *mother tongue* of such native, or *some language understood* by such native which memorandum shall specify the nature, the term and the wages of the service as settled by the contract. Now, gentlemen, this law was framed at the time it was well known, that the great majority of all such labourers exported were hill coolies, who could not read and whose language is unwritten, and I should be glad to be informed who there is in Calcutta, who knows how to read this contract written in the *mother tongue* of the Dhangers? who there is who *could* write such a contract in that tongue? or what written language it is that the hill coolies can read, seeing that their own is one in which writing is unknown? By the 4th and 5th clause, when the officer is fully satisfied that the coolie fully understands the terms of the contract and is desirous to fulfil the same, the officer shall write a note by way of memorandum on the back of it and the contract shall be delivered to the native to be kept by him during his service. So it would appear that either the superintendent of police must have fully explained, point by point, to nearly 6,000 hill coolies, the terms of this contract to their perfect comprehension and satisfaction, or else that the law has not been executed. For my part, I believe that the law has not been complied with, from the obvious impossibility of carrying into effect its provisions. The native can derive no benefit from keeping that which he cannot understand, and which, if he could understand the language of it, he could not understand its terms, or be satisfied with them, if he did, as I shall presently take upon me to shew. But the native is to keep this for his protection, forsooth, in Demerara or Mauritius? Keep it, as a facetious friend of mine said, when asked about the place of custody, in his breeches pocket, for five years ready to produce at every turn when required for his defence from

injustice! Let us then see what sort of a contract this is which is to protect him.

1st. The natives agree to proceed to Demerara to work as labourers there, upon a sugar estate the property of ——— and to remain there, if required, the time of five years.

2d. The passage of the natives to Demerara shall be paid by ——— who shall also provide a passage again to this country (India) for each native who may then wish to return; but if any individual from any cause, SHOULD BE DISCHARGED, OR LEAVE THE EMPLOYMENT OF ———, before the expiration of five years, such individual shall have no claim on him for a passage.

3d. The pay of the natives shall be fixed at five rupees per month for each man. The labour required from them will be that of digging holes, weeding canes, working in the sugar-houses, repairing roads and bridges, or otherwise making themselves useful, according to their ability as ——— MAY ORDER THEM. THE QUANTITY OF DAILY LABOUR REQUIRED FROM EACH, TO BE FIXED BY THE MANAGER OF THE PROPERTY: the pay of the sirdar shall be fixed at seven rupees per month, and boys at three rupees a month.

4th. As ——— must be responsible to Government that the natives shall not be a burthen to the colony in the event of their being discharged, or leaving their employments, ONE RUPEE PER MONTH shall be retained from the pay of each individual until there shall be a sufficient sum to provide a passage for each to Calcutta; should no such contingency take place, the money shall be restored, at the end of five years.

Thus, gentlemen, we see when we come to compare this contract with the 3d clause of this act, the real value of the protection it affords. I ask whether, by the terms of that contract, it is not obvious to every person of common sense, that the coolie is wholly in the power of his employer, from first to last; whether the contract does not bear on its face the brand of fraud and slavery? whether it is not plain that the very day before the five years expired the master might discharge his servants for any pretext however unreasonable, and thus relieve himself from a burdensome obligation; whether it is not as plain that he might require from him an impossible quantity of labour and thus relieve himself in a most effectual manner from the burden of his return passage? Shall I be told this would be inhuman and ought not to be supported? Why, gentlemen, in England the legislature has been obliged to protect children from their own parents, who would have forced them to labour more than sixteen hours a day. Yet, gentlemen, these contracts, such as they are, have passed inspection, and under the 5th clause of Act No. 5, the superintendent of this traffic must have professed himself satisfied that the native fully comprehended its terms, unless (as I believe) the act was wholly useless from the very beginning. By the 7th clause of it, the superintendent is to prevent the embarkation if a greater number of coolies than he thinks ought to go in one ship, if dissatisfied with the fitness of the accommodation; and by the 9th clause he is to receive a fee of *one rupee*, from the exporter, for each coolie he passes, thus placing his interest in direct and incessant opposition to his duties! This, gentlemen, is the act which, to use Lord Ellenborough's words, the scientific wisdom of the then law commission, or if not so, then the practical wisdom of the Governor-General in Council, aided by the science and legal philosophy of one member of the law commission, has devised, as a check to abuse, in the export of these poor people! We are bound, gentlemen, to believe that the utmost which legislative wisdom in India could do has been done. I do believe it, and it is, therefore, as well for other reasons, gentlemen, that I feel satisfied that any attempt to control the abuses engrained in the very nature of this traffic, cannot by any law or regulation be cured or palliated, and

that I vote, as I trust you will do, for abolition. I proceed to the second argument, that it is an infringement of civil rights. Not surely if protection be required by these poor men, and the contract is not understood or unfair, and these are the very points, I can hardly say in dispute, but which we urge. I say they cannot be said to be in dispute, because the latter is indisputable, and I doubt whether any one man can be found who will push abstract principles so far as to say, that in no case ought emigration to be regulated or restrained if incapable of regulation. None but a visionary, fit only to occupy a place in the island of Lapland, will pretend to urge that the right to emigration is a right, which ought in no case to be subject to limitation. Luckily, however, let who will urge those strange notions, we are in no danger of encountering opposition on such ground from the Government. The act of the 1st May, 1837, is at once an abandonment of the abstract principle, a solemn admission that the trade is fraught with the danger of abuse, and requires limitation and regulation; besides, gentlemen, it would be strange indeed if Englishmen were to be told in India, that it is the inherent and inalienable right of every subject of the crown, to visit any other part of the dominions of the crown, for the purpose of carrying his labour to the best market, when you know that we are prohibited by several sections of the last charter granted to the Company, from carrying our skill and capital and intelligent labour to the markets of a very large portion of India without license. We are in no danger, therefore, from abstract principles in this quarter, and may safely hope that the right of free emigration possessed by the hill coolies, may be curtailed for their good, when our right of free passage to this country is curtailed, and pretty largely, on the assumption that it is good for the natives of the country.

The foundation of this newly begun trade to Demerara, stands on an order of Lord Glenelg, which has also, as it seems, obtained the entire and unqualified approbation of Sir J. C. Hobhouse. By this order the traffic in coolies across half the globe, to what was lately a slave colony, is licensed. The tribe of natives of India, gentlemen, whose transportation is thus licensed and legalized, are confessedly amongst the most ignorant of her tribes; they are permitted to go to a land where those who have hitherto laboured, now that the overwhelming coercion which compelled them is removed, will labour no more; where the only relation that has hitherto existed in service, has been that of master and slave; where labour (in itself honourable) has always been stigmatized as the portion of slavery; where the late masters of slaves are the lawgivers; where the prejudices of color are entertained and produce a degree of hatred, and scorn of fellow men, of which you have no adequate conception—even to ferocity. Were these things, gentlemen, explained to the hill coolies, and did they fully, aye fully, understand them in their remotest consequences! There is something besides the contract of service to be considered, in these engagements, but the coolies were alike incapable of comprehending, what was easy to us, as what might be difficult even for us to measure. When I consider that this order in Council has been passed by Lord Glenelg, the professed protector of the poor and ignorant native of India, one of the framers of the East charter act, which it is literally assumed without proof, that they will be ill treated here by every Englishman not in the Company's service, in which, viz. the 85th section, it is said, that the mere intercourse with us, gentlemen, renders it necessary to provide with all convenient speed for the protection of the natives from insult and outrage in their persons, religions, or opinions, I am amazed! Did Lord Glenelg then consider, that these men would be better protected in Demerara? Did he believe, that the coercion of the Home Government was stronger there, where the Europeans are numerous, united, and the possessors of legislative power, and who have constantly defied the authority of Parliament itself, than here, where the uncovenanted English are a scattered band, scarce 2,000 in number,

at the mercy of the Government and every local authority, and where every magistrate is protected by law from affording compensation for civil injuries and secured in impunity for violence beyond the law, by the impossibility of proving a criminal intention? The more I consider this act of Lord Glenelg's, the less, I confess, I am able to understand it, for I see plainly, that while he considers it unsafe, that Englishmen in India should have free and untrammelled intercourse with the poor and timid natives in their own country, and under the protection of a strong and despotic Government, his lordship is of opinion that in Demerara they can protect themselves! I am unable to understand it!!

I shall touch but lightly on the alleged abuses of the traffic on this occasion; but I may mention here, that I have received credible information, that one individual of proved bad character has cleared a sum exceeding 40,000 rupees for head-money in this traffic, and that he is in constant communication with the police, and in the habit, in his own name, or that of his agents, of sending abroad circulars addressed to the judges, collectors and magistrates, which are countersigned and registered by the police, calling upon the authorities to aid his minor agents in the task of marching these coolies through the various districts from which they come to Calcutta. The signature and sanction of the police was doubtless well intended, but the effect of it is naturally to persuade the officers of the zillah courts and the different dargahs, and local police agents, that the agents, camps and kidnappers (I unhesitatingly so call them,) of this and other contractors in Calcutta, are acting by authority of the Government, and such is the persuasion of the coolies themselves! Further facts it would be premature to detail. I trust I have said enough to secure your cordial concurrence in the resolution I shall now have the honor to submit to you.

Mr. Dickens moved the following resolution.

It. Resolved, that while this meeting distinctly disavows the remotest intention to interfere with the civil rights of any class of her Majesty's subjects, or the slightest wish to press upon the adoption of Government any measure that should interfere with free emigration, it feels bound, solemnly to declare its deliberate conviction, that the hill coolies and other natives of India, who are induced to emigrate, do not understand, and are not capable of understanding the terms of the contract into which they are said to enter; and, entertaining this conviction, the meeting further resolves, that it is expedient respectfully to petition the Government to institute a full enquiry, into the circumstances of the traffic; which enquiry, in the opinion of this meeting, will necessarily lead to its prompt and total suppression, and that in the mean while, and pending such enquiry, the exportation of natives of India to any part of the world, as labourers, be suspended.

Mr. Bracken, in seconding the resolution, observed, that after the eloquent speeches of the Bishop of Calcutta and the Reverend Mr. Charles, he should confine himself to merely stating, with reference to the authenticity of the reports, which had appeared in the *Hurkarah* newspaper, that he had the authority of Mr. Patton for assuring the meeting, the reports were correct copies of the depositions made before him at Allipore. Mr. Bracken thought the public ought to be assured that such was the fact. He further observed, on the authority of Major Archer, who had lately arrived from the Mauritius, that the coolies were utterly ignorant of the engagements they entered into and were very ill-treated.

Mr. Osborne questioned the opportunity which Major Archer had of forming an opinion regarding the

state of the coolies at the Mauritius; he had been just informed, that Major Archer was not longer than a few days at that place. In reply to Mr. Dickens, Mr. Osborne said, that although he knew nothing of the Dhanger language, he was sure that the coolies were not from that country only, but from Bengal and other provinces of the empire, whose language was understood at the police office; and he was surprised to hear that there was no one in Calcutta who spoke the Dhanger language, and could explain the articles of contract to the Dhanger coolies. On the whole, he had thought that the object of the meeting was at once to abolish the trade without any inquiry, but he was now satisfied that such was not the case; and he would therefore support the resolutions.

Mr. Bracken here expressed a wish that Major Archer should address the meeting, as he had ascertained since his first communication with that gentleman, there had been a misunderstanding, Mr. Bracken having applied Major Archer's opinions of ill-treatment to the Mauritius, which were intended to be limited to Calcutta.

Mr. Longueville Clarke, stated, that he had purposely obtained from taking any active or leading part in bringing about this meeting, although he had been flattered, both in the newspapers and other publications, with apathy on this great question. When it was first mooted; Mr. Turton was in England, Mr. Dickens in the upper provinces. They had always been his fellow labourers in the vineyard of public movements, and it was to himself the more the taunt applied, of being forward enough in stamp act, or black act, or ice questions, or leasing favourite statesmen, but having no sympathy to the oppressed and helpless coolie. But these were not his feelings; he wished to aid, and therefore feared to injure the cause, and as his Indian career had been marked for its radical politics, he had purposely abstained from taking a lead in this question; that it might not be alleged, that this meeting was brought about to aid any political purpose. (*Cheers*) He rejoiced to find the names of the Lord Bishop and the Venerable Archdeacon at the head of the requisition, and he was willing to follow in their wake, for the measures proposed ought to be supported, for the sake of humanity, by every man, no matter what God he worshipped by every man, no matter what his political creed. (*Loud cheers*) Mr. Clarke expatiated at great length on these points, and then continued: he would now take another view of the question. It might be urged that the opposition to coolie exportation originated in local interests. If the trade would be prevented, it might injure the sugar colonies, to the benefit of the sugar planters here. It might also give to the planters here the benefit of that labour which would otherwise be abstracted. For the sake of the argument he would admit all this, and he would as readily admit that being true, it afforded no reason for stopping the trade. If the trade were not injurious to the coolie himself, then never mind the planters, the many must not be injured for the few and the labourer had a right to seek employment abroad without reference to the interests of the cultivators at home. It was in this wise spirit those absurd acts against entering artisans abroad had been repealed in England, and these were the principles of political economy he would always advocate. (*Cheers*) But he took up the cause for the sake of the coolies; it was for them he feared. (*Cheers*) He would throw overboard all questions of ill-treatment; he would grant to the traders that nothing had been proved on the subject, or if it had, he would not stop to argue from particular instances to the general principle; but he would argue from the general to the particular, and would shew the whole system to be so generally bad, that in no one instance ought it to be permitted. In taking

this general view of the question, he had only to draw their attention to the condition of the coolie who was exported, and to the historical character of the men, to whom they were entrusted. The coolie was represented, as but little removed from the monkey, so wild, so deplorably ignorant, as to be utterly helpless; what then would become of him in a foreign and distant land, where his language was unknown, and his wants and habits were strange? Removed from his tribe, his relatives, his friends, from those Englishmen who, never having been slave-owners, could feel for his degraded condition; (*loud cheers*),—removed from the paternal care of this Government, and many of its excellent servants, what was then to save him from oppression, if it should be practised? (*cheers*) Now, was oppression likely to be practised? To answer this, let them look, not at this, or that instance, but at the general history of slavery, and slave-owners. (*loud cheers*) Go back to forty years hence, and examine the state of the slave then, his very life at the mercy of every savage driver, to say nothing of the tortures of the cart whip. True his condition had been ameliorated, but was it the act of the slave-owners, or from any sense entertained by them of humanity or justice? (*cheers*) No, it had been forced upon them; they had fought the battle of the hour when the slave was declared free; they had resisted till the breach was stormed and carried; it was the act of that excellent, he had almost said divine, man William Wilberforce; it was the result of successive Acts of Parliament, wrong from the legislature, and forced on the slave colonies. (*cheers*) Such was the history of slavery, and slave-owners. History spoke their deeds, their deeds spoke their character, and was it to the tender mercies of men of that character, that the helpless coolie of the hills was to be committed. (*loud cheers*) This to him appeared the strong view of the question; it would be strengthened, and much strengthened, by particular instances of oppression, and the almost general system of kidnapping; but if neither existed, still the trade ought to be put down, when it exposed the avowedly helpless to a class, whose oppressions were a matter of history. (*Cheers*) It were better to trust their property with the common thief, their characters with the common slanderer, their lives with the cut-throat, the honor of their daughters with the bawd, than the liberty of man with the slave-owner. (*loud cheers*)

Mr. Dickens spoke in reply to Mr. Osborne and others.

Major Archer now appeared on a chair, elevated above the rest, at some distance from us, and stated that it was true he had been only a short time at the Mauritius, sixteen days; but that on the neighbouring island of Bourbon he had resided some years. He said he was a hater of slavery in all its forms, and ready to shed the last drop of his blood in defence of freedom. (*Loud cheers*) The laws at the Mauritius, so far as they went, were good, and their leaning was towards the coolies and against the planters. Major A. had sought information from the planters themselves, and had been informed by them, that they were quite satisfied with the conduct of the coolies. Offences amongst them were of rare occurrence, and they were paid their wages with great punctuality. (*hear, hear, from one or two on the opposite side of the question—perfect silence among the friends of the cause*) He was ready to admit that the major part of the coolies had been inveigled into these countries, and there were now at the Mauritius 18,000 of them, besides some at Bourbon. He was willing to believe that they were ignorant of what they were about, and being naturally desirous to enquire into the matter, he had questioned some of the coolies whom he met at Bourbon, and learnt from them, that they had not yet been set to work, and that they were ignorant of the nature of what they would have to perform. On the whole, he thought these men were

well treated there, and had better wages than they could obtain here.

Major Archer returned to his seat in the midst of much and confused talking, and Mr. Bracken rose to observe, that Major Archer was of course the best person to give an account of what he had seen and heard; but that he, Mr. Bracken, had understood Major Archer to state distinctly that the coolies were miserable. But it appeared, Major A. had alluded to their misery here, and he, Mr. B., had understood the expression to apply to their condition at the Mauritius. Evidence of their treatment in Calcutta was of course in abundance.

Mr. Dickens observed, that although Major Archer had been called on to give evidence on behalf of the cause, certainly by a mistake, he had mentioned one fact which alluded a strong proof in defence of the objects of the meeting. He had stated that there were 18,000 coolies at the Mauritius; but by the registers of coolies it appeared that only 6,000 had been sent; the great surplus number, therefore, must have been carried thither clandestinely, and the fact in some measure accounted for the 40 or 50,000 rupees which certain persons had made by this trade, and to which he, Mr. D., had before alluded.

Mr. Dawson observed, that 10,000 coolies had been imported from Pondicherry.

The resolution was then put and carried *nom. con.*

Dwarkanath Tagore rose to move the third resolution.

III.—Resolved, that in order to carry into effect the foregoing resolutions, the following petition be adopted, signed and presented to the Honorable the President of the Council in Council at the earliest convenient day.

The institution of an enquiry, being the object of the present meeting, he would reserve for a future and more suitable opportunity the details of facts, which he had in store as to the manner in which these poor natives were inveigled and carried out of the country. He would have much pleasure in affording all the information in his power to any committee that might be appointed to enquire into the business. Major Archer had stated that, in point of wages, these coolies were better off at the Mauritius than here. How could this be, when out of the four or five rupees they get they have to pay largely to the duffadars and others concerned in this trade? But even granting that their wages were higher at the colony, how were they to provide for their families here, who were certainly exposed to the greatest misery during their absence? So far for the benefit of the high wages conferred on them. Ever since the administration of Lord William Bentinck, flogging as a punishment had been abolished here; but the benefits, of that mode of punishment were yet in vogue at the Mauritius. All he could say, was, that the sooner his countrymen ceased to relish such benefits the better for them. (*Much laughter and loud cheers*) He alluded to the time when the act of Government affecting the exportation of coolies was under discussion at the Marine Board. At that time his friends Mr. Parker and Mr. Greenlaw drew up a sketch of the provisions which were thought necessary; but these provisions were vetoed by the great legislator, Mr. Macaulay, who considered them too detailed, and an act being promulgated after his peculiar laconic fashion, the poor coolies were hurried on board by wholesale, under its provisions. If the details he alluded to had been allowed to stand, those poor creatures could not have been transported from their native land with such wonderful facility. Dwarkanath Tagore observed, that in Calcutta and in all the factories throughout the country, eight months was the utmost limit to which a native labourer could ever consent to remain apart from his family; how these men had become all at once willing to leave, not

only their families, but also their country, and remain in exile from their native land for so long a period as five years, was to him a perfect mystery. He could only account for the fact by supposing that, as it had been asserted, these men were totally ignorant of the terms of the contract they entered into, and that their long stay at the colonies was beyond question a measure of coercion. He readily could not account for the motive which could induce so many of his ignorant countrymen to cross the ocean at the suggestion of the duffadars, unless it were a philanthropic wish to produce for mankind a better quality of sugar than could be produced in this country. (*Loud cheers and laughter.*) The speaker then read the resolution a second time.

The chairman observed, that although the meeting appeared to be unanimous in regard to the resolution he thought it necessary that the draft of the petition be read before it was sanctioned. The Revd. Mr. Boaz then read the petition, and, at its conclusion, observed, that Major Archer had alluded to the high wages the coolies received at the Mauritius, and their happiness at that place. He would ask Major Archer if that happiness consisted in leaving their families and native land for a pittance of four or five rupees a month? He would ask Major Archer if that happiness consisted in being crowded on board ship and suffering the misery of sea sickness? He would ask Major Archer if that happiness consisted in the untimely death of so many who had been thus expatriated? He would finally ask Major Archer, if the happiness he alluded to consisted in working from five in the morning to five in the evening, which he was told the Indian coolies were obliged to do at the colonies, the climates of which were different from that of their native land? If these questions could be satisfactorily answered he would be satisfied but not till then. As the case stood, it reminded him of some old English lines which ran thus;

Humpty Dumpty sat upon a wall,
Humpty Dumpty had a great fall;
And all the King's horses, and all the King's men,
Could not get Humpty Dumpty up again.

The fall which the coolie traffic had received that evening, appeared to him a great fall, such an one that it could no more recover from it than poor Humpty Dumpty. (*Loud laughter.*)

The Revd. Mr. Morton said, he had been at the Isle of France, and the price of food there was double of what it cost here. He also commented on the desitution to which the wives and children of these unthinking emigrants were exposed during their absence, especially in such seasons of scarcity as the one which has lately afflicted the upper provinces.

Captain Harrington, the Master Attendant, had no wish to offer any criticism or remarks on the conduct of Government, or any of the public authorities concerned; but at such a public meeting, and on such an occasion, he felt it his duty to state, that murderers and the vilest malefactors, transported from this country for crime, had always some provision made for their comfort on board during the voyage; but in regard to the coolies, he solemnly declared he had never been called upon to provide any comfort for them, or to examine into their accommodations. He had witnessed two or three hundreds of them packed off on board like so many sheep and oxen, & practice the like of which he never remembered in the whole course of his official career.

Mr. Dickens, alluding to the remarks of the Rev. Mr. Morton on the dearth of food at the Mauritius, commented at some length, and was followed by Mr. Dawson, who observed, in reply to him, that the coolies were provided with rice, dall, ghee, and even chilly, to which the last speaker had alluded particularly.

Dwarkanath Tagore. What will you say about the desitution of those whom these unthinking people leave

behind, their wives and children, on whose condition the Rev. Mr. Mortou has already commented?

Here Mr. Longueville Clarke suggested a verbal alteration in the petition: he proposed that the President in Council be substituted for His Lordship, which was agreed to, and the resolution carried unanimously.

Mr. Roger Dias, felt himself called upon to take up some observations that had been made by Mr. Osborne on the Fouz-dary reports. Mr. Dias declared himself as the author of those papers, and said he had seen Mr. Patton in the room, who could tell the meeting that the reports were authentic and accurate in every respect. Mr. Osborne was pleased to question the integrity of reporters. Mr. Dias begged to remind the meeting, that Mr. Osborne, but a very few months ago, frequently reported the Supreme Court cases, for the *Hurkaru*; could not Mr. Dias question their authenticity; but he would not do so. Mr. Osborne could not account for the authenticity of reports, but how would that gentleman account for a change of principles in public characters? Did not every body know that certain individuals had been engaged for a number of years with the radical press, during which time they strenuously supported all liberal views; but just as emolument became a paramount consideration, those individuals turned tones, to the astonishment of all [Order from the high Sheriff and others at the opposite end of the room.] Mr. Dias apologized for having given vent to his feelings, but he had been urged to it by the constant and gratuitous aspersions which Mr. Osborne had indulged in, in the course of the debate. He would now call the attention of the meeting to a case that had transpired on the previous day, at the Allipore Court. Mr. Thomas Francis, a gentleman, who Mr. Dias believed is in some way connected with the coolee trade, had written a letter to the magistrate of the 24-Pergunnahs, and yesterday personally attended the court, and enquired, under what charge Supt. Floyd arrested some coolies on the old Ballasore road near Sulkeah. The magistrate said the men had not been apprehended on any charge; but that they were detained pending an enquiry, that was in progress, regarding a system of kidnapping that had been extensively established in the 24-Pergunnahs. The magistrate was glad, however, of the opportunity, and requested Mr. Francis to examine the men himself, as the magistrate felt convinced he would feel satisfied that he was deceived by the duffadars. Mr. Francis then examined the coolies one after another, and every man said, "I will not go to the Mauritius; I have been deceived. The duffadars promised me employment here; they have threatened, abused, and maltreated me." Mr. Francis took note of the replies he got from the coolies, and declared that the duffadars had entirely abused the confidence of the European agents, and had duped the coolies. Mr. Francis then observed, that he could not account for the declaration the coolies had made before Captain Birch, before whom every one of them had willingly consented to be shipped. The magistrate said, he flattered himself that he had much experience, and from his constant practice was very familiar with the native tongues; but he would feel it impossible to make the coolies understand the nature of an agreement of a term of apprenticeship for a certain number of years; that they would get certain wages, a portion of which would be held in hand as a security for good conduct, and that the coolies would be allowed certain clothing and diet during the middle passage. The coolies are too ignorant to understand the nature of a compact containing so many peculiar provisions, and the magistrate believed the police authorities must have found great difficulty in affording sufficient explanations to the coolies on the points adverted to by him. Mr. Francis retired satisfied.

Mr. Dias would now ask the gentlemen engaged in the trade, if the above was not a clear case? and would

Mr. Osborne require a stronger case in support of the facts which had been exposed by the press. "I (said Mr. Dias) have no interest in the business: it was accident alone that enabled me to bring to light a nefarious practice, and I believe that, if Mr. Osborne had been in my situation at the time, he would have felt himself bound to bring the case to the notice of the authorities. I thought, gentlemen, the cause of humanity, of my fellow-creatures, loudly demanded the course I pursued in the case of Oojawah! (*cheers and hear hear.*)

"That case (continued Mr. Dias) has been instrumental in exposing the villany of the crimps and duffadars, and has exposed a system, which would have gained stability, as it had spread itself over the whole country, so far as Guyah and Benares, and to countries on the south of Calcutta. People of all castes were kidnapped—not only Dhangers but Bugdies, and even Rajpoots and Brahmins. A timely check has been given to a system abounding in danger to the happiness of this country. I (said Mr. Dias) applied yesterday to the magistrate for subpoenas for certain respectable members of the H. C. Bengal Marine, by whom I proposed to prove, that in the month of May of the past year, two ships left this port with coolies, one of them, the *Ajar*, took out fifty men, five women and three children. The meeting would feel surprised to hear, that those poor creatures had been exposed to the inclemencies of that dangerous season of the year (the season from May to August being the most precarious for navigation in the Bay) and had been all put on board the long boat of the ship, which was held on by a hawser. This, gentlemen, (said Mr. Dias) was the case. A hawser was the only means of safety for the lives of fifty men, five women and three children! What do the supporters of the trade say to such treatment! and I believe Captain Harrington can bear me out in this assertion.

"I have also, Mr. Sheriff, (continued Mr. Dias) to bring to your notice another fact that came to my knowledge, from a very respectable quarter—a gentleman whose authority is not to be questioned. A few evenings ago, at a party comprising several of the most respectable members of the Civil Service, and many of the most influential merchants, a merchant, in conversation, mentioned that a ship left this port on Thursday or Friday last, with a number of coolies; that in the river the coolies took flight, twenty jumped overboard and several of them were never heard of again. We have not yet any authentic report of this sad tale, and, perhaps, no one will come forward to enquire into the circumstances by which twenty human beings were lost, (*hear, hear and cheering*) I did not come here with a prepared speech, or with the intention of making one. I have watched the opinions that have been promulgated, by means of one portion of the press. I said before I had no interest in bringing forward the case of Oojawah; I again repeat it; but you will admit, that a subject in which we were all so deeply interested, should not have been selected as one for facetious remark, or one that should have been dealt with lightly. You have heard the facetious remarks that have this evening fallen from a gentleman; I will now ask if those remarks were timely, or applicable to the case of the father, the widow, and the helpless? I was present at almost every proceeding held by the worthy magistrate of the 24-Pergunnahs. One day an old man, apparently of about sixty or seventy years of age, came crying before Mr. Patton, and said, that his son, his only child and support, had been stolen from him, and that he would now have to beg for maintenance. Among the forty-eight coolies released at Sulkeah, one man said his brother and his daughter had been kidnapped. A widow declared her son, her only support, had been taken away by the duffadars. Are such cases to be dealt with facetiously? Are we to be deaf to such cries? I feel, gentlemen, I have done my duty, and I trust, I will, at least, have your support in bringing

to light such facts as may come within my knowledge or observation. (*Cheers.*) In the case of Oojawah, I thought I was doing right, at least that it would be the means of detecting others, and we know that it has mainly contributed to the detection of the prison at Bhowanipore." Mr. Dias concluded by observing, that he would leave his conduct to be examined by the public, and if they attached any blame to it, he would hope to be forgiven; but he felt convinced, that if his efforts were commendable, they would obtain for him that boon which every good act was sure to win. (*Loud cheers and applause.*)

The Revd. Mr. Morton, said that he had been

disgusted by the levity of Mr. Osborne's speech. He again adverted to the destitution of the families of those who had been exported, and in a most animated manner, denounced the heartless man who could treat such subjects lightly.

Captain Harrington reiterated that he had never been called upon to look to the comforts of these coolies, although he had always been called upon to provide for the vilest of criminals.

Mr. Leith proposed the thanks of the meeting to the worthy chairman, which was carried by acclamation, and the meeting broke up at about 7 p. m.—*Hark., July 21.*

AGRICULTURAL SOCIETY OF INDIA.

A general meeting of this society was held at the Town-hall, on Wednesday the 14th July, 1838.

The Hon'ble Sir E. RYAN, *President, in the Chair.*

Present:—Dr. Wallich, v. p.; Mr. C. K. Robison v. p.; Dr. Hufnagle; Mr. W. Storm; Dr. Strong; Messrs. G. A. Prinsep, A. Grant, G. F. McClintock, A. Colvin, E. Stirling, W. Ainslie, D. Hale, T. S. Kelsall, W. K. Ewart, C. Trebeck, W. F. R. Ferguson, R.—Campbell, A. Harris, A. Porteous, E. S. Hodges, R. S. Strickland, Jno. Jenkins, Thos. Braeken, Thos. Leach, Baboo Cassinut Bose; Messrs. H. Cowie, Jas. Church, G. T. F. Speed and John Bell.

Visitor:—Mr. Colin Campbell.

The proceedings of last meeting were read and confirmed.

The following gentlemen, proposed at the June meeting, were duly ballotted for and elected members of this society, viz.

Major H. Cox; H. Fieeth, Esq.; H. J. Leighton, Esq.; Colin Campbell, Esq.; Brigadier General Sir Thos. Anbury, v. c. n.; W. R. Logan, Esq.; Baboo Peary Mohun Day; W. F. Dawson, Esq.; Major J. D. Parsons; Colonel L. R. Stacey.

The following gentlemen were proposed as members, viz.

Jeffrey Finch, Esq., of Tirhoot, proposed by the secretary and seconded by W. Storm, Esq.

Colonel G. W. A. Lloyd, Darjeeling, proposed by the secretary and seconded by Dr. Wallich.

Capt. C. Dallas, Artillery, proposed by Capt. H. J. Wood, and seconded by the secretary.

W. Bell, Esq., C. S., proposed by W. Cracroft and seconded by the secretary.

Alexander Holmes, Esq., proposed by G. A. Prinsep, Esq., and seconded by the secretary.

E. D. E. Shuttleworth, Esq., proposed by Thos. Leach, Esq., and seconded by W. W. Kettlewell, Esq.

J. D. Herklots, Esq., proposed by Chas. Hufnagle, Esq., and seconded by W. Storm, Esq.

Geo. Bartoli, Esq., Coolbariah, proposed by W. Storm and seconded by Jas. Crook, Esq.

Dr. McCosh, proposed by Dr. Strong and seconded by C. Trebeck, Esq.

Motion of which notice was given at last meeting.

The motion by G. A. Prinsep, Esq., and seconded by C. K. Robison, Esq., to appropriate the sum of 500 rupees for procuring cotton-seed, from South America, was brought forward and discussed, upon which Mr.

Prinsep requested to withdraw his motion, in favor of another upon a more extended scale, viz.

NOTICE OF MOTION.

Proposed by G. A. Prinsep, Esq., and seconded by C. K. Robison, Esq., "that the sum of one thousand rupees annually be set apart for procuring cotton seed (of every variety of cotton in estimation) from South America, the Western Coast of Africa, China, Manila, and all places capable of affording good cotton seed not already resorted to by the society for that object."

REPORTS.

Read the report of the caoutchouc and oil seeds' committee, on certain specimens of caoutchouc and dammer varnish, grass and grass otta, submitted for their opinion. Ordered to be made over to the committee of papers.

Read the report of the agricultural committee on the state of the sugar-cane plantation, in the Society's nursery, at a meeting held at the residence of Dr. Wallich on the 28th June, 1838.

The following communications were read:

From Brigadier Genl. Sir Thomas Anbury, dated Saugor, Neerbudda territories, June 28th, acknowledging the receipt of the secretary's letter of the 15th June on the subject of Mr. Alexander's melon, produced from seed presented to the Society last year by Sir Thomas. Mentions that this has been an unfavorable season for melons at Saugor,—but encloses part of the rind of one produced in his garden, of twenty-seven inches circumference, promises to send down some more seeds from the same description of melon, and forwards a few seeds of the Semool cotton.

Two very large and well flavoured pomegranates, were presented through the secretary by a gentleman who grew them at Chinsurah, and promised to send a memorandum,—which, however, has not been received, and the donor's name is accordingly unknown.

A packet of tobacco seeds of sorts, and samples of three varieties of tobacco, grown in the branch society's garden at Burdwan, was presented by Dr. Cheek.

From Jeffrey Finch, Esq., dated Tirhoot, 5th June, acknowledging receipt of secretary's letter of the 18th idem, regarding the sample of apples presented by him to the Society, and with reference to the request conveyed therein, encloses a memo. detailing the mode adopted by him in the cultivation of his apple trees.

From N. Alexander, Esq., dated June 14, forwarding a melon grown in his garden from seed presented to the Society by Sir Thos. Anbury, the weight of which was 5 lbs. and its circumference 24 inches.

Memo.—This melon was sent a day too late to be presented to the Society, but it was acknowledged by those who saw it, to be the finest specimen of melon they had seen in Bengal, and in flavor it was exquisite.

From M. Crow, Esq., dated 22d June, forwarding a bunch of purple grapes, produced at Serampore, in the garden attached to the Vicarage, under the Revd. Mr. DeMello. The bunch weighed 2½ sicca weight, and was of fine flavor; but the fruit was so thickly set together, that the grapes were squeezed into all manner of shapes.

Had the method successfully adopted by Mr. Milner, been known, the appearance and size of the Vicar's grapes would have been very different.

From Dr. Wallich, dated June 21st, enclosing a letter to his address from Captain Jenkins, dated June 13th, forwarding a sample of mislance wool.

From Dr. Wallich, dated June 21st, annexing a postscript of a letter to his address from the Revd. C. F. Dillberg, tendering his services to the Society, to translate the transactions into the Bengalee language.

From M. McLean, Esq., dated June 23d, forwarding, on the part of J. Balestier, Esq., American Consul at Singapore, two bundles of sugar-cane, and a sample of raw sugar, entrusted to his care.

From J. Balestier, Esq., dated Singapore, March 20th, presenting to the society, as specimens of the produce of his plantation, with two varieties of cane, green and yellow also a small sample of raw sugar.

Mr. Balestier denominated the green the "Salangore cane," and the yellow, he thinks, is the Otahete. He craves the indulgence of the society to the sample of sugar alluded to (the first ever made on the island), which had been manufactured in a hasty manner, and with imperfect materials. Promises hereafter to give the Society the result of his labors.

Note by the secretary.—The canes were received and sent over to the Society's nursery, but Mr. Masters reports them all dead. They were very fine specimens as to size, averaging ten feet in length, and some of them eight inches in circumference. The sugar was in a very small pot, had been exposed to the sea air, and the molasse had not been drawn from it, consequently it was in a high state of fermentation.

From the superintendent of the Baptist Mission Press, dated June 23d, intimating his willingness to undertake the reprint of the transactions vols. 1, 2 and 3, 300 copies of each, at the rate of 1-14 per page, amounting in the aggregate to 1,732 rupees.

Memorandum.—The 1st volume is now in the press.

From Mr. C. N. Villet, dated Cape Town, May 11th, giving cover to invoice and bill of lading for 6 cases of vegetable and flower seeds, shipped on board the *Abberton*, for the use of the Society, amounting to sicca rupees 1,390, for which he has drawn on the Society at 30 days' sight.

From J. Tennant, Esq., dated Cape Town, 3d May, advising despatch per *Abberton*, of a parcel of seeds forwarded on the part of Dr. A. R. Jackson.

Note. — All these seeds have arrived in excellent order and condition, and are now under distribution.

From T. Wilson, Esq., M. D., secretary of the Agricultural Society of Comillah, dated 23d June, in reply to the secretary's letter of the 15th idem, respecting the offer of rewards and medals by this Society, to encourage the introduction of European vegetables at that district, states it as the opinion of their committee, that the amount would be better awarded (by pecuniary rewards only) to stimulate the growth of tobacco, grapes, sugar-cane, &c., superior to what is already grown.

The president moved, and it was resolved by the meeting, to refer the matter of Dr. Wilson's communication

to Mr. Bell, as the proposer, and Mr. Storm as seconder of the motion, for any suggestions they may have to offer on the point alluded to.

From Jas. Colquhoun, Esq., dated 11th July, presenting a sample bunch of guinea grass, grown in his garden from that received from Mr. Bell. The height of this grass is eight feet.

From Jas. Pontet, Esq., through Wm. Storm, Esq., a bottle of bamboo seed, collected in the valley of Rajmahal.

From J. W. Laidlay, Esq., Secretary to the Agricultural and Horticultural Society of Moorsheadabad, dated July 6, acknowledging receipt of secretary's letter of the 15th ultimo, and returns the thanks of the Society for the offer therein conveyed, viz. the award of fifty rupees and two silver medals to encourage the culture of European vegetables in that neighbourhood.

Advices despatch of four grafts from mango trees of a superior variety.

From Captain C. Barnett, dated Beaur, June 8, acknowledging receipt of guinea grass and cotton seed. States, that the former had vegetated freely.

Annexes receipt furnished by Capt. Wm. Barnett for preventing the ravages of white ants, in sugar-cane.

From W. Dent, Esq., dated Arrah, June 21, mentions having imported two rains for competition for the Society's medal at the shew fixed for the 1st February next.

Suggests a modification of the conditions on which medals are awardable for horned cattle, which is to the effect that on arrival the committee shall report their opinion, so as to render their exhibition of the animals unnecessary in February.

Proposed by C. K. Robison, Esq., v. p., who was called to the chair, on Sir Edward Ryan's departure, and resolved by the meeting that, as the *cattle thorn* is calculated to throw an interest into the Society's proceedings, and Mr. Dent's suggested modification would lead to much confusion and inconvenience, it is not expedient to alter the conditions already published.

From T. P. Marcus, Esq., dated June 30, presenting to the Society a mound of banmutti seed paddy.

From Dr. W. Montgomery, dated Singapore, June 13, returning, with re'ereuce to his former letter of the 31st May, the silver medal, awarded to that gentleman by this Society.

From H. T. Prinsep, Esq., secretary to Government, general department, dated June 27, acknowledging receipt of secretary's letter of the 23d idem, conveying a request of the Society, respecting, the transmission of fruit trees, &c. from the botanical garden at Saharanpore.

In reply thereto, states, that the application should have been addressed to the Governor-General for the north western provinces.

From N. Stemell, Esq.; Secretary to the Inland Steam Navigation Company, London, dated February 8, requesting, on the part of the Company, to be furnished with replies to a list of queries, respecting the facilities, &c. of the navigation of the rivers of India.

From E. B. Stevenson, Esq., dated Cottiam, June 2d, requesting, on the part of the Travancore Governor, to be supplied with copies of all the volumes of transactions past and future.

Resolved.—That the secretary do furnish a copy of this Society's transactions gratuitously to the Governor of Travancore.

From Mr. H. Mansell, dated June 5, tendering his services to make models of agricultural implements for the Society.

From Monsr. Parquir, dated July 2d, enclosing copy of the *Cornus* of the 14th April last, containing an article on the culture of beet-root in America, &c.

From Dr. Wallich, dated July 7th, presenting, in the name of Capt. Jenkins, two articles received by that gentleman from Capt. Hannay, viz. a sample of Rosin called "Mekai" by the Assamese, and some "Naga Cosseir Bark."

From Major Sleeman, dated Jubbulpore, June 27, gives cover to a paper on the subject of a blight which attacked the wheat and other crops in central India in the year 1831, and mentions the sad effects experienced by the inhabitants in 1833, owing to the consumption of this diseased grain.

From Wm. Dunbar, Esq., Assistant Surgeon, Ramghur Light Infantry, Dorunda, Chota Nagpur, dated June 30th, giving some account of a disease termed "Goorgoora," or "Nahurora," which had been very prevalent among the horned cattle in the neighbourhood, during the past hot season.

From Colonel W.G.A. Lloyd, dated Dorjeling, June 29th, in reply to secretary's letter of the 21st June, offers his services in distributing among the inhabitants of that district any variety of seeds that may be furnished to him by the Society. Gives some information respecting the seasons and capabilities of the country.

Memo.—The secretary had sent to Messrs. Bruce, Shand and Co., some Cape vegetable seeds, for distribution among the natives.

From L. A. Harris, Esq., dated July 9th, forwarding some specimens of cane grown on the high lands in the Soonderbuns.

From R. W. Chew, Esq., dated July 9th, presenting a bunch of the Pesang Gadung, or large plaintain of the Straits.

From Dr. Wallich, dated — July, presenting on the

part of Major Archer, a box containing a leaf of the Cactus, with a few insects of the true *grand finé cochineal*. On receiving this box the secretary found only six diminutive insects, and in subsequent closer examination four of these were found to be dead. Major Archer states, that all the large insects were destroyed on board the *Cavendish Bentick* by cockroaches, when he was too ill to look after them.

Mr. George Prinsep, in allusion to the above interesting communication, drew the attention of the meeting to the following extract of a letter dated London, March 7, 1838.

"As soon as a fitting opportunity can be found for conveying some plants of the true Mexican cactus and real cochineal insect, they will be forwarded. I have arranged the matter with Anderson, of the Chelsea garden, who will provide the plants, and the insects can be had at Claremont."

Mr. Prinsep added, that this extract is from the letter of a gentleman who had been much in South America, and had latterly devoted much attention to entomology.

The thanks of the meeting were ordered to be offered for all communications of an interesting nature and presentations.

JOHN BELL, Secretary.

Town-Hall, Calcutta, July 11, 1838.

ADDENDUM.

A copy of the journal of the Madras Literary Society in No. 19, was received and submitted.

Two copies of a pamphlet, received from the Agricultural Society at Bombay.

Mr. Bell presented a copy of his external commerce of Bengal, 1836-37 and 1837-38.

[Hurkaru, July 13.]

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's Apartment, the 7th July, 1838.

G. Voss, Esq., proposed at the last meeting, was elected a member of the Society.

Letters from the following gentlemen were read :

From T. Holmes, Esq., Assistant Surgeon and W. Bell, Esq., Surgeon H. M. service, announcing their wish to withdraw from the society."

From A. Brunton, Esq., Librarian to the College Library, Edinburgh, expressing the thanks of the curators for the IV. part vol. 8, of the transactions of the Society, and the two first of their *Quarterly Journal*.

From Sir James McGregor, Baronet, Director General of the Army medical department, to the same purport.

From Dr. G. Gregory, London, to the same purport, and forwarding his last report upon the small pox hospital. Dr. Gregory expresses himself much interested in the papers relative to vaccination contained in the 2d No. of the journal, hoping that he shall be able to avail himself of them, in some researches regarding the varieties of vaccine lymph in which he is now engaged.

From Capt Taylor, of the Madras Cavalry, forwarding a communication from Major Ousley, of Hussingabad, stating that the latter gentleman had found the sinking of wells in the police chokies to Baitool, had quite put an end to the jungle fever which used formerly to attack the dawkmen and travellers who resided there, and recommending this plan to the notice of Government. This was communicated in a letter from Mr. J Hutchinson.

From Mr. J. Taylor, of Dacca, stating that he had the pleasure to forward four specimens of urinary calculi, and three examples of a curious intestinal worm. These preparations were laid upon the table.

From Messrs. Carr, Tagore and Co., forwarding prospectus of a New Inland Steam Navigation Company.

Dr. Goodere, communicated to the Society that he had been engaged in a correspondence with Mr. Hutchinson, secretary to the Medical Board, upon the subject of franking the society's letters. Mr. Hutchinson, conceiving that he had not the power to frank the Society's communications, had referred the matter to Mr. H.T. Prinsep, who confirmed Mr. Hutchinson's view of the matter, stating at the same time, his readiness to take that office upon himself, as he was empowered to do by the late post office regulations.

A copy of Dr. O'Shaughnessy's 1st report of the Pharmacopœia Committee, was presented by the author.

Dr. Stewart's paper upon "the extraction of farga calculi from the bladder, was then read and discussed. The paper was accompanied by a very large specimen of calculi taken from one of the patients, who formed the subject of the paper. It weighed 8 oz. This was followed by the reading of a paper on the effects of arsenic, upon the bodies of those employed in the manufacture of shell lac, by the same gentleman.

At the close of the meeting, some discussion having

taken place with respect to the present state of the Society, it was proposed by Mr. Egerton, seconded by Dr. Spry, and carried unanimously,—"That a committee assemble to enquire into the cause of the number of recent retirements and the means of restoring the Society to its former flourishing condition; the members to consist of the president, Messrs. McClelland, Spry, Voss, and the secretary."

H. H. GOODEVE, M.D. Secy. M. and P.S.

Hurkaru, July 13.]

MEDICAL OFFICERS' MEMORIAL.

TO THE HONORABLE THE COURT OF DIRECTORS OF
THE EAST INDIA COMPANY.

THE HUMBLE MEMORIAL OF THE MEDICAL OFFICERS SERVING
ON THE BENGAL ESTABLISHMENT.

MOST RESPECTFULLY SHEWETH.—That your memorialists in again appealing to your Honorable Court are impelled by motives of a force and character never before experienced by them, in regard to their most unlooked for and peculiar exclusion from the benefits of the late boon, which has been conferred on the officers of the Indian army, in which your memorialists hold their commissions.

2. Though relying entirely on the favor of your Honorable Court extending alike to all departments of the army, yet the absence of specific allusion to the medical service in your Honorable Court's despatch of the 23d December, 1835, on the subject of the boon, and the information derived from the local Government that they are not included in its advantages, render another appeal to your Honorable Court, on the part of your memorialists necessary—in the confident hope that the marked distinction between them and the other commissioned officers of the army (Chaplains included) now existing may be removed.

3. In making this appeal they trust that no charge of precipitancy or disposition to frivolous complaint, can lie against your memorialists, when it is considered that the privilege of pension according to length of service, has been exclusively enjoyed by their more fortunate brother officers of the army during upwards of a year and a half; while many of your memorialists, seniors of such retiring officers, are obliged, from not being included in the same privilege, to remain in this country with declining energies and health.

4. Though some of its members are occasionally lent for a time to the civil service in the same manner as purely military officers sometimes are, the medical department of India is essentially a military body, obnoxious to all the hardships and many of the dangers of the military life, in addition to the fatigue and anxiety of its own peculiar duties in peace as well as in war.

5. Apart from the indefeasible identity of the military and medical services, giving both an equal claim to such an indulgence as the specific scale of pensions for periods of service without reference to rank, secured to purely military officers and chaplains by the late indulgence of the Court: Your memorialists humbly conceive, that there are both essential and incidental circumstances in their own position that would render the terms of that boon especially applicable to the medical service. The first of these is the small number of grades in the medical compared with the purely military service, and the con-

sequently longer period required to pass through them to the higher. In proof of this may be submitted the simple fact that the ten Bengal senior surgeons are men of thirty years' service or upwards, who, according to the rule of their branch of service now in force, are entitled to no higher reward than a pension of £191 per annum, nor will they be entitled to more till they have attained the next higher grade of superintending surgeon, which some of them probably will not reach in less than seven years, having to serve therein moreover for two years before becoming entitled to the pension of that grade; whereas, the purely military officer of the same period of service, whatever his rank, may retire on the boon with an annual pension of £365.

6. The next circumstance they would urge in claim to the boon, is the abolition in January and March, 1835, of two of the then eleven Bengal superintending surgeoncies. The attainment of the higher grades, the point on which medical pension is at present made dependent, is thus retarded to nearly twenty-nine-thirtieths of the medical service, to the same degree that promotion would to that of the lower grades among the purely military officers. By the sudden abolition of eighteen majorities from the army list. It was on men of thirty years' service or upwards that this stoppage in medical promotion first fell; and when to this retardation is added the singular condition entailed on the medical service only, by which the pensions of the superior grades cannot be attained without parties serving for certain fixed periods in the lower grades—your memorialists confidently hope that your Honorable Court will see the propriety, not to say justice of extending to the *entire* military department, the principle already adopted towards the majority of a specific scale of pension, graduated according to actual duration of service, and not the accident of rank attained.

7. A third important circumstance is the difference of age at which the military and medical officers enter the service. According to the rate of promotion from the grade of assistant surgeon to that of surgeon, calculated by those of the head of each list for the last eight years, the cadet will, on an average, reach the captaincy two years sooner than the cotemporary assistant surgeon does the surgeoncy—while the latter must be in his 23d year before entering the service—and the former is eligible to join at sixteen. Indeed the obstacles to the retirement of the seniors of the medical list, must produce such an obstruction to the promotion of the more than 300 below them, that the disproportion of eight years now existing will be very much increased.

8. Your memorialists would also respectfully beg to draw your Hon. Court's attention to the adoption of the principle of pension for length of service, independent of rank, that has lately taken place in the medical department of

the royal army, where, to remove all disheartening circumstances, and with a view to guarantee to every rank a fair and proportionate remuneration, it was determined that, in lieu of rank and promotion, surgeons and assistant surgeons should be paid and pensioned according to length of service.

9. Your Honorable Court having adopted this equitable principle towards our brother officers of the purely military and ecclesiastical establishments, while various circumstances besides those adverted to above, seemed to point *a fortiori* to the justness of its application to the medical branch; your memorialists, in their distress and embarrassment at their exclusion from the same boon, sought in vain for an adequate explanation of it; but the rumour at length reached them, that in your Honorable Court's sanction of the Medical Retiring Fund, the explanation was afforded that had escaped their research, though they could not for a moment imagine that your Honorable Court considered the slight assistance afforded to the subscribers of the Medical Retiring Fund, of about one per cent. on their balance in the treasury, as an equivalent to the medical service generally for their exclusion from the benefits of the boon: First, because the latter is a clear unqualified free gift, open to all, while the fund must be purchased and paid for by each individual member, to the irreparable loss of so much money to his family, should he die before his turn of retirement come, or should his life be prolonged but for a year or two after retirement; Secondly, because the boon from its nature is universally attainable, while the fund costs a price that must necessarily, and for a long period, render it partial and limited in its operation, gratefully as its advantages in other respects are acknowledged; while some, from the embarrassment of debt, or the necessity of reuniting all their savings to England for the support of their families, are unable to join the fund at all, rendering the support of it a heavier pull on their brethren who are members; and the medical officers of your service who have given up promotion, are of necessity entirely excluded from its benefits—so that the non-extension of the boon to the service at large, falls with peculiar hardship on them.

10. It does not appear that your Hon'ble Court have prohibited the establishment of a retiring fund among officers purely military, should such hereafter be found practicable. Nay, it would appear by a general order of the Right Honorable the Governor General, dated Simla, 25th April, 1838, repealing the Honorable Court's orders of 6th June, 1798, requiring from officers about to retire on pension a declaration on oath, that he had not received and would not receive, any pecuniary or other gratification or compensation for so retiring; by which order encouragement is held out to the army for the purchasing out of military officers:—the principle of the Medical Retiring Fund being thus

actually extended to the army at large, and with more effect than will ever be the case with the Medical Retiring Fund in favor of your memorialists.

11. The only direct pecuniary aid afforded by your Hon'ble Court to the medical fund as interest nominally at six per cent. or one per cent. above what can be procured in the market on such balance as may from time to time be at its credit in the Government treasury. This advantage, the character of which comparatively is as nothing in lieu of the boon, your memorialists are prepared at once to relinquish, should your Honorable Court deem that exaction necessary in extending to your memorialists the benefits of the boon.

12. In conclusion, your memorialists beg to reiterate their respectful and confident reliance on the consideration, generosity and justice of their Honorable masters, in deciding upon the prayer of this petition, and to express their earnest hope, that in the (to them,) most important matter of fixing the length of service that shall entitle medical officers to retire on the boon pension scale; due allowance will be made for the mature age they had attained, before being admitted into the service, (those of their number who have given up promotion included) this principle having heretofore been strictly adhered to by your Honourable Court in regulating the relative periods of service of their purely military medical and clerical officers, and that in consideration of their more advanced age, they were allowed to retire five years earlier than your military officers: Your memorialists would, therefore, respectfully repeat their prayer, that with reference to the present or boon scale granted to the military, officers a similar proportion should be conceded to them, which would enable the officers of your medical establishment to retire—

After 18 years' service (full included) the pension of Capt.			
Do. 23	do.	do.	do. Major,
Do. 28	do.	do.	do. Lt. Col.
Do. 33	do.	do.	do. Col.

Provided always, that such rates shall in no wise interfere with the pensions of superintending surgeons and members of the Medical Board, who, if it is earnestly prayed, may be eligible to their respective pensions on attaining their respective grades. In consideration, too, of the current period of the boon scheme of retirement already lost to your memorialists; they ardently intreat a speedy as well as a favourable answer from your Honourable Court to this humble, unanimous, reasonable and very respectful appeal for extension to the medical branch of the army (with the existing relative terms of probation in each rank) of the boon lately conferred on their military brothers, and your memorialists, as in duty bound, shall ever pray.

(Signed)

For himself and others whose names are hereunto appended.—Harkness, July 14.

TRAVELLING ALLOWANCES TO COMMISSIONERS OF REVENUE AND CIRCUIT.

Mr. Browne, the commissioner of the division of Bhaugulpoor, submitted an application to the Revenue Board, to be allowed the usual expense for travelling charges, whilst actually out on routine duty. The like application had been previously submitted by Mr. J. J. Harvey, the commissioner of the 16th, or the Chittagong division, whose duties had been lately much increased, and who, in order to discharge them efficiently, was compelled to be constantly moving about his dis-

trict, to superintend his subordinate officers in the discharge of their duties, and a part of whose division bordered on the Dacca district. He represented that since the Court of Directors had fixed the salary of the Commissioners at Co.'s Rs. 35,000 per annum, many of the divisions had been abolished and their districts absorbed. The divisions that remained, had thus necessarily increased the duties of the commissioners, whilst their emolument had been decreased; a measure which he

supposed the Government never contemplated at the time it reduced their salary, as it was fraught with injustice and by its recent operations, the commissioners of revenue were losers of 2,000 Company's rupees each per annum. He begged that the same indulgence as had been allowed to Mr. Gordon, the commissioner of the Dacca division, may be extended to him. Another application to the same nature was submitted by Mr. Jackson, the commissioner of the Moorshedabad division, who stated, that his district extended 400 miles in length, and that his duties were very arduous. Mr. Halliday, the secretary to the Government of Bengal, in the revenue department, in submitting these applications to Mr. Mangles, the Secretary to the Government of India, in the revenue and judicial department, recommended that the Vice President in Council be pleased to sanction the additional allowance herein claimed, to these applicants, although it stated that Mr. J. J. Harvey's case was not analogous to that of Mr. W. Jackson's, and the Sudder Board of Revenue likewise backed the claim of Mr. Browne, who is applauded as a very zealous and active servant of the Government.

Mr. R. D. Mangles, the secretary to Government of India, in the judicial and revenue department, in reply, informed Mr. Halliday, the secretary to the Government of Bengal, in the revenue department, that the Vice President in Council had been pleased to adopt the suggestion of His Honor the Governor of Bengal, and to authorize to these applicants, as likewise to all Commissioners or any other officer *pro tempore* discharging that duty, the sum of Co.'s Rs- 230 per month, during the period that they may be actually on active duty beyond the limits of their Sudder stations; and the secretary to the Government of Bengal, in the Revenue Department was further directed by the secretary to the Government of India in the judicial and revenue department, to inform the secretary to the revenue Board, of this resolution of the Vice President in Council, and to direct him to communicate the purport of it at his earliest convenient opportunity to these applicants, as likewise to all the commissioners of revenue and circuit, under the surveillance of the Sudder Board of Revenue, for the Presidency of Bengal at Calcutta.—*Hurkaru*, July 14.

UNION BANK MEETING.

A meeting of proprietors took place on Saturday, at the bank, pursuant to advertisement, when H. M. Parker, Esq. was elected to the chair.

Mr. Parker professed his readiness to do his duty to his fellow-citizens to the best of his ability; he hoped that the usual practice of Calcutta meetings would, on this occasion, be departed from, as there was business of some importance to be brought before the proprietors. He trusted that gentlemen who desired to speak would get upon their legs and address the chair one at a time, and that all noisy and unnecessary conversation might be avoided; he hoped in enforcing order in these respects, that he should have the support of the meeting.

The secretary then read the following report:

SECRETARY'S REPORT.

Of the operations of the Union Bank, from 1st January to 30th June, 1838.

The accounts on the table are so full and satisfactory, that little is left for me to say.

It will be gratifying to the proprietors to know that the operations of the bank continue to exhibit a profitable result, under its increased and gradually increasing capital.

The nett profits actually realized by the bank during the last half-year, amount to Co.'s Rs- 253,961-7 2. This yields a dividend of 13 per cent. and leaves a surplus of Co.'s Rs- 3,165-1-10, or if it shall appear advisable to this meeting to declare a dividend of 12 per cent. or 60 Rs- per share, amounting to Rs- 231,504-5-4, a surplus of Rs- 22,457-1-10, may be appropriated to a reserved fund.

Since the last half-yearly report, there has been an increase in the amount of fixed deposits carrying 5 per cent. interest of about 5 lacs.

The capital stock paid up on the 1st January last, was..... Co.'s Rs- 3,115,000 0 0
And since that period.... ditto 1,522,349 8 1

Making the paid-up capital, ditto 4,637,349 8 1

This sum includes Rs- 721,764-11-7, of the 40 lacs capital recently declared and now in course of being paid up.

The circulation of the bank's notes for the last half-year, has averaged steadily 379,568, and has done so, notwithstanding the monetary panic in the bazar in consequence of the failure of several shroffs.

JOHN STORM, Actg. Sec.

RESOLUTIONS.

I.—Proposed by W. Carr, Esq. and seconded by T. Dickens, Esq. *carried*

That the secretary's report just read, is approved and be published.

II.—Proposed by W. C. Hurry, Esq., and seconded by R. Cowasjee, Esq. *carried*

That the accounts now submitted, are approved and passed by this meeting, and closed accordingly.

III.—Proposed by T. Holroyd, Esq., and seconded by J. P. McKilligen, Esq. *carried*

That a half-yearly dividend at the rate of 12 per cent. or 60 rupees per share be now declared.

The meeting then proceeded to the election of Directors, by ballot, when much discussion took place, respecting the manner of voting and the appointment of scrutineers, Mr. Digkens was eventually proposed by R. J. Bagshaw, Esq. seconded by Longueville Clarke, Esq. and unanimously elected sole scrutineer. The ballot then commenced.

The scrutineer reported the following gentlemen duly elected directors for the ensuing year:

Rustomjee Cowasjee, Esq. G. F. Remfry, Esq.
William Carr, Esq. Longueville Clarke, Esq.

MR. D'ANSELME'S CASE.

The meeting then proceeded to the consideration of a claim for Rs- 340, made by Mr. D'Anselme as his proportion of profits arising on one share, part of nine shares, forfeited, and sold at the general meeting of the 16th February. The acting secretary read the correspondence that had taken place respecting this claim, together with the several decisions given by the directors

thereon; when it was moved by Colonel Young, and seconded by N. B. L. Bailie, Esq.

That the resolutions of the successive Court of directors in the case of Mr. D'Anselme be confirmed.

It was moved as an amendment by T. H. Gardner, Esq. and seconded by W. F. Fergusson, Esq.,

That Mr. D'Anselme, be allowed to profit by the sale of the shares. *The original motion carried.*

VOTES AND QUALIFICATIONS.

The chairman then read the following requisition, for which this meeting was also made special.

To JOHN STOW, Esq., Acting Secretary Union Bank.

Sir,—We request, that the directors of the Union Bank will be good enough to make the annual general meeting of July next special, for the purpose of proposing to the proprietors the following resolutions:

1st.—That in consequence of the greatly increased capital of the bank to eighty lacs of rupees from thirty, at which it stood on the 4th May, 1837, the limitation fixed by the resolutions of that date to the stock which might be held by each proprietor, namely, 150 shares of 1,000 rupees be extended in the same proportion of 3 to 8, that is, 400 shares.

2d.—That the qualifications of a director be extended from its present amount of 5,000 rupees to ten, as the capital has been doubled.

3d.—That no proprietor, after the present election shall be eligible for a director's seat until he has held his qualification for 3 months, being the time fixed for enabling a proprietor to vote.

4th.—That the scale of voting, according to the amount of stock held, which now stops at 10 votes for 50 shares, be extended in the rate of one additional vote for every 10 shares above 50.

We are, Sir, your obedient servants,

T. DICKENS, DWARKANATH TAGORE, W. CARR, R. WALKER, J. CULLEN, R. SCOTT THOMSON, SAMUEL SMITH.

Moved by T. Holroyd, Esq. and seconded by T. Dickens, Esq. *carried unanimously.*

1.—That in consequence of the greatly increased capital of the bank to 80 lacs of rupees from 30, at which it stood on the 4th May 1837, the limitation fixed by the resolutions of that date to the stock which might be held by each proprietor, namely, 150 shares of 1,000 rupees, be extended in the same proportion of 3 to 8, that is, 400 shares.

Moved by Colonel Young, and seconded by A. St. L. McMahon, Esq.

2.—That the qualifications of any director to be hereafter elected, be extended from its present amount five shares to ten, as the capital has been doubled, and that a declaration be required from each candidate that he holds the required number of shares, *bona fide on his own account, or for self and partners, in a Calcutta firm, and not as trustee, agent, executor, administrator, or assignee, or collaterally on any other account, and in case any director shall, during his term reduce his interest below 10 shares he shall thereby be disqualified.*

The lines in italics were proposed by W. C. Hurry, Esq. adopted by the mover and seconder, and carried, subject to confirmation at next general meeting.

Moved by T. Dickens, Esq., and seconded by T. Holroyd, Esq. *carried unanimously.*

3.—That no proprietor, after the present election shall be eligible for a director's seat until he has held his qualification for three months, being the time fixed for enabling a proprietor to vote.

Moved by T. Dickens, Esq. and seconded by L. Clarke, Esq. *carried unanimously.*

4.—That the scale of voting according to the amount of stock held which now stops at 10 votes for 50 shares, be extended in the rate of one additional vote for every 10 shares above 50; and that each proprietor, prior to voting, if required, shall make the same declaration as provided for in the second resolution.

Thanks were then voted to the chairman and scrutineer, and the meeting broke up.—*Harkaru, July 16.*

MEETING OF THE GLOBE INSURANCE OFFICE.

A meeting of the members and proprietors of the Globe Insurance office was held this morning at 11 o'clock, at the office of Messrs. Eglinton, Maclure and Co. when the following resolutions were passed:

Proposed by James Fergusson, Esq. and seconded by T. S. Kelsall, Esq. and carried

That the accounts now submitted, shewing the office to be above par Co.'s Rs 170,094-12-2, or Co.'s Rs 1,545 per share, are approved and passed by the meeting.

Then two resolutions followed, erasing the names of some of the proprietors from the proprietary list, on account of their not having paid up the instalments on their respective shares, their names we do not think it proper to mention in this place.

Proposed by A. D. Macleod, Esq. and seconded by D. B. Syers, Esq.,

That, as it appears that the dividend of one thousand rupees per share, declared at the last general meeting, approached upon the deposit of one thousand rupees

per share, which it was resolved, at the fourth half-yearly meeting held on the 16th January, should be reserved as moiety of the deposit provided for, in the sixth article of the deed of co-partnership; the secretaries be directed to set apart and invest in Company's paper the amount of one lac and ten thousand rupees, which shall be kept distinct from the general funds of the office, and receipts granted to each individual shareholder for one thousand rupees to be considered as a fixed deposit.

It was subsequently resolved, on account of the great loss incurred in exchange in this country,

That the agents at home be instructed to remit five thousand pounds, and that in future they shall remit every six months, whatever sum, they may have on their hands, after deducting all ascertained claims.

And also resolved,

That the agents in London be requested to advertise in all the newspapers of any great circulation at Glasgow, Liverpool, Manchester, and Leeds, that they are prepared to take risks on lives on the same terms as all the other insurance offices in London.

The *Globe* is the oldest established insurance office in Calcutta, it dates its commencement in the year 1814, when there were but *five* other similar institutions to compete with it, these latter have, however, increased so rapidly during the last few years that their number now amounts, as we are informed, to *twenty-two*; and, of course, the competition naturally arising from so many insurance offices being at once in the field, has been and is of so formidable a nature, that it has considerably cramped the operations and reduced the emoluments of the *Globe* office; but notwithstanding

all these drawbacks, we cannot but view with pleasure that the *Globe* is in so flourishing a condition, its last dividend was a *thousand* rupees per share, and now, though it has not been enabled to declare another similar dividend at this meeting as at the last, from reasons stated in the above resolutions, yet our readers will perceive that the shares are considerably above par, and we think this old established insurance office deserves encouragement at the hands of the public.—*Calcutta Courier, July 16.*

REPORT OF THE COMMITTEE OF THE CALCUTTA FAMINE RELIEF FUND.

In publishing the annexed account of receipts and disbursements for the information of subscribers, the committee of the fund for the relief of the distress in the north western provinces, desire to take the opportunity of giving a brief account of their proceedings, and of the measure of success which appears to have attended the efforts made to alleviate the fearful calamity with which that part of the country has been afflicted.

It has been the object of the committee, to ascertain as accurately as possible, first in what districts the pressure of the distress was most severe, and secondly, the means and mode of relief available to and adopted by the local authorities; and they have endeavoured to regulate the distribution of the funds at their disposal, according to the information which they have been able to obtain.

The famine appears to have been most grievous in the districts lying along both banks of the Jumna, Muttra, Agra, Etawah, and Humeroopore. The whole district of Mynpoorie and some pergunnahs of Cawnpore were equally afflicted. Futtehghur and Allygurh suffered also, but in the latter district, the consequent distress appears to have been comparatively small.

It is well known, that in consequence of the relief early and liberally afforded, great numbers of the destitute flocked to Agra to such an extent, that the distress may be said, in some measure, to have concentrated itself there. The aid, which the annexed statement shews to have been afforded to the Agra society by this committee, is in no way proportionate to the demand thus created; but after their first remittances, the committee were made aware, that the greater part of the sums collected at Pombay and elsewhere, had been placed at the disposal of the Agra society, and the Calcutta committee were thus enabled to apply their funds to the relief of the pressing necessities of other districts.

The assistance afforded has, of course, been limited, but it is gratifying to learn, that wherever it has extended it has been effectual; and it is certain, that it has been the means of saving many thousands from otherwise inevitable death. At every sudder station in the distressed provinces, relief has been given to all who needed it: and for the last three months, it has been very generally extended to the interior of the districts through the medium of commercial gentlemen and of the native officers of Government.

The mode of relief generally adopted, has been the distribution of wholesome prepared food, but money also has been given occasionally. As far as the committee have the means of judging, the measures adopted, appear to have been judicious, and the exertions of all concerned in the highest degree praiseworthy.

Not only have the hungry been fed, but hospitals have been established at almost all the stations for the care of

sick and enfeebled. At the larger stations these would seem to have been conducted in a most extensive and efficient scale, and at others, all has apparently been done, which the means available to the resident allowed.

The setting in of the rains and the return of the season for agricultural labour and production, will, doubtless, abate; and, should the season continue favourable, gradually remove the existing distress. But there must still under the most propitious circumstances be many: the aged, the sick, widows, and orphans, who will require the continuance of eleemosynary aid, the committee therefore cannot yet consider their commission as fulfilled; they will continue as heretofore to receive subscriptions and distribute them to the stations where they may appear to be most required.

In illustration of what has been said, the committee subjoin for general information, a brief abstract of the expenditure for the month of May, at the stations of Muttra, Futtehghur, Mynpoorie, Etawah, and Humeroopore. No accounts from Agra and Cawnpore have yet been received. It should be observed, that the disbursements for June, have been (the committee are informed,) on a much larger scale than for the previous month.

Muttra.

Expended in the interior.....	2,500
City native relief society.....	2,000
Hospital expenses and food for paupers..	998
Establishment for gundling and cooking..	140
Superintendence, sheds sundries.....	163
	5,801

Futtehghur.

Particulars not given	2,603
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Mynpoorie.

Food, &c. for paupers at sudder station..	2,094
Contingencies.....	77
Distributed at Kowalee by F. Fortier, Esq.	679
And other places in the interior.....	348
	3,198

Etawah.

Hospital expenses.....	395
Food to paupers at sudder station.....	2,596
Money to ditto at ditto.....	180
Food and money distributed in the interior..	1,297
Contingencies.....	186
	4,636

Humeroopore.

Food, &c. to paupers at Humeroopore.....	495
Ditto ditto ditto at Culpee by Mr. Andrews	2,171
Ditto ditto ditto 6 tubsildars.....	1,040
	3,706

(Signed) { E. CURRIE,
 { KISEN CHUNDER DUTT,

9th July, 1838.

Secretaries.

FUND FOR THE RELIEF OF SUFFERERS BY FAMINE IN THE NORTH-
WESTERN PROVINCES OF INDIA.

RECEIPTS.	
Amount of subscriptions up to this day, Company's Re-	163,077 2 5
Less remaining unpaid	1,261 3 8
Total....	161,815 14 9
At credit at the Union Bank	159,765 14 9
Remitted by subscribers to certain stations, per contra .. }	2,050 0 0
Total.....	161,815 14 9

DISBURSMENTS.	
Paid to the sub-Treasurer for bills on the mofussil treasuries remitted to the following stations :	
Agra.....	Co.'s Rs- 27,000
Cawnpore.....	19,000
Futtehghur.....	8,000
Mynpoorie.....	15,000
Etawah.....	19,000
Allyghur.....	6,000
Muttra.....	13,000
Delhi.....	4,000
Futtehpoore.....	4,000
Bulundshuhur.....	2,000
Hameerpoore and Culpoe.....	13,000
Banda.....	8,000
Kurnaul.....	2,000
Total....	151,000

Remitted by the subscribers to Agra 1,000, to Culpoe, 1,000 and to Cawnpore 50.....	2,050 0 0
Paid to the accountant general, fees on the first Government bills remitted..	21 0 0
Paid Mr. Woollaston's bill for printing circulars	21 0 0
Paid for Stationary	4 14 0
For an extra writer for } 3 days.....	2 8 0
A writer's wages for } March, April, May, & June }	61 6 6
A Sircar's wages	1 0 0
Boat-hire for a letter	4 1 0
	73 13 9
Balance....	153,165 13 6
Co.'s Rs.....	8,650 1 3
	161,815 14 9

Errors Excepted

(Signed) } E. CURRIE,
KISSENCUNDER DUTT,
Secretaries.

Calcutta, 9th July, 1838.

[Hurkaru, July 23.

NATIVE SUPERSTITION.

An indigo planter, residing in the Sylhet district, was one day attracted to a solitary spot in a neighbouring jungle, by a large concourse of the inhabitants who had collected there. On arriving at the place, he found a jogy sitting under a large tree which had all the marks of venerable antiquity. He was surrounded by a crowd of wandering spectators, many of whom had brought him presents of various kinds.

On inquiry into the cause of this exhibition our planter was informed, that the personage seated under the tree, was a great saint, and had worked wonderful miracles in proof of his sanctity. They said that the very beasts of the forest were obedient to him, and that he could make the tigers lick the dust of his feet. As a proof of his power, they said he could make the tree moan and silence it when he liked. The gentleman anxious to be an eye or rather ear witness this prodigy, requested the faquir to make the tree speak. The devotee, nothing embarrassed, commenced muttering certain incantations, and then ordered the tree to speak. It was not obeyed, the order was repeated, and on the third bidding a hollow funeral sound issued from the tree, and was distinctly heard by all, who were gathered round, and in a few minutes it ceased at the faquir's bidding. The sound was any thing but human. It struck terror into the admiring crowd, and other men who would dare to express a doubt of the genuineness of this miracle, could scarcely hope to return home safe from the fanaticism of the mob.

Our planter himself was at a perfect loss to account for the strange sound he had heard, and though too sceptical to believe in such miracles, he was obliged to retire for the time without being able to satisfy himself in the least. He, however, resolved to clear up the mystery, and for this purpose he chose from the dhangers employed in his factory, about eight strong and resolute men, and promising them some buxis and a good treat of what they very much like, *eau de vie*, proceeded well armed to the enchanted tree in the dead of night. The faquir, it was known, would not be found there at this hour, but there was a general belief that whoever would first injure the tree would be struck dead on the spot, and the whole country would suffer some calamity. It was, therefore, with some difficulty that he had induced the dhangers to follow him on this strange expedition. Our planter was, however, the first to strike the axe to the root of the tree. Several strokes followed each other from his axe; but he stood safe, and the dhangers seeing this, set about the work in earnest. In an hour the tree was felled to the ground; and to his great joy and satisfaction, our planter discovered the whole cause of what he had witnessed during the day. As the tree fell the same strange voice which had been heard in the day again issued from the fallen trunk, the gentlemen advanced towards it with a lantern and having got to the exact part of the tree from whence the noise issued, he discovered a large hollow, the orifice of which was shut up with a curious sort of bamboo net

work, so cleverly interwoven, that a fly could scarcely escape through. From underneath this issued the sound. With the help of an axe this contrivance was torn off, when, behold, out rushed a swarm of bees towards his lantern, the only light about the place. On further examination it was discovered, that a bamboo had had been passed through the bottom of the trunk of this half decayed tree, which at one end touched the bee-hive, and at the other, at the foot of the tree, was joined to another laid horizontally in the ground, the

outer end of which had a crook pointing upwards, by pressing which the whole machinery could be shaken and the bees disturbed to make their usual buzz. The discovery of this imposture soon spread itself over the country, and the fakir succeeded with difficulty in making his escape from the infuriated mob, who, now that the whole had been unrivelled, were as anxious to chastise the fellow who had duped them, as they had been before to support his cause against a very unbelieving sceptic.—*Hurkaru*, July 15,

HINDU BENEVOLENT INSTITUTION.

FOUNDED ON THE 15th MARCH, 1931.

At a general meeting of the above institution, which took place on the morning of Friday, the 29th June 1933, at 11 o'clock, A. M. at the school premises in Shaumbazar-street, No. 31. The honourable W. W. Bird, Esq. president to the institution, in the chair. The modified rules and past accounts of credits and disbursements of the above institution, from the month of January to December 1937, and proceedings of the last year, were read and approved of. They are as follows :

RULES.

1st.—That none but Hindu boys shall be admitted as pupils into the institution.

2d.—That boys destitute of the means of paying for their education, shall, upon affording to the general superintendent, through their parents, guardians, or relations, satisfactory proofs of their needy circumstances, be admitted into the institution free of expense.

3d.—That the general rule of the institution shall be, that boys under the age of nine years, shall be eligible for admission into the institution, but that exceptions thereto shall be made when boys above nine years, (but under sixteen) even be a tolerable progress in learning.

4th.—That no boys shall be allowed to remain in the institution, whose conduct for negligence in the studies and irregularities for attendance, shall be duly ascertained.

5th.—That the institution shall be conducted by Hindu teachers.

6th.—That a public examination and distribution of prizes shall take place in the month of January of every year.

7th.—That after the annual examination, a general (or public) meeting of the institution, shall take place, when necessary preparations and adjustment of accounts shall be made, and a day and hour be then appointed by the president and communicated to the members of the managing committee in due form.

8th.—That when any special matters connected with the institution shall require to be carried into effect, the general superintendent shall issue a circular to the managing committee, explaining the circumstances to which their attention will be called.

9th.—That boys shall be admitted in every three months or four times in a year, when an ordinary meeting

of the committee will be held to hear the applications of the candidates, and to consider the numbers of admission; and when the boys are admitted, their parents and guardians shall have to enter into an agreement according to the articles already adopted and confirmed.

10th.—The general superintendent shall produce a yearly account of the sums received and disbursed, on account of the institution, shall submit the same to the committee.

11th.—That persons of whatever nation subscribing any sum to the funds of the institution, shall be considered members thereof, and shall be entitled to join in the annual election of the committee.

12th.—That all the auxiliary *putshan* and subordinate schools of this institution, be conducted and governed by the enforcing rules of the institution.

Donations and subscriptions received during the last year 1937,..... Co.'s Rs. 1,238 8 0

The whole amount of the expenses of the teachers, &c..... ditto 9,830 0 9

In the register book appears at present 254 pupils, but daily attends 175.

The undermentioned gentlemen are the office bearers of the institution.

Patron.—The Right Hon'ble Lord George Auckland, G. C. B. Governor General.

Honorary Visitors.—Rev. J. Bateman, M. A. C. E. Trevelyan, and David MacFarlan, Esquires.

Visitor.—Maha Rajah Kali Krishna Bahadoor.

Examiners.—Mr. M. Siret, Baboo Kasiprosad Ghose, Premchand Chowdhree, and Jadhava Chundra Ghose.

Proprietor.—Baboo Shradaprasad Basu.

MANAGING COMMITTEE.

President.—The Hon'ble W. W. Bird, Esq.

Vice-President.—The Venerable Archdeacon T. Dealtry, L. L. B.

Members.—Rev. J. Bateman, M. A., C. E. Trevelyan, David MacFarlan, W. H. Duff, R. Dias, Esquires, H. H. Newah Tahawer Jung Bahadoor, C. K. Robison, Esq. Maha Rajah Kali Krishna Bahadoor, Maha Rajah Rajnarain Bahadoor, Baboo Dwarkanauth Tagore, Prosooncoomar Tagore, Kasiprosad Ghose, and Kasinath Basu.

General Superintendent.—Kishnabasi Basu.

Assistant.—Baboo Kalachand Basu.

[*Hurkaru*, July 26,]

PETITION AGAINST RESUMPTION.

TO THE RIGHT HON'BLE LORD AUCKLAND,
Governor of Bengal.

The humble petition of the undersigned zemindars, talookdars, and landholders of Dacca, Mymensing, and Tipperah.

SHewETH,—That your petitioners feeling aggrieved by the proceedings of the revenue authorities in the matter of resumption of alluvial lands, beg most respectfully to be permitted to submit to your lordship for consideration the following circumstances, praying that your lordship will apply such remedy as the nature of the case may require.

It is known to your lordship, that great alarm has arisen among the landholders in the settled provinces of this presidency, from the proceedings of the special deputy collectors now employed on resumption duty, and that your lordship may be the better able to appreciate the degree of distress and distrust now prevalent; we beg leave most respectfully to detail, as shortly as is compatible with clearness, a few cases that have occurred in these districts within the knowledge of your petitioners.

1st. In the year 1831, an amween from Tipperah unexpectedly made his appearance at Punea, a village on the bank of the river Dolassorry, near the city of Dacca, armed with full powers to measure and assess a track of land newly formed there. Upon inquiry it was ascertained, that a suit under Regulations II. of 1819, had been carried on quietly to its natural conclusion by the collector of Tipperah, altogether unknown to the parties in possession; and that in August 1829, a decree in favour of Government had been passed by that functionary, directing the assessment of the land, and declaring that it was attached to mouzas Punea and Puchumdee, pergunnah Bickrampore; although neither Punea nor Puchumdee belonged to Bickrampore, and no part of that pergunnah ever was previously found on the northern bank of the Dolassorry.

Before danger was suspected, the time for appeal had gone by, and, although Bickrampore has no connexion whatever with the Tipperah district, and, although it could have been shewn that the lands of, at least, twenty talooks paying revenue in Dacca, had been broken away, not more than fifteen years before, and this new formation thrown up on the site they had occupied, all remonstrance was vain; the complaints of those who remonstrated were either disregarded, or they were told they ought to have appeared in time; and the *char* is now in possession of the Tipperah revenue authorities.

2d. When this part of the country was surveyed by Major Rennel, many years before the decennial settlement, the main body of the Ganges occupying a wide channel flowed to the southward of Rajunggur, and your petitioners are also enabled to state, that the course of the river remained unaltered until several years after the settlement was made, and, consequently, that the ground between the Ganges and Megna, south of Dacca, was all included within the boundaries of settled estates paying revenue to Government.

Your petitioners beg to state, that, about the year 1800, the Ganges began to change its bed, and in the course of a few years, instead of pursuing its course towards the west by Gournuddy, joined the Megna about seven miles below Rajabarry; thus cutting out a channel of about 25 miles in length, varying in breadth from two miles to five; occupying a space equal to nearly one hundred square miles, and destroying upwards of one hundred and fifty thousand begahs of the most fertile and valuable parts of several pergunnahs. Your lordship's petitioners respectfully submit, that in process of time, as the new bed of the river encroached on the right, or on the left bank, in its course, new lands began to be thrown up, and were occupied as they became susceptible of cultivation by the several talookdars and zemindars,

whose lands had been lost on the first irruption of the river, and the lands thus recovered were gradually being brought under cultivation, when the whole, or nearly the whole of the new formations were claimed by the collector of Dacca as now alluvial lands, not included within the boundary of any settled estate, or as belonging to certain small talooks, which having been in possession of poor people, unable to pay rent after the loss of their estates, were of necessity sold and purchased on account of Government. Under one pretence or other new formations in this new branch of the Ganges were taken possession of by the collector of Dacca several years ago, though the proprietors had continued for many years to pay the jumma assessed on their talooks, whilst the talooks were in the bed of the river, and quite unproductive. Your petitioners recognize the undoubted right of Government, to the possession of a share in the new formations, proportionally equal to the space occupied by those estates purchased by Government; and your petitioners believe it is not the wish of your lordship to take from them their right in the soil conceded by the British Government in 1793, and preserved by many years payment of revenue when the land was unproductive; but, nevertheless, such is the effect of the resumption laws as lately administered. Not fewer than twenty small estates were abandoned in October and January last, after having been preserved at a great sacrifice for many years, and at the final sale for 1243, at least fifty more must be suffered to follow.

In the case above referred to, notice was served on ten or twelve individuals, and the decrees of the resumption courts at once swept away the property of upwards of one hundred persons.*

3d. Howallah Pctumber Sein, separated from pergunnah Rajnuggur or Boozargomedpore, at a jumma of 557-6-19, became, at various periods, divided into a number of distinct talooks, paying each, separately, revenue to Government.

In process of time, several of those talooks were lost by the encroachment of the river, and the revenue ceasing to be realized, the sudder board directed the separated portions to be reannexed to the estate, and the entire jumma to be recovered rateably from the proprietors of the remaining talooks, a measure to which they were compelled to submit, although, at the same time, they had proof before their eyes, that Gournuddy and other lost talooks had been thrown up by the river again; and having been taken possession of under Regulations II and III, of 1819 and 28, more than compensated Government for the loss previously sustained, and to balance which, their estates had been burthened with additional jumma.

4th. At the period of the decennial settlement, the main body of the water of the Berhanpooter ran to the

* A portion of the land referred to in this case, appears only very lately to have been finally decreed in favour of Government, (see report in the *Englishman* of the 12th or 13th February, No. 62.) The editor of that paper seems even to doubt, whether the talookdars have not been treated with too much lenity, and suggests the propriety of calling on them for accounts of their collections for several years back. If indeed those people had obtained remissions, when the river first destroyed their estates, there would be very good grounds for doing as recommended: but who has heard of remission of jumma? (If a river passing through an estate cuts out a new channel for itself and destroys ten thousand begahs of productive land, not one farthing is deducted from the assessment, unless it can be shewn by an expensive process that sufficient land is not left to enable the zemindar by hard squeezing to make up the original jumma. But the deserted bed of the river is immediately claimed as a new formation, and passes into the hands of Government as soon as the unfortunate zemindar has brought any part of it into cultivation.) It is to be lamented, that the inquiry referred to in the report of the case, was conducted so quietly as to be altogether unknown to the parties chiefly interested, but this is nothing new or uncommon in resumption affairs.

eastward from Sana-ygunge and joined the Megna on the border of the Sylhet district, but since 1800, the course of the river has changed, and nearly the whole stream has forced a passage directly south from Jumal-pore, and in one or two or sometimes three wide branches the waters of Bethampooter join the Ganges a short way below the head of the Chundnaw by this irruption from 400 to 600 square miles of land; has been lost to the zemindars and talookdars of Burbazoo, Caugmawry, and Attya; yet the resumption process is in full operation along the banks of those new rivers, and although many lacks of begahs were lost by the landholders, who paid, and still pay the jumma contracted for in 1798, several large pieces of alluvial soil thrown up by the river are claimed by the revenue authorities, and notwithstanding the palpable nature of the evidence of recent loss, ought even to have precluded inquiry on the subject, large tracks of country have passed into the hands of the Government.

Your lordship's petitioners most respectfully submit those cases for consideration, without wishing in any way to impute blame to the revenue officers now employed in the districts. They have brought them to your lordship's notice in illustration of the hardships they are suffering, and as far specimens on a large scale of the operation of the resumption laws. Your petitioners entreat your lordship to be persuaded, that what is here shewn to have been the manner of disposing of the new formations thrown up by the Ganges and Bethampooter, has also been enforced in regard to the breaking and formation of *chun* land in the smaller nullahs with which the country is intersected.

Your petitioners further beg your lordship to consider, that the actual amount of property taken from their hands, forms only a portion of the evil inseparable from the process of resumption as lately conducted.

The chief and most obvious road to favour or promotion in the revenue department has been the demonstration of zeal in aid of the collector's inquiries after lands subject to reassessment: many people in every zillah have found employment, first in preliminary inquiries, and subsequently in measuring lands wherever the collector, or deputy collector has been led, by information true or false, to suspect a defect in the title deeds of the occupants: and thus numerous spies and goindahs have found encouragement and opportunity to prey on the tears of the landholders, for the prudent as well as the timid, will occasionally pay money to avoid the

trouble and expense attending a suit in the special courts appointed to try Government suits, where the judge in the first instance, at least is a party directly and necessarily prejudiced against them.

Your petitioners learned with great satisfaction, some time ago, that your lordship, in consideration of the alarm excited, had thought proper to suspend the inquiries of the special deputy collectors in certain cases referring to new formations, but your petitioners now learn, that the interpretation given to the instructions issued by your lordship, will limit the relief to a few unimportant cases of dried up wheels, leaving the special deputy collectors at full liberty to pursue investigation into all cases of alluvial formation, whether important or trifling.

When your petitioners learnt that your lordship had become aware of the alarm and distress excited by the proceedings of the resumption officers, in case of new formations, they entertained a hope, that your lordship would extend your inquiries into the principle by which the resumption officers have been guided in their proceedings.

Your petitioners freely admit, that Government is entitled to all actual new formations not occupying the site from whence land belonging to permanently assessed estates has been removed by the river; and to all new formations thrown up in the place of estates, which having been previously lost, have ceased to pay revenue to the state, but several of the cases submitted with this petition will prove how widely this limit has been passed, and your petitioners humbly entreat your lordship to reflect, that, the process of destruction and renewal is in constant progress, on the banks of the river in this country. That not one begah of new land can be thrown up until an equal amount of soil has been broken away by the river, and your petitioners respectfully affirm, that, unless a stop is put to the proceedings of the resumption officers, or unless they are expressly limited to the cases noted in your lordship's letter to the sudder board, of May 21, 1837, there must be an end to the confidence hitherto reposed in the permanency of the settlement made in 1793, and at no very distant period an end to the settlement itself.

Your lordship's petitioners, therefore, pray that you will take this petition into your consideration, and issue such orders as you may judge necessary, to protect them from the harassing investigations of the special deputy collectors.

And your lordship's petitioners, as in duty bound, shall ever pray.—*Hurkaru, July 27.*

LANDHOLDERS' SOCIETY.

Proceedings of a meeting of the committee held at the Society's office, No. 3, Clive's-reet ghaut, on Monday, the 23d inst.

PRESENT.

Committee.—Rajah Radhacaunth Bahadoor; Rajah Kallykissen Bahadoor; Rajah Rajnath Roy Bahadoor; Baboo Dwarkanauth Tagore; Baboo Prosoonocomar Tagore; Baboo Ramcomul Sen; Moonshe Mahomed Ameer; G. Vint, Esq. T. Dickens, Esq. W. C. Hurry, Esq. G. A. Pitusep, Esq. W. Storm, Esq. and W. Fergusson, Esq.

Members.—W. D. Shaw, Esq. and O. J. Elias, Esq.
Visitors.—Baboo Bhubbanychurn Mitre, Baboo Pooran Sing, and Baboo Gungaprosaud Roy.

The gentlemen proposed at the last meeting, as members of the Society, were unanimously elected. The following gentlemen were proposed as members:

Proposed by G. Vint, Esq. and seconded by Baboo Prosoonocomar Tagore.

H. T. Stewart, Esq. of Mirzapore.

Proposed by W. Storm, Esq. and seconded by Baboo Prosoonocomar Tagore.

R. Watts, Esq. and T. Hyde Gardiner, Esq.

Proposed by Baboo Ramcomul Sen, and seconded by G. Vint, Esq.

Shah Cobiroodun Ahamed, of Sessaren.

Read a letter from the above gentlemen, and resolved that a letter of thanks be sent, and inform him, that at present the Society thinks it would be premature to establish branch Societies, but we are willing to receive members from all parts of the country.

Read a letter from the board of customs, salt, and opium, in reply to the Society's application for a reduction of stamps on kabouluth and the Society's letter addressed to Government in consequence.

Resolved, that a further letter be written to Government, commenting on some part of the board's letter.

Read letter from C. B. Taylor, Esq. Baboo Hurrochunder Ghose, and A. Matthews, Esq. relating to the trade in coolies.

Resolved, that the thanks of the Society be given to these gentlemen, for the trouble they have taken in the business.

Read a letter from Baboo Rajmohun Roy.

Resolved, he be requested to furnish a case with authentic copies of the papers which passed between the collector and the zemindar, and the Society will then give it due consideration.

Hurkaru, July 31.]

W. C. HURRY, } *Hon. Secs.*
P. TAGORE, }

SUPREME COURT.

MONDAY, JULY 2, 1838.

MAHARAJAH BUNNOWARRY LOLL BAHADOOR *versus*
RAMTONOO DOSS AND OTHERS.

Mr. Leith shewed cause against the usual rule obtained in this cause, that publication of the deposition and evidence taken do pass. The learned counsel relied upon affidavits, stating that six witnesses remained to be examined, and that one of these resided at Nuddeah. Further time had been granted to the other side for filing additional interrogatories; and his own client now prayed, that the rule to pass publication might be enlarged for one month.

The Advocate General, on the other side, contended that the application to enlarge the rule was made merely for the purpose of delay, and that no satisfactory reason had been shewn, why further progress had not been made in the examination of the six remaining witnesses.

Sir Edward Ryan.—Take a fortnight's further time.

BUCKRAR SING *versus* PITTAR, LATTY AND Co.

This was an action brought for the value of certain precious stones, alleged to have been sold to the defendants for the price of Co.'s Rs. 1,744. The plea amounted to a special plea of payment, setting forth that the plaintiff sent the bill of parcels with a receipt or voucher thereon, to which the defendants gave their signatures by way of acceptance; this security was negotiated in the bazar by the vendor-plaintiff, who was alleged in the plea to have received the full consideration from his indorsee, and the amount of the acceptance was paid when due by the defendants to the holder. To this plea, the plaintiff replied, that he had retoken the order to pay before the amount was paid by the defendants to the holder, and that such sum was paid in their own wrong. To this replication there was a general demurrer.

Mr. Prinsep was called upon by the Court to support the replication. The learned counsel contended, that the sole question was, whether such an order to pay could be revoked at any time before payment, and whether a payment after such an express revocation was valid in law or not. The order was clearly revocable. The voucher, with its acceptance and indorsements, was not a bill of exchange or a negotiable security of any kind whatsoever, and it had been decided over and over again, that a bare authority to pay money, or to do any act, not coupled with an interest, was revocable at pleasure.

Sir Edward Ryan.—That does not touch the question involved here. The plea expressly avers what is tantamount to a payment, and this is not denied in the replication. How does the question of revocability affect the matter, when the consideration has been actually received?

Mr. Prinsep.—With submission, that is not altogether the correct mode of putting it. I admit, that the plaintiff upon the pleadings appears to have received the consideration from his indorsee, before the revocation, but the payment made by the defendants was after the revocation. Now I contend, that the latter is the only material point. It may be, that circumstances afterwards occurred which rendered inoperative the consideration received by the plaintiff from his indorsee, and if so, he had a right to countermand the order to the defendants, and the subsequent payment made by the latter would thus be in his own wrong.

Sir Edward Ryan said, the Court had no doubt upon the point, and would not call upon the counsel for the defendants (the Advocate General and Mr Barwell) to support the demurrer. This is substantially a valid plea of payment. The sum in question has passed from the defendants, and the stipulated consideration appears upon the face of the pleadings to have been received by the plaintiff. No question of revocability or non-revocability arise at all. It is true, that a chose in action is not assignable, and if this instrument had not been a negotiable security, the indorsements would have passed no property, and have shewn no consideration. Yet, even then, if money had been received upon the indorsement, a subsequent assent would be implied on the part of the plaintiff, and his claim would be satisfied. But in point of fact, these vouchers are negotiable instruments by the custom of trade and dealing in this place, and are effected by the same rules of construction as bills of exchange. The replication is bad in substance, and the demurrer must be allowed.

Judgment for the defendants.

In *DaCosta v. Coordeo*, whereas the plaintiff demurred to the defendant's plea, in an action upon a promissory note, the Court this day intimated an opinion that the plea was not good.

The important cause, *Radakissea Mitter v. The Bank of Bengal* has been fixed for Wednesday.

One cause stands for hearing on the common law board, to-morrow (this day).—*Hurkaru*, July, 3.

TUESDAY, JULY 3, 1838.

(Before Sir Edward Ryan, Chief Justice.)

THE EAST INDIA COMPANY *v.* WILLIAM CUMBERLAND.

Mr. Cockrane opened the pleadings. The plaint contained two special counts in assumpsit, and the plea was the general issue.

The Advocate General stated, that this was a claim for Rs. 2,000, brought by the East India Company against Captain Cumberland, commander of the ship *Roxburgh Castle*, for the value, services rendered by their steamer the *Irrawaddy*, in towing the said ship during the space of four days, from Garden Reach to the river Hooghly out to sea, evidence would be given to prove the contract, and the fulfilment on the part of the plaintiffs. Messrs. Roussac and Co. were the agents of the *Roxburgh Castle*, and, in January 1837, wrote a letter, at the request of Captain Cumberland, to Mr. Johnston controller of the Government steam vessels, requesting a steamer to tow the ship out to sea. In the course of the same month, Captain Cumberland gave a certificate, under his own signature, certifying that the Government steamer, *Irrawaddy*, had towed the *Roxburgh Castle* out to sea, and had been occupied four days in the performance of this service. The learned counsel apprehended, that the claim be fully made out upon proof of the above facts.

Mr. Johnston was called as a witness, and the letter of Messrs. Roussac and Co., and the certificate signed by Captain Cumberland, were then put in evidence.

Mr. Prinsep for the defence, contended, that the plaintiff had not established their claim, inasmuch as no authority was shewn to have been given by the owners

of the Roanburgh Castle to Captain Cumberland, to hire a steamer for the towing of the vessel out to sea. The action was certainly brought against Captain Cumberland himself, but the learned counsel apprehended, that it could only be under peculiar circumstances, and where the contract had been specially made with the commander himself, that the latter could be treated as the principal party, and sued personally upon the engagement.

Sir Edward Ryan said, that this was a very plain case. If it had been established, that the contract was not with this party, that would have been a complete answer to the action, but the whole evidence was the other way. Of the owners of the ship, nothing appeared upon the face of the proceedings before the Court; the agents had applied for the services of the steamer at the request of the captain, and a certificate of the services rendered, had been signed by the captain himself. There was no ground of defence whatever to the action.

Verdict for the plaintiff.

A long issue case stands for trial to-morrow, Wednesday (this-day), and it is doubtful, therefore, whether the cause of *Rudakhissen Mitter v. The Bank of Bengal* fixed for the same day, can be heard.—*Hurkaru*, July 4, 1838.

WEDNESDAY, JULY 4, 1838.

THIRD TERM—PLEA SIDE.

(Before *Sir E. Ryan* and *Sir J. P. Grant*.)

GUNGANABAIN DUTT AND ANOTHER *versus* SREEMUTY OONOPORNAH DOSSEE AND ANOTHER.

The Court was occupied until a late hour in the hearing of this case, and the farther hearing was adjourned before the plaintiff's case had closed. We believe, that there are a host of witnesses on both sides, and in all probability the trial will last a considerable time. A report will appear when the case is closed.

It may be merely mentioned at present, that this is an issue directed from the equity side of the court, to determine the validity of a will alleged to have been made about the month of May 1837, by one Oodichurn Doss. As usual in such cases, there is likely to be a considerable amount of hard swearing on both sides and the usual quantum of perjury.

Adjourned.—*Hurkaru*, July 5.

JULY 5TH AND 6TH 1838.

THIRD TERM.

(Before *Sir E. Ryan* and *Sir J. P. Grant*.)

GUNGANABAIN DUTT AND ANOTHER *versus* OONOPORNAH DOSSEE AND ANOTHER.

The trial of this issue, which began on Wednesday the 4th, continued throughout that day and Thursday, and was not closed until a late hour on Friday.

Messrs. *Clarke, Osborne, and Lieth* were counsels for the plaintiffs, at law.

The *Advocate General* and *Mr. Prinsep* appeared for the defendants, at law.

This was an issue directed from the equity side of the Court to try the validity of a document alleged to be the

last will and testament of one Oodichurn Dutt, deceased. A former will, admitted to be genuine, had been executed by the testator three years previously to his death, and the present question was, whether this will was revoked by a second will alleged to have been made about May 1837? By the former (admitted), the testator left the bulk of his property to his widow, by the latter (disputed), he bequeathed to his widow only a yearly sum for her maintenance and gave the residue of his property in favour of the thakoor, or family idol. The plaintiffs in the trial at law were the executors of the new will, and of course had to support the affirmative of the issue. The defendants, were the widow, and the executor appointed by the original and undisputed instrument.

The witnesses for the plaintiffs swore, that the testator and his wife had quarrelled in the intervening period, that he complained of her "foul tongue," and threatened to disinherit her. The second will was alleged to have been made in the house of another person, and the testator, who was then in good health and of sound mind, was stated to have died of cholera about a fortnight afterwards. Three material witnesses were called upon their subpoena.

The witnesses for the defendants stated, that the testator was in indifferent health, and of weak mind, for at least a twelve-month previously to his decease that, at the time when the second will was alleged to have been made at the residence of another person, the testator was in such a state of debility as to be utterly unable to leave his own house, and that the pretended signature of "Oodichurn Dutt" to the document set up by the plaintiffs was a forgery.

Sir E. Ryan at the close of the case, said that the Court would not make any comment upon the evidence adduced on either side. The affirmative of the issue, whether the disputed document was the genuine will of the deceased or not, was upon the plaintiffs, and they had not made out their case to the satisfaction of the Court. It was necessary, therefore, to nod against the will.

Verdict for the defendants.

The Insolvent Court sits to-morrow, Saturday, (this-day).

The Bank of Bengal case, and some special arguments are standing over, and will come on next week. The Court never take contested matters during the progress of a cause, adjourned from day to day.—*Hurkaru*, July 7.

MONDAY, JULY 9, 1838.

THIRD TERM.

(Before *Sir E. Ryan* and *Sir J. P. Grant*.)

BONNERJEE *versus* BONNERJEE.

The chief justice called the attention of the counsel concerned, to this case, argued in the course of the present term upon exceptions to the master's report. His lordship suggested the expediency of a compromise by consent between the parties, which they would have an opportunity of arranging, before the Court pronounced judgment.

Mr. Clarke expressed his willingness on the part of his client to accede to an arrangement.

RAJAH BURRODICAUT ROY *versus* BISNOOONDERY DABBY AND OTHERS.

In this cause and the cross causes, a rule had been obtained, calling upon the appellant to give security.

under the charter to abide such order as the Privy Council may make. Cause was shewn on the ground, that the respondents were in contempt for non-compliance with two orders for the payment of costs, and that they were not in a position, therefore to make the application until they had cleared themselves from the contempt.

The *Advocate General* and *Mr. Prinsep* were in support of the rule.

Mr. Clarke and *Mr. Leith* were to have shewn cause, but were not called upon by the Court.

Rule discharged with costs.

RAMNARAIN MOOKERJEE AND OTHERS versus ANNA MARIA BARRETTO GONSAVES.

This was a rule to shew cause why a judgment upon a warrant of attorney, to enter up judgment upon a bond for Sa. Rs 80,000 should not be set aside upon the ground of want of conspiracy and fraud.

The *Advocate General* and *Mr. Morton* appeared in support of the rule.

Mr. Prinsep and *Mr. Leith* appeared to shew cause on behalf of the plaintiffs.

In the voluminous affidavits filed in support of the rule, it was stated (among other matters) that the firm of Biale and Co. had been assisted by advances made from time to time by the defendant, Mrs. Gonsalves, whose son and son-in-law were partners in that firm. These advances had been secured by the mortgage to her of the ship *Sir Herbert Taylor*, which was insured by the firm to the amount of a lac of rupees. The plaintiffs constituted a joint and undivided Hindoo family, and the plaintiff Ramnarain, had acted for many years as the bazaar of the firm. In the month of December 1855, the plaintiff Ramnarain, accompanied by an attorney and his clerk, and also by the son and son-in-law of the defendant, came to her house when she was confined to her room, and induced her to sign certain documents which she then understood to be securities to herself for the debts due to her from the firm, but it afterwards proved that these documents, falsely represented to be securities in favour of the defendant, were, in fact, a mortgage to the plaintiffs of certain houses, with a bond and warrant of attorney to confer judgment thereon for Sa. Rs- 80,000. The defendant swore, that these circumstances had only recently become known to her, that the title-deeds of the houses have been obtained from her upon the assurance that they were only required for a temporary purpose, and that she had at last succeeded in procuring their restoration after several unsuccessful applications. Upon these grounds, it was moved that the Court should order the judgment entered up to be set aside as wholly fraudulent and void.

The affidavits on behalf of the plaintiffs expressly and positively contradicted the story set up by the defendant Mrs. Gonsalves. Three of the parties (including Ramnarain, the plaintiff) swore that the defendant signed the instruments with a full knowledge of their contents, and that they were explained to her in detail both in the English and in the Portuguese languages. The consideration was alleged to be an advance of Company's Rs 40,000, by the bazaar to the firm of Biale and Co. as a collateral security for the repayment of which, Mrs. Gonsalves executed the mortgage-bond and warrant.

Sir Edward Ryan observed, after the case had been partly opened, that it plainly appeared upon the face of the affidavits, that two diametrically opposite stories were set up by the parties. Under these circumstances, it was impossible for the Court now to decide the matter in issue. However strong the case might be made to appear on behalf of the defendant, it was quite out

of the question to apply to make this rule absolute. The utmost that could be obtained by the defendant, was an order directing the matter to be tried by an issue at law. The Court would give no opinion upon the probabilities of the case, or the comparative weight of evidence on either side. Where the affidavits expressly contradicted each other, this was not the proper mode of finally determining the question.

The *Advocate General* called the attention of the Court to the difficulty in which an issue would place his client. She could not be examined herself, and she had no directed witnesses to call. Her son and son-in-law, indeed might be expected to come forward as her witnesses; but in fact their interest was hostile to her's, and they were accused of being themselves parties to the alleged conspiracy against their relative. They had made no affidavit.

Sir Edward Ryan said, that all the parties might be examined. There was no other way of trying the question than by directing an issue. The rule in the meantime might stand over, and all proceedings at law and equity might be stayed. The terms of the issue were to be as follows :—the present plaintiffs to support the affirmative.

1st Qu.—Whether the securities in question were executed by Mrs. Gonsalves, knowing their purport and effect ?

3d Qu.—Whether there was any consideration for the execution of the same ?

Rule ordered to stand over, to abide the event of issue.

J. W. ALEXANDER, Assignee of P. Foster, versus J. A. FOSTER.

This was a rule to shew cause why an injunction should not be issued to restrain the defendant from despatching a certain brig, called *The Brigand*, from Calcutta, or out of the jurisdiction of the Supreme Court.

Mr. Prinsep shewed cause.

The *Advocate General* and *Mr. Sandes* supported the injunction.

The grounds of application for this injunction, were, that the insolvent P. Foster, had been possessed of the brig at the time of his insolvency, and that a short time previously he had been fraudulently disposing of his property to nominal purchasers, who held the property without consideration, and in reality as the agent of the insolvent himself. The ship *Brigand*, had not been launched, but was fraudulently transferred while on the stocks, to J. A. Foster, the defendant, who was the son of the insolvent, and who had given no value or consideration for the pretended sale.

The affidavit of J. A. Foster set forth, that he was the sole and *bona fide* owner of the ship *Brigand*, that the said ship, before the filing of the bill of complaint, was half-laden with a cargo for Madras and that her delay in this port under a writ of injunction, would cause great loss and detriment both to the owner and shippers.

Sir Edward Ryan said, that this writ was applied for by the complainant upon the ground of fraud, but that question could not now be finally determined by the Court. In the meantime, the rule for an injunction must be made absolute; but liberty would be reserved to the defendant to move hereafter to set it aside, upon giving sufficient security to the registrar to abide the final decree.

Rule absolute for an injunction, with leave to move to set it aside, upon giving security.

J. S. DaCosta versus BRIJMOHUN COONDoo.

This was a demurrer to a plea, pleaded to a plain upon a bill of exchange. The plea stated, that time had

been given by the plaintiff (the indorser and holder of the bill) to the acceptor, without the knowledge and consent of the defendant (a prior indorser.)

The plaintiff demurred to this plea, assigning for cause, that no valid and binding agreement to give time, founded upon a good and sufficient consideration, was set forth in the plea, and that the mere voluntary postponement of the debt due from the acceptor, could not operate as a discharge of the indorser.

The Court, upon receipt of the paper-books, had intimated a strong opinion, that the plea could not possibly be supported; but as the demurrer had been set down for argument, it was called upon in the regular way. The defendant's counsel did not support their plea.

Mr. Leith and Mr. Morton for the demurree.

Mr. Prinsep and Mr. Saunders contra.

Demurrer allowed with costs.

The common law board will be taken first to-morrow Tuesday (this day), and as there are some cases standing for hearing, it is probable that *Bulakissen Hitter v. The Bank of Bengal*, will again stand over.—*Harkain, July 10.*

TUESDAY, JULY 10, 1838.

(Before Sir E. Ryan and Sir J. P. Grant.)

YOUNG AND ANOTHER *versus* SMITH.

Mr. Advocate General moved, that this case be referred by consent to the arbitration of J. F. Leith, Esquire, barrister at law.

Referred.

PERTAB SING DOGARE *versus* TILLOKHUND LOICHAH AND OTHERS.

Mr. Prinsep opened the pleadings.

The *Advocate General* stated, that this was an action upon a hundee or bill of exchange, drawn by the gomastahs of the defendants in the partnership name. The defendants, who were three in number, a father and his two sons, carried on business as bankers, and had a cootee at Moorshedabad and at Calcutta. These two cootees or banking-houses, though belonging to the same concern, were known by different names at the two different places. It would be proved, that the gomastah (according to custom) was authorized to sign for the firm per procurator.

The defence attempted to be set up by the defendants, was, that they were not partners at all, that the cootee in Calcutta was the sole property of the elder son, and that the father and younger son had no interest in it whatever, and that the gomastah, therefore, could not possess any power or authority to bind the defendants by signing in any partnership name. The evidence adduced by the defendants, however, failed to substantiate their case, to the satisfaction of the Court.

Mr. Clarke and Mr. Cochran for the defence.

Verdict for the plaintiff.

AMBERUN BEEBE *versus* SHAIK PEER ALLY.

Struck out by consent and referred to arbitration.

DOE, ON THE DEMISE OF HULLODHUR SAKHAR *v.* HILDER.

This was an action of ejectment for land and house in Calcutta, and came on *ex parte* against the casual ejector,

The jurisdiction and title were regularly proved.

Mr. Prinsep and Mr. Cochran for the lessors of the plaintiff.

Verdict for the lessors of the plaintiff.

SCHNEIDER *versus* MORGAN.

Mr. Leith opened the pleadings. The action was for goods sold and delivered, and the plea was the general issue.

The *Advocate General* for the plaintiff, stated, that the action was brought to recover the value of a second-hand buggy, sold by the plaintiff to the defendant for the sum of Rs- 700. In April last, the defendant, accompanied by a military friend, went to the premises of Mr. Schneider, who is a coach-maker, in Calcutta, and requested to be shown some good second-hand buggies. The one in question was at last selected and the price was fixed at Rs- 700. The buggy was sent, according to direction, to Spence's hotel, where the defendant was residing, and the usual receipt was transmitted at the same time, which Mr. Morgan's friend signed, and returned to the plaintiff. Two days afterwards the bill was sent, but the bearer was told to call again. About six days after the purchase, the buggy was returned to Mr. Schneider with the shaft broken short off. Mr. Schneider received it as a matter of course, merely remarking that some violent accident must have occurred, and that it could not well have happened with fair driving, and the defendant then admitted that the horse had wheeled suddenly round. It was at last agreed on the part of Mr. Schneider, that a new shaft should be put in free of charge. When this had been done, the buggy was again sent to Spence's hotel, but Mr. Morgan refused to receive it, and it was returned to Mr. Schneider, who thereupon wrote a letter, intimating that if payment was not made he should be compelled to have recourse to proceedings at law. The defendant, after some remonstrance, agreed to accept the buggy, but requested that it might be allowed to remain for a few days on the plaintiff's premises, for the convenience of himself, the purchaser. The learned counsel contended, that if the above facts were proved in evidence, both the first and second contracts would appear to have been sufficiently recognized by the defendant, and the plaintiff would be entitled to a verdict for the sum claimed.

Mr. Watson, who had been in the employ of Messrs. Schneider, but was now in business for himself, was called to prove the circumstances connected with the purchase. He said, that the buggy was sold as a "good serviceable buggy," and he admitted that he should not have considered it as answering such description if the shaft had broken after a few days use without some violence or sudden accident. The buggy was, made by Stewart and Co. and was sold by Schneider on commission, on behalf of a gentleman returning to England.

Mr. Gibson, of the firm of Messrs. Dykes, and Co. was called to prove that the broken shaft was sound, and made from wood of average quality. The witness said, that in this opinion the shaft must have been snapped from violence, or a sudden twist, and if the buggy had been his, he should neither have cancelled the sale nor put in a new shaft!

Mr. Clarke (with whom was *Mr. Nott*) for the defence, took several objections. First, there was not sufficient proof of a recognition of the contract on the part of this plaintiff, and the action was improperly laid. Secondly, the buggy was sold as a good and serviceable article, and this warranty was broken, inasmuch as the injury to the shaft, within so short a time after the purchase, had not been shown to be the result of any unusual accident. Thirdly, the circumstances

which occurred at the period when the buggy was returned and repaired, raised a clear presumption that the original contract had been totally rescinded. Evidence would be given to shew that Mr. Schneider declared at the time when the broken vehicle was returned, that "if the buggy had been his property, he would not have hesitated to take it back immediately." Now, this evidence would place the other party in a dilemma. If the article was the property of Mr. Schneider, this was equivalent to a waiver of his claim, and to a rescission of any contract which previously existed; and if it was not his property, then he had no right or title to bring the present action.

Two officers were called as witnesses on behalf of the defence.

The *Advocate General*, in reply, was directed by the Court to confine himself to the question of law, whether the action was, rightly brought by the present plaintiff. The learned counsel referred to Chitty's Pleading, in support of the position, that an action for goods sold would well lie in the name of the commission agent.

Sir Edward Ryan said, that the Court had no doubt upon the question either of law or of fact involved in this case, and the plaintiff was entitled to a verdict. It was for the defendant to shew clearly that the article was unsound and not conformable to the description of warranty. Thus he had failed to do, as there was no distinct evidence respecting the nature of the injury which broke the shaft.

Verdict for the plaintiff.—Damage Rs 700.

[*Hurkaru*, July 11.

WEDNESDAY, JULY 11, 1838.

THIRD TERM—PLEA SIDE.

(*Before Sir E. Ryan and Sir J. P. Grant.*)

PEARMONEY DOSSFF, EXECUTOR, &c. *versus* MUDDOOSOODUN DOSS DAX.

Mr. Clarke opened the pleadings.

The *Advocate General* for the plaintiff, stated that this was an action upon a Bengalice bond for Rs 500 with interest thereon at 12 per cent. The defendant had appeared, but had not pleaded, and judgment had, therefore, passed by default. The learned counsel apprehended that the representative character of the plaintiff was admitted, and that nothing remained to be proved but the amount of the debt due.

The subscribing witness was called to prove the execution; and a verdict was given for the amount claimed.

Verdict for the plaintiff.

MIRZA MAHOMED MEHNDY MISKEY *versus* THE SHERIFF OF CALCUTTA.

Mr. Leith opened the pleadings. This was an action on the case against the sheriff for a false return to a writ of *copias ad respondendum*.

Mr. Prinsep, for the plaintiff, stated, that a warrant had been issued to the late sheriff of Calcutta, to arrest one Mr. Rainy, at the suit of the plaintiff in the present action, who was the obligee of a bond executed by the said Rainy for Rs 816. The bond was payable by instalments, all of which had fallen due. The sheriff's bailiff had neglected to arrest such defendant, and the writ was returned *non est inventus*. It would be made to appear in evidence, that the sheriff's officer, to whom the writ had been given for the purpose of being served upon Mr. Rainy, had wilfully neglected to arrest that

gentleman. By the default of his bailiff, the sheriff became liable in law, although the subordinate officer was of course the real party concerned in this action, by reason of the usual indemnity given to his principal. No other plea had been put upon the record, than the general issue, "not guilty," a plea which, the learned counsel submitted, only put in issue the question of neglect of duty.

From the evidence adduced on behalf of the plaintiff, it appeared that Mr. Rainy was a "sporting character," and visited Calcutta during the races in January. The sheriff's officer was proved to have also been in the habit of attending the races with tolerable regularity. The witnesses believed, that the person of Mr. Rainy was known to the officer, but none were able to swear positively that they had seen them altogether at any time. Mr. Rainy remained at Calcutta three or four days at least, without any apparent attempt at concealment, and rode one of the races himself. Some of the witnesses subpoenaed on the part of the plaintiff, had neglected to attend at the trial, and were called upon then subpoena.

The *Advocate General* for the defence, said that he should not call any witnesses; but he contended that the plaintiff had failed to make out his case, and must be nonsuited. All that had been shewn, in fact, amounted to nothing more than that the bailiff and the party named in the writ had been in the same town at the same period; but surely much clearer and more satisfactory proof would be requisite before the sheriff or his officer could be charged with wilful neglect of duty. It might be true that Mr. Rainy rode a race; but during that performance, at all events, the bailiff would have some difficulty in catching his man!

Sir Edward Ryan was most clearly of opinion, that the plaintiff was entitled to a verdict, and much slighter evidence even than what had been adduced, would have amply sufficed to support the case. It has been decided in a reported case, that it was not at all necessary to prove that the bailiff was previously acquainted with the person of the party sought to be arrested, and it was quite a mistaken idea to suppose, that they must have been actually seen together. The sole question was, whether *due diligence* had been used executing the writ. Here was a party, who had appeared on the race-ground, rode a race, and shewn himself in public, without any apparent aim at concealment; it was for the officer to explain how he happened so completely and unaccountably to fail in finding any opportunity of making the arrest. This was no slight matter; and it might become a question whether this person, who had so wilfully neglected his duty through motives best known to himself, could be allowed to remain any longer in the situation of sheriff's officer.

Sir J. Grant fully concurred. If the doctrine contended for on behalf of the defendant, were to be admitted, the process of this Court be utterly nugatory.

*Verdict for the plaintiff, for the amount indorsed on the writ of copias minus the costs.**

DUFF *v.* HURROFFSAUD GHOSH.—GHOSH *v.* GHOSH.

These two cases, which were the last on the common law board, were struck out by the plaintiffs' attorney.

Two causes on the equity side are come on for further directions; but they will not occupy long. If there are not many contested motions, to-morrow (this-day, which is the last day of term) the Bank of Bengal case will be heard.—*Hurkaru*, July 12.

* The plaintiff's counsel claimed no more, but question whether the plaintiff was not entitled to the whole sum indorsed upon the writ?

THURSDAY, JULY 12, 1838.

THIRD TERM.

(Before Sir E. Ryan and Sir J. P. Grant.)

MEERSINGSOONDER SEAT *versus* NITTOYWOONDER SEAL.

Mr. Clarke had obtained a rule nisi, to set aside the writ of sequestration, and all other proceedings thereon, in this cause, for irregularity. The affidavits stated, that the defendant resided in Calcutta in the family dwelling-house, and that he had quitted it upon the day when the plaint was filed; that the sole reason for quitting his house was, that the plaintiff had abused, and ill-treated him (the defendant) and his wife, and causelessly put him in great fear and dread.

Mr. Leith showed cause upon counter-affidavits, in which it was sworn that the defendant had left the house on the day after the day of filing the complaint; that there existed no such cause as that set forth in the defendant's affidavit, and that the real reason for his departure was an anxiety to avoid the process of the Court as soon as he was apprised of a plaint having been filed.

Mr. Clarke supported his rule.

Sir Edward Ryan.—Strictly speaking, we ought not to try such a matter in this form and upon mere affidavits. In order to avoid the danger of *ex parte* judgments being snatched by plaintiff, the Court has been in the habit of requiring not only affidavits of the debt due, but also affidavits expressly shewing to the Court that the writ has been endeavoured to be duly served. But this is not really necessary; because, if the writ is improperly returned *non est inventus*, the defendant has his regular remedy by an action against the sheriff for a false return. We shall allow Mr. Clarke to come in here and plead; the sequestration is to stand as a security, and the costs of the present application will be costs in the cause.

Rules discharged on the terms specified.

CHRISTOPHER MARTIN AND OTHERS *versus* ROBERT SPANKIE AND OTHERS, AND THE CROSS CAUSE.

This cause came on for hearing, for further directions upon the report of the master, W. P. Grant, Esquire.

The Advocate General and Mr. Cochrane, for the relative.

Messrs. Prinsep and Nott, for the city of Lyons.

Mr. Osborne for the next of kin.

Decree confirming the master's report.

SREEMUTTY HURRYMONY DOSSÉE *v.* RUSSICKCHUNDER NEOGHY AND OTHERS.

This cause came on for further directions upon the finding of the issue, tried a few days since during the present term. In the issue at law, Russickchunder Neoghy was plaintiff, and the present complainant was the defendant at law. The question, "whether the acceptance to a bill drawn by one of the defendants in equity, Cossinath Dutt, was or was not the genuine acceptance of the said Sreemutty Hurrymony Dossée," was found for the defendant at law; establishing the fact that the acceptance was a forgery. The object of the original equity suit now brought on for further directions, was to obtain the cancellation of the instrument and an injunction against negotiating or putting it in suit against the alleged acceptor.

Mr. Clarke and Mr. Leith appeared for the complainant.

The Advocate General and Mr. Prinsep, for Russickchunder Neoghy, submitted that, although a decree

must pass against them, costs ought not to be allowed. Their client was an innocent party, and the fraud was not practised by him, but upon him. He had good reason for believing the acceptance to be genuine, and indeed was not convinced of the contrary yet; and he was quite justified, therefore, in availing himself of any mode which appeared open to him for recovering a sum of money apparently justly due. It was not the practice, except under very special circumstances, to grant costs in the case of a bill *quia timet*.

Mr. Nott for the Datts, infant defendants.

The Court said that costs must be decreed against Russick Chunder Neoghy, but the other defendants were only to pay their own.

Decree as prayed.

This was the last day of term.

RADAKISSEN MITTER *versus* THE BANK OF BENGAL, is at last positively fixed for to-morrow, Friday (this-day which is the first of the sittings), and it is to be taken first of all. It will probably occupy the Court all day, until late hour.—*Hurkaru*, July 13.

BENJAMIN HARDING AND OTHERS *versus* HENRY PIDDINGTON.

This was an action brought to recover the sum of Co.'s Rs. 25,947, being the balance of an account between the plaintiffs and defendant. The latter had been arrested for the alleged debt.

Mr. Prinsep and Mr. Clarke appeared for the plaintiffs.

The Advocate General and Mr. Sandes for the defendant.

It appeared on the plaintiffs' own shewing, that the account upon which they sought to recover was not a settled account, but open and unliquidated. A memorandum of agreement was put in (very reluctantly) on the part of the plaintiffs, by which it appeared that although the accounts were to be made up each year, the balance was not to be struck or the profits divided until the expiration of the third year, which time had not yet elapsed.

Plaintiffs nonsuited. [*Hurkaru*, July 20.]

FRIDAY, JULY 13, 1838.

SITTINGS AFTER THIRD TERM.

(Before Sir E. Ryan and Sir J. P. Grant.)

RADAKISSEN MITTER *v.* THE BANK OF BENGAL & OTHERS.

This equity case came on for hearing, on evidence, his morning, and occupied the court in argument until a very late hour. The court postponed their decision. A full report of the argument will appear on Monday, and the judgment will be fully reported when delivered by their lordships.

It may be merely mentioned at present, that this bill was filed to restrain the bank from proceeding at law against the complainant, upon certain bills of exchange to the amount of four lacs, of which the complainant was the accommodation-drawer, one Gunganarain Gangooly the accommodation payee-indorser, the firm of Messrs. Fergusson and Co., before their insolvency, the acceptors, and the Bank of Bengal, indorsees and holders. The Bank was alleged in the bill of complaint to have been privy to the fact that no consideration was received by the complainant as drawer, and that he was merely a nominal party; but this part of the case was abandoned, as no portion of the evidence upon the interrogatories supported it in any degree. The case for

the complainant was chiefly confined at the hearing to the question, whether the bank was bound to apply in liquidation of the sums due upon these bills, certain property pledged with them by Fergusson and Co. before the insolvency of that firm, and allowed by the bank to be redeemed by the assignees.

The secretary to the Bank, Mr. Udny, and the assignees of Fergusson and Co., were made co-defendants in their official and representative capacities.

The common Law Board will be taken on Monday. The Chief Justice will sit alone to take common motions to-morrow, Saturday (this-day.)—*Hurkaru*, July 14.

FRIDAY, JULY 13, 1838.

SITTINGS AFTER 3D TERM—IN EQUITY.

(Before Sir Edward Ryan and Sir J. P. Grant.)

RADAKISSEN MITTER versus THE BANK OF BENGAL.

Mr. Clarke for the complainant. This bill has been filed to restrain the negotiation of certain bills of exchange of large amount, drawn by the complainant in favour of one Duponarain Gangooly, accepted by the firm of Fergusson and Co., (of which complainant was banian) and endorsed and delivered over to the Bank of Bengal (the present holders). Three bills were originally drawn, for the sum of Rs. 1,50,000 each. These were twice renewed by consent of the parties thereto, by other bills, and payment of a certain part of the principal with the interest accruing due, was made at different times, and at the period of the insolvency of Fergusson and Co., the sum remaining due on the then outstanding bills drawn by the complainant, amounted to four lacs. The complainant states in his bill, that no consideration whatever has been received at any time, either by himself, the drawer or by Gangooly, the payee-indorser; that the firm of Fergusson and Co., gave the complainant an assurance that he was a mere nominal party, and that he never would be called upon to pay, and, moreover, that the Bank of Bengal was fully cognisant of such understanding and agreement. Upon the last statement, there is no evidence to support it, and we, therefore, abandon that part; but the rest of the transaction as set forth, is admitted in the answers. Now there are four transactions between the firm of Fergusson and Co., their assignees, and the Bank of Bengal, to which it is necessary to call attention.

First, in the year 1833, the firm of Fergusson and Co., deposited with the bank 14,500 maunds of copper, to secure loans to the amount of about three lacs and a half. At the same time, bonds were given to the bank, empowering them to sell the copper, in the event of default in payment of the loans, and to apply the proceeds to the liquidation, advances for which they were specifically pledged; and these bonds contained an express agreement that the surplus (if any) might be applied generally to liquidate sums due upon past or future advances. This clearly gave the Bank a general lien upon the property pledged. They were bound to have sold the property, and to have applied it to the liquidation of these very bills; but instead of doing this, they permitted the assignees of the insolvent firm to redeem the property, and it is admitted in the answers, that a profit of about 72,000 was afterwards made by the assignees upon the sale.

Secondly, in the same year 3,500 maunds of indigo were pledged with the bank for the sum of Rs. 4,90,000. The transaction was of the same nature as the preceding,

except that the bonds contained no express agreement that the surplus after liquidating the sums for which the property was specifically pledged, should be applied to other outstanding claims; yet we contend that the bank was entitled to a general lien, and ought to have sold the indigo, and applied the surplus value to the liquidation of these bills.

Thirdly, there was a transaction in which the assignees of the insolvent estate were themselves concerned. It appears that the assignees, wishing to raise a loan, applied to the Bank of Bengal, who agreed to advance the sum of three lacs upon the deposit of Company's paper. This deposit was made to the amount of Sa. Rs. 3,18,200 in the name of *Durponarain Gangooly*, the acceptor of the outstanding bills of which the complainant was drawer as before described; and Gangooly, at the same time, executed a bond of precisely the same tenor as the copper bonds already adverted to, and containing a similar power of sale. The assignees afterwards applied to redeem the Company's paper so deposited, and the bank, instead of selling the paper and applying the surplus proceeds to the liquidation of the outstanding bills, redelivered it to the assignees.

Lastly, the fourth transaction relates to a bank share standing in the name of Mr. W. F. Fergusson, the chief partner in the firm of Fergusson and Co. who was also a bank director. This share, although in the name of Mr. Fergusson alone, was in reality partnership property. It was first given up to Mr. Holroyd, the assignee of Mr. Fergusson's separate estate, and transferred over by him to the assignees of the partnership estate, who disposed of it for Rs. 15,600, and applied the proceeds in payment of the general dividend. Now, by the 21st section of the charter, the bank had a general lien thereon and ought to have applied it, therefore, in part liquidation of the outstanding bills.

The case then stands thus: the Bank of Bengal have been guilty of *laches* in neglecting to apply to the payment of these bills, certain distinct available funds, to which the complainant, as accommodation drawer, had a title to compel them to resort in the first instance; and *pro tanto*, therefore, the complainant is discharged from his liability. With respect to the deposits of copper and indigo, the transaction clearly falls within the meaning of the *mutual debts and mutual credits*, between an insolvent firm and any other party,—debts and credits which the Indian Insolvent Act directs, shall be set off against each other. It has been frequently decided that this law is applicable, even where one of the debts is due *in present*, and the other only *in futuro*. There are other considerations. Mr. Fergusson was a partner in the insolvent firm, and also a director of the Bank of Bengal, and as he had a full knowledge of the whole transaction in all its details, this knowledge must affect the bank. *ex-parte* *Wauthman*, 4 Deacon and Chitty 312; *ex-parte* *Corvis*, 1d. 354. The bank therefore must be taken to be cognizant of the fact that the firm was in embarrassed circumstances, and that Radakissen Mitter, who was a man of scanty property, was a party to the bills only upon the understanding that he was never to be called upon for their discharge.

Mr. Nott, followed upon the same side, and cited *ex-parte* *Morgan*, 12 Vesey junior, in support of the position, that even after the redelivery of the deposits to the assignees, and the sale by the latter, they would only be considered as trustees of the surplus proceeds for the behoof of the bank.

The *Advocate General* and *Mr. Prinsep* for the Bank of Bengal. How can this be said to be a case of *mutual debts and credits*, between the insolvent firm and any other party? There is no mutuality whatsoever. Radakissen Mitter, in whose favour the right of set-off is attempted to be established, is a third party, who had no interest whatever in the property pledged. The argument

appears to mix up two matters, totally distinct and unconnected, the drawing of bills by this complainant, and the deposit of property by an insolvent firm with which he had no privity, such as the Court can recognize.

But even if there existed any mutuality, this would not be a case to which the law of mutual debts and credits is applicable. As far as relates to the indigo bonds, it is clearly precisely governed by *Young versus The Bank of Bengal* (reported in 1st vol. of Moore, successor to Knapp,) decided in 1836, by the Privy Council upon appeal from this Court. The bank there claimed a general lien upon certain property specifically pledged by Pinner and Co., and after the liquidation of the specific debt, they applied the surplus value to the discharge of two outstanding promissory notes; it was held that they did not possess any such right. Even in the case of the copper bond, which contain a general power and authority to the bank, to apply the overplus value to past and future advances, the same rule holds, because the bank never sold the property deposited, and, indeed, their right to sell it never accrued at all. The authority of *Young versus The Bank of Bengal*, has been attempted to be impugned; but it must be remembered, that whatever may be the opinion of the English bar, the decision of the Privy Council is final with respect to the colonies, and that case too was decided by high legal authority, the Vice-chancellor Shadwell, Sir James Parke, Sir J. B. Bosanquet, Sir E. H. East, and Sir A. Johnston; not to mention my Lord Brougham. The judgment of Lord Brougham is clear and decisive, and ably reviews all the previous decision. It is readily admitted, that the law of set-off and mutual debts and credits, may be applicable even where both claims are not due in present, but then the future debt must be a claim certain, and not a claim contingent. Here it was contingent. The firm might have come in, and redeemed the deposit at any time, and until the time had lapsed the bank had no right whatever to sell it. It is most absurd to say, that the mere possibility of an overplus value being realized, and accruing in the hands of the pawnee, constitutes a debt due to the pawnor, which may be made the subject of set-off within the act.

With respect to the deposit of Company's paper, there are two answers to this part of the claim. The paper was specifically pledged, as in the case of the copper and indigo, and the bank were bound to redeliver it upon the offer of the pawnor to redeem. But further it is stated in the answer that this Durponaram Gangooly, in whose name the transaction took place, and who executed the bond, was in fact a mere nominal party, put forward by the assignees as a trustee for the estate. The transaction might have been, and perhaps ought to have been, in some other name, as Gangooly was under liabilities to the bank; but no act of the assignees can affect the status of the creditors, and the insolvent estate.

The fourth transaction relates to the bank-share. Now the charter prohibits the bank from making advances upon shares, and they could not, therefore, claim a general lien upon it for debts due from the firm. Besides, it has been decided that shares must be taken to belong to parties in whose name, they are registered, and the bank were ignorant that the share standing in Mr. Fergusson's sole name was partnership property; so that, even if the bank had the power of retaining it for a debt due from Fergusson personally, since no such debt was in truth due, the bank were bound to give up the property to his separate assignee.

As to the point that the bank must be taken to have been cognizant of the whole transaction, because, one of their directors happened to be a partner in the insolvent firm; no authority can be found to support so novel a position. There is a great distinction between a corporation and a common partnership; *Bank of Scotland versus Watson*, & *Dow's Reports*, charters and corporations would be of no avail, if such a mere theoretical rule were

to be admitted, and the corporation were to be constructively affected with knowledge of matters of which they were utterly ignorant, merely because such happened to be known to an individual member. According to the bank charter, a director does not necessarily require even a qualification; he need not be a shareholder, he may have no real interest, and he cannot be considered to stand in the position of a partner.

It appears, therefore, upon the whole, that the Bank of Bengal are innocent holders of these bills; nothing is shown to affect them with notice in not resorting to other funds, and the present complainant, as drawer of these bills, whatever may have been the understanding between himself and the firm of Messrs. Fergusson, to which the bank was no party, is not in any way discharged from his liabilities.

Mr. Leith, who appeared as counsel for the secretary, Mr. Udny, was proceeding to follow the same line of argument as the Advocate General and Mr. Prinsep.

Sir Edward Ryan. The Court do not see what right the secretary has to argue the case on behalf of the bank. He is brought here merely for the purpose of discovery, and he is of course entitled to his costs. I do not understand what he can possibly have to say to the Court.

Mr. Leith declared, that he was entirely in their lordships' hands, and had great pleasure in sitting down.

Mr. Cochrane appeared for two of the defendants, Messrs. Macnaghten and Ousely, assignees of the insolvent firm of Fergusson and Co. The learned counsel was prepared to argue the general case, but at the suggestion of the Court, he confined himself to the question of costs, as it affected the assignees.

Mr. Osborne and Mr. Morton appeared on behalf of the remaining defendant, William Colville, and claimed costs for their client. This gentleman had been appointed co-assignee, but he had been in fact a mere honorary assignee, and had not interfered in any way in the management of the property, nor was he cognizant of the details of the present transaction. He had put in an answer, which was entirely a disclaimer, or at least as much a disclaimer as such answers generally are, and he was unable to see forth of his own knowledge any material matter of which the complainant's bill sought a discovery. There was, moreover, another ground. In January 1836, after the filing of the bill, but before the answer was put in, Mr. Colville applied to their lordships, as commissioners of the Insolvent Court, to discharge him from the assigneeship altogether, and an order was made accordingly. This order was set out in his answer. The complainant, therefore, ought at all events to have then dismissed his bill against Mr. Colville, and it was altogether vexatious to put in a replication and serve a subpoena to rejoin; — *Longfellow versus Williams*, 3 Atkyn's Reports, 582. The reason why Mr. Colville had appeared by a different attorney and put in a separate answer was, that his answer necessarily differed in almost every point from the joint answer of Messrs. Ousely and Macnaghten. It would be inconsistent for him, as a disclaiming defendant, to have joined with the acting assignees; and in point of fact, this could have made no difference in expense, because Mr. Colville's answer was so totally dissimilar, that even if merged into a single joint answer, the total number of folios would not have been in the least diminished.

Mr. Clarke was heard at considerable length in general reply. As to the question of costs, which had been mooted on behalf of different defendants, he did not see how such claim could be established except in the case of the secretary of the bank, who was made a party merely for the purpose of discovery, and entitled, therefore, as a matter of course. The assignees of the insolvent firm were interested defendants, and were parties with the bank to the transactions set forth in the bill. Mr. Colville had been represented to be a disclaiming defendant, but he

had no right to disclaim, and could not relieve himself from his legal liabilities by any act of his own. He ought to have joined in the answer of the co-assignees, and this was the reason why the complainant had chosen to reply instead of dismissing the bill against him, upon the filing of the answer. Again, it had been said, that Mr. Colville was a mere honorary assignee, and had taken no active part whatever in the management of the property of the insolvents; but the learned counsel apprehended that no such term as "honorary assignee" was recognized in law, and Mr. Colville, therefore, was equally liable with the others.

Sir Edward Ryan said, that the Court would carefully look over the pleadings and evidence in the cause, and pronounce their decree on a future day.

Judgment postponed. [Harkaru, July 16.

MONDAY, JULY 16, 1838.

SITINGS AFTER THIRD TERM—PLEA SIDE.

(Before *Sir E. Ryan* and *Sir J. P. Grant*.)

BONNERJEE *versus* BONNERJEE.

This case, which was argued during Term upon exceptions to the master's report, and in reference to which the Court suggested the expediency of a compromise between the parties, was this morning referred, by consent, to arbitration.

HOUGH *versus* SKINNER.

Upon the application of the Advocate General, on the ground that several officers were subpoenaed as witnesses, this case (which stands No. 12 on the common law board) was specially fixed for Thursday morning next.

HARDING *versus* PIDDINGTON.

Upon the application of Mr. Prinsep, this case (standing No. 13) was appointed to be taken next after the preceding.

DA COSTA *versus* COONDoo.

Mr. Leith opened the pleadings. This was an action upon a bill of exchange for Rs. 3,000, brought by the holder against the indorser; and the plea was "no notice of dishonour."

The Advocate General for the plaintiff, stated, that evidence could be adduced to shew that due notice of dishonour had been given both to the defendant and his clerk, on the day after the presentment and dishonour by the acceptor. But in fact, the defendant did not appear in support of his plea, and the learned counsel apprehended, therefore, that he had only to prove his signature as indorser.

Sir Edward Ryan. No, you must prove the due notice of dishonour, although the defendant has not instructed counsel to support his plea: this is the very matter upon which you have joined issue yourself.

Evidence was then about to be given of due notice of dishonour, when it was discovered that the instrument was at four months' date, whereas the plaint had accidentally misdescribed it as payable at three months. The plaintiff's counsel upon this submitted to the Court, that the error was amendable, under the new rule, giving power to a Judge to amend the record at the trial when the other side is not prejudiced thereby; and they urged the impossibility of the defendant having been misled, both from the plea which he had put upon the record, and from

the circumstance that correct particulars of demand had been annexed to the common counts in the plaint.

Sir E. Ryan.—I am afraid, that this is too much matter of substance to be amendable under the rule. As there is a count upon an account stated, you had better produce your evidence, if any part of it is applicable to that Court.

Evidence was then given of the original consideration for the indorsement, and the Court gave a verdict for the principal sum claimed, but refused to allow interest, as they could not take notice of the count upon the instrument itself.

Verdict for the plaintiff, Rs. 3,000.

THEODORE DICKENS, ADMINISTRATOR OF FLOOD *versus* WILLIAM PARIEBEAN.

Mr. Sandes opened the pleadings.

The Advocate General stated, that this was an action of trover by the plaintiff, as administrator of Mrs. Flood against the defendant, for the recovery of certain ornaments and other valuables, the property of the deceased, which had been retained by the defendant under the pretence of being the executor of that lady's will. The defendant had pleaded the general issue, and also that he was executor and that the plaintiff was not administrator. Upon the death of Mrs. Flood, some months since, the defendant had produced a will in which he was appointed executor, and had applied for probate, but from certain suspicious circumstances, the Court refused to grant probate of the will, and the plaintiff, the ecclesiastical registrar, thereupon took out administration of the effects.

Witnesses for the plaintiff were then called. It appeared, that the defendant was a manager of Government steam packets: he became acquainted with Mrs. Flood, and they were afterwards engaged to be married, but the marriage was prevented by the lady's illness. Shortly before Mrs. Flood's death, and when she was lying insensible, the defendant took two boxes out of the house, containing silver spoons and other valuables, and also took away a palkee-garrah and a pair of horses. Very slight evidence was given of the value of the property.

Mr. Prinsep (with whom was *Mr. Leith* for the defence) submitted that there was no proof of "conversion," and that the plaintiff must be nonsuited. There had been no evidence whatever of a demand and refusal, and the action of trover, therefore, could not be sustained.

Sir E. Ryan.—Every unlawful taking of property amounts to a "conversion," and is sufficient to support trover.

Mr. Prinsep, then proposed to put in on evidence the will of Mrs. Flood, by which the defendant had been executor. He apprehended that the production of the will, and proof of its due execution, would be sufficient to defeat the plaintiff's case, inasmuch as it would shew that the grant of administration was *ab initio* null and void.

Sir E. Ryan, have you probate of the will?

Mr. Prinsep. No, my Lord.

Sir E. Ryan. Then you are out of Court. The plea of *ne unques administrator* must beford for the plaintiff, as long as the letters of administration stand unrevoked and unimpeached. It is a question entirely for an Ecclesiastical Court. You can shew no authority whatsoever for the position that an *unproved* will can be brought into a Court of Common Law to impugn letters of administration granted by a competent Ecclesiastical tribunal.

Mr. Prinsep. I hope your Lordships will give me leave to move.

Sir E. Ryan.—Certainly. There must be a verdict for the plaintiff on all the issues; but we shall take a note of

the objection, as to the question of damages, more vague evidence could scarcely have been given of the nature and value of the property. We can only suggest a certain sum;—for the plate and jewels, we fix Rs. 1,000, and for the carriage and horses, Rs. 500; liable to be reduced to nominal damages, if the goods are specifically restored.

Verdict for the plaintiff, Rs. 1,500.

[Hurkaru, July 17.]

TUESDAY, JULY 17, 1838.

SITTINGS AFTER THIRD TERM.—PLA SIDF.

(Before Sir Edward Ryan and Sir J. P. Grant)

OLDFIELD *versus* STOCQUELFR.

The *Advocate General* stated to the Court, that the plaintiff's witnesses in this action for libel, were resident at Firhoot, and that they had been expected to reach Calcutta on the 13th of this month, but had not yet arrived. Now two of the causes on the common law board had been fixed for special days, and as the remainder were chiefly *ex parte*, there was a probability of the above case (though standing, No. 14) coming on, this very day. Unless, therefore, their lordships postponed it, or made some order the plaintiff might be obliged to strike it out of the board, although judgment had been allowed by the defendant to pass by default, and it remained only to assess damages.

Sir E. Ryan said that the Court would consent, not to take this case out of its regular order, and as two causes standing higher up on the board had been fixed for particular days, this would ensure its not coming on before Thursday or Friday.

GUNGANARAIN DUTT AND ANOTHER *versus* DOONAPARAIN DOSS AND OTHERS.

Mr. Clarke moved in this case for a new trial upon the ground of misdirection, and verdict against evidence. This was an issue tried last term, to ascertain the validity of a certain document purporting to be a will, and after a tedious trial of three days' duration the Court found the plaintiff's case "not proved," (the *onus of proof* being upon him) and gave a verdict in favour of the defendant, thus establishing that the instrument did not appear to be the genuine will of the alleged testator (A report of this case will be found in a former number of the *Hurkaru*.) The learned counsel said, that he had little hope of succeeding in his motion, as he felt the difficulty a party was placed in, when calling upon the Court to alter their own deliberate opinion, formed upon the hearing of full evidence, and thus appealing (as it were) *ub odem ad eundem*. A similar application had been made and refused some time since in a similar case, in which he must confess that he felt far more confident of his grounds. The real object of this motion however, merely was to obtain an order of the Court refusing to grant a new trial, and upon such order the plaintiffs would be enabled to appeal at home.

Motion refused, and order of refusal granted to the plaintiff.

NILCUNT PARAMANICH *versus* MUDDENMOHUN SAUPOYE.

Mr. Sandes opened the pleadings.

The *Advocate General* stated, that this was an action to recover Rs. 1,200 for money lent and interest, and came on for hearing *ex parte*. As the defendant had not

entered an appearance, the plaintiff was compelled to prove the jurisdiction regularly.

Verdict for the plaintiff.

BUNGSBUDEN DUTT *versus* BAUGBUT SAUPOYE.—
SREKINSEN BESSUS *versus* KISSRN DOSS.—AUMRITH
BEBER *versus* GRIDIAR GHOSH.

The two first of these cases came on for hearing *ex parte*, and in the third judgment had been allowed to pass by default: The respective plaintiffs recovered verdicts for the sums claimed

Mr. Clarke and Mr. Nott, were counsel for the plaintiff in each case.

The whole of the common law board, was gone through, with the exception of the three cases which have been specially fixed. To-morrow (Wednesday) the equity board will be taken.—*Hurkaru*, July 8.

WEDNESDAY, JULY 18, 1838.

SITTINGS AFTER THIRD TERM.—IN EQUITY.

(Before Sir Edward Ryan and Sir J. P. Grant.)

SULEMUTTY NOBINMONEY DABEY *v.* SHANLOL TAGORS
AND ANOTHER.

Mr. Morton opened. This case came on for further directions, upon a decree dated March 1837, and two reports, one by the late master dated July 1837, and the other by the present master, of July 1838.

Mr. Clarke for the complainant stated, that the bill had been filed by a legatee against two executors for the amount of principal and interest due upon a legacy of Rs. 50,000, and upon certain other accounts. The reports upon the decretal order directing the reference, found the amount due to the complainant to be a sum equal to about Rs. 65,000. They also found the sums due to the creditors of the estate, and among the rest to two creditors who had been allowed to come in before the master, after the date of the decree, by a special order of the Court made upon motion. The learned counsel admitted, that all the debts must take precedence of the legacy. He prayed the Court to decree the payment of the sums found due, and to appoint a short day for the payment of the same.

The *Advocate General* and Mr. Prinsep appeared for the creditors. They prayed to be allowed costs, as they had only come in to defend their rights.

Mr. Leith for the executors, admitted, that the complainant was entitled to his costs, but denied the right of the creditors to claim them. This was a legatee's suit, and the creditors were not parties. No doubt they might come in at their option, but it ought to be entirely at their own costs and charges.

The Court said, that the creditors could not claim costs against the estate. The chief justice suggested, that three months might be allowed for payment of the debts and legacies, although, of course, if they were not paid at the expiration of that time, the decree would be most strictly enforced against the executors.

Mr. Clarke prayed for a shorter date. He wished to apprise the Court, that the executors, pending this suit and the proceedings on the decree, had just confessed judgment upon a disputed debt, to an alleged specialty creditor for Rs. 40,000. This was a contempt of Court, and amounted almost, if not quite, to a *desaveant* for which the executors were personally liable. They

ought to have applied for an injunction. This judgment creditor would inevitably proceed forthwith to seize the property in execution.

Sir E. Ryan said, that this was a very strong point.

Mr. Leith declared, that he was willing to consent to the immediate appointment of a receiver, provided the time were extended to six months. The assets were ample, and the executors were ready to pay both the creditors and the legatees, but they were anxious to prevent the estate from being prejudiced by a forced and hurried sale.

Mr. Clarke consented.

The Court directed the decree to be made accordingly

GUNGANARAIN DUTT versus OONAPOORNAI DOSSE.

This cause and the cross-cause came on for further directions upon the finding of the issue directed from the equity side of the Court. (This was the case in which *Mr. Clarke* moved yesterday for a new trial) By the verdict on the issue, the document purporting to be a second and latter will of the testator was found to be a forgery, and a former will, of which the genuineness had not been disputed, was thus established.

Messrs Clarke, Osborne, and Leith were for the complainants.

The *Advocate General* and *Mr. Prinsep*, for the defendant.

The Court decreed, that the former will was established and that the executors under the second should be restrained from opposing the executors under the first, in applying for probate thereof on the ecclesiastical side. An account of all property and effects and of debts due from the estate, was directed and the master was directed to allow in account to the executors under the alleged second will, all payments by them *bonâ fide* made.

JOHN LUCAS v. ATHANAS MAORODY MITCHOS AND ANOTHER

The *Advocate General* and *Mr. Leith* appeared for the complainant. The original and supplemental bills were filed for an account, and a dissolution of partnership.

By decretal order a reference was directed to the master, and such references having taken place, the master made his report and stated, what sums appeared now due to the complainant. They prayed accordingly that the sums reported due might be decreed to be paid, be and that a receiver might be appointed.

Decree as prayed.

HOUGH versus SKINNER.

Stands specially for hearing to-morrow, Thursday (this day).—*Hurkaru*, July 19.

THURSDAY, JULY 19, 1838.

SITTINGS AFTER THIRD TERM.—PLEA SIDE.

(Before *Sir Edward Ryan* and *Sir J. P. Grant*.)

HOUGH versus SKINNER.

Mr. Clarke opened the pleadings. This is an action of trespass, brought by the plaintiff, Major William Hough, against the defendant Major Thomas Skinner, for criminal conversation with the plaintiff's wife. The plea is the general issue.

The *Advocate General* for the plaintiff. May it please your lordships. I shall not commence my address to your lordships in the usual declamatory strain adopted

in such cases as the present. I am quite sure I need not impress upon the Court the magnitude of the injury which has been inflicted by the defendant upon the plaintiff; an injury calculated to endure in its irreparable consequences until the close of both their lives. I shall confine myself to a concise and simple statement of the unfortunate circumstances. Both of these parties are members of a most honourable profession, and one which can ill brook even the semblance of dishonour. They are both Majors in the army, one in the Company's and the other in the Queen's service. The plaintiff holds the situation of Deputy Judge Advocate, and is known as the author of certain useful publications upon the subject of military law and courts' martial. The defendant, too, is an author, and is represented as a man of varied accomplishments. The subject of his treatises appears to have chiefly consisted in his own travels and personal adventures, and doubtless such a subject may have had more charms for a lady's taste than the more abstruse, though more solid subjects which have employed the plaintiff's pen. I do not, however, expect to hear this urged by my learned friend on the other side, as a sufficient reason for a lady preferring a stranger to her husband! The plaintiff and his wife were married in February, 1835, at the station of Saharanpore, and since that period they have travelled over different parts of India, and remained for various periods of time at different military stations. It will be proved that Major Hough is of the most amiable disposition, and that he invariably treated his lady with kindness and attention. The circumstances preceding the elopement, and the conduct of the parties towards each other during the whole period of their union, cannot be proved with such precision and minuteness as in England, because a military man in this country is continually moving about from station to station, remaining but a brief period in each; yet it will be most satisfactorily shewn that such of their friends as have had an opportunity of observing their habits and intercourse with each other for any length of time, had every reason to believe, that their intercourse was most happy. In May last, Major and Mrs. Hough were living at Dinapore, and the defendant Major Skinner was residing in an adjacent bungalow. The defendant was upon visiting terms with the plaintiff and his wife, and had been considered for some time as an intimate acquaintance. On the 18th of May, the lady left her husband's house before breakfast, and walked with a chattrah held over head, direct to the bungalow of the defendant: she remained there two or three days, sat at his table as if she had been his wife, and slept in the same apartment, which happened to be a single-bedded room! These circumstances established by evidence will be quite sufficient to satisfy your lordships' minds of the fact of adultery committed. I am truly glad to be able to spare myself and the Court all reference to those disgusting details of evidence which such unfortunate cases as the present often render painfully necessary.

Major Robert Becher, examined by *Mr. Clarke*.—I was present at the marriage. It took place in February 1835, at Saharanpore. The ceremony was performed by *Mr. Parish*, a chaplain in the Company's service. *Mrs. Hough* was a *Miss Sophia Raikes*. From April to October, in that year I often saw them; they were on very good terms. *Major Hough's* disposition is most kind and good.

Cross-examined by Mr. Leith. I knew her slightly before marriage. I knew Major Skinner. Do not know whether they were intimate, or whether he escorted her to parties. Possibly it may have been a *marriage de convenance*. She lived before her marriage at *Captain and Mrs. Mathew's*. I think, I once advised Major Hough from making the marriage. This was before I knew that he was paying his addresses to her. I considered that there was a disparity of years and some dissimilarity of tastes and inclinations. His age is about 50, and hers may be 30. Major Skinner perhaps is 36. The Hough's had no family. The Mathew's are still at Dinapore, 4 or 500 miles from Calcutta.

Re-examined. I knew Major Hough when he first arrived in Calcutta in 1806, a cadet. From 1829 to 1835, I saw him almost every day. Since his marriage I have not seen him often.

By the Court. I do not think Mrs. Hough a lady of great personal attractions. She is accomplished in music, singing, and literary acquirements.

Sheik Daloo, examined by the Advocate General. I am a servant of Major Skinner, I lived with him at Dinapore. I know Major Hough. Their bungalows were very close, only separated by a wall, with wooden railings. Major Skinner frequently visited, and went to dinner at Major Hough's every second or third day. One day in May, I saw Mrs. Hough in my master's house at half-past nine in the morning. She came alone. He desired me to bring breakfast. They breakfasted together. At eleven he gave orders that dinner that day should be at home. Before he used to dine at the mess. Mrs. Hough remained 4 days and nights in the house. Two nights my master slept at home, and during those two nights they slept in the same room. She slept in his room. It contains only one bed. My master put her on board a boat on the 4th day, to come from Dinapore to Calcutta.

Cross-examined. A letter arrived about an hour previously to Mrs. Hough's coming to my master's bungalow. It was brought by the Ayah. I saw the bearer receive it from the Ayah and give it to my master, who returned an answer.

Captain Henry John Wood, examined by Mr. Clarke. I know the parties, Major and Mrs. Hough. They lived upon usual terms. There were various shades of happiness. I heard no complaints from either party. I should say Major Hough was a most kind man in every respect. They visited my house. Defendant is a Major in H. M.'s 31st regiment. I cannot say what his allowances are.

Cross-examined. I knew the Houghs before marriage. Major Skinner was acquainted with them intimately. I do not know whether he ever paid his addresses to her before marriage. He certainly was named to her by report. I consider him as an accomplished man. I think Mrs. Hough is more accomplished than the generality of ladies. Dinapore is now a full-batta station.

Major William Martin deposed, that he knew the plaintiff and his wife. He considered Major Hough a most kind-hearted man, and incapable of treating a lady ill. Major H. was of studious, but not secluded habits. He has occupied himself much in compiling works on military law.

Captain Caine, of H. M.'s 26th regiment, saw them in Calcutta, in the cold weather before last. He treated her with kindness. He is considered by witness one of the best hearted and best-tempered of men. At a full batta station, a Major's allowances are 780 rupees per month. The value of the commission, according to the regulations, is £3,200.

Henry Martindell, of the military fund office, deposed, that Major Hough had subscribed to the fund, so as to entitle his widow surviving him, to the same annuity as the widow of a Lieutenant Colonel would be entitled to.

Mr. Lieth then addressed the Court for the defence. May it please your Lordships. This case appears to be a verification of the saying, that "matches are made in heaven and marriages on earth." Far be it from me to treat such a subject with levity, involving as it does a violation of the sacred tie of marriage; but I may be allowed to say, that a plaintiff has rarely come into Court with a feebler claim for heavy damages as compensation for an injury such as the present. I will not attempt to rebut the presumptive evidence of guilt which has been adduced before your Lordships, but I will simply confine myself to the question of the appropriate amount of damages due to the plaintiff. It is usual in such cases to

produce evidence of the habits and intercourse which subsisted between the husband and wife in the retirement of their family circle, and to establish such evidence, by calling as witnesses those intimate friends who have had opportunities of observing their mutual conduct at their own domestic hearth and board. There is no such evidence here. Mere acquaintances speak of their outward behaviour under the eye of society, when the countenance often wears a mask and real feelings cannot be detected. But even such evidence as my learned friends have produced is defective, for it does not extend to the most important period of all, the moment of the elopement. It may be that the unfortunate event was produced by previous and recent ill-treatment, or by a sudden and hasty quarrel. Again, there are many extenuating circumstances. The defendant and the lady were previously intimate, perhaps attached to each other; the plaintiff, it seems, had been warned against the match by a friend; and there appeared to be a disparity of years, tastes, pursuits and inclinations. It is no case of abused friendship and confidence; no deliberate design or deeply laid plan has been evinced, but the lamentable catastrophe appears to have been to a great measure the result of the plaintiff's want of discretion and forethought. I am not instructed to come before your Lordships, in order to deny the charge, nor do I deny it, but I merely wish to urge upon the Court the utter absence of any cause forwarding heavy and vindictive damages. Perhaps I may be allowed to say, that I have received directions from my client to admit in the fullest manner his belief in the fact that the lady entered his house (from what cause I know not) in entire purity and integrity of motive. The deplorable consequences no one can regret more deeply than himself, and he sincerely wishes that there was a possibility of making adequate reparation. I leave the case, entirely in the hands of the Court.

(Their Lordships then consulted for a few minutes. The Court room was rather crowded, and much interest was manifested. Several officers and others had been subpoenaed as witnesses, but were not called.)

Sir Edward Ryan.—There must be a verdict for the plaintiff. We think it necessary and proper, under the circumstances which have appeared in evidence, to abstain from all comment upon the case. The damages we assess at Rs. 5,000.

Damages five thousand rupees.

SURMURCHUND SORAH *versus* MAUN SING—Struck out.

JOHN MOORE *versus* THOMAS DRIVER.

This was an action upon the common money counts for money paid (with interest) by the plaintiff, on account of the defendant, and at his request, in discharge of a debt due from the latter to a third party. The case was heard *ex-parte*, and a verdict given for the amount claimed.

Messrs. Prinsep and Sandes, for the plaintiff.
Verdict for the plaintiff.

GAEFAH *versus* SEAL.

Mr. Osborne (with whom was *Mr. Lieth*), stated, that this was an action on a Bengallee bond, in which the defendant had allowed judgment to pass by default. The learned counsel suggested to the Court a doubt whether this was not a case in which the damages might be assessed by the Prothonotary.

Sir Edward Ryan thought not.

Evidence of the instrument was then regularly given, and a verdict taken for the amount claimed,

Verdict for the Plaintiff, Rs. 651.

BUNOEBUDDEN DUTT versus MUDDENMOHUN SAUPOZE
AND ANOTHER.

This was an action for the value of goods sold and delivered. The defendant had not entered an appearance, and the cause was heard *ex-parte*.

Messrs. Clarke and Leith, for plaintiff.

Verdict for the plaintiff, Rs 1,683.

[Hurkaru, July 17.]

HENRY SWANN OLDFIELD versus JOAKIM HAYWARD
STOCQUETIER.

This was an action of libel brought by the plaintiff, who is the civil and sessions' judge of Tirhoot, resident at the station of Mozuffepore, against the defendant, who is editor of the *Sporting Magazine*, the *Englishman* newspaper, and other periodicals published in Calcutta. The libel appeared in the *Bengal Sporting and General Magazine*, (No. 47, vol X new series) for the month of November, 1837. The article containing the libellous matter, was headed "Mr. Haldebrand Muggleston's trip into the moussil," and some free remarks were there made upon certain matters connected with the civil station of Mozuffepore. This produced a letter in contradiction and remonstrance, addressed by a civilian of that station to the defendant, and the letter appeared, but with editorial comments, in the *Sporting Magazine*, for January last. The paragraph in the abovementioned article, which was made the subject of the present action, conveys a very gross and palpable insinuation, and runs as follows:

"But what seems to have delighted Muggleston more than any thing else, was the kind condescension of the judge and other officers of the station, in accepting of the use of the houses of opulent natives for a mere nominal rent, thus diffusing throughout the district an exalted opinion of their affability, and furnishing an unquestionable guarantee of the strict impartiality with which justice would be administered, whenever the landlord should happen to be a party concerned in a suit."

Mr. Leith rose and stated to the Court, as soon as the case was called upon, that he was instructed to appear for the defendant, (who had allowed judgment to pass by default) and upon his behalf to express his readiness to offer any apology and make any reparation, which his learned friends on the other side might dictate.

The *Advocate General* (with whom was Mr. Clarke) for the plaintiff, said, that he certainly was not instructed to receive any such apology, on the contrary he had been directed on the part of a justly incensed client to press the case to the utmost; yet of course, Mr. Oldfield had no personal animosity against Mr. Stocqueler; nor could any one dream of suspecting that the present action was brought for the sake of recovering damages. The learned counsel admitted, that an offer somewhat similar to the present had been made before; he then conceived it proper to reject totally as he was of opinion, that Mr. Oldfield, who held a public and most responsible situation, ought not to be satisfied with a mere private apology for so public an insult. The learned counsel added, that as his client resided at a distance, he should exercise the discretionary power with which he was invested as counsel, and he should therefore declare that he did not consider the objection which he had made to receiving the former apology, applicable to the present public apology in open Court just offered.

Sir Edward Ryan.—Then the counsel for the plaintiff had better dictate the terms of the apology which they conceive will be fully satisfactory to Mr. Oldfield. Every one must know that the present action is brought solely in justice to that gentleman's station and character.

Mr. Clarke.—I have drawn up a brief memorandum of the terms, and my learned friend, Mr. Leith acquiesces. They are to the following effect: "That the defendant has since discovered, and therefore admits, that the

statement contained in the publication is altogether untrue; that he expresses his regret, that it should ever have been made; and that he is in readiness to publish the retraction and apology in the columns of the publications in which the statement appeared, and consents to pay all costs as between attorney and client."

Sir E. Ryan.—There must be a verdict for the plaintiff with nominal damages.

Verdict for the plaintiff.

[Hurkaru, July 20.]

FRIDAY, JULY 20, 1838.

SITTINGS AFTER THIRD TERM.

No causes upon either board stood for hearing this day, and common motions only were taken.

Sir E. Ryan took occasion to observe, with reference to a cause alluded to by counsel, standing on the equity side for a future day that although it had been the constant practice to set down causes on the equity Board and to fix a particular day for the hearing, this was not regular. The proper course was for the solicitor of the complainant to set down the cause, and it would then come on to be heard regularly in *two days*, after being set down.

(Note.—By the new equity rules, No. 3—of setting down and hearing cases; it is provided that, "four days notice of hearing be given in all subpoenas to hear judgment," so that this would seem to modify the rule of practice mentioned by his lordship, in cases where the subpoena was only served on the day when the cause was set down, or on the day preceding. At all events the other party might object.)

The chief justice will come into Court to-morrow (Saturday,) at eleven o'clock, to take common motions.—Hurkaru, July 21.

MONDAY, JULY 23, 1838.

SITTINGS AFTER 3D TERM—IN EQUITY.

(Before Sir E. Ryan and Sir J. P. Grant.)

MUFHOORNAUTH MULLICK versus SREEMUTTY HURREEMONEY DOSSEE AND OTHERS.

This cause came on for hearing upon evidence. The bill was filed for the purpose of setting aside as fraudulent and void, a decree obtained in 1835, by the defendant Hurreemoney, and for declaring valid and genuine the will of Hurrishunder Mitter, who was the husband of the said Hurreemoney, and for reassuring and confirming a certain conveyance by way of bargain and sale, and certain indentures of lease and release by way of mortgage. The bill was taken *pro confesso* against two of the defendants, Rajchunder Mitter and Sreemutty Thakoorany Dossee.

It appeared upon the pleadings and evidence, that the defendant Rajchunder had sold to the complainant a three anna share in a certain bazar, and mortgaged another share of one anna and six pie. The sale was for Rs. 65,000. The vendor Rajchunder, entered into the usual covenants for good and sufficient title, and claimed under an alleged will of the abovementioned testator, Hurrishunder Mitter. The widow Hurreemoney, in 1825, instituted a suit for partition and impeached the genuineness of the will; but this suit was compromised amicably, by the gift of a house and the payment of a considerable sum of money to the widow, in

consideration of which she executed a release in which the genuineness of the will was admitted. By her present answer, however, she stated, that this compromise was obtained by grossly false and fraudulent representations on the part of Rajchunder, who induced the lady to believe that the estate of her deceased husband was deeply encumbered, and that the residue could not be great, whereas she had since ascertained that the debts and liabilities were few, and that there was a clear surplus of very large amount, to which she was in fact entitled as widow and sole representative. Upon this ground she had filed a bill against Rajchunder, and obtained the decree of 1835; but of this the present complainant had no notice, and it was contended by him, that he was entitled to relief as a *bonâ fide* purchaser and mortgagee without notice and for valuable consideration.

The *Advocate General*, Mr. Clarke, and Mr. Leith, appeared for the complainant.

Mr. Prinsep was alone for the defendant Hurreemoney Dossee.

Sir Edward Ryan. The complainant as an innocent purchaser is entitled to have his title made secure; but he asks too much in this bill. The Court will not declare the validity of the will, because that is not necessary nor interfere with the decree of 1835, because that affects other property. We shall decree that the conveyances by sale and by mortgage are valid, and binding upon all of the defendants; the mortgage to be subject to the right of redemption by defendant Hurreemoney. Costs of suit to be paid by defendant Rajchunder.

Decree accordingly.

FRANCIS PETER MENDES *versus* LAWRENCE DESOUZA
AND OTHERS.

This cause was heard on bill and answer.

Mr. Prinsep, Mr. Clarke, and Mr. Leith for the complainant. The bill was filed for the amount of a legacy of Rs. 20,000, alleged to have been bequeathed, on a condition which had been fulfilled by the testator Francis Mendes, deceased, to the present complainant, his nephew. This testator left very large property, and appointed three executors in India and two in England, all of whom had taken out probates in those countries respectively. The executors in India, Lawrence DeSouza, Jonathan Duncan Dow, and Robert Doucett, had been made defendants, and the residuary legatee Aurelia, wife of Antonio Pereira, with her husband had been joined as co-defendants. The terms of the disputed bequest were as follows: "I leave the further sum of Sa. Rs. 20,000, upon trust to pay the interest and dividends to Mrs. M. A. Mendes, widow of my late brother, Peter Mendes, during the term of her natural life, in case she shall so long continue a widow, but not otherwise; and in the event of her marrying again, then, from and after such marriage, or upon her decease, whichever shall first happen, I leave the said sum to my nephew F. P. Mendes (the complainant) and my niece Matilda Mendes, in equal shares, or to the survivor of them." Now Mrs. Mendes had remarried in the life time of the testator, and Miss Matilda Mendes had departed this life; it was contended, therefore, that the present complainant was entitled to the whole sum as sole surviving legatee in remainder. The condition upon which the legacy was to rest in the complainant was the remarriage of Mrs. M. A. Mendes, or her decease, whichever should first happen. That lady had married again; and it was quite absurd to say, that it made any difference whether the event happened in the life time of the testator or after his death. The learned counsel were not certain that it was not intended to be urged on the other side, that such a condition was in *restraint of marriage*; and therefore void; but they apprehended that there was no ground for this in the case of a widow, although

there might have been something in the objection, had the lady been a *femme sole*.

Sir Edward Ryan.—It is a very common condition to make a bequest contingent upon a party remaining a widow, and to leave property only *durante viduitate*.

The *Advocate General* and Mr. Barwell for Mrs. Aurelia Pereira, the residuary legatee, said that they had no intention whatever of taking any such objection to the validity of the condition, they contended merely that by the happening of the contingency in the life time of the testator the legacy in remainder never vested at all, and the whole became a lapsed legacy. They cited *Newton v. Ayscough*, 19 Vessy Junior, 534. *Umberston v. Stanfield*, 1 Vessy and Beame's reports. *Russell v. Long*, 4 Vessy Junior.

Mr. Marnell and Mr. Sandes appeared for two of the executors, and claimed costs, as their clients were altogether uninterested in the event of this suit, and were ready to pay over the legacy to the party who might be decreed entitled thereto. They came in, as interpleading parties, whose presence was requisite in the decision of the matter pending between the parties really interested.

Mr. Nott and Mr. Morton appeared for the other executor, Robert Doucett. This gentleman had severed in his answer from his co-executors, because he had never interfered, in the least degree, in the management and administration of the property farther than simply taking out probate of the will, and he was, therefore, altogether unable to answer the chief matters inquired of in the bill, further than according to his information and belief.

Sir J. P. Grant at the conclusion of the argument, stated that his mind was not made up, and that he should look into the case cited before he delivered his opinion.

Judgment postponed.

REVELLEY *versus* HARDING.

In this case evidence *de bene esse* was taken, to be used at the trial of the cause.—*Hurkaru*, July 21.

TUESDAY, JULY 24, 1838.

SITTINGS AFTER 3D TERM.—In Equity.

(Before Sir E. Ryan and Sir J. P. Grant.)

MOOKERJEE *versus* GONSALVES.

This was an issue directed to try the validity and genuineness of certain securities purporting to be a mortgage of two houses, with a bond and warrant of attorney to confess judgment (upon which judgment had been entered up for Sa. Rs. 80,000), and alleged to have been executed for valuable consideration by Mrs. A. M. B. Gonsalves, the defendant, in favour of Ramnarain Mookerjee and his brothers, the plaintiffs, forming a joint Hindoo family.

Witnesses were examined and cross-examined at great length, and the case for the plaintiff was not closed until past 5 o'clock, when the Court adjourned until tomorrow.

Mr. Prinsep and Mr. Leith were for the plaintiffs. The *Advocate General* and Mr. Morton for the defence.—*Hurkaru*, July 25.

WEDNESDAY, JULY 25, 1838.

MOOKERJEE *versus* GONSALVES.

The Court were occupied until nearly eight o'clock at night in the trial of this issue, commenced yesterday, when a verdict was found for the plaintiff. A report will appear hereafter.—*Hurkaru*, July 26.

WEDNESDAY, JULY 25, 1838.

SITTING AFTER THIRD TERM—PLEA SIDE.

(Before Sir E. Ryan and Sir J. P. Grant.)

RAMNARAIN MOOKERJEE AND OTHERS *versus* ANNA MARIA BARETTO GONSALVES.

The trial of this issue began on Tuesday morning, and was not terminated until nearly eight on Wednesday night.

Mr. Prinsep and Mr. Lieth for the plaintiff.

The Advocate General and Mr. Morton for the defendant.

The question at issue was, whether the defendant, Mrs. Gonsalves, had duly executed certain securities (a mortgage bond and warrant), knowing their purport and effect, and for a good and sufficient consideration. Last term and application was made to set aside the judgment entered up for Sa. Rs. 80,000 upon the warrant, on affidavits stating, that the securities had been obtained from Mrs. Gonsalves by gross fraud; but as the affidavits filed on the other side entirely contradicted this case, the Court declared that they could not come to a decision upon mere contradictory affidavits, and an issue at law was directed accordingly. By terms of the order, all the parties were to be examined as witnesses.

On behalf of the plaintiffs, Mr. Rowland Graham, an attorney, and his clerk Mr. Gego, were called to prove the due execution of the instruments, of which they were themselves the subscribing witnesses. They stated, that in December 1835, they called at the defendant's residence, in order to get the deeds signed; that they were accompanied by her son Francis Baretto Gonsalves and her son-in-law Henry Lewis Christiana, and by the plaintiff Ramnarain; that the lady was reclining in her room on a couch, and appeared to be expecting them; that the instruments were explained in the English and Portuguese languages, and that she appeared fully to understand their purport and effect, and that she afterwards put her signature to all the instruments in the presence of the subscribing witnesses. It was afterwards discovered that the signature was "A. M. B. Gonsalves," whereas the lady had been described in the deeds and warrant as "A. M. Gonsalves," and upon this error being pointed out to the Prothonotary, it was found necessary either to make an affidavit on the part of Mrs. Gonsalves, the obliger in open Court, or to prepare a fresh set of instruments. In January 1836, fresh deeds were drawn up, and these were executed in the same manner as the former; the defective deeds being returned cancelled, and an explanation in English and Portuguese being given to Mrs. Gonsalves, of the reason why resigning had become necessary. This evidence was confirmed by Christiana and F. B. Gonsalves, the son. It appeared that these two persons were members of the firm of Biale and Co. and that this firm had been established and sustained chiefly by funds advanced by Mrs. Gonsalves. These advances, however, to the amount of ~~Rs.~~ Rs. 85,000 had been secured (upon a settlement of accounts, and the striking of a balance, between Mrs. Gonsalves and the firm,) by a mortgage of the ship, *Sir Herbert Taylor*, valued at nearly a lac of rupees; but her contingent liabilities upon the present securities were not included in such balance, and her legal advisers appeared to have been wholly ignorant at the time of the existence of such outstanding liabilities. There were several discrepancies in the evidence, chiefly in the account given of the manner in which the consideration for the deeds was explained to Mrs. Gonsalves: some of the witnesses stated, that the consideration consisted entirely of a general prospective

credit to the amount of Rs. 40,000 to be given to the firm of Biale and Co. by their banian, the plaintiff, upon the security of the deeds, while others stated that part of the consideration was the giving up and cancelling the out-standing acceptances of Mrs. Gonsalves, to the amount of Sa. Rs. 30,000 held by the banian. The testimony of the banian himself, though he was present on the occasion of the signing was not of much importance, as he had but very slight knowledge of English and not of Portuguese.

For the defence, the chief witness was Mrs. Gonsalves herself, who swore, positively that nothing was explained to her of the contents of the deeds on the occasion of signing them, and that from previous conversations with her son-in-law, Christiana, she was under a firm conviction that she was signing securities to herself. This old lady appeared to be a great invalid, and from feebleness and infirmity, little able to understand the details of law business. She was examined partly in English and partly in Portuguese, and from nervousness and agitation gave occasionally somewhat confused evidence. She had no recollection whatever of two occasions when she was called upon to sign deeds, and believed that she had never signed more than five altogether; but she admitted that she had parted with title-deeds of her houses to Christiana, not for the purpose of mortgage, but in order to enable him to raise a temporary loan. Mr. Longueville Clarke was examined as a witness. The learned gentleman had known Mrs. Gonsalves for many years, and had been constantly consulted as a friend upon matters of law business. The securities were never spoken of to him by Mrs. Gonsalves; it was entirely by accident that he discovered their existence; and as soon as he saw the cancelled mortgage, bond and warrant of which he had heard nothing, he felt convinced that a fraud had been practised. Mr. Clarke added, that he thought such a fraud might easily have been practised upon this lady, and that when with difficulty he had succeeded, upon the discovery of the documents, in explaining to her their nature and effect, she became hysterical with surprise and terror, having evidently previously laboured under the impression that they were securities in her own favour. Mr. Clarke spoke also of conversations which he had with Christiana, in which the latter made use of expressions purporting that he had acted wrongly, but that now all the documents were cancelled, and Mrs. Gonsalves remained under no further liabilities for the firm. Mr. Boyle, the solicitor of the lady, deposed that he had never been consulted upon the present transaction, and that it was only by accident, long after the execution of the papers, that he became aware of the liabilities of his client upon these outstanding securities. She was in the habit of managing her own property, and keeping her own accounts; but she had always consulted either Mr. Clarke or Messrs. Wight and Boyle, on matters of law. Mr. Boyle spoke of several interviews which he had on different occasions with Mr. Christiana, in which an offer to compromise matters was made, and it was stated that there would be no difficulty in obtaining the securities from the banian (the plaintiff). Mr. DeSouza was called as a witness, and spoke of the conversation between Mr. Clarke and Mrs. Gonsalves, at which she was present.

After the case had been closed, their lordships consulted for a few minutes, and agreed that a verdict must be given for the plaintiff.

Sir Edward Ryan. This arises out of an application to set aside a judgment upon a warrant of attorney, and the affidavits being contradictory, an issue was directed. Mixed up with this is a question concerning the validity of a certain mortgage, purporting to have been executed on the same occasion; but although this, of course, collaterally arises, and influences the case materially, the real question is, whether the warrant to confess judgment was executed by Mrs. Gonsalves, with a full

knowledge of its nature and effect. It was impossible to reconcile the evidence on one side and the other, and it is clear that there has been downright prejury somewhere. In such a case we must look at the whole transaction, and see what is the natural order of things. It seemed beyond doubt that Mrs. Gonsalves was desirous of establishing her son and H. L. Christiana, her son-in-law, in business, and that this wish continued even after the misconduct of her son and the decease of her daughter, to whom Mr. Christiana was married. Another circumstance which has been too much lost sight of, is, that Ramuarain Mookerjee and the other plaintiffs, are clearly innocent parties, and if any fraud existed, nothing whatever has been shewn to make them privy thereto. Again, it appears clearly that Mrs. Gonsalves did give the pottahs or title-deeds, for the purpose of enabling Christiana to obtain money, though she states, indeed, that they were not given for the purpose of mortgaging her houses, but merely for the purpose of pledging the deeds themselves in order to raise a temporary loan. Then we come to the disputed facts. Mrs. Gonsalves declares that the whole is a fraud, that no explanation was given of the contents of the deeds, and that she was impressed with the idea that she was signing securities to herself. Against this, however, there are the oaths of four persons, all of whom, if her story were to be found true, would be guilty of the grossest perjury; and if it be true, that two sets of deeds were executed upon one occasion (which is the only supposition compatible with her tale) I must say I never heard of a more unmeaning, clumsy contrivance. Mr. Clarke states, two important circumstances, viz. the admission of Christiana that he had behaved wrongly, but that no other liabilities were then outstanding; but in fact it does not appear that Christiana was ignorant that Mr. Clarke at that time knew nothing of the fresh deeds. The interview between Mr. Clarke and Mrs. Gonsalves does not tell in favour of the defence; because we cannot understand how such a state of feeling could be produced by cancelled deeds, unless Mrs. Gonsalves scarcely knew (though Mr. Clarke did not) that other deeds were outstanding. We think, therefore, that Mrs. Gonsalves must have known of the existence of these instruments and that they were duly executed; the consideration consisting of advances of sums of money from time to time, which were *bona fide* made by the banian to the firm of Boyle and Co. upon the faith of these securities. There must be a verdict for the plaintiff on both issues, and by the terms of the order, the original rule for setting aside the judgment will of course be discharged.

Verdict for the plaintiff.

THURSDAY, JULY 26, 1838.

(Before Sir Edward Ryan.)

IN EQUITY.

MURROM ONEY DOSEER *versus* COSSINAUTH BYSACK AND OTHERS.

This case came on for further directions to confirm the Master's report.

Mr. Leith, on behalf of a creditor, moved that it might be postponed, in order that the creditor might have an opportunity of coming in to prove before the master. The bill had been taken *pro confesso*. The learned counsel cited *Haine versus Haine*, Jacob's reports, p. 49.

Mr. Clarke objected on the ground of the wilful delay.

Sir E. Ryan said, that the question was whether the party could thus be allowed to stand by, and wait without

taking any step until the master had actually sent up his report. If the other party did not consent the Court would not direct the postponement:

Decree confirming the master's report.

BONNERJEE *versus* BONNERJEE.

The *Advocate General* said, he was sorry to inform the Court that the contemplated compromise had not been effected in this pending cause, and that as it appeared the parties could not agree in the matter, there was no other alternative than to await the decision of the Court.

Sir E. Ryan said, that as it had so long stood over, that decision was not now likely to be given very soon. His lordship observed, that from his knowledge of the case, a private settlement would be for the most advisable course.

It appeared that the difficulty was merely in the question, to whom the matters should be referred for settlement.

Mr. Clarke said, that he considered it his duty to state, that he had acceded to almost every proposal from the other side, but that a new proposition had been made at the eleventh hour, to which his client, (who was not present in Court) for some reason or other, did not choose to consent. He should, however, again press upon him the expediency of a private arrangement.

ROBERT JOHN LATTEY *versus* CHARLES JOHN PITTAR.

In this case, the bill had been filed by Mr. Lattey, as executor of the last will of Mrs. May Ann Fleming, deceased, for an account of her estate and effects, against the defendant Mr. Pittar, who was also executor of that lady's will. It had been referred to the master to take the account and make a report, and that report having been duly made, the cause was set down to be heard on further directions.

Mr. Leith applied for a rule *nisi* for the postponement. This application was on behalf of two creditors Henry Field Savory and Thomas Moore, chemists of London, and was made under rather special circumstances. The master had inserted the usual advertisements for creditors to come in and prove, but Messrs. Savory and Moore, being in England, were unable to come in within the limited time. Last May, Bagshaw and Co. having just received a power of attorney to act in the business, addressed a letter in a very informal manner to the master, who sent an answer pointing out the irregularity, and recommending that an order from the Court should be applied for. Inquiries were then made and all diligence used, but no assistance whatever had been obtained from the executors, who although hostile to each other at first, had been hurrying on the proceedings lately by consent, in order to defeat, by a final decree, the claim of these creditors, of which claim due notice had been given. A ground of opposition was that the debt of Messrs. Savory and Moore, appeared to be against the estate of Robert Fleming, the husband of the deceased; and not against the estate of the widow; but the affidavits shewed that, in fact, the widow had no separate property of her own, and the property left by her at her death was the estate of her deceased husband, of which she was executrix.

The *Advocate General* was unable to shew cause in the first instance, as he had no affidavits filed; but he begged to correct an assumption of his learned friend in stating that the parties had ceased to be hostile. This was not the case. The proceedings had occasionally been had by consent, but this was solely in order to avoid expense.

Mr. Marnell said, that there would arise a difficulty from the circumstances that an allowance was directed of

£200 per annum to an infant in England, for his maintenance. This would fall in arrear in all proceedings were now tied up by the rule. The debt claimed by the present creditors was £1,780. 1s. 3d. sterling, and the whole amount credited to the estate in the account taken by the master, amounted only to Rs. 28,000, besides a house and some effects.

Sir E. Ryan said, that cause might be shewn next Wednesday. If the rule was discharged the decree might then be taken, and if the creditors' application was allowed, the master would be directed to proceed.

Rule nisi granted.

ECCLESIASTICAL SIDE.

IN THE SHAMY LOLL, TAGORE, DECEASED.

This was a *caveat* entered on behalf of the widow of Shamy Loll, the deceased, against the taking out letters of administration of the effects by the Ecclesiastical registrar of this Court.

Mr. Prinsep for the *caveat* . The deceased here is a Hindoo, and I apprehend that whatever power the Court possess under the charter over the estate and effects of a British subject deceased, it has no power to compel administration to be taken on in the case of native estates. The Ecclesiastical registrar, *ex officio* , has here taken out letters of administration at the suggestion of a bond creditor; and I submit that the mere application of the widow, as next of kin, is sufficient to render the whole proceeding nugatory. She had an unquestionable right to administer, and ought to be preferred to any other party.

Mr. Clarke contra. The usual citations have issued to the next of kin, and if the widow or other representative has omitted or refused to come in, the registrar has a right to administer. But I admit that the widow may stop us by taking out letters of administration and offering security; that is, in fact all that the creditor requires. The general jurisdiction of the Supreme Court in granting probate of the wills, and letters of administration of

the estate and effects of Hindoos and Mussulmen within the local jurisdiction of the Court, is fully established by *Heber Muttra's case* (Clarke's notes of cases, 1834, p. 1190, when elaborate judgments were given by Russel C. J. and Franks, and Ryan Justices.

Sir E. Ryan, the only effect of that decision is to shew generally that the Court has authority to grant probate and letters, in the case of Hindoos and Mahomedans within the limits of the local jurisdiction; but it does not decide the particular question to whom the administration is to be granted. It had been the practice before, and has been since, not to require the grant as a necessary proof of title.

Mr. Dickens, the ecclesiastical registrar, stated to the Court, that in all cases where he had taken out administration in native estates, it had only been upon the application of parties interested. In this very case, he had allowed his name to be used at the suggestion of the creditor, who had no power himself, and who had suggested that without due security the estate might be jeopardized.

Sir Edward Ryan. The only point which I am going to decide here is, whether the ecclesiastical registrar, *ex officio* , has any power or right to take out administration. I think, that he has no such right; the officer is a creature of the Court, and no such capacity is recognised at home as that of an *ex officio* administration. I am of opinion, therefore, that this *caveat* must be allowed. I say nothing now of the right of a creditor; the creditor may try the right, if he chooses, in another form.

Caveat allowed.

This was the last day of the sittings.

Sir Edward Ryan intimated that he should adjourn the sittings until Wednesday next, the 1st of August, (which is the first day of the sessions) when any matters standing over would be heard, and his lordship hoped, that the Court would then be prepared to deliver judgment in the cases in which judgment had not yet been pronounced.

[Two of these are the *Salvage* case, and the case of the *Bank of Bengal* .—*Harkur*, July 27.

POLICE OFFICE.

JULY 5, 1838.

COOLIE LABOURERS.

The following statement have been taken by Captain Birch from the Indians lately returned from the Mauritius on the *Cavendish Bentinck* .

Saomlee ayah, Mussulmaunee, returned from the Mauritius on board the *Cavendish Bentinck* , arrived in Calcutta 4th July 1838. I sailed from Calcutta in the *Raj Ranee* . We went on board on the day of the new moon after Eed 26th, about the fifteenth of Mang (or 27th January last.) The ship sailed three days after. We were consigned to the Mauritius. I was entertained by Messrs. Howarth, Hardman and Co. through Ruggobur, duffadar, for the service of Monsieur Dabois, as an ayah. My house is west of the Jaan-bazar thanah, on the cross road. I was told by the duffadar that I was to go to the Mauritius, and that ship would take two or two and a half months' reaching the place. I have been once before to the Mauritius. I went in the month Bhaudore. The month of Bhaudore this year will be two years, the latter end of Bhaudore (say 20th to 25th of September 1836) I did not go as a servant. I accompanied my husband

Emaum Bukhsh, who went as a tailor, to the service of Monsieur Monadien. We accompanied Monsieur Mais, who went in the ship (I forgot the name), I do not remember the captain's name, Boodhoo Bhan duffadar entertained my husband. He told my husband that the Mauritius was a pleasant country; that he would have to do the same sort of work as in this country, to go to his work at nine o'clock and leave it at four; that we would with a fair wind reach in a month (but we were two months and twenty days). My husband agreed to for seven rupees per month, food, ghee, doll, rice, fish, tobacco, musallah, and clothing, one chupkun pajamah, pugree, and English blanket every year. My husband received five months' pay in advance. I had jewels and money to the amount of about one hundred and fifty rupees, and my husband took with him about thirty rupees. He gave five or six to the duffadar who got him service. I do not think he gave more. My husband and I gained this money. He had a tailor's shop and I served as an ayah. I did every thing I could to persuade my husband not to go to the Mauritius, but he was determined and would go. He said he wished to see the place. There were one khidmutgar, with his wife, my husband, and myself, and a husband's younger brother. Besides us, there were one hundred and ninety

six coolies. They were dhangars and western men. I cannot say in what proportion. There were about fourteen women among the dhangars. The duffadar told the dhangars, that they would be employed as durwans, chowkodars, and sepahies, and their wives would have to pull pepper and spices from the trees in the gardens; and he told me that if I would take service I would get twelve rupees per month and food and clothing; but that if I would not work I would get only food and clothing and no pay. On the passage, the captain beat the coolies constantly and severely. He did not beat us. One of the sailors once gave my husband a blow on the face. I don't know what for, but I think because he did not understand what he said. We had plenty to eat and drink, coolies and all. We had nothing to complain of in this way. One coolie was ordered to clean the privy forward. He said he was not a inheter, but a dhangar, and would not. They said he must and forced him to go forward. He fell overboard where the privy was, and no boat was lowered to pick him up. There was a heavy sea on when the coolie fell overboard, and all the rest of us were sent below. Monsieur Mars was troubled about it, and that is why we were sent below. No other accident happened and we landed safe at the Mauritius. There was not any illness on board, only my brother-in-law fell ill but recovered. We staid one night in the city, and the next morning Monsieur Donadieu took my husband and self to his house about two and half koss from the city, called Montague Long. My brother-in-law went as tailor into Mr. Luvarrin's service, and the rest, we don't know where. I have never heard of or seen them since. I have seen my brother-in-law once. Monsieur Luvarrin's place is called *Abbay*, and is about seven or eight koss east of the city. I went there and staid with him one night. He was content and well treated, and told me he was very well off. My husband had to go to his work at six in the morning and to do table work (*khansaurangrice*) until ten o'clock at night. He remonstrated and said, the Calcutta custom was to commence work at nine o'clock, and would not do table work at ten o'clock at night. For this he was beaten with a cocoanut rope by Monsieur Donadieu himself, and was shut up three days in a room with his feet in stocks. Since then he worked as tailor and as table servant. He has not received any pay except the five months' advance he got here. He agreed to serve for two and half years. Five may have been put in his agreement, but I don't know. He repeatedly asked Monsieur Donadieu to take twenty or thirty rupees from him and let him go, but he would not. My husband received daily rice, dhull, ghee, an a little dry fish and salt, nothing else. I only got food for twenty-five days. Monsieur Donadieu told me to work in the fields weeding, &c. I refused, and he said if I did not work I should go back to Calcutta. I said, I was married to my husband, how could I go? He beat me and turned me out of my dwelling out of the plantation, and then my husband got me a hired house. Mr. Donadieu told my husband to cast me off and take a coffee woman to wife. He replied, how could he do so, that he was married to me and would rather lose his life than do so. He was interdicted coming to me for about two months. I was living in a house in a place called Dhana Maulwah close to the city. My husband ran away and came to me. He remained three days. He told me he would complain against Monsieur Donadieu. I advised him to do so. Monsieur Donadieu was searching for him. I went out on the road to buy some ghee. Monsieur Donadieu was coming toward me in his buggy. He stopped, jumped out and caught hold of me and took me to the police, left me with the guard and returned for my husband, whom he brought also to the police. We were both sent to the jail. I was told I should be sent back to Calcutta and my husband should remain. I threatened to put a knife into my throat

They then asked my husband what he said to it. He replied, he would not give me up; that if I staid he would stay, if I went he would go. They took down what we said, and sent us to the jail. We staid there eight days. On the eighth day Monsieur Donadieu sent a note to the police for my husband, who was sent to him. He said that if I was allowed to stay he would work, but if not that he would kill himself. Monsieur Donadieu told him I should not stay. He was again brought to the police and sent back to jail. Fifteen days after this, he was again sent for, but refused to go unless I accompanied him. The jail sergeant tried to persuade him, but finding it of no effect, his head and beard were shaved, and he was sent to the stocks. We staid in the jail altogether about a month and a half, when one Saturday the guard came and asked my name and my master's. I told him, and four men seized me to carry me on board, saying, I was to go to Calcutta. I said I would not go, beat my head against the stocks. The sergeant came and desired them to desist and let me go, which they did. The following morning twelve men came, bound my arms and carried me off to the ship, and shut my husband up in a room. I was taken on board without clothes. I don't remember the name of the ship. We sailed in the month Bysauk, (about the 15th and 26th of April 1837,) and arrived in Calcutta about the 15th of Choait (27th of May.) We were twenty-seven days on the way and stopped two days at Madras. Surrooptoolah, sirdar of coolies, who was of the party that sailed with me, returned in the same ship with me. I saw him in the house of correction. I don't know what he was sent there for. He was discharged by his master, that I know. I asked him why, and he said he had once taken his gang of coolies to the police to complain, and his master had told him he was bad sirdar to do that, and discharged him. He said that his cause of complaint was that they were not sufficiently fed, and much beaten, and on their complaining to the police, his master was fined one rupee per man, and this made him angry and caused him to discharge him. After my return to Calcutta I remained eight months. I found it difficult to live and fell sick, and, being anxious to return to my husband, I took service to go to the Mauritius, and engaged with Mr. Dablos. I was passed at the police and sailed in the *Raj Ranees* about the 26th of January last. There were about two hundred and sixteen or twenty coolies and five khudmatgais, one syce, one coachman, and three ayahs, besides myself. Among the coolies there were dhangars, western men, and Beugallees, no women. We were one month and twelve days on the passage. All who went understood what they were going about and went willingly. It was explained to them by the police sahib, that they would be a month and half with fair wind, but more than two months if no wind. They understood that it was far off, that they would see no land until they got there. They were all willing to go. We were all very well treated on board, had plenty to eat and drink, and nothing to complain of. Four of the party died from sickness, the rest arrived safe and well at the Mauritius about the time of the hooly, about twelve days before the hooly-moon (about the 10th of March). I was taken with the rest to the police. My master came and spoke to me in French, I answered him. He asked me if I understood French, I replied a little. He asked if I had eat my dinner, and I replied no, upon which he gave me eight pice and desired me to buy bread, and when my name was registered he would send me to his house. He went away. Captain Ley of the police, asked me what business I had to return after he had sent me back to Calcutta, put me in the guard and from thence he sent me to jail. I staid there three months and fifteen days. I had been in jail about two months when my husband came to see me. His master came to fetch him away. He said he would not go, he would return with me; that he had not

received any wages for a year and a half, and would return to Calcutta. His head and beard were again shaved and he was put in the stocks, after which he was sent back to Mr. Donadieu, and I was forced on board the *Cavalish Bentinck*, in which ship I have returned. I was sent on board without any property, and with nothing but a dirty syah and old doputtah. We had five coolies, a coachman, tailor, and myself. Four coolies died. The coachman and tailor served the same master, and one can speak of the other. I don't know them. The coolie said he had not received any money for a year and had been sent back because he refused to work. I do not know where he is likely to be found. I said yesterday evening, in reply to your question, why I had come back, that I was ordered to take away the chamberpot and sweep the room, instead of waiting on the lady, dressing her hair, &c., but I said so, out of fear, and to account for my coming back; but now, to-day, as you have told me not to fear any thing, but to speak out, I have told you every thing.

Qadir Bukus, Moosulman coachman, returned from Mauritius on the *Cavalish Bentinck*, arrived in Calcutta 4th of July 1833; said, I sailed from Calcutta in a ship. I don't know the name. It was loaded with rice. I forgot the captain's name. We were consigned to the Mauritius, I went on board on the 15th of the month Awasin, now three months less than two years. About the thirtieth September 1836, I was entertained by Mr. Gilmore and Mr. Scraup. (We could not make out the latter name, but think Crawford is meant) to serve Mr. William Judge. He is next to the lord, saheb, in rank at the Mauritius. I was entertained as a coachman. My house is close to Tom Hunter, saheb's. I was without employ. I heard from a bhuttecarah, whose name I forget, that several servants were required, and went with him to Nilmoney baboo, who took me to Mr. Gilmore, by whom I was entertained. I engaged for eight rupees per month, clothing and food; that is, my wages were to be sixteen rupees per month, out of which I was to receive eight, and my master was to deduct eight rupees, to furnish me with food and clothing. I went of my own accord. I engaged for three years, but was told that it I behaved well my master would give me my discharge before the three years were out, or on the termination of the three years. Besides myself, there were engaged for my master one syce, one tailor, two dhobees, in all five. For a Monsieur Deine, two dhobees, one mhetur, one bleeshtee, five coolies, a khansaman, two children, two women (the families of the dhobee) and a tailor. I cannot speak certainly, but I think there were five others. We were in all twenty-five, men, women, and children on board the ship. We were two and a half months on the voyage from Calcutta to the ghat at the Mauritius. I had heard before I sailed from several people, that Mauritius was from two to three months distant from Calcutta, and that for that time one should see nothing but water. I was told the same when I was engaged, and understood it before I went. We were well treated on board ship, had good food and water. No one was beaten or ill-used, no one was sick on board. A dhobe's wife brought forth a daughter prematurely, which was thrown overboard. We all reached the Mauritius. Those who sailed with me understood as I did, that we would not see any thing but water for two and a half or three months. We used to talk of it among ourselves. Some said, if we had a wind we would get there in a month and half. The coolies who accompanied us were all dhangers. They understood this also. They were told before me that they were not to be afraid, that they would be from two to three months on board ship. They were told this before they went on board. We were all told the same when we were beyond Orange Saugor. They serving out water to us, and told us to be careful of it and not to waste it, as it would be

long before we reached Mauritius. I received six months' wages in advance in Calcutta; we all received the same. I paid my debts here to the extent of about thirty-two rupees, bought some clothes and took with me about five rupees. I understood that I would not get any more pay until six months should pass. I was asked by the sircar, Nilmoney baboo, to give something; but I refused and did not give any thing. The rest, on my refusing, refused also. The dhangers sent some money to their homes, either through Nilmoney or Romance bearer, duffadar, who entertained them. I don't know how much. They took with them, one durzee, a khidmitgar, and a dhobe, only received four months' advance. These left monthly tickets for their families of four rupees per month. I don't know whether the dhangers gave any thing to the duffadars. I heard from them that they had received six months' advance at the rate of five rupees per mensem. The Mauritius is a very good country, plenty to eat and drink; I liked it, but I was anxious to return to my family being old. I was well treated by my master. I told him I was old, and wished to see my family, and asked him to return. He gave me leave seeing I was old. I received my wages regularly, also food and clothing. This is my master's livery (orange.) I got these clothes from him. There was no deduction whatever made from my pay. Of the servants who went with me, one syce and two dhobees are still there. I don't know whether they wish to remain. They said when I left, "well it is your fate to return, and if it is our fate we will return too." They were well-treated and contented, and my master was pleased with them. The tailor who went has returned with me. My master was not pleased with him. He would not work, but was constantly gadding, and my master sent him back, saying he would not do. He had sent for a man who would work. The tailor was well pleased to get his discharge. He gave much trouble, was drunk and absent from work. My master sent him once to the police. He was confined one night, and the next morning my master wrote a note and got him released. I was in the city. I did not go to the plantation but once when my master took me with him to the races at a place called Gunpoon, about fourteen koses from the city, where there is a European regiment quartered. I did not see any whom I knew. I saw coolies, Hindoostanee, and they appeared contented and well; but I saw no one that I could ask questions of. The other servants who sailed with me, for Monsieur Deine went to the plantation about five kose from the city. They occasionally came in and visited me. I used to ask them how they fared. They said they were well treated and fed, and had nothing to complain of. I did not see any of the dhangers; but I asked Buxoo how they were, and he said well, and well used. I never saw any one beaten. Four of us came back in the same ship, an ayah, the tailor, a coolie, and myself. We had five coolies put on board at the Mauritius, three were very ill and died, and were thrown over-board. One coolie went over the side to make water and fell into the sea, the ship was lashed too and the jolly boat lowered, but they could not find him, there was a high wind and sea on. I did not see the ayah before she came on board. She told us that her master said to her, you had better go back to Calcutta and get service there. Her husband is in service at the Mauritius, but I don't know with whom. She made no complaint of ill-treatment, but said her husband also did not want her to remain. She is living some where near Mendhee bazar; the durzee is somewhere near Taultollah, and of the coolie I don't know what has become. I live near Mr. Rose's stable in town, in Hunter's jemadar's house. I would not mind returning after four or five months to the Mauritius, if I could take my family with me. I would not mind remaining there altogether; but I am now an old man, and would not like to go without my family.

Hurkaru July 9.

SUDDER REVENUE BOARD.

JUNE 15, 1858.

Case of Mr. D. P——e and his treasurer Jogul Kissors Sain.

Mr. D. P——e, late collector and magistrate of zillah Mymensing, in a letter dated the 25th May last, to the address of the secretary to Government in the revenue and judicial department, detailed to him the following particulars of a monied transaction between him and his late treasurer, Jogul Kissors Sein.

He stated that, when he joined his cutcherry at Mymensing, he was requested by the proprietors of the Bygunbaree indigo factory, in zillah Mymensing, Messrs. Logan and Davidson, to remit the savings from his salary through them to the presidency. To this proposition he consented. From these transactions originated the occurrence which was submitted by Mr. P——e for the consideration of his honour the Vice-President in Council.

Mr. P——e added, that from the extreme regularity of his payments to the factory in exchange for drafts received, neither party thought it necessary to call for a comparison of accounts until Mr. P——e was about to leave Mymensing, having been removed from that zillah to Coomillah, which was at the commencement of last year, when the result of Mr. P——e's private account, as kept by the treasurer of his cutcherry, Jogul Kissors Sain, showed a debit on his side of 1,000 rupees, for which there was no corresponding account entry made in the book. In consequence of this discovery being made by Mr. P——e, after his arrival at Coomillah, he was incapable of either rectifying or satisfactorily explaining this matter until he accidentally met Messrs. Logan and Davidson at Calcutta. The debit and the entry in question, as found in Mr. P——e's private account with the treasurer, to whom an order is addressed in Mr. P——e's own hand-writing, instructing him to pay Mr. Davidson's servant 1,000 rupees on Mr. P——e's account, bears date the 19th November 1835, and the entry is further supported by a receipt purporting to be of the factory servant of the same date for a corresponding amount. This receipt which the Payek disacknowledges to be his, differs widely from his servant's former receipts. The others have his name signed in full by himself, whereas this bears a mark purporting to be made by him, and his name written beneath by another person; and there is one receipt for 50 rupees of the same date as this questioned receipt, which bears the individual's name in full, written by himself, being made by Jogul Kissors Sain on Mr. P——e's account, for which he is duly credited by Messrs. Davidson and Logan. Further, as Mr. P——e got no draft from the proprietors of the factory for these 1,000 rupees, it cannot be supposed that they had received this amount, which would otherwise have been credited to Mr. P——e, and Mr. P——e supposes the delay in the detection of this false entry was caused by the mutual neglect of Mr. P——e and the proprietors of the factory in not comparing their accounts until after Mr. P——e's appointment to another station.

From the above circumstances a violent presumption was established, that the receipt purporting to be the factory servant's, and which was denied by him, was a forgery committed by the treasurer to defraud Mr. P——e; nevertheless the motive of Mr. P——e, for having authorised the treasurer to pay 1,000 rupees to Mr. Davidson's servant, on that day, remained yet to be explained and this was not elucidated until Mr. P——e met Mr. Davidson at Calcutta as aforesaid, when Mr. Davidson produced a letter from Mr. P——e, to the address of Messrs. Logan and Davidson. In

this letter, Mr. P——e regretted that he had led Messrs. Logan and Davidson, under a misapprehension of what was due to them, at that time, to draw upon him for 1,000 rupees; and concluded by assuring them, that they should receive the amount during the following month, and though this letter bore no date but only mentioned the day of the week in which it was written, yet as Mr. Davidson did not receive it till he was on the point of quitting Bygunbaree factory for Calcutta, which was in December 1835, Mr. P——e concludes it must have been written on the very day on which the false entry was made, after he had given, under an erroneous idea that money was due by him to Messrs. Logan and Davidson, an order for the payment of the 1,000 rupees to the factory servant, who must have come from the factory for these 1,000 rupees, and after the discovery of the error, the order for the payment of the 1,000 rupees must have been countermanded, and this explanatory letter written; and this is borne out by the fact of the factory servant denying the receipt for the 1,000 rupees to be genuine. The fact is, that Jogul Kissors, in Mr. P——e's opinion, must have taken advantage of this order, and forged this false receipt with an intention to defraud Mr. P——e of 1,000 rupees.

Having thus satisfied himself of Jogul Kissors Sain's guilt, Mr. P——e determined to prosecute the culprit for this forgery; he therefore executed a power of attorney in favour of Mr. Llewellyn, the civil surgeon at Mymensing, in which he authorised that gentleman to conduct the proceedings on his behalf against the treasurer, and transmitted a petition to the magistrate of Mymensing, to commence the prosecution against the treasurer. When Jogul Kissors Sain heard of these proceedings against him, he paid to Mr. Llewellyn the 1,000 rupees, together with the interest on it, up to the date of payment, and observed that he would prosecute the factory servant to whom he had paid the 1,000 rupees for that sum in the civil court at Mymensing, and recover judgment against him.

Such being the circumstances of this case, Mr. P——e did not consider himself justified in receiving the money paid by Jogul Kissors Sing to Dr. Llewellyn on his account, without previously acquainting his honourable the Vice-President in Council, of the particulars of this transaction. However, he believed there existed not a doubt, that the treasurer forged the receipt in question, with an intent to defraud him, and although he has satisfied Mr. P——e by paying him the 1,000 rupees with interest, yet Mr. P——e considered, that in order to clear up his honesty, and show to the public that he is a trustworthy person, and not unfit to be employed in a responsible situation under Government, he ought, without loss of time, to commence an action against Payek for the 1,000 rupees, which he alleges he has paid him on the receipt in question, and if he can obtain a verdict in his favour in that suit. The acknowledgment of a court of justice of the genuineness of the document will be ample testimony of its validity, and fully clear the treasurer from the stigma under which he must, without doubt, labour, under the present circumstances of this case in the opinion of all acquainted with the particulars of this transaction.

Mr. P——e, in conclusion, requested his honour the Vice-President, that in the event of his honour being disposed to sanction the proceedings of Jogul Kissors against the Payek, the secretary to Government in the revenue and judicial department be desired to inform him of his Honour's resolution to that effect, as he was a party concerned in this affair, and for other reasons, which, if his honour the Vice-President deemed necessary, he would lay before him. Mr. P——e, in his postscript,

assured the Vice-President in Council, that his private money accounts with Jogul Kissore Sain, were entirely confined to that individual receiving Mr. P—e's salary from a third person, and by paying out of it the amount of P—e's orders in favour of Messrs. Logan and Davidson.

The secretary to Government in the revenue and judicial department, informed Mr. P—e, in reply to this letter, that his honour the Vice-President in Council, entirely refused to interfere in the matter which Mr. P—e had submitted to his honour's consideration and his honour differed totally from Mr. P—e in the view which Mr. P—e had considered his money transaction with Jogul Kissore Sain, which he highly disapproved as they were in direct contradiction with the orders of the Governor General in Council, and the 13th section of the 2d regulation of 1793, and the 2d clause of the 2d section of the 8th regulation of 1825, which distinctly forbid all civil servants from having any money transactions with those who are officially under them. Mr. P—e was further informed by the same channel, that he had, by his infringement of these orders, made himself liable to be dismissed from Government employ for neglect of duty; but as his honour the Vice-President in Council was of opinion, that this breach of Mr. P—e's conduct arose more from his ignorance of the regulations of Government on this subject than from any wilful misconduct, his honour the Vice-President in Council, was disposed to overlook the error of judgment in Mr. P—e's official career, and trusted that Mr. P—e would never be guilty of the like again after this admonition from Government.

The secretary to the revenue board, was likewise directed to transmit a circular to all the revenue commissioners under the jurisdiction of the Sudder revenue board, informing them therein, that, the orders of the Governor General in Council, and the 13th section of 2d regulation of Government of 1793, A. D., and the 2d clause of the 2d section of the 8th regulation of Government, passed in the year 1835, A. D. strictly forbade them and all the officers under them, as well as all Government employes from having any money transactions with those who were under them in an official capacity; and persons who were found guilty of infringing these crimes, would make themselves liable to be dismissed from Government employ, and such other penalties, as the Government may deem adequate to their offence; and the commissioners were all directed, to keep a sharp scrutiny into the conduct of their subordinates, and report to Government any of them who may be found guilty of having acted in breach of these regulations on this subject.—[Harkaru.

THE RAJAH OF TIPPERAH'S OFFICERS.

Mr. Wise, the mooktar of the Rajah of Tipperah, petitioned the revenue board. He stated, that his client, the Rajah of Tipperah, had extensive zemindaries under the Bengal presidency. This circumstance necessarily involved him frequently in immense money transactions with Government, which often came under the award of the Sudder board of revenue at Calcutta. Previous to Mr. A. Biggell's appointment, as the pleader and manager of the Government suits pending before the Sudder revenue board in Bengal, that gentleman had the management of Mr. Wise's client's cases, but subsequent to that appointment, as that gentleman was, in consequence thereof, incapacitated from conducting the Rajah's cases, which may be pending against the Government, and as Mr. Wise could not procure any other competent person, except Mr. N. E. Baillie, the Government pleader in the Courts of Sudder Dewanny and the Nizamut Adawlut, he begged the Sudder board of revenue to permit Mr. Baillie to manage his client's case at the revenue board; for

if this boon were denied to his client, his affairs would suffer materially from the want of a proficient pleader to conduct his cases at the revenue board.

The members of the revenue board stated, that if Mr. Baillie could conveniently, without the detriment of his business at the Sudder Dewanny and the Nizamut Adawlut Courts, spare time to conduct the cases of Mr. Wise's client's at the Sudder revenue board, the members of the board could perceive no objection to his doing so.—Harkaru, July 6.

The responsibility of Collectors on the postponement of the sale of any estate advertised to be sold for arrears of Government rents.

The Secretary to the Sudder Revenue Board of the Bengal Presidency, by the intimation of the Board, issued, the following circular letter to the Commissioners of Revenue under its Jurisdiction.

It desired them to inform the several collectors attached to their districts, that whenever they may officially give notice of the sale of any estate in their district for the liquidation of the arrears of ground rent due to the Government by the proprietor of it, and fix the sale of that estate on a certain day, should the proprietor of that estate in pursuance to that notice, subsequent to the issue of the said notice, but previous to the day fixed for the sale of his estate, come to the Collector's office and adjust with him his accounts for the arrears of ground rents due by him to the Government, and the sale be consequently postponed, the Collector is in that case directed to make diligent and particular inquiries, and examine the Government account current with that estate, and make the entries of the debit and credit sides of that estate with Government, with the utmost accuracy, and mark of the amounts paid and the outstanding, still due to government on that estate at the time of the sale being postponed. And in failure of any Collector so doing he will be considered by the Sudder Revenue Board and the Government likewise, liable for any error which may be found to exist between the debt or credit side of the accounts thus examined and submitted by him to the Sudder Revenue Board.

Collectors of districts acting on behalf of a minor permitted to sell a portion of their Landed Estates for the payment of debts contracted on them by the former proprietors.

We have heard that the Secretary to the Sudder Revenue Board for the Bengal Provinces, has issued the following circular order, by the desired of the Board, and with the concurrence of the Vice President in council, to all the Commissioners of Revenue under the superintendence of that Board, regarding the sale of the landed property, bequeathed by a former proprietor of it, provided that person was one who had reached the age of discretion, to his heir who may be a minor; and the property so bequeathed, and under the management of a receiver appointed by a Court of ward or a burshee nominated by the deceased, previous to his demise. If that property was at the time of the testator's death encumbered with debts or saddled with a mortgage, the Collector of the district in which that property might be situated, is authorized by the circular order, to dispose of a portion of it under the following restrictions for the payment of the aforesaid encumbrance on it, viz.

Firstly. The Collector was directed to make strict and minute inquiry to ascertain if their existed under the circumstances of the case any other possible mode of liquidating the debt of the former proprietor, before he resolved on the sale of any portion of the said landed property, which was only to be restored to as an ultimatum if no other means of clearing of the farmer's and proprietor's debts could be available. And whenever

over the Collector finds any estate so involved, he is to draw up a brief summary of the particulars of that estate, and through his immediate superior, the Commissioner of his division, submit it to the Sudder Revenue Board for its final orders on it.

Secondly. Should the sale of the estate under the existing circumstances of the case be considered requisite and ordered, the Collector must in that case put up for an adequate period a notice in a conspicuous part of his office, describing the nature of the estate from the records of his office that is to be thus sold, and in that notice fully and explicitly cautioning and acquainting all intending purchasers, that the estate thus intended to be disposed of by public sale for the satisfaction of the debts of the former proprietor of it, will be sold with all the contingent liabilities of any claim of deficiency of title, &c. which may hereafter be found to exist in it; and further, that the future purchaser of it would be liable for the full payment of all the arrears of rents that may be due on it to the Government, who will not hold itself liable for any contingent liability with which the said estate may be encumbered at the time of sale. And the purchaser must comply with the usual condition of such sales before he can have the property conveyed over to him from the collectorate or obtain a ballot for it.

This precautionary notice will guarantee the Government from all litigation regarding the encumbrances which the purchaser may discover after he has bought the estate, and will enable him to regulate his bid for the estate according to the circumstances of the case.

Any surplus money which the estate may realize after the payment of the debts for whose liquidation it may be sold, will be carried to the credit of the heir at law, and placed in Government Securities for his benefit.

Regarding Administering Oath to prosecutors in a criminal case, in the Mofussil Courts.

In a criminal case which lately was called on for trial in the Zillah Court of 24-Pergunnahs, before the then Sessions Judge of it, William Cracroft, Esq., it appeared that a riot and an affray had lately taken place in one of the villages within his jurisdiction, between the ryots of

two neighbouring proprietors of two indigo factories; one of whom was a European gentleman, and another a wealthy Baboo. In this assault it was alleged by the prosecutors, who it appears had been the servants of the gentleman concerned at the time of this affray, that two persons who had been engaged in this affray on behalf of the Baboo and his ryots, cannot be found nor any account of them traced subsequent to this affray, consequently these prosecutors deposed in the Mofussil that they verily believed that these missing men must during the riot and affray, have been murdered by the riots of the gentleman and his party, and their bodies subsequently secreted to prevent the detection of the murder, and the apprehension of the criminals concerned in the perpetration of it. They admitted that they were neither the friends nor the relatives of the two missing persons, who had relatives living in their village. The prosecutors having deposed to their charge in the Mofussil, the magistrate, in the regular routine of his duty, forwarded the case for trial to the Sessions Judge of the Zillah, who previous to examining them on the particulars of the case, asked them to depose on oath, why, as they had admitted that they were neither the relatives nor the friends of either of the two missing persons, who had both friends and relatives living in the village where they had resided—and, moreover, as they, it appears, were formerly the employers of the gentleman against whom and whose party they now bring this charge—it now came that if these persons are actually missing since this affray and were concerned in it, that neither their relatives nor any of their friends have come forward with any complaint regarding them, but these prosecutors who were apparently strangers to them. The Judge insisted on having their answer on oath to this question, and which they declined giving on oath as pertinaciously.

The case was consequently postponed and the matter referred by the Sessions Judge to the Nizamut Adawlut for its order on this point. The Superior Court in reply desired the Sessions Judge to administer either the sook-reete namah or the written oath to them.

In consequence of Mr. Cracroft's removal to the Special Commissioner's Court and the nomination of Mr. Biscoe to the Civil and Sessions Judge, this case, we believe, has not been finally disposed of as yet.—*Hurkaru*, July 26.

SUDDER BOARD.

• MR. BIGNELL.

Mr. Bignell, the Government pleader at the Sudder revenue board at Calcutta, applied for authenticated copies of certain cases decided at the revenue board, as being required to be filed in some Government cases, which he is now managing. The members of the board ordered them to be supplied to Mr. Bignell; but they at the same time, intimated to Mr. Bignell, that, as the writers at the Board could not afford to spare time from their duties to transcribe these documents, he was authorized to employ extra writers to engross them and charge Government for their labour in an extra bill, which would be submitted to and passed by the revenue board as a contingent bill.

Detailed statements of mouzahs.

The Sudder revenue board have circulated an order to the several collectors and commissioners under their jurisdiction, that in submitting to the board the statement of the mouzahs in their district, they are only to detail those whose jinnmah have undergone any change, and to state what local arrangement they have made

with the locaters of them, pending the reference to the Sudder revenue board.

Sales ordered by collectors.

The Sudder revenue board have in their circular, orders to the commissioners and collectors under their control, declared that whenever a collector deposes any person to hold a sale of any landed property in his district, without previously obtaining the sanction of the Sudder revenue board to effect the said sale, that sale shall be deemed illegal and of non-effect.

Regarding cases referred to the Special Commissioners' office by the Commissioners of revenue.

The Sudder board of revenue has circulated an order to the Commissioners of revenue under its jurisdiction, to the effect that whenever they may be dissatisfied with the decision of any special collector on any resumption case, and find it in conformity to the 9th section of the 3d regulation of Government of 1828,

they are to specify to the revenue board, in communicating the same, and likewise to the Sudder special commissioners, to whom the case may be referred, the grounds for their having made the reference, and the commissioners' attention was directed by the revenue board on this point, particularly to the 4th rule of the practice of this Court on this subject, as circulated to them.—*Murkaru, July 24.*

Case of Baboo Dwarkanauth Tagore, the agent of Baboo Prankisson Holdar for a fund of 1,157 rupees 12 ans. 6 pies.

In this case Baboo Jodonath had mortgaged some talooks to Baboo Prawnkisson Holdar, of Chinsurah, whose agent, Baboo Dwarkanauth Tagore, as the mortgagee, failed to redeem his mortgage, moved the Sudder Court, and, by a decree of that court, had the property seized and sold. Baboo Dwarkanauth Tagore purchased three of these talooks on behalf of the mortgagee, and in conformity to the Government regulations in such cases, paid the arrears of the rent due to the Government on these three talooks up to the date of his purchase; but the collector of zillah of 24-pargunnahs insisted on receiving the arrears from 1240 B. S. and 25 per cent. interest, on these arrears and fines from that date up to the date of the purchase of these estates by the mortgagee. This sum Baboo Dwarkanauth Tagore likewise paid into the collector's office. He then subsequently instituted inquiries into the particulars of the arrears of rents, fines, &c. accruing to Government on these three talooks, and having ascertained that these talooks had no prices standing against them, and were entitled to a remission of interest for the year 1240 B. S. he obtained an official letter from C. Trower, Esq. the late collector of zillah of 24-pargunnahs, to that effect, which he filed, together with the other papers relative to the case of his client, in the office of the commissioner of the Jessore division, in whose jurisdiction the zillah of 24-pargunnahs is comprehended, and appealed against the decision of the collector of 24-pargunnahs, considering his exactions to be a serious and exorbitant, and unjustly levied against his client.

Mr. Pigou, the commissioner of Jessore, on a careful investigation into the particulars of the case, considered Baboo Dwarkanauth's client entitled to a refund from the collector of 24-pargunnah office, of the sum of Rs. 1,157 12 ans. 6 pies, being the amount of interest levied in excess of Government established sales of 6 per cent. in such cases, and recommended the Sudder revenue board to sanction the refund of this sum to the appellants' client.

The members of the Sudder revenue board, considered the decision of the commissioner of Jessore to be reasonable, seconded it, and submitted it to the final consideration of Government. His honour the Vice-President in Council, having maturely considered this case in all its bearings, confirmed the decision of the commissioner of Jessore, and directed the secretary to Government in the revenue department, to communicate to the secretary to the revenue board, that the Government had sanctioned the refund of Rs. 1,157-12 6 to Baboo Dwarkanauth Tagore, the agent of Baboo Prankisson Holdar. On this case being submitted by the revenue board to Government, the members of the revenue board directed the secretary to the board, to communicate the decision to the commissioner of Jessore for the information of the collector of the 24-pargunnahs.

Purchasers of property at Government sale not entitled to any refund of the deposit money.

In a case, in which a person named Paradhur, of Sonatouey, purchased some landed property at the Gov-

ernment public sale in the district of Beerbhoom, and in conformity to the regulation 11th of Government of the year 1822, and regulation 7th of Government of 1830, paid a certain sum as deposit money to bid down the bargain. The purchaser having become subsequently dissatisfied with his purchase, failed to pay up the balance of the purchase money, and the estate, after due notice, was resold. Subsequent to this resale, the first purchaser petitioned the collector to have his deposit-money refunded to him. The collector considering that the first purchaser, by the tenour of the regulations above quoted, had forfeited all right to a refund, refused to comply with the petitioner's application, and forwarded it to the commissioner of Moorshedabad, his immediate superior officer. The commissioner submitted the application to the Sudder board of revenue, who laid it before the Vice-President in Council. His honour, on a consideration of the proceedings, decided, that the applicant had, by the construction of the orders already mentioned, forfeited all right to a refund of the deposit money; but nevertheless, he directed the members of the Sudder board to ascertain, whether the sum in question had been carried as yet to the credit of Government or not, and informed the board, through the secretary to Government in the revenue department, that if the sum in question had not as yet been credited to the Government, the Sudder board may direct the collector of Beerbhoom to refund the amount to the depositor of it; but if it should appear that the amount, had been already credited to Government, the applicant should be informed, that he could in no wise be now entitled to a refund of his deposit money.

The Sudder board, having through the commissioner of the Moorshedabad division, made the requisite inquiries, and ascertained that the sum in question had actually been entered in the collector's books to the credit of the Government, directed the secretary to the revenue board to communicate, through the medium of the commissioner of Moorshedabad, to the collector of zillah Beerbhoom, that the petitioner's application for a refund of the deposit-money in question could not be complied with.

Regarding receipts of deedholders for property purchased by them at the Government sales, pursuant to their decrees.

The collector of zillah Beerbhoom having, under the orders of the Sudder Dewanny Adawlut, sold some landed property situated in his district, for the satisfaction of a decree of the Sudder Court, of which the decree holder became the purchaser, the purchaser paid the purchase-money in surplus of the amount of his decree to the collector's office, and gave a receipt by a set-off, to the amount of the decree in his favor, for the realization of which the estate had been ordered to be sold.

The commissioner of revenue for the Moorshedabad division, under whose division the Beerbhoom district is, in consequence of this departure from the hitherto usual practice in similar cases, whereby the purchaser was required to pay the full amount of the purchase money into the collector's office, called on the collector to account for his reasons for swerving from the established modes. The collector in reply, informed the commissioner, that he had received instruction from the registrar of the Sudder Dewanny Adawlut, to adopt the practice he had done in this instance in future similar cases, the orders to which purport having been passed by the Sudder Court, at the suggestion of R. H. Rattray, Esq. senior judge of that court, and he enclosed a copy of the registrar's letter to him to that effect, to the commissioner of his division.

This not being considered a satisfactory explanation by the commissioner, he referred the whole proceedings to the Sudder revenue board, the members of which after a reference to the Sudder Dewanny Adawlut, having ascertained the correctness of the collector of Beerbhoom's assertions on this point, and having further learnt, that it was the wish of the Sudder Court, for collectors to adopt, in future similar cases, the line of conduct the collector of Beerbhoom had pursued in this instance, on a mature deliberation, approved of and adopted the suggestion of the judge of the Sudder court, and directed the secretary to the revenue board to inform the commissioner of Moorshelabad, and likewise all the other commissioners subordinate, of the control of the Sudder revenue board for the Bengal provinces. That whenever any estates are sold in any district under their jurisdiction, by the order of either the revenue board or the Sudder Dewanny, for the realization of any decree of any of the Company's courts, and the decree holder becomes the purchaser of it; the Collector who may be empowered to effect the sale alluded to, must in the first instance, compel the purchaser to pay up all the arrears of rent due on that estate up to the date of the sale to the Government, which the purchaser may, instead of paying each, give a set-off, by giving to the collector a receipt in full up to the amount of his decree, and any balance accruing on the sale in excess of his decree, the purchaser must pay in cash to the collector's office.

Zemindary oppressions near Calcutta.

It appears that certain zemindars near Khurrah, a place situated between Calcutta and Baraackpote, are in the habit of oppressing their ryots and dependant talookdars in a most shameful manner. The following is a statement from one of the oppressed which we give as we had them from the person himself.

"As I was coming to town about 5 A. M. on the ——— of last month, I was laid hold of by 5 or 6 men near Thakoor Pookoo bazar, and taken to the kutcherry of Baboo Umrath Bisses, z muidar of Khurda. The zemindar on seeing me told me, that as I had dug a tank on his ground, I must give him a salance of 160 rupees. I told him it was true that I have dug a tank, but it was on my lakhray ground, and begged of him to call and look at the situation of the tank. This he declined doing, but insisted on the demanded salance being paid. Rather than remain confined, I offered to give five rupees. This was refused. Ultimately I was compelled to give 25 rupees and after remaining confined for eight hours (from 5 A. M. to 1 P. M.) I was released."

This deponent is a writer in one of public offices in the town, and a man whose statement may be relied on. On being asked why these matters are not brought forward before the judicial authorities, or even before the public through the press, the usual answer, that little good and much harm may arise from either course, is given. Indeed the poorer classes of these people seem to dread the vengeance of their wealthy and influential neighbours, to such a degree, that they can scarcely complain of the wrongs they suffer. Such is the state of things within a few hours' journey from Calcutta, and the Sudder station, what must be the state of the interior?

From another person of the same neighbourhood, we have heard that a certain zemindar has such a hold on his dependants, that whenever he or his people come to Calcutta, they make it a practice to put up at the lodgings of some of their dependants and live upon them whilst staying here on their own business; and should the fair provided by the poor dependant, not be to their liking, threat of revenge are held out, and better fare extorted, for providing of which, we have heard, the poor man has been forced to mortgage his trinkets.

Sec. And yet these submissive and oppressed people will not endeavour to shake off the incubus by any attempt to seek redress in the proper quarter.—*Hurkaru, July 25.*

Cancellation of the sale of certain lands in Burdwan, and the power of collectors to delegate persons to hold such sales declared illegal by the revenue board.

The collector of zillah Burdwan having deputed Meer Daul Ullly, his uncovenanted assistant, to sell by public sale, certain resumption lands situated in mouzah Nodhipoor, zillah Burdwan, on the 18th January 1837, the property of Mussamut Radha Pearce Dossee, Putneedar, for arrears of Government rents, amounts to Co.'s Rs. 1,187, for the month of Awseen, 1243. Mr. Lewis, the commissioner for the division of Moorshedabad, in whose jurisdiction zillah Burdwan was included, considered illegal this sale, which, it appears, had been subsequently confirmed by Mr. Pigou, the then commissioner of Allipoor division, under whose superintendence zillah Burdwan temporarily was. Mr. Lewis, therefore, referred the matter to the Sudder board, and wished to know, whether the collector could depute, without the sanction of either the commissioner or the Sudder board of revenue at Calcutta, an uncovenanted assistant to hold such sale. The secretary to the revenue board informed Mr. Lewis, in reply, that the first circular order of the 15th January 1838, of the Sudder board, fully explained this matter and referred him to it. This not being considered a sufficient elucidation of the matter in question, Mr. Lewis requested the board to construe that order more explicitly, as he could not comprehend the tenor of the board's last note to him on that subject. The secretary to the revenue board then informed Mr. Lewis, that by the 20th and 21st regulations of Government, of the year 1828, A. D. the revenue board possessed the power of authorizing a collector to depute any person, who has already been declared by the board competent to hold such sales, to hold them again; but, nevertheless, it must be obvious, that, Mr. Lewis, that none but a covenanted servant of Government, by the existing regulations of Government, could be thus delegated. Mr. Lewis, in reply to the communication, informed the Sudder revenue boards that, as in the case submitted by him to the board, it appeared, that the person who had been nominated by the collector of Burdwan to superintend the sale in question, had never before been declared by the Sudder revenue board eligible to conduct such sales, nor was he a covenanted servant of Government, the sale in his opinion must be declared an illegal one. The secretary to the revenue board, on receipt of this communication, desired Mr. Lewis to forward to him the proceedings in the case to which he alluded, for the members of the Sudder revenue board declined passing any decision on the case submitted by Mr. Lewis to them, until they had perused the proceedings connected with it. Mr. Lewis then called on the collector of Burdwan to furnish the proceedings required by the Sudder revenue board, and on receipt of them, he forwarded them to the revenue board. But the papers thus sent not being considered by the revenue board sufficient to elucidate the case. The secretary to the revenue board wrote to Mr. Dampier, the commissioner of the Jessora division, to whose jurisdiction zillah Burdwan had been subsequently transferred, to send him the further particulars of the case. Mr. Dampier consequently desired Mr. Ogilvie, the officiating collector of Burdwan, to furnish him with the details of the case. Mr. Ogilvie, therefore, informed Mr. Dampier, that the lands in question had been resumed on an appeal previous to the passing of the 14th regulation of Government of the year 1828. The collector of Burdwan, who investigated the particulars regarding it, declared it liable to the resumption tenure, and, in conformity to the then existing

regulations of Government, submitted his report regarding it to the Sudder revenue board at Calcutta, who, by the 1st regulation of Government of the year 1829, referred the proceedings to the special commissioner. That officer, by the 4th regulation of Government of the year 1828, subsequently referred the matter to the Sudder special commissioner's court on the 10th April 1833, and on the 18th August 1834, an ameen was deputed to go to the spot, and by making inquiries thereon, send in his report to the special commissioner. This ameen, in the month of June 1833, gave in the result of his inquiries, by which it appeared, that the land was divided amongst many proprietors and owed rents, amongst whom Mussamat Raulia Pearce was one, and her share of rent amounted to 431 rupees, 9 annas and 6 pies. Mr. Ogilvie further added, that he considered, that by the sections 20 and 21 of Government regulation of 1828, the collector was justified in deputing a person to sell the land in question, and added, that by the regulation VII. of Government of the year 1830, lands have been sold in his district for arrears of stamp and abkharee without notice, Mr. Dampier, in forwarding the explanation to the Sudder revenue board, stated, that although the 21 clause of the 8th section of the 4th regulation of Government of the year 1831, empowered the board to appoint a person or authorize the collectors to delegate

a person to hold such sales, yet he opened, that the 4th section of the regulation XI of 1828, strictly deferred, that, that person must be a civilian, and that the board had not the power to appoint any person not included in that branch of the service, the appointment of an uncovenanted officer to hold such sale being vested with the Governor General in Council solely. Such being the case, he considered the sale in question, which had been conducted by an uncovenanted person not appointed either by the board or the Government, to be illegal and liable to be cancelled. More so as the land had not been formerly settled, but was in reference, and added, that he disapproved of the summary manner in which lands were sold for stamp and abkharee arrive in that district, and intended to write to Mr. Ogilvie on the subject.

The members of the revenue board, on receipt of this communication, cancelled the sale in question, and remarked, that the case was an unique one, and although it decided, that the collector could not, by the regulation IV of 1821, depute any person to hold such sale without the nomination of the Sudder revenue board, yet it very much doubted with or by the regulation XI. of 1822, it was restricted from appointing an uncovenanted person without the sanction of the Governor General in Council, and it intended to refer the question to the Governor General in Council.—*Hurkaru*, July 28,

ZILLAH 24-PERGUNNAHS—FOUZDARY, ALLYPORE.

TUESDAY TO THURSDAY, THE 3D TO 5TH JULY, 1838.

(Before J. H. Patton, Esq., Magistrate.)

KIDNAPPING.

The jemadar of the full guard, reported this morning, that he had apprehended, on the previous night, two men, with whom he found two women and an infant child. The men could not satisfactorily account for themselves, and the women said, they had been decoyed away by the men from Midnapore, and wished to be released from them. That the men had ten rupees belonging to them, which the men did not deny.

The jemadar added, that on ordering the men to the full guard, one of them was recognized by several of the coolies, as the brother of Narain, a duffadar, now in custody, and the other proved also to be a relative of Narain's.

The men were ordered to the nazir guard, and the women and children are to be kept with the people released within the last two or three days. The magistrate then received an authenticated report from Sergeant Floyd, the purport of which is as follows:

That in obedience to the orders of the Court, of the 29th ultimo, Sergeant Floyd, accompanied Mr. Dias, with the magistrate's clerk, the Balaguhtee jemadar, and a suitable guard, went in search of the kidnappers, Rampersaud and Sunker.

The witness Chumeer first took the party to the north-side of the Bumunbustee village; they there found the homestead of Bheekaree and Beeltoo, and that a hut next to them was pointed out, as belonging to Sunker, Sunker was not found. In a few minutes, the party were surrounded by the villagers, who, on learning the purport of the search, said, that Bumunbustee and Colvin's bazar had for the past two years become a resort for all the kidnappers in the country, and that several of the relatives and friends of the villagers had disappeared, during that time, without any cause, that

they could discover. The villagers then pointed out the house of one Hossen Bux, a perfect desperado in appearance, from which two men were taken out. They seemed to have been under the influence of some kind of intoxication, as they appeared quite stupid. They at first gave several incoherent replies, but after a little time said, they had been enticed away from their countries under promise of employment in Calcutta, and on their arrival here, were told, they would be shipped to "Muchlibunder." They always objected to go, and had frequently attempted to escape from their keepers. They had no friends or money, and were in debt to Hossen Bux for food, which he at first promised to let them have gratis. They were constantly threatened and ill-treated.

The party were then directed to a house, in which several men were found with tin bangles soldered on to their wrists. Some of them had tin badges and seals round their arms, and others were bound round the wrist with tape sealed together at the ends. These men said, they were kept in charge of three men, Moteelal, Reegbur, and Pursunsing, who escaped.

The villagers then took the party to a village in the 24-pergunnahs on the immediate south of Bamunbustee. In a house there, a number of men and women were found, some lodged and others banded. The house was closed on all sides; but some of the guard removed a tatter, and on desiring the inmates to come out, a man of the name of Narain come from an adjoining house. He said, he had been at the expense of feeding the people, some for small periods, and others for so long a time as four months; that he had laid out much money in the business, and was indebted to the soory or liquor merchant alone, in the sum of a hundred and fifty rupees, for liquor supplied for the consumption of the coolies. Narain was taken into custody.

The principal depôt for the coolies was next traced at a place called Chuckerbair, Bhowanipore. The whole building measured about 50 or 60 feet square, running east and west, with a wall all round about 6 feet high. The building stands on an elevation of about 4

feet above the level of the road. The entrance to it is by a small door 6 by 3 feet. This was guarded by an armed bunkundaz, after passing whom, the party found a court-yard about 30 feet square, with small native temporary hearths, at certain distances, round the sides of the wall. On the immediate west of this square, a verandah led to an inner building, but the view from the verandah was intercepted by a small blank wall. This entrance was guarded by two armed bunkundazes. To the ceiling of the verandah, were suspended several swords, spears, arrows, and other weapons. On passing the blank wall, the party came to an inner court, where they saw a woman, who ran from the outer court-yard, crying and saying, she would not leave her husband, or allow him to go on board a ship, she was frightened at seeing the topewallahs. On being told they had come to release her, she seemed a little pacified but it took a few minutes to convince her of her safety. The three sides of the inner court had a running corridor, which was bounded by several cells, all having separate doors. The woman was asked where her husband was, and she pointed to a cell which was immediately forced open. Just as this was done, several voices cried out "dooi sahebka," and immediately all the other cells flew open, and men and women voluntarily came out, demanding protection. They were in dirty condition, and had hardly any clothes on them. The woman then pointed to a brahmin, saying "he was her gossain;" that he had been a prisoner for a considerable time; that though the vakeel saheb had ordered him to be released, the duffadars nevertheless kept him in custody and subjected him and his wife to ill-treatment and abuse.

Some of the prisoners, inhabitants and residents of Bancoorah and Soonmooke, said they were taken by force and brought down to Calcutta. They stated, they were arrested by a guard of about 30 or 40 peons with badges and chullanas. The peons said, they were Government servants, and were ordered to impress men for Government work in Calcutta. That on their arrival here, they were deposited in this house, which belongs to Rampershad baboo. That since their imprisonment, they were not allowed to have any communication with strangers, and the whole of the prisoners were similarly situated. They satisfied the calls of nature in the day under a guard, and at night the inner court-yard was the limit of their liberty for any purpose ever so necessary. None of them were allowed to go to market. One of the cells was supplied with articles of native consumption, which was superintended by a moodee, who served out the rations to the men at the rate of three poods rice and one pood of doll daily.

Some of the men had from fight and others from disgust, agreed to go to "Muehlilunder." That non-complaints were subjected to privations of food and other necessaries, and several were chastised daily. One man made severe complaints of having for several days received on his back so many as 25 thumps with a jootah. His back and cheeks were swollen from the flagellation. A Malabar brahmin also complained of the manner in which he had been decoyed away from his family and friends. Several Rajpoots said, they were intercepted by the duffadars on the road to Juggeraath to which place they were proceeding on a pilgrimage. The whole of the men prayed for their release, and said, they were detained against their will by Rampershad baboo and his people. Two brass badges of the alliance insurance company, and several old challans or passes of Kemp, Brothers and Co. were found in this building.

On Saturday the 30th, the search was again renewed, Mr. Dias having been informed, by a man named Khodabux, that several men were also confined in Seealdah; the jamadar and guard, and Messrs. Floyd, senior and junior, accompanied Mr. Dias, and at about quarter after

6 p. m. that evening they were conducted to a building on the Seealdah road. The building is about 25 feet long by 10 broad; it has several doors on the road-way, all of which were well secured from within. The party could not make an entrance by the doors, but found a passage from the western side of the building to a tank on the shout of it. Several coolies also banded and badged were found cooking, and a good number were found within the building. The duffadars had effected their escape, but one man was taken in an adjoining ground. The men here released also complained of treatment similar to what has been already described. They all said, they were enticed away from their country and were kept against their will; that they were averse to proceeding to sea, and would not go if the hawkings would protect them.

Sixty-four men and women were released on Friday and Saturday, exclusive of the two women and children belonging to Midnapore. The number of duffadars and under-agents arrested, amount to 23.

The magistrate asked Mr. Floyd, if he had any objection to be sworn to the contents of the report. Mr. Floyd answered in the negative, and the report was duly sworn to and acknowledged.

Mr. Dias then put affidavits from Mr. Floyd, junior, and himself, in support of the report, and a similar affidavit was sworn to by Mr. Grey, who had accompanied the party on the first day's search, out of curiosity.

Monday having been a holiday, the Court was closed. The following communication, were received on that day, but were recorded and ordered to be brought up on the following day, Tuesday, when they were read in Court.

TO JAMES PATTON, E-Q.

Magistrate of the 24-pe. gunnahs, &c. &c.

SIR,—I have the honor to represent to you that six, men under engagement to go to Mauritius, have been arrested under your authority and are now in confinement at Allipore. These men have passed the police authority in Calcutta, and their permits granted. They have also received one month in advance of their wages. In the favour of your, reply stating, if there is any charge against them, will oblige, as their embarkation is fixed for Monday next. I have the honour to subjoin their names and remain,

Sir, your most obedient servant,

W. E. BROWN.

8, Old Court-house-street.

RAMPERSHAD
JOYKESSEN
MUNNOO
DOORCASING

}
}
}
} duffadars

KHALLOO
SHIBRUFTON
HOSAINBUX

}
}
} duffadars

Calcutta, 30th June, 1838.

JAMES PATTON, E-Q.

Magistrate of the 24-pergunnahs.

SIR,—We have been informed, that a number of Indian labourers engaged by us to proceed to the Mauritius, under permits granted by the superintendent of police, have been arrested by your order.

We shall feel much obliged by your informing us, if there be any charge against these men, as their arrest places us at great inconveniences and loss, the vessel engaged to convey them to the Mauritius, being ready to proceed on her projected voyage.

The labourers engaged for us and passed by Captain Birch, in conformity with existing regulations, are distinguished by a tin armet, marked W. D. B. and numbered to correspond with the police permits.

We will take the liberty of waiting on you to-morrow morning, with the names of the labourers not forthcoming

to receive their advance of wages, and said to be confined at Allipoor.

We are, Sir, your most obedient servants,
HENRY, DOWSON AND BESTEL.

Calcutta, July 1, 1838.

Mohun Singh, an inhabitant of Nubbadah, Bahadur pore, zillah Ferozabad, on being duly sworn deposed. That he was released and brought here from Colvin Baste, in Calcutta. He was going on a pilgrimage to Juggernaauth, and on reaching the Budwin road, one Chollaitam and one Assawur Garree, offered to procure deponent employment; and also, if deponent came to Calcutta, Chollaitam and Assawur would give deponent 25 rupees, with which deponent would have the means not only to visit Juggernaauth, but be able to pay the accustomed fee to the priests at Utareh Nullah. Deponent thought the offer worthy of acceptance and accompanied the two men. On reaching Calcutta, deponent discovered the deceit; as deponent was carried to Assawur's house and continued a prisoner there for upwards of two months and 15 days. Deponent was carried to the house of a Mr. Dawson, where this tin bangle was soldered on deponent's wrists; deponent nevertheless objected to be shipped, and deponent was consequently closely watched. Deponent was made to sleep at night under Assawur's charpoy. Deponent was not allowed to do any thing unwatched, received no money from the duffadar or any other person; but the duffadar took from deponent one rupee and five annas in cash, one brass lotah and a doputtah, which the duffadar refused to deliver up. Deponent was found in the Assawur's house by the sergeant, who was informed by deponent of all that is above stated, and who released and brought this deponent here. Deponent further said, that he was never willing to proceed on board a ship, and is not now willing to do so, and therefore craves the protection of this Court. Deponent is the son of a zemindar and has a share in a zemindary.

Jauhisstah and Doorgah Singh, inhabitants of Sourree-zillah Benares, on being duly sworn, deposed.—That they left their country for employment for Barrackpore, where they have brothers serving Government as seapoys. At a village named ankooree of that zillah, they met Bisundial and Sheebchurn, who inquired where they were proceeding. Deponents replied to Awchawnuck, in Calcutta. The two men said, they were going to the same place, and that they would accompany deponents to it. Deponents were not acquainted with the road, and therefore accompanied them. Deponents travelled together and ultimately arrived at Bhowanipore, at the house of one Rampershaud baboo. Deponents not finding their brothers, inquired if the place was Awchawnuck. Deponents were then desired by Bisundial and Sheebchurn to hold their tongues. "What," said they, "do you want with your brothers, sawlas?" Deponents were kept for three successive days on very low diet, but allowed bang and opium. On the fourth day, deponents were carried to the house of Mr. Browne, who asked them no questions. Several other men were taken at the same time with deponents. A question was generally put to the whole of the men, as to whether they would go to Muchlibunder, one man answered in the affirmative, the saheb then desired the whole of the men to be numbered and badged, after which Bisundial and Sheebchurn brought the men back to Baboo Rampershaud's house, at Bhowanipore. When the sergeant came to the house, deponents mentioned the above circumstances, and asked to be released. Deponents were released and brought here. Deponents received no money, but altogether got articles from the moody in the house to the value of five pice.

Pursun Gowallah, an inhabitant of Oowshan, zillah Junpore, on being duly sworn, deposed.—That he was returning after the feast of Dole Jatra from Juggerna-

nauth. That on arriving at Mudnipore, he met a chuprass belonging to the collector's office of that district, named Chandkhan, who asked him if he wanted employment. Deponent said, he was a gowallah, Chand said a gowallah's situation was vacant at a saheb's house. Deponent replied, that he had heard at Juggernaauth, that several men had been kidnapped by duffadars for shipment to "Mauritch," and deponent feared Chand wanted to ship him. Chand said, he knew nothing of the duffadars and otherwise made deponent believe, he would obtain for him the birth of a gowallah. Chand then took deponent to the house of one Thakoordoss and one Narain. Narain gave Chand a rupee and eight annas pice. Chand went away. Deponent remained with the last mentioned men for five or six days, after which Thakoordoss said, he was proceeding to Calcutta, and would give deponent the situation promised by Chand. Deponent agreed, and Narain then produced seven other men, all of whom came together to Calcutta. Deponent and the rest of the men were deposited at the house of Rampershaud baboo at Bhowanipore. Two men escaped, and deponent heard that five were shipped off. Deponent was kept a close prisoner for four months, only allowed to cook his own victuals, but never allowed to step out of the house. Deponent was carried to the house of a saheb about a month ago, but on refusing to be shipped, was taken back to Rampershaud baboo's, where Thakoordoss told deponent there was no other employment, but as a cooly for Mauritch; and as deponent would not consent to go, deponent was severely flogged by Thakoordoss. The men that used to watch deponent were Gujraaj, Sectoo, Bheetchulk Misser, and a Persian. Gujraaj and Sectoo wore badges. Deponent never received money, but got food at Rampershaud baboo's house.

Honomaundoss and his wife Scentully Luchmun, inhabitants of zillah Chereenuchupraw on being duly sworn, deposed.—That they left their country on a pilgrimage to Juggernaauth, that they arrived at the shudabertio (charity place) of the Rujib of Budwan, where they met Bisundial, who was also travelling to Calcutta. That they journeyed together, and on arriving here, were invited to the house of Bisundial. Deponents never came to Calcutta before. Bisundial took deponents to the house at Bhowanipore, where he asked deponents if they wanted employment. Deponents said, they did not, but that they would immediately proceed to Juggernaauth. Deponents from that moment discovered, that they were prisoners. They were not allowed to stir out of the premises of Baboo Rampershaud, and whenever they were taken out, they were guarded by several men. Deponents were carried to the houses of three sahebs. The sahebloke thought Honomau too old, as he had lost several teeth, and said they did not require him. Bisundial nevertheless refused to release deponents, though deponents earnestly begged to be released. Deponents were prisoners at the house of Rampershaud baboo, received no money and got very little to eat. Deponents were released by the sahebs, who brought them to the Court. The deponent prayed to be allowed to proceed on their pilgrimage.

Chooreea, an inhabitant of Nagpore, zillah Bulludah Hajunshukur, on being duly sworn, deposed.—That he was released and brought to this Court from Colvin's baste, Calcutta. Deponent is a beggar and lives by donations from individuals. Golaum Hossein, a bheestee, residing in that baste, said, he could procure good employment for deponent in Calcutta, if deponent would live in his house. Deponent agreed, and after deponent had been fed by Golaum Hossein for several days, he said deponent should go to "Muchlibunder." Deponent declined. Golaum Hossein said, you must do so, or pay for your food. Deponent was immediately

locked up in an apartment and kept a prisoner for some time, and almost daily fligated to consent, until deponent was released and brought to this Court. Deponent was a prisoner in Golum Hoosier's house for three months. Deponent received no money.—*Hurkaru, July 7.*

FRIDAY AND SATURDAY THE 6TH AND 7TH JULY, 1838.

Before J. H. Patton, Esq. Magistrate.

KIDNAPPING.

*Gunesh Buglee an inhabitant of Soomnookie, zillah Bancorah, being duly sworn, deposed:—*Was coming towards Bin-buneeah to serve as a labourer, and met Sheepershaul and Gujrauj, on the road, who said, an indigo factory was about being established at Dam-Dum, at which several labourers were required, and if deponent would accompany them, they would procure him employment. Deponent, as well as his uncle Sreenuth, and Lone Bahuth, accompanied the other in Gujrauj to Calcutta. On arriving here they were carried to the house of Rampershaul Baboo, at Bhowanipore, and after being made prisoners, were told they had engaged to ship, deponent to "Maurich bunder." Deponent at once declined and asked Sheepershaul and his friend, how they could have made such an engagement. All the satisfaction they got was, that they were immediately put into military cells, in which they were kept for three days. On the fourth day, they were carried to the house of an English attorney, where a tin bangle was put round their wrist registered by a blacksmith with a hot-iron. The attorney also took their names and ordered Sheepershaul and Gujrauj to take care of them; they were accordingly taken back to the house at Bhowanipore. The attorney then directed them to be taken to the house of another gentleman, where a Bengallee surgeon punctured their arms. They were then examined by a doctor. After this, at a late hour one night, deponent's uncle was removed by Sheepershaul from the Bhowanipore house, to which he never again returned. Deponent never agreed, and is still unwilling to leave the country or be released. Deponent was kept closely confined for two months. Bleechuch Misser and Sheeburth were in charge of deponent. Deponent took no money or any other advance, but was fed at the Bhowanipore house, at which he was detained by force.

*Sheeboolass, an inhabitant of Tuffsheer, zillah Ballasore, being duly sworn, deposed:—*That he and his brother-in-law came to Calcutta for employment, and at Dow-bazoo met one Sonaram, who said he had work on which to employ him as a day labourer, if deponent would follow him. Deponent did so. After arriving at Sonaram's homestead, deponent was told, the work was at Bhowanipore. Deponent was taken there, and on arriving at the house of one Bhuckut, a duffadar, deponent immediately discovered Sonaram wished to ship him. Deponent said, he would not go to Maurich. Sonaram, however, paid no attention to deponent, but left him in charge of Bhuckut. Bhuckut then told deponent not to be afraid, as he would give him employment at a baboo's house, to which deponent accompanied him. Instead of being carried to a baboo's, deponent found himself at the house of a saheb, where several men were assembled, having bangles on their arms. These men informed deponent, they were about being sent to sea; on hearing which, deponent began to weep. The duffadar on seeing deponent cry, said, "don't be sorry, but come home with me, I will not send you on board a ship." On arriving at the duffadar's house, deponent desired to be released. The duffadar told deponent to be happy, and to set about cooking victuals. Deponent refused to

do so, on which the duffadar's beat the deponent, and locked him in a godown, and one Ruggobhur was deputed to watch deponent. Some days after it, deponent was taken by the duffadar to the house of a saheb on the strand. Deponent met several men at his house also. The saheb got hold of deponent by the arm, and asked if deponent was happy to go to Maurich. Deponent said "no." The saheb immediately ordered deponent to be released, but the duffadar took deponent into the street, and beat him very severely. Deponent was again taken to the duffadar's house, and afterwards to the house of an English attorney, who put this tape and sealed it (pointing to it) round deponent's arm. Another day deponent was carried to another saheb's house, who placed this bangle (pointing to it) on deponent's wrist. Deponent was kept a prisoner for upwards of a fortnight, received no money, was released and brought here by the sergeant.

*Dheenyal, an inhabitant of zillah Benares, being duly sworn, deposed:—*That he was coming to Calcutta to visit his brother, and on the road near Shegotty met one Rambeet, who said he was going to the same place, joined company, and Rambeet said, if deponent was inclined, Rambeet would get him a situation as bantikunduz at the house of a Baboo, at 15 rupees per month. Rambeet had five other men with him. Deponent came with this party to Calcutta, when Rambeet invited him home. Deponent was carried to the house of a Bengallee at Bhowanipore, where he was immediately made a prisoner. The deponent was carried at day break the following morning, to the house of a saheb, who told deponent he would be shipped off to Maurich. Deponent said he would not go. Rambeet got very angry and desired deponent to be silent. Fearing something worse would follow, deponent remained silent. The saheb then held deponent's arm to fix a bangle on. Deponent would not consent and resisted, was overpowered by the saheb, the bangle was soldered on, and deponent having tried to wrest his arm from the hold of the saheb, was severely burnt with the hot-iron with which the bangle was joined (the deponent here shewed a mark about an inch wide.) Deponent not consenting to be shipped was kept a prisoner, for about a month and a half. Deponent did not receive any money, but was fed. Deponent was released by the sergeant saheb and brought here.

*Ruggobhur, an inhabitant of Gaseepore, on being duly sworn, deposed:—*That at a village named Surrouchuttee, in that district, he met Rambeet, who invited him to Calcutta under promises similar to those made to Dheenyal. He was brought to Bhowanipore, when, after being made a prisoner for some days, was carried to the house of a saheb, who asked deponent if he was willing to go to Maurich. Deponent said "no," on which Rambeet replied, "saheb do not mind the fellow, he must go." Deponent was taken another day to a saheb's house on the strand. The saheb put this tin bangle (pointing to it) on deponent's hand by force. Deponent was afterwards carried to a doctor's, who punctured his arm and examined him. Deponent not consenting to be shipped was confined for a month and a half, during which he received no money; was released, and brought here by the sergeant saheb.

*Chota Bhurtan, an inhabitant of Gyah, being duly sworn, deposed:—*That he met one Byraug, at a village named Sahebgunge, who induced deponent to come to Calcutta under promise of employment. Was brought to Calcutta with fifteen other men, and deposited at the house of Rampershaul baboo, at Bhowanipore, from which he was not allowed to stir without a guard. Was locked up in a godown at night, and satisfied the calls of nature, guarded by Birjobausee with arms; was not even allowed to go to market, but was supplied with grain by a moodie on the premises; was carried one day to the house of a saheb and having declined to be ship-

ped, was severely punished by the duffadar, and was compelled afterwards to tell the saheb that he would go to Mauritch. The saheb put this tin bangle on deponent's arm, another saheb punctured deponent's arm and a doctor saheb examined deponent. Deponent did not freely consent, and is not willing to be shipped. Deponent wishes to go home, has received no advance of money or any thing else. Was confined for a month, and was released and brought here by the sergeant saheb.

*Govind Koorme, an inhabitant of the district of Gyah, being duly sworn, deposed:—*Was returning home after delivering some opium at the depôt at Daoodnaghur. Met one Conny on the road, was enticed to Calcutta and brought here and kept with nine other men at a Moodie's dokhan at Bhowanipore. Was kept as prisoner in it, and not allowed to stir out. Was taken to the house of a saheb, and on refusing to be shipped, was carried into a room by the duffadars and heavily thrashed, and rather than continue a sufferer, told the saheb he was willing to go. Deponent was then carried to Bhowanipore, where he was confined for twenty days, received no money, or any other advance; was released and brought to the court by the sergeant saheb, and is not willing to go to Mauritch.

*Soombhur Pandah, an inhabitant of Benares, being duly sworn, deposed:—*That he was proceeding via Burdwan on a pilgrimage to Juggernaut, when he met one Dooorgah Pauree, who introduced him to one Bapawan Khan. A conversation ensued. Deponent was informed by those men, that situations at 10 rupees per month were procurable at Calcutta, and that they had friends who could have deponent engaged if he would accompany them to Calcutta. After some days' journey, they were joined by Paunchoo Khan, who they represented was a relative of theirs. Dooorgah and Bapawan said, they were going to a village in the vicinity on business, but that Paunchoo would direct deponent to Calcutta, where they would all meet after a few days. On arriving at a place called Teerpeeny, Paunchoo hired a boat in which both he and deponent arrived at about midnight at Calcutta, and having landed, proceeded to Bhowanipore, and arrived at the house of one Eumpershaud baboo. Deponent slept there that night. Early the following morning he was introduced to Sheeoburth and Kassim Khan, who invited him to accompany them, and on his going, said they would take him to a house where he would be employed. Deponent agreed, and was taken to the house of an English attorney. Nothing transpired that morning: on the following, however, one Jethoo, a burkundauz or guard attached to the house of baboo, gave deponent bhaung and opium, after smoking which deponent was again invited to accompany Kassim Khan to the house of the English attorney. A native then informed deponent, that Kassim had brought him there to be shipped. Deponent immediately asked Kassim if this was true. Kassim made no reply; but deponent nevertheless informed Kassim that he would not go. Deponent was taken back to the house at Bhowanipore, and was forced into a godown in which he was allowed a draught of opium and a quantity of gunjah, but no food. This treatment was repeated for three days, and on the third day, deponent was brought out and punished until he consented to be shipped. Kassim then took deponent before Mr. Birch, of the police, before whom deponent, through fright, said he was willing to go to Mauritch. Deponent was ever after kept at Bhowanipore, was confined for fifteen days, and was released by the Sergeant saheb and brought here.

*Nehaul, an inhabitant of Cunchkora, zillah Bunderkand, being duly sworn, deposed:—*On the road near Bancoorah met two men named Beharry Loll and Ghreedarry Loll. Deponent was coming to Calcutta to seek employment and told Beharry so, Beharry and his friend immediately said they would procure depo-

nent employment, if he would accompany them, that they had got several men situations at Calcutta as burkundauzes at 10 rupees per month. He agreed and followed Beharry and his companion. He was taken direct to the house at Bhowanipore, and some days after to the house of a Mr. Brown, where he was asked if he would serve, he replied "yes." Then said the saheb, you will have five rupees per month and will get brass lotah, clothes, and a red cap. I knew nothing still of being shipped; heard so from the other prisoners, and immediately told Beharry, that he would sooner beg at Juggernaut than go to Mauritch. Deponent never consented to go to Mauritch, received no money in advance, or for any purpose; was obliged to eat, was confined for eight days and was released by the sergeant and brought here. He is not inclined to go to Mauritch.

*Joygopaul, an inhabitant of Armarah, zillah Gouckpore, being sworn, deposed:—*Almost to the same effect as the last deponent; but that he was proceeding on a pilgrimage, and was kidnapped by two men named Auchruch and Meerwan. That he was taken to Bhowanipore and kept a close prisoner for two months and upwards, got no money, and did not agree to go to the Mauritius. That he was on one occasion taken to the house of an English attorney, by whom his name was registered, and was afterwards carried to a doctor, who vaccinated and examined him. Was released by the sergeant and brought to Allipore.

Sergeant Floyd reported, that about 2 p. m. he arrived on the old Ballasong, or military road, on the Sulkea side, about 7 a. m. to-day, and at a village there discovered thatched depôts of men, and on going a little further into the country found another depot. He altogether succeeded in releasing thirty-six men, six women, and six children, in all forty-eight individuals; and took eighteen kidnappers into custody.

Mr. Floyd added, that the chief kidnapper is under arrest; but is sick and is left behind, the others as well as those released are now at Allipore. Several registers belonging to the duffadars are also secured. The villagers reported that the head kidnapper has made a fortune and moves about in a conveyance accompanied by attendants like a petty rajah. Mr. Floyd also saw a building very like the one at Bhowanipore, under construction. He said, that some of the villagers reported that some dhangars had killed two duffadars who had kidnapped some of their relations.

ALLIPORE, MONDAY, JULY 9, 1838.

(Before J. H. Patton, Esq. Magistrate.)

KIDNAPPING.

The following communication was received this day, and read publicly in Court:

To J. H. PATTON, Esq.,

Magistrate of 24 Purgannahs.

SIR,—I have been informed, that about 6 or 9 o'clock this morning, a constable, accompanied by several peons, stating themselves to be acting by your orders, did seize a number of coolies or labourers residing at place called Bamun Gautchee, in or near Sulkea, which labourers have been engaged by me and passed by the superintendent of the Calcutta police, to proceed to the Mauritius, and some of whom have received one month's pay in advance.

I shall feel particularly obliged by your letting me know if any and what charge has been preferred against them.

I understand the men are confined at Allipore.
I have the honor to be, Sir, your most obed. Servt.

Calcutta, July 7, 1838. T. FRANCIS.

Mr. Thomas Francis appeared this day and asked the magistrate, under what charge the men taken by Sergeant Floyd, on Saturday last, on the Sulkea side were detained?

The magistrate informed Mr. Francis, that the men were not detained on any charge, that they are detained pending an inquiry in which their depositions are being taken. The worthy magistrate added, that he would wish Mr. Francis to examine the men personally as to whether they were forced, or had voluntarily agreed to be shipped.

Mr. Francis agreed, and the men released on Saturday, were brought up one after another, and the whole of them unhesitatingly said they had never agreed to go to the Mauritius; that they had received no advance, and that they would not go if they could help it. That they were threatened and maltreated by the duffadars, and that they had been deceived and decoyed away from their countries.

Mr. Francis acknowledged that the duffadars have been deceiving the merchants, and that they had practised upon the coolies, unknown to those who had employed them for their procurement. He added that it was strange the coolies should have acknowledged before Capt. Birch, that they were agreeable to be shipped.

An answer from the coolies to this query at once set the matter at rest, and Mr. Patton added, that he believed many of the men must have consented without knowing, or understanding when or on what duty they would be sent. Why, said the magistrate, "I flatter myself that from my situation and constant practice, I understand the native tongues pretty well; but I believe there are not two foreigners in the country who would explain to these men, the nature of an engagement, that they are to be shipped, to receive certain advance wages, to be allowed certain utensils and clothing, and to bind themselves to apprenticeships for a term of years. I could not explain it to them satisfactorily enough for them to understand the true meaning, and I believe that the police authorities must have found great difficulty in doing so?"

Mr. Francis said, that after the examinations before him he was satisfied, the men did not understand the engagement they are supposed to have undertaken; but, nevertheless, he was satisfied the duffadars and under-agents had acted contrary to the instructions they had received from him.

The magistrate, in further proof of this fact, referred Mr. Francis to the reports published in the *Hurkaru*, and said he had read them and believed them to be very accurate, as the depositions published were delivered before him, as they then appeared, and that they were noted in his presence by the reporter.

Mr. Francis retired evidently satisfied, that he had been duped by the duffadars.

Mr. Dias applied for subpoenas against certain respectable members of the H. C. Bengal marine, by whom Mr. Dias would prove that two large ships that took coolies out last year, did not treat them as men ought to have been treated. That while one of the vessels was working down the river, 50 coolies, 5 women and 3 children were put into the long-boat of the vessel. They continued in the boat until the pilot left the vessel at sea, which happened in the month of May.

The magistrate said, he did not think it necessary to obtain evidence as to the treatment of the coolies, and he had quite enough in support of the system of kidnapping which the duffadars had been illegally carrying on for some time, but that if he hereafter required the evidence he would subpoena the parties named by Mr. Dias.

Mr. Dias said, that his application was not made under any impression of the insufficiency of evidence in proof of the case of kidnapping, but to prove that the men were treated almost worse than slaves when on board of the vessels on which they are shipped.—*Hurkaru*, July 11.

ALLIPORE, FRIDAY AND SATURDAY, THE 21ST AND 22D
JULY 1838.

(Before J. H. Patton, Esq. Magistrate.)

KIDNAPPING.

The under-written depositions are from some of the men who were released from the Ballasore road duffadars, by sergeant Floyd, save the first examination and the concluding answers, which complete Oojawah's case and those of the men released from Bhowanipore and Bamunbustie.

Bheekaree, a defendant, by caste a chumar, in answer to the charge preferred against him, said, that he and his brother Bultoo, while coming towards Calcutta, on the Burdwan road, met Oojawah, who said he was also proceeding to Calcutta, and asked for the loan of money to enable him to feed himself on the road. They gave him money, and informed him of the opportunity of obtaining employment by being enlisted for the Mauritius. Oojawah asked what pay he would have, and on being told the amount agreed, and on his arrival at Calcutta, he was taken by Bultoo to vakeel Hughes' house, where his name was registered. Defendant or his brother did not deceive him.

Mr. Dias informed the magistrate, that Bheekaree had a pair of silver ornaments belonging to Oojawah. On being asked to produce them, Bheekaree gave them up, and they were delivered to Oojawah.

Bultoo's answer was to the same effect, only that he had also been induced by his brother to enlist for the Mauritius.

Golaum Ally, an inhabitant of zillah Cheeran-Chupra, on being duly sworn, said, that about a month and a half ago, he left his country to seek employment. At Hazarreebaugh, he met Bhowani, Rumoon, Jeewun, and Dheddoo, duffadars, who induced him to come to Calcutta under promise of employment here. After some days he was carried by the before named duffadars to the house of vakeel Hughes', who registered his name. He never agreed to go to be shipped for the Mauritius, and is not now willing to go there, although whenever he asked to be allowed to go away in search of employment he was detained by the duffadars, under the plea that, as they had fed him, he should restore the khorakee-money before they would release him. He received no money, but food once a day, and was kept under a guard who followed him wherever he went for any purpose. He was kept a prisoner for one month.

Soulin Koormie, an inhabitant of zillah Arrah, on being duly sworn, said, that about a month and a half ago, he was induced by the before named duffadar at Huzarreebaugh, who enticed him to Calcutta under promise of employment here. That after being some days at Sulkeeah, he was carried by Sheochurn and Toofawnee duffadars to the house of vakeel Hughes. That saheb registered his name and put the tin bangle on his arm. He never agreed to be shipped for the Mauritius, and is not now inclined to go there. He received no money, but was kept a prisoner for a month.

Choonnee Loll, an inhabitant of zillah Beerbhoom, on being duly sworn, stated, that he came to Calcutta for employment, and at Brejootulow met Toofawnee duffadar, who enticed the deponent to his home under promise of employment, and, after some days, took him to vakeel Hughes' house. On the road Toofawnee said, "If you do not tell vakeel Hughes saheb that you will go to Mauritius you will be imprisoned;" he there fore said he would go. He afterwards understood the

Mauritius is two months' journey from Calcutta, and that he would have to be shipped, that people are required there to heavy stones, he therefore objected to go, but was not released. He received no money, but was fed and kept a prisoner for a month.

The depositions of the remaining forty-four men are to the same effect as the above, and many of them said they were carried to vakeel Hughes' house. The whole of these men were examined by Mr. Thomas Francis, as we stated some time ago.

The accompanying communication was received by the magistrate during the week, but the men therein named were not sent for, as they were not named by any of the kidnapped men.

Supt. Sudder-bazar office, Barrackpore, July 18, 1838

Sir,—Two men whose names are noted in the margin, having been apprehended by the police of the sudder-bazar, under suspicion of being parties concerned in kidnapping coolies, and of having absconded from Calcutta to avoid inquiry; I have thought it right to make them furnish security for their appearance, should their names have been brought before you in the course of the late investigation regarding the shipment of coolies.

I have the honour to be, Sir, your most obt. Serv

(Signed) JOHN BULLER, Capt.

TO THE MAGISTRATE OF THE 24-PERGUNNAH, Calcutta

Narain jendarr, on being called on for his defence, said, that he did not kidnap any individuals. The fact is (said Narain) that vakeel Hughes is in the habit of shipping coolies to the Mauritius, and for the procurement of men gave defendant, Rambux and Bissonath, badges, purwannas and 50 rupees. Defendant procured seven or eight individuals, and defendant got two rupees a head for each man. Bissonath and Rambux brought the three men and the three women to defendant's house, who have been released and brought here. One of the individuals escaped from defendant.

Prem Singh, on being called on for his defence, said that he was ordered by vakeel Hughes to procure men for the Mauritius, offering him at the rate of two rupees per man; defendant then went to Bancoorah, and having informed all the men that they would have to go to Mauritius, Sanker, Ruggonath, and Jaddo agreed to go to Mauritius, and accompanied defendant to Calcutta. Defendant took these men to vakeel Hughes' where they consented to be shipped, and also consented before Captain Birch, and defendant did not kidnap any persons.

Mahadeo, on being called on for his defence, said, that he is employed by Bhadoo duffadar, with whom he went to Hazarebaugh, and from there brought Tharka, Mungul, and Byjnath, (released and brought here) to ship them to the Mauritius. They consented to go, and defendant delivered them over to vakeel Hughes' Moonshee, named Golan Oullecah; that defendant did not kidnap any persons.

Birjee Ram, alias Bhadoo, on being called on for his defence, denied having kidnapped any individuals, but that he is in the employ of vakeel Hughes. Hughes told defendant to get any persons for the Mauritius, as express themselves willing to go to that place. Defendant, accordingly procured, Paraun, Pretam, and Bechooth (since released and brought here.) These men agreed before Hughes to be shipped, and also before the police.

Those men were fed by defendant for two months, and they wish to get over the amount of diet-money.

The other defendants almost urged the same pleas, though some did not mention vakeel Hughes' name; after which the magistrate having considered the whole of the depositions, desired the sheristadar to explain the following conviction to those against whom sufficient proof has been obtained.

"You all have heard the charge and the evidence that has been read. You have carried on a traffic in which you have with a little difference been selling your fellow-creatures, and even your brothers, in particular instances. Had you done only that, your punishment would have been the severest that it is in my power to inflict, but you have added to the amount of your crime by having subjected those, whose liberties you attempted under false promises to sacrifice, to bad and violent treatment; which the law constitutes as assault of the most unprovoked nature, and to privations which must make their sufferings doubly severe. I hope you are aware, that you have been guilty of acting illegally, and the example I will make of you to-day, I trust, will be the means of deterring others from pursuing a source of livelihood, which, to say the least of it is infamous."

The undermentioned individuals were named and identified as kidnappers, some by two men, and several by so many as ten and twelve men.

Misree Singh, six months with labour in irons, and a fine of 200 rupees or six additional months, and a fine of 100 rupees if paid within fifteen days from the date of the conviction in lieu of labour. Hossin Bux, ditto ditto ditto ditto. Sheeroo Jai, ditto ditto ditto ditto. Rampaul, ditto ditto ditto ditto. Prem Singh, ditto ditto ditto ditto. Goodyall ditto ditto ditto ditto. Narain jendarr, ditto ditto ditto ditto. Sheeboo, ditto ditto ditto ditto. Dheehul, ditto ditto ditto ditto. Moosam, ditto ditto ditto ditto. Ramhee, ditto ditto ditto ditto. Blechuck Misser, ditto ditto ditto ditto. Sheeobhurr, ditto ditto ditto ditto. Lakoor Tcwaree, ditto ditto ditto ditto; Bheer karree, six months with labour in irons, or a fine of 50 rupees in lieu of labour if paid within 10 days from date of conviction. Ram Singh, six months with labour in irons and a fine of 25 rupees, if paid within 10 days. Rutten Ram, ditto ditto ditto ditto. Mahadeo Dhanur Sudar, ditto ditto ditto ditto. Peerbur, ditto ditto ditto ditto. Beerjee Ram alias Bhadoo, ditto ditto ditto ditto.

Mr. Dias submitted that as the agent and duffadars were convicted, he thought it sufficient to call on the principal for his answers. There was strong presumptive evidence against Mr. Hughes. The magistrate said, that in the depositions of several of the kidnapped men, Mr. Hughes had been named, and from the allusions in others to a vakeel saheb there was not the least doubt in the magistrate's mind of Mr. Hughes having employed agents for the procurement of men for shipment to the Mauritius. Mr. Hughes had however sheltered himself from punishment under a defective law which enables him to say, "I employed these men to procure coolies, such as consented to go, were sent to Captain Birch, those who did not, I would not register." Mr. Hughes will however have to make out how several men whose depositions have been recorded, state that they went to Mr. Hughes and afterwards to Captain Birch, that they never agreed to be shipped and received no money. One man (said the magistrate) deposed, that the bangle was put on his arm by force by Mr. Hughes.

The magistrate concluded by saying, that he believed the case that had been just decided would be productive of one great good, that of checking the system of kidnapping in the mofussil, and induce the legislature to amend in enactment, the defectiveness of which has been the means of allowing some offenders to escape the vengeance of law. The magistrate then thanked Mr. Dias for the indefatigable part he had taken, and that his conduct throughout the proceedings was deserving of the highest praise, and that Mr. Dias, ought to feel the gratification of having been instrumental in effecting the release of nearly 125 individuals.

The coolies were then called in one after another, and purwanas were delivered to them certifying their release through the foudlarry court of zillah 24-pergunnah under the signature of the magistrate and the seal of the court. -Harkara, July 26.

MISCELLANEOUS.

CALCUTTA.

GOVERNOR OF BOMBAY.—Sir Robert Grant died at Dha-
pooree, near Poonah, on the 9th instant. The event
has been daily expected; the fever with which he was
attacked, having left him in a state of prostration, from
which no remedies could raise him. As a public man,
he was scarcely known, but in the private relations of
life, few were more highly esteemed.

SOUBADHAR EUSOPH KHAN.—Eusoph Khan, the sou-
badhar of Lucknow, who was on a visit to England,
is now safely arrived in Calcutta. He expressed
himself highly gratified with the kind treatment and
hospitality he received from the nobility and gentry.
His remark on English character is worthy of notice:
“Englishmen in this country and Englishmen at home
are totally different in point of character.” He intends
to publish his diary, which will contain accounts not
only of England but of every place he has visited, and
of which he talks in terms of high admiration.

THE NAWAB OF MOORSHEDABAD.—It is the intention, of
the Nawab Nazim of Moorshedabad, to proceed up the
country, on a visit to Allahabad, in the beginning of the
next month: his highness has already taken his passage
for himself and suit, in the *Jellinghee*, river steamer,
which, it is said, is likely to start on the 9th proximo.
From Allahabad his highness and followers intend pay-
ing a visit to the city of Benares.

THE EX-RAJAH OF MUNNYPORE.—The following is an
extract of a letter dated 1st July: the ex-Rajah of
Munnypore, Jegun Derjeet, who escaped from Sylhet
on the 17th December last, and after whom there have
been so many hunts, was taken by a detachment of
the Munnypoor Levy a few days ago, and, together
with his two brothers, who were with him at the time,
was *strung up* to the first tree; thereby saving much
trouble to the magistrates, troops, &c. &c. in the district.
The jungle, the greater way to Luckipoor, is described
to be dense and composed of thick strong reeds, im-
possible for two men abreast to enter, and producing
the worst malaria. But in the event of a Burmese war, it
will be necessary to have a force on the frontier to act
on the defensive.

PURTAUB CHUND.—The pretension of the *sai daim*
Rajah of Burdwan; will be put to the test, by a proceed-
ing which the Government have at length resolved on
adopting against him. It has been determined to bring
him to trial for falsely assuming the title and for forging
the signature of the late Rajah Pertaub Chund. The
trial will take place at Hooghly.

MR. F. C. SMITH.—Mr. F. C. Smith, the superin-
tendent of police of the lower provinces, who was about
leaving Calcutta on the 19th instant, for a tour in the
lower provinces, was suddenly ordered by the Bengal
Government to remain at the presidency, to await the
trial of Mr. Ogilvy and the other parties concerned
in the Culna affair.

SUPERINTENDENT OF COSSIPORE FOUNDRY.—It is said
that the Court of Directors have sanctioned an increase
to the salary of the superintendent of the Cossipore
gun-foundry, which is hereafter fixed at 1,000 rupees a
month.

MRS. CHESTER.—Mrs. Chester took her departure on
the 2d instant, from the city of palaces, in progress
to Barrackpore, Kishnagur, Berhampore, Dinapore,
Monghyr, Benares, and Allahabad; at each of which
stations the fair vocalist will probably delight the res-

idents with a *serie's musicals*. At Cawnpore Mrs. Ches-
ter purposes making some stay, after which she will pro-
ceed to Meerut, Agra, and probably to Delhi.

THEATRICALS.—Madame de Ligny has taken the thea-
tre for six months, and the French company are daily
expected. Mrs. Leach has announced her intention to
return to Calcutta in February, when we may hope for a
revival of English theatricals under the most favourable
circumstances.

RUM CONTRACTORS.—It is said that, in consequence
of the almost entire failure of the sugar-cane crop in
Rohilkund, the rum contractors in the field, Messrs.
Sanders, Barron and Co. have been induced to declare
their inability to complete their engagement with the
commissioner within the period of the authorized con-
tract and under such untoward circumstances, have
submitted a solicitation to Government, through the
regular channel, for an extension of time.

SUN INSURANCE OFFICE MEETING.—At the ninth half-
yearly meeting of the members of the Sun Insurance
office, held on the 23d instant, at the office of Messrs.
Rustomjee, Cowasjee and Co.

W. BRUCE, Esq., in the chair.

The books of the secretaries, containing the transac-
tions of the society for the last six months, having been
produced and approved by the members present, the
following resolutions were passed unanimously:

Resolved.—That the accounts now produced be
passed.

Abstract of Transactions.

Outstanding risk on 30th June.....	Rs- 2,116,704
Premiums thereon.....	45,891
Assets above par.....	190,231
President value of shares.....	1,902

Resolved.—That the committee be requested to con-
tinue their services for a further period of six months.

BONDED WARE-HOUSE.—The receipts of the bonded
ware-house already exceed 3,000 rupees per mensem;
which, compared with the expenditure, would yield a
return of 6 per cent. on the amount paid upon the shares.
The buildings that are under construction, *commence*
apud e figure, and shew a noble range of ware-house
and godowns, creditable to the activity and spirit which
have caused their erection. This is an instance of what
may be effected by resolution; and holds out encourage-
ment to the formation of joint stock companies, hitherto
opposed untried to the interests of the mercantile com-
munity in India.

THE NEW VICTORIA COINAGE.—The new coin will be
larger than the present rupee, say about the size of a
half crown piece of England. On the *obverse* is the
bust of Queen Victoria, very similar to the engraving, at
Messrs. Moore, Hickey and Co.'s commission rooms,
and, encircling the bust, are the words, “Victoria,
proclaimed Queen of England, 21st June, 1837.” On
the *reverse*, in the middle of it, is the representation of
a crown illuminated with radii shooting close and pret-
tily from its centre; a circle or wreath of flowers sur-
rounds the whole along the entire edge of the die, in
which a large rose, the emblem of England, at the foot,
and a thistle and a bunch of shamrocks, those of Scot-
land and Ireland, on either side, just above the rose, are

particularly prominent, and within this wreath, forming, as it were, a semi-circle over the crown, are the words "Crowned 26th June, 1838."

DORJELING.—At a meeting of the Dorjeling committee, held at the Town-hall on the 7th instant, the tender of Messrs. E. Hepper and W. Martin, was accepted, for the erection of a temporary hotel at that "bright spot," agreeably to a plan and estimate submitted to and approved by the committee, in the terms of the report and resolution passed on that subject at the general meeting of subscribers, held on the 29th ultimo. A sub-committee of four members was also appointed to carry into effect the arrangements for the buildings, who will proceed to Dorjeling next month to fix upon the site and commence active operations. The necessary advances will be forthwith made to the contractors, who are collecting their *material* and *personnel*, and engage to have the hotel ready for occupation by the 15th February next.

NEW CHURCH.—The foundation stone of a new church which was to be built opposite the Hindu college, was laid on the 8th of July. The Lord Bishop and the Archdeacon assisted. The church was to be built out of funds at the disposal of the Archdeacon, and the Rev. Krishna Mohana Banerjea was to be the pastor of it. Owing, however to the remonstrances of the Hindu college managers, the site of the church, is to be removed one mile from the Hindu College.

NEW STRAND ROAD.—The master attendant, Captain Harrington, has addressed a letter to the secretary of the chamber of commerce, respecting the proposition, which was discussed some time back for making a new road between the river and the present strand road. Captain Harrington is of opinion, that the encroachment likely to be made by the embankments to be raised in its construction, on the river-space, already inadequate to the convenient accommodation of the shipping of the port, might prove very prejudicial to the interests of the mercantile community. Instead of artificially increasing a bank, that might be formed from any cause, in a trading port in England, the inhabitants, he thinks, would lay their heads together to get rid of it, and guard against its return; and if the expense were too great, they would cut a canal through it, for ships or boats, or both, as there might be room. Instead, therefore, of forming a new road, the master attendant throws out the suggestion of digging a canal, running parallel to the strand road; the entrance to be at or near Hautcollah, and its termination between the strand mills and mill.

SPECIAL MUNICIPAL COMMITTEE.—A committee has been appointed by Government, to act with the authorities in the charge of the roads, &c. of the suburbs. This was a measure long called for, and not only essential to the health and convenience of the inhabitants of the suburbs themselves, but no less requisite for the commercial traffic, in a small way, of the city, the whole of our supplies for the markets reaching us through the miserable and at this period in many places almost impassable roads placed under the committee. Dr. F. P. Strong having accidentally obtained information of a system of extortion long carried on by the police menials of the suburbs in levying a contribution from every cart, basket or bullock conveyance, of all kinds into the city, personally, at no little fatigue and trouble, assured himself of the accuracy of the fact, which exhibits a revenue illegally derived from this source to an enormous amount. He has brought the subject to the notice of Government.

INTENDED EXTENSION OF THE ENGLISH BURIAL-GROUND.—It is in contemplation to devote the whole of the ground between Rawdon-street and Loudon-street, on the south of Park-street, and extending to the west of the present English burial-ground, to the purpose of

extending the cemeteries, the present burial-ground no longer sufficing to answer the wants of the community.

AQUEDUCTS.—The construction of the aqueduct on the west side of the Botiaikhannah road, is nearly completed.

THE DURMOODAH RIVER.—The Durmoadah river has been overflowed—has overflowed the embankments and inundated the whole of the country about Culmajole in the Midnapore district. The superintendent of the bunds is in an *isolated* position, as the neighbouring country is almost wholly under water.

HOOGHLY.—One of the severest thunderstorms occurred at Hooghly on the 6th instant, that has ever been experienced perhaps in India. The thunder, preceded by heavy rain, commenced about half past six and continued until half past seven. The thunder was awfully loud and the peals varied in their character, sometimes several following each other in quick succession, like the broadside of a man-of-war, and grandly illustrating "the war of heaven's artillery;" at others, a single peal came sharp and crashing like the sound of many heavy shot striking a vessel at once and rending the planks. The lightning in the meantime played around the buildings terrifically bright, and the rain poured down in torrents and continued to do so almost without intermission the whole of the morning of the 7th instant. The house in which the special collector, Mr. Taylor, and his family are residing at Bandel, and which was formerly the residence of D. C. Smith, was struck by the lightning and seriously damaged, but fortunately the inmates escaped injury. Several trees in the neighbourhood were also struck, but no lives were lost. The residences of the Europeans at Hooghly were shook by some of the peals of thunder as if there had been an earthquake. If the heavy rain continues, it is to be feared that the Damoodah may again burst the bunds. Some of the smaller nullahs have overflowed their banks, and a bridge over one of them has been carried away.

NEW STEAMER.—The steamer built by the Calcutta docking company at Kulderepoie, and named the *Enterprise*, was launched on Tuesday, the 10th instant, at half past 3 P. M.

	Ft. Inch.
Length between perpendiculars	167 0
—over all	187 3
Extreme breadth	27 3
Depth	16 0

calculated to draw, with engine, boilers, cargo, and 12 days coal, 11 feet.

Builder's measurement, 572 $\frac{1}{2}$ tons, and carries 2 engines of 60-horse-power each.

The docking company agreed to launch this vessel on the 25th August, but by good management, they have been more than six weeks before their time. The association will make nothing by this job. Government, in the first place, have *reduced* down the contract as low as they possibly could; and, on the other, have been very particular respecting the materials.

The steamer is most superbly built, and reflects credit on the head-builder, Mr. Bremner, and his assistant Mr. Falconer. In fact, she is as good as any vessel turned out in England or Bombay.

THE IRON STEAMERS.—Various plans have been suggested for regulating the carriage of goods by the Company's steamers, in consequence of the demand for freight being so much in excess of the supply of tonnage.

The lottery scheme has turned out a complete failure. It has been ascertained that parties, not having a pound of merchandize to send up, have applied for tickets in the hope of getting early numbers, and when successful, have parted with them for a *consideration* to those who were anxious to send off their packages.

It is now proposed to put up the tonnage to auction, to be knocked down to the highest bidder.

THE MALCOLM.—The *Malcolm*, Captain Eyles, while weighing anchor, a day or two back, in prosecution of her homeward bound voyage, received so much injury from the anchor in her head and fore part, that she is now lying at Cooly Bazar, discharging her cargo, to ascertain the nature and extent of her damage.

THE HEREFORDSHIRE.—The *Herefordshire*, when taken into dock the other day was surveyed by competent persons and pronounced by them not to have received the slightest damage of any consequence, from her having been so long on the Fultah sand; but, on the contrary, that she was as sound and good in her timbers, and as sea-worthy as any ship in the harbour.

THE BOLTON.—The *Bolton* has, we perceive, returned to town, in consequence, it is said, of having met with some accident in her course down the river, but it is apparently so slight that she was to start again, in prosecution of her voyage to Singapore and China, on Saturday last.

OPIMUM AND CAPTAIN MACGOWAN.—It is said, that an influential house in China promised the Captain of the *Ann*, five thousand rupees, if he got there before the *Ariet*, and communicated to their agents here the advance of prices on opium in China, the *Ann* did beat the *Ariet*, and the agents here got the news in time to make large purchases in opium the day before the sale at the low prices! by which clever arrangement a very considerable sum will be realized.

MADDOCK RULES.—The Maddock rules have been rejected by the army; of 752 votes 627 or in other words a majority of nearly 3 to 1 having been for their abolition.

MORE BLOOD HORSES.—Three more blood stallions have arrived in the *Eliza*, Captain Lay, under charge of six recruits, who, in case of their conduct on the voyage being reported satisfactory, are to be allowed a gratuity of forty rupees each. The horses were landed yesterday by Messrs. Hunter and Co. in whose stables they will continue till boats are declared to be in readiness to take them unto Buxar, from whence they will, at the ensuing cold-season, be distributed to the different studs.

AUGMENTATION OF THE ARMY.—The order regarding the expected augmentation of ten privates per company, in the native infantry is published. One duffadar and 10 sowars per rissallah is authorized for the 2d, 3d and 4th local horse; and an additional rissallah to the 5th local horse.

NEPAULESE PREPARATION FOR WAR.—Letters were received in town on the 3d instant, from Titelya, announcing the arrival at the station of the ladies of Colonel Lloyd's family, in consequence of news having reached that officer at Dorjeling, of a Goorkaw party of one hundred men having taken possession of Nogra, a position on the old road, about 10 miles from Dorjeling, and which was formerly occupied by a detachment of sepoy. The Goorkaws were stockading themselves and building a house for the reception of two hundred men, who were collecting in various quarters.

Nogra is considerably within the frontier line, which divides the Nepal territory from the country of the Sikkim rajah, and is within the district ceded by the latter to us. This irruption, therefore, is a direct aggression, which will, of course, be immediately resented.

It is said also, that the passes leading into Rungpoor Purneah, &c. had been occupied by the Nepaulese troops to the number of about 20,000 men.

HERAT AND THE PERSIANS.—Major Todd arrived at Cabul about the 20th of June, having left Herat about the 22d of May, at which date it had not surrendered to the Persian troops. Unfortunately the bazar rumour-

give by implication a subsequent day for the fall; so we are still in the dark as to the fate of the city, and need of Dr. McNeil also. Up to the period of Major Todd's departure, it would seem, that the besieged vigorously resisted, and had been successful in two or three sorties, capturing on one occasion two guns, and putting 200 of the assailants *hors de combat*. There were Russian officers in the Persian camp, and it was rumoured, a Russian army was moving on Herat from Khiva. Some offer of mediation between the Shah and Prince Kamran, by the Russian envoy, is alluded to, as having been refused by the latter, who is said to have preferred the British representative.

INSUBORDINATION IN THE ARMY.—It is said, that when a party of sepoy were lately warned for the execution at Saugor of a prisoner, their comrade, whom a general court-martial had sentenced to be shot to death by musketry, four or five of the men positively refused the duty, and though they subsequently undertook it to the extent of forming a part of the detail to whom the execution was assigned, they intentionally and openly fired clear of the convict, who was, in consequence, obliged to be dispatched by the Provost-Sergeant!

DACOITS.—Reports of the commission of several dacoities, after the perpetration of which the robbers escaped with impunity, have been published this month also. When will we have a competent police to detect these depredators for the perpetration of their maraudings.

SUICIDE.—On the 10th morning of instant, between the hours of ten and eleven o'clock, Mr. Francis Henry Penny, a respectable European, about 26 years of age, residing in Puddoepookar, Eastaly, committed suicide by cutting his throat with a razor.

A WOMAN CARRIED OFF BY AN ALLIGATOR.—On Monday last, a woman, as she was bathing at a ghaut at Goopey, on the opposite side of Hooghly, was carried off by an alligator, of a monstrous size.

ORDERS TO THE THANADARS, &c.—The thanadars, uahs, and chokeedars have lately been prohibited from having money transactions with the inhabitants of their respective jurisdictions, and especially from borrowing any from them. The measure has originated from the circumstance of one of these worthies, having on a charge of corruption being preferred against him, attempted to evade the same by the plea that the sum talked of was a loan to him. This is certainly good, and, it is hoped, will prove effectual. Mr. McCann distributed blank books to the thanadars of Calcutta, for the purpose of entering therein, such orders as are issued from time to time for their guidance.

CHOWKEEDAREE TAX IN THE SUBURBS.—We have just learnt, that the magistrate of the 24-pergunnahs is about to adopt measures for the more equitable levy of the chokeedaree tax in the suburbs, though the act of Government, in itself, opposes a serious difficulty in the way of a just imposition of this tax, by fixing certain rates as leviable from each description of house, without reference to their dimensions, they being classified into "huts, shops, lower-roomed pookah houses, and upper-roomed pookah houses," the highest rate on the latter of which is fixed at two rupees; so that the small brick-house, 10 feet square, inhabited by a native at a rent, perhaps, of two rupees per mensem, is chargeable at the same rate as the large lower-roomed house on a rent of fifty to eighty rupees per mensem.

KIDNAPPERS PUNISHED.—The undermentioned individuals, who were named and identified as kidnappers, some by two men, and several by so many as ten and twelve men, have been punished as below stated.

Mis tree Singh, six months with labour in irons, and a fine of 200 rupees or six additional months, and a fine of 100 rupees if paid within fifteen days from the date

of the conviction in lieu of labour. Hossein Bux, ditto ditto ditto ditto. Sheeoodyal, ditto ditto ditto ditto. Rampaul, ditto ditto ditto ditto. Prem Singh, ditto ditto ditto ditto. Goordiyall, ditto ditto ditto ditto. Narsin Jemadar, ditto ditto ditto ditto. Sheebou, ditto ditto ditto ditto. Dheebul, ditto ditto ditto ditto. Moos-un, ditto ditto ditto ditto. Ramhess, ditto ditto ditto ditto. Bheebuck Misser, ditto ditto ditto ditto. Sheeobhut, ditto ditto ditto ditto. Takoor Tewartree, ditto ditto ditto ditto. Bheekavree, six months with labour in irons, or a fine of 50 rupees in lieu of labour if paid within ten days from date of conviction. Ram Singh, six months with labour in irons, and a fine of 25 rupees, if paid within ten days. Ruten Ram, ditto ditto ditto ditto. Maha Deo Dhangur Surdar, ditto ditto ditto ditto. Peerbux, ditto ditto ditto ditto. Beerjee Ram alias Boordhoo, ditto ditto ditto ditto.

DAWK TRAVELLING—CALCUTTA TO BOMBAY—Memoandum on the mode of travelling post from Calcutta to Bombay, via Cuttack, Hyderabad, and Poonah, distance 405 miles.

From Calcutta to Ganjam 364 miles. Apply to postmaster general. Dawk must be paid in advance at the rate of 8 annas a mile.

From Ganjam to Moonegallah 497 miles. Apply to collector of Ganjam, stating all particulars in respect to extra bangy bandais, also intended detention at stations en route. Bearers must be paid by the traveller at end of each stage. Stages vary from 15 to 20 miles each. Average cost about 5 annas a mile.

From Moonegallah to Hyderabad 100 miles; apply to resident at Hyderabad, in same form as above. Timely notice must be given, as bearers must be sent out from that city to meet the traveller. The same rule applies to the route from Hyderabad to Sholapore, 200 miles, as bearers must be sent the whole distance from Hyderabad. This portion of the route is very expensive.

From Sholapore to Poonah 157 miles. Apply to postmaster of Sholapore to post bearers to take you to Indooroor 77 miles. From which place to Poonah 80 miles. Bearers must be sent out from Poonah, for which apply to the post-master of Poonah. Timely notice should be given.

From Poonah to Panwell 73 miles. Bearers will be posted by the post-master of Poonah.

From Panwell to Bombay 20 miles. The conveyance is by water.

If more than a single set of bearers are required between Moonegallah and Poonah, good notice should be given, and I am not aware, that it is practicable to post more than three palanquins on that road. I believe it is with extreme difficulty that bearers can be posted for more than two.

From Calcutta to Ganjam, the cost of travelling, for a set of bearers with musankhee and two bangee-burlais, will vary from 8 to 9 annas per mile. From Ganjam to Moonegallah it is about 5 or 6 annas a mile. From Moonegallah to Sholapore, it averages 2½ rupees a mile, and from Sholapore to Poonah, it averages 1½ rupees a mile.

From Poonah to Bombay, it is about 12 annas a mile.

MOFUSSIL.

DELHI.—On the 29th of June, a scion of the house of Timor, was hanged, for having brutally murdered his wife, because she refused to give up half her jewels to his paramour. The poor woman was young and beautiful, and eight months gone with child. The wound made by the tulwar cut her up, and the child fell at her feet. Just the sort of murder to be expected from a brutal sultaneen.

DELHI ON DITS.—Captain Barnes is said to be now at Simlah, with the Governor General.

Four cavalry corps, from the Madras presidency, are coming round to Bengal, to assist in the coming wars!

The Bengal and Bombay troops are to be employed in settling matters to the north-west, and bringing the Nepalese to their bearings, while the Madras forces are to do for the Burmese.

Our local horse are all to be increased, and temporary horsemen raised for civil purposes, as not a single local horseman will be left at home.

An order is said to have arrived from England, directing that all Major Generals shall vacate staff appointments in five years after their promotion to that rank.

Mr. Macnaghten, it is reported, has carried all points, our own way, with His Majesty of the five rivers, and has obtained great credit, in consequence.

We learn that the Governor General's escort and tents are to be at *Peerzapore*, on the Sutledge, by the anniversary of the gunpowder plot! His lordship will meet *Ranjee* there and thence accompany him to *Lahore*. From *Lahore* the Governor General will proceed to *Jouppore* via *Havsi*, thence to *Agra*, *Gwalior*, and *Alahabad*, and from the latter station, either to *Calcutta* or *Simlah*, as the exigencies of the public service may demand.

AGRA.—Mr. Dun, a preventive officer, recently shot himself at one of our preventive outposts.

Mr. Neave, the civil and session judge, has been suspended from his office, for dereliction of duty.

The draught which continues uninterruptedly, and unmitigatedly, and is becoming a matter of very serious consideration, has begun to affect the market. Wheat, which was, in the middle of June, selling at 13½ seers, is now at 11½, and the prices of other grain has risen in proportion.

The number of poor employed, exhibits a decrease of 13,922. This is a striking commentary on the views entertained by some of our worthy economists, as to the expediency of allowing these paupers just sufficient food to save them from absolute starvation, because if it were raised beyond this allowance they would never disperse, but remain slothfully depending on Government.

MYNPOOREE.—On the 16th ultimo, appeared an advertisement of the loss of certain mails, after having passed Mynpooree. The mails in question, 8 in number, were despatched along with 49 others, in three wallets, from Mynpooree to Allyghur, on the 24th ultimo, by a sowan, the servant of the contractor. The post master, at Allyghur, reported the arrival at his office, of only two of the wallets, with the deficiency of the 8 packets in question; and, the road subrahkars reported the arrival of only two of the wallets at Malown, the second stage from Mynpooree; they now say, the three arrived at Era, the 3d stage. During the first week of this month, a discovery was made of 78 letters and gazettes, a pamphlet, and a packet for Meerut, near Secundraabad, a place on the road to, and about 32 miles from Delhi, by one of the dawk subordinates; and a further discovery was made in the same neighbourhood of 13 or 14 letters for Simla, by a jemadar in charge of prisoners. Both forward part of the missing mails; they were obtained by the magistrate at Boolundershur; and forwarded towards their destination. Inquiry is, and has been on foot, by the magistrate of Allyghur, Boolundshur, and Mynpooree; but at present, as far as I know, without effect.

RUTTEGUAN.—The mortality in the jail of this suddur tation has been for the month of March, 188 deaths, out

of 1,469 inmates; and for April, 191 deaths out of 1,411 inmates. The rate of mortality thus exhibited is appalling, exceeding for the respective months one hundred and fifty per cent. or annihilators of the whole jail population to about nine months. Thus far exceeds either the Cawnpore or even the Agra mortality, and is, perhaps the heaviest in the country.

NATIVE STATES.

JOODHPUR.—Maha Rajah Maun Singh remains as usual at Joodhpore. A hurrkarrah arrived from Malwa, and reported that the English gentleman had sent about 100 men from Sambhur and taken possession of Malwa, and that they intend to take possession of Deelawann also. The Maha Rajah thereupon issued purwanas to call in his chiefs and sirdars immediately. Uizees were received from the Thakoor Hunwunt Singh, of Pokun, and Thakoor Runjeet, of Khoochawun, saying, that, agreeably to orders, they were on their way. Afterwards the Maha Rajah bending towards those that were present said, "that the British Government, under pretence of of his inability to pay the amount of tribute, are desirous of taking his territory in lieu, to the amount of four lacs of rupees, and also a plan to establish a cantonment for troops, to act against the Kuzzacks, but that it was contrary to his wish. That the amount of the revenue will be paid, and if the British Government intend to take his territory and establish a cantonment in the Joodhpore state, that he will never agree to it. That if God has given him authority, it cannot be wrested from him, otherwise, be it as it will. That he had now become old, and will not give away any lands in his dominions. He then ordered the ahalkar to prepare the tribute money, and having sent for his Moonshree, caused something to be written, which he dispatched towards Scindh and other quarters.

MADRAS.

LA GLOIRE.—The French barque *La Gloire*, which left Madras for Pondicherry and Bordeaux, returned to port, having sprung a leak at sea, which obliged her to throw some cargo overboard. She has since been surveyed and is now discharging her cargo as fast as possible in order to find out where the leak is. The crew of *H. M. Ship Victor*, have afforded very prompt and ready aid in working at the pumps of *La Gloire* night and day since her return. It is most fortunate this vessel was near land when the leak was discovered or she would inevitably have gone down.

DISTURBANCE AT AKOLAH.—The 5th regiment of Nizam's infantry, a brigade of six-powaders, and a troop of cavalry, marched from Ellichipoor on the 16th ultimo, to quell a serious disturbance at Akolah occasioned by orders sent up from Hyderabad, for the destruction of all Hindoo temples, to prevent a recurrence of the broil which have so frequently taken place between the sects in their religious processions.

BOMBAY.

The *Coote* returned to harbour on Saturday afternoon, under the following circumstances: at 6 a. m. on the 20th instant, the vessel, while under courses, single reefed top-sails, and fore-top-mast stay-sail, was taken aback by a severe squall, which carried away her main-yard, main-top-sail gaff, and outer iron bobstay, and split her mizen-top-sail. The damage can be repaired under a month, and then she will be able to take up the mails intended for the *Atalanta* on the 1st proximo, which will save that vessel a trip to the Persian gulph, against the wish of the public, and certainly not at all to the public advantage. As no arrangements have been made for the conveyance of packets, &c. Beirut, it is all the same by what vessel they may be forwarded to the mouth of the Euphrates. They will slumber as comfortably at what

should be the commencement of their overland journey, taken up by the *Coote*, as if they had had the honour of transmission by a steamer.

ABOLITION OF ANGRIA EXACTIONS AT REWAS.—The vexatious exactions levied on trade by Angria, the chieftain of Colabah at Rewas, as vessels passed the channel between his territory and the island of Caranah have been abolished. It appears, the Angria has been induced to discontinue his levies altogether, by representation from Government, coupled with an offer of compensation for the loss of the revenue he levied from that source. As these exactions were not only heavy and oppressive, but, obliged every boat to come to anchor off Rewas, while Angria's officers boarded them, and took an account of the cargo, they are believed to have been the primary cause of so little traffic as has hitherto existed, being earned on between Bombay and Nagoma Penn, Durimbur and other places on those creeks which boats cannot enter without previously passing through the abovementioned channel.

THE NEW SUPERINTENDENT.—The new superintendent assumed charge of his department on the 2d instant, under a salute of thirteen guns. His predecessor, Admiral Sir Charles Malcolm will proceed home by the Red Sea early in September.

CHINA.

By the *Water Witch*, Canton papers up to the 5th of June have been received. The stir in the opium trade, announced in our former advices, had passed off, and the drug was dull.

Cotton was heavy, the native dealers being averse to the increased duty proposed to be levied on this and several other articles. Stocks were not large, and business would no doubt be resumed, so soon as the tariff was officially promulgated. Freights to London were up, ranging from £10 to £10 10s.

The *Ruba*, Capt. Randall, from Canton to Bombay, foundered, near the Seychelles. The Captain and crew left her in three boats, one of which with the first mate in charge, was picked up by the *Jupiter*. She had specie on board to the amount of 14 or 15 lacs of rupees, of which we believe, about a moiety was insured in Calcutta.

PERSIA.

BUSHIRE.—From a letter written by a merchant at Bushire, bearing date the 31st May last, the following items of intelligence are gleaned. A change has recently taken place in the internal administration of Bushire. The Governor of that place having become exceedingly unpopular, has been induced to abandon his onerous and responsible post, and to retire to the island of Karak. A much distinguished Persian Khan, highly favoured by the ruling prince of Shiraz, has been appointed to the Government of Bushire. Our resident was still at the British factory, where, apparently, not the slightest anxiety was displayed respecting our present unsettled relations with Persia, or the approaching storm consequent thereon. The fall of Herat was currently reported everywhere, and generally believed to be true. This accession to the territories of Persia, has afforded to the people of the country a prolific theme of feasting, rejoicing, and gratulation! The name of Mahomed Shah, their conquering monarch, is extolled to the skies or the display of his exemplary valour and unity of purpose, in his late successful expedition. The King was lately expected at his capital, where preparations were in progress to receive the conqueror, with the highest honour, due to his rank, and the greatest prompt suitability to the occasion.

The *John Adam* and *Belhaven*, which sailed from Calcutta in the middle of March, have safely arrived at Bushire with all well on board. They were on the point of sailing for Bussorah, and must be expected back in Calcutta in all October. Indigo has yielded a very handsome profit in the gulph, so much so, that the merchants of Bushire intended to make large remittances for the ensuing crop.

BURMAH.

THE RANGOON GOVERNOR AND MR. CRISP.—An unusual measure of harshness and imperiousness had been adopted by the Governor towards an English resident at Rangoon, Mr. Crisp. It appears that Mr. Crisp's vessel, the *Colonel Burney* had slightly infringed the regulations of the port by moving farther down the reach than the visiting officer considered she ought to do. This being reported to the Governor, a party of six men were sent to bring Mr. Crisp, before him without delay, leading that gentleman to suppose that if he had resisted, he would have been dragged away by the hair of his head.

A curious report is rife, to the effect that the ministers at Ava have addressed a letter to Dr. Bayfield, in reply, it is said, to that addressed to them at the commencement of the year by the late resident, Col. Burney, from Calcutta. This letter appears to have been sent to the woodcock of Rangoon for the purpose of being forwarded to Dr. B. but that officer has taken on himself the responsibility of declining to forward it, giving some frivolous excuse about the seal on Col. Burney's letter having been supposed by the ministers to be a private one, and not that of the Government. Much speculation was afforded as to the contents of this mysterious letter. Some suppose it to have been too yielding, others that it was too strong, but all seem to concur in ascribing the fact of a letter having been written, to the impression made on the Court by our reinforcement of troops at this station.

CRUEL CONDUCT OF THE KING OF AVA.—On the 3d instant of Ta-loo the Tsekya Prince applied to his uncle, the King, for permission to go next day, and make some offering to the Moo-nes Pagoda. His Majesty granted it. On the evening of the same day one of the King's daughters skilled in astrology, having cast a horoscope, reported to her royal father that she had divined he had enemies. That same night, the Prince of Peghan surrounded the Tsekya Prince's residence with armed men, carried him off with his wife and children, and placed them in confinement, saying he was about to rebel. At that time the princes of Peghan interceded with her bro-

ther, the King, for the pardon of the Tsekya Prince, but for so doing she was deprived of her possessions, notwithstanding which she took the infant son and daughter of the Prince to take care of. On the morning of that day, the Tshan-she-Bo, the Toung-gyeo-Bo, the royal tailor with his father and his son, with others making 8 in all, were placed in confinement. On the 4th, these eight persons were taken out to the "two mango trees in burial-ground" and there executed. On the 6th, at 3 o'clock, the Tsekya Prince being bound with cords and surrounded by a party of armed men, at the head of whom were the Woongyees Mounng-Shoay-za and Mounng-loong-nyo, was taken out to the place of execution. On the way, within the town, he was allowed to wear his sandals, but on arriving outside, he was made to take them off and walk barefoot, his two concubine-wives and his nurse were taken out at the same time on a cart. Arrived at the place of execution, the "two mango trees burial-ground," and when about to be put to death, the Prince called out "I am not a rebel, it is my uncle who is a rebel." On this he was struck on his throat with a stick, and his hands and feet being tied together, he was then doubled up and thrust into a large open chatty or pot. On this, loud cries of grief and lamentation issued from the surrounding multitude, which was silenced by the armed men on the ground, who were sent to cut them down with their swords. During the execution of the prince, the three women were placed in a posture of supplication, their faces turned another way. The prince being executed, they also were struck on the throat with a stick and their bodies doubled up. The bodies of the two concubine-wives were thrust into pots and with that of the prince were all three carried down to the bank and thrown into the river, they being all of royal blood.

Great was the grief of all people at Amarapoora after this execution. For ten days none frequented the bazar either to buy or sell, and the town had a funeral aspect. This is the relation of people from Ava and Rangoon, who have arrived here.

Notwithstanding the positive assertions of several individuals of their having witnessed the execution of the young prince, the idea is still very prevalent in Moulemein, that he has escaped, and that his family only were put to death, some persons lately from Rangoon confidently assert, that such is the case, and their assertions are in some measure borne out by the contradictory statements of pretended eye-witnesses of the execution. Some say, they saw him cut to pieces in the palace-yard, while others as above related saw him taken out to the place of execution.

THE CALCUTTA MONTHLY JOURNAL.

ASIATIC NEWS.

1838.

CIVIL FUND.

At a half-yearly general meeting of the subscribers to the Civil Fund, holden at the Town-hall, on Monday the 30th day of July 1838.

PRESENT.

C. TUCKER, Esq. *Chairman.*

W. Braddon, Esq.	J. Hawkins, Esq.
J. H. Young, Esq.	H. V. Bayley, Esq.
J. French, Esq.	J. A. Dorin, Esq.
J. P. Grant, Esq.	G. F. McClintock, Esq.
F. Millet, Esq.	

Read and approved the proceedings of the last meeting.

Read an application from Mrs. Crawford, claiming the benefits of the fund on behalf of herself and child, as a widow of the late Douglas H. Crawford, Esq. a subscriber.

Moved by Mr. Millet, seconded by Mr. Bayley, and resolved, that the managers be authorized to admit Mrs. Crawford and child upon her signing the declaration and schedule.

The managers submit to the meeting the annual statement of the fund to the 30th April last.

Proposed by Mr. Grant, seconded by Mr. Braddon, and resolved, that the statement be approved, and that it be published in the *Calcutta Gazette* pursuant to article XVI. of the rules.

Read a letter addressed to the managers from J. A. Dorin, Esq. revenue accountant, dated 21st February 1838, forwarding an official letter from the collector of Burdwan, and stating that their secretary's office had no means of guarding against the extraordinary accumulations of unremitted subscriptions as had been allowed to take place at Burdwan and elsewhere, also Mr. McClintock's memorandum on the affairs of the fund.

It appearing from these and other papers laid before the meeting, that the fund has been subjected to serious loss, not only in the shape of short deductions from allowances of subscribers, but also of interest on subscriptions realized, but allowed to remain in deposit in the mossful treasuries instead of being immediately remit-

ted to the presidency, and it further appearing that such loss may be attributed in a great measure to the want of an effective establishment under the secretary, who should have in his own hands the means of ascertaining that the dues of the fund are fully realized and punctually brought to credit; and it appearing that we can have no security against similar loss in future, until an account be opened with each individual subscriber under the immediate control and superintendence of the secretary.

Resolved, that a sum not exceeding rupees 130 per mensem be left at the disposal of the managers for entertaining an additional establishment for the purpose of putting the accounts of the fund on a proper footing and preserving regularity in future; and that the managers be requested to report to the next general meeting what measures they have taken in prosecution of the above objects. Resolved further, that the 50 rupees per mensem allowed for the temporary establishment, entertained under resolution, 25th January 1836, do cease from the 31st instant.

The managers submit the result of the votes at the meeting held in January last.

For the surplus being levied on married and widower subscribers exclusively..... 51
For the surplus being levied from all subscribers,.. 52

The following votes being unintelligible, the secretary was directed to address the gentlemen, viz. A. Dick, J. Lawrence, E. Deedes, A. Smelt, the Hon'ble R. Forbes, A. Sconce, J. S. Dumergue, and N. B. Edmoustone, Esqrs. with a request that they would forward distinct votes on the above subject, the managers to publish the result in the *Government Gazette* and two daily papers, and to take measures for the levy of the additional cess accordingly. Additional cess to begin from 1st November next.

For Mr. Louis's proposition..... 48
Against..... 55
Thanks were voted to the chairman, and the meeting broke up.

C. TUCKER, *Chairman.*

Cal. Cour. Aug. 3.] [Hurk. Aug. 4.

DORJELING.

A meeting of the shareholders of the Dorjeling hotel was held yesterday at the Town-hall, Richard Walker, Esq. in the chair, when the following report was laid before the meeting by the chairman of the committee:

THE COMMITTEE'S REPORT.

"In compliance with the general opinion expressed as to the expediency of a public competition for the build-

ing of the hotel as well as for obtaining a suitable tenant, your committee immediately after the last general meeting advertised for tenders and offers. Regarding the first of these objects, it may be sufficient to state, that the tender by Messrs. Hepper, Martin and Co. was accepted, and that they have become bound under an adequate penalty to complete the building on or before the 15th of February next.

" In regard to the tenant for the hotel, your committee regret they have not been so successful. The advertisement brought forward several inquiries, but no offer was made by any individual possessing the requisite means, and the scheme of a hotel was nearly abandoned. About this time, however, Messrs. Wilson and Co. verbally expressed their readiness to rent the hotel on fair terms, provided furniture was supplied at the expense of the shareholders; and the result of this communication was a distinct offer on their part of 8 per cent. on all sums expended, whether in buildings or furniture. Messrs. Wilson and Co. stipulated for a godown at Titalya and another at the station. These your committee agreed to build. They appear to be essential to the hotel, and will be useful to other parties who may consign their property to the care of Messrs. W. and Co. Some difficulty occurred as to fixing on the quality and quantity of articles of furniture, but this matter was at length disposed of and the object of the present meeting is to obtain its sanction to these arrangements, and authority for another call to meet the extra expense to be incurred.

" On the subject of the furniture, your committee have to state, that estimates were applied for from all the

Europeans in Calcutta on that line, that the articles ordered are to be of the plainest description, and that the lowest estimate (that by Mr. Lazarus) amounts to Rs. 10,416-8.

" In these circumstances, your committee recommend that another instalment of Rs. 100 per share be this day ordered.

" To conclude your committee beg to state, that the arrangements with Government in regard to the establishment of the sanatorium, have proceeded in the most satisfactory manner. Throughout, the hon'ble the President in Council has evinced an earnest desire to promote every measure conducive to its prosperity, and though it may be unnecessary here to enumerate these measures, your committee feel great pleasure in thus publicly referring to, and acknowledging them.

" (Signed) J. W. GUANT, *Chairman.*"

After some discussion, it was moved by R. Davidson, Esq., seconded by Major Forbes, and carried,

" That this meeting do approve the report, and direct the committee to raise the said instalment of one hundred rupees accordingly."

The meeting then voted thanks to the chairman and dissolved.—*Hurkaru, August 11.*

LANDHOLDERS' SOCIETY.

Proceedings of a meeting of the committee held at the Society's office, No. 3, Clive-street ghaut, on Monday, the 6th instant.

PRESENT.

Committee.—T. Dickens, Esq., W. C. Hurry, Esq., W. Storm, Esq., Baboo Prosonoooomai Tagore, Baboo Ramconmul Sen, and Moonshie Mohamed Ameer.

Members.—Baboo Debbyptosaud Roy, Dewan of Ranmykattawony.

Visitors.—Baboo Bhubbanyelurn Mitter and Baboo Pooran Sing.

The members proposed at the last meeting were confirmed.

Proposed by Baboo Prosonoooomai Tagore, and seconded by Baboo Ramconmul Sen,

Fuker Oodiu Mahomed Ahsun Chowdry, of Deoly, Pubna;

Rajah Beerassor Roy Chowdry, of Taherpore, Rajeshaye.

Read two letters from Government in reply to the applications addressed by the Society relative to the stamp duty leviable on kubooliats and bonds of the gomastahs.

Ordered, that the whole correspondence with the board of customs, salt and opium and with Government on the above subject, be published for the information of the members of the Society.

To S. G. PALMER, Esq.

Acting Sec. to the Board of Customs, salt and opium.

SIR,—The Committee of the landholders' Society have directed us to represent respectfully to the board of customs, salt and opium, the additional hardship to which that section of the community which they represent is subjected by an order of the board contained in their circular, dated 13th January 1836, directing that "an impression appearing to exist, that security bonds, when executed on the same sheet or paper containing the original or principle deed, are not liable to any separate or additional stamps," the board of customs, salt and opium, deem it necessary to correct such an impression if it should also exist in your division!!

2d We are requested to bring to the notice of the board, that the above order must severely affect the landholders, particularly in regard to the kubooliat and security bonds they are in the habit of taking from their village gomastahs and other zemindary servants; the salaries of the former being in general not more than three or four rupees per month.

3d. The committee have carefully examined the original and subsequently modified regulations, bearing upon the subject, and also regulation X. of 1829, consolidating into one with modifications all former enactments relating to the collection of stamp-duties. They are unable to discover therein any direct provision that kubooliats or bonds for the due execution of offices, and the security entered into with landholders and their village gomastahs, Tashbeeldars, naib, peshkar, and other zemindary servants, appointed for the collection of revenue, should be liable to stamp duty. But in practice particularly subject to the enactment of regulation XVI. of 1824, when any question between a zemindar and servant, in connexion with the terms of his kubooliat or security was brought before the judicial and revenue authorities, they declared that such documents is an inadmissible unless it is written on stamp-paper. Thus the landholders on many occasions were subjected to the prescribed penalty for a constructive omission.

The majority of the executive functionaries in the absence of any direct provision in the regulation, prescribing a stamp-duty of eight rupees on the kubooliat, with reference to Regulation XVI. of 1834, schedule No. 1, under the head "agreement not otherwise charged or expressed in it," have sanctioned the admission of the deed, with the security bonds inserted at the foot of the kubooliat until the recent order of the board hereinbefore mentioned. Thus the stamp duty at this period levied amounts to sixteen rupees on persons ill able to afford it.

The provision in question for an eight rupees stamp on all deeds not otherwise expressed in the regulation, was rescinded by the consolidated regulation of 1829, which substituted (vide schedule A, No. 15.) that contracts and deeds, if not otherwise charged or exempted from duty, should be stamp an agreement. Again referring to the note of No. 3, of the said regulation, it is found to be prescribed that agreements for a purpose not restricted, to

or specifying any amount, should be executed on such stipulations as the parties may determine, but no recovery can be made on the instrument in any court of justice, of a larger amount than may be covered by the stamp, at the rate prescribed in the schedule for bonds. Thus the amount of stamp duty leviable on kubooleuts of zemindary servants, is hence involved in greater uncertainty. But supposing the average collection of each gomastah be computed at 1,000 rupees, the stamp prescribed for bonds of the same amount would be ten rupees, and for a security deed also an equal sum amounting on both to twenty rupees, being the cost of a set of kubooleuts and security bonds for a gomastah employed on a salary of three or four rupees per month.

The landholders' Society conceive, that it was the intention of the Government, a part from a consideration of the nature and provisions of the permanent settlement of land revenue in Bengal, &c. to make the stamp-duties fall as lightly as possible upon the zemindars and their ryuts, inasmuch as they have exempted all leases, viz. pottahs and kubooleuts executed and exchanged with ryuts and other actual cultivators of the soil from stamp duty. They consequently conclude, that the very oppressive nature of the recent order cannot be known either to the board or to the Government, and they therefore beg to call your attention to the following circumstances.

First.—That the stamp now required, amounts to at least one-half the average annual salary of the persons employed.

Secondly.—That the frequent changes in this description of servants, occasioned by removal, unfitness and other causes, makes the duration of their service very short, so that a necessity for fresh kubooleuts is perpetually recurring.

Thirdly.—That the number of village gomastahs and other servants in a zemindary, is so great that the stamp thus required become a serious addition to the amount of the sunder jumma, and is actually a tax falling directly upon the land.

We therefore respectfully submit that it cannot be the intention of the present Government, any more than it was that of the Government of those days which I established the noble institution of permanent land revenue in Bengal, to increase the sudder jumma by any indirect taxation of the land, and consequently that the effect of the order abovementioned, has in all probability escaped the notice of the Board of Customs and of Government.

We have therefore to beg, that you will be pleased to lay this representation before the Board, with our request not only for a reconsideration of their recent order, but also for an extension of the exemption from stamp duty on kubooleuts and securities between a zemindar and his servants, in the same manner as on leases exchanged with ryuts, or else to fix the duty on such a moderate scale as in the wisdom of the Board may be thought equitable, and which may bear a fair proportion to the duty already levied on other instruments. In that case exempting only those servants who are in the receipt of salaries less than 10 rupees per month,

We are, Sir, your obedient servants,

(Signed) { W. C. HURRY,
PROSONOOCUMAR TAGORE,

Calcutta June, 28th 1838. *Honorary Secretaries*
No. 571.

To WILLIAM COBB HURRY, Esq. AND BADOO PROSONOOCUMAR TAGORE, *Honorary Secretaries to the Committee of the Landholders' Society*

Gentlemen.—I have the honour to acknowledge the receipt of your letter, dated 30th ultimo, and in reply to express the regret of the Board of customs, salt and opium, at their inability to meet the request which it prefers.

2. You will, the Board are persuaded, perceive on reflection the impossibility of such a compliance on the part of an authority entrusted only with the administration of the law enacted for their guidance. In the administration of the stamp law as it now stands, the Board do not perceive that they have any option but to consider the kubooleuts of village gomastahs as falling under entry No. 3, Schedule Regulation X. of 1819, and the security bonds (having reference to, and giving value to such kubooleuts) as falling under entry No. 11, in the same schedule and regulation, with the reservation of course of those cases in which parties may choose to take kubooleuts under entry. No. 1, of the schedule and security bonds, under No. 12, with reference to a definite sum.

3. With respect to the other point, viz. the requisition of a separate stamp for a security bond, written on the same piece of paper with a kubooleut, it does not appear to the Board, that the order of the 13th January, 1836, quoted by you, is opposed either to the spirit of letter of the mofussil stamp law. If the observation of the order in question were not insisted upon, a wide opening would be left for defrauding this branch of the public revenue. A bond attached to a kubooleut gives additional security, it does not, therefore, seem inequitable, if bonds and agreements are taxed at all to subject the writing affording such additional security to an additional tax, but more than this there does not appear, any sound reason why instruments, which, to make them valid in the courts, must bear a stamp; say of 10 rupees each, if written on separate pieces of paper should bear only one stamp of ten rupees simply, because both are written on one piece of paper."

4. The interpretation of the law against which you appeal is no fresh construction put upon it by the present Board. It is, on record so far back as 1832, and the orders to which you advert of January, 1836, were merely written to call attention to the Board's views on the subject, which were communicated in 1832, to the superintendent of stamps, but were not, it is apprehended, fully explained to the several officers of revenue at that time.

5. The arguments urged by you for a relinquishment or mitigation of the duties on the kubooleuts and bonds of village gomastahs, appear cogent, but it is not the province of the Board to determine on the weight which they ought to carry. They have, as already explained, only to administer the stamp law as it stands, but they do not doubt that Government will be prepared to afford the most just and equitable consideration to any fairly grounded suggestion for its amendment, which the Landholders' Society may place before them.

I have the honour to be, Gentlemen,

Your most obedient servant,

(Signed) S. G. PALMER, *Ag. Sec.*

Board of Customs, Salt and Opium, 11th, July 1838.

H. T. PRINSEY, Esq. *Secretary to the Government of Bengal in the General Department.*

SIR,—We beg respectfully to request that you will be pleased to lay before His Honour the Governor of Bengal the annexed correspondence between the Landholders' Society and the Board of customs, salt and opium, on the subject of an increased stamp duty, now levied on the kubooleut on the zemindary servants.

As the case is fully explained in the correspondence, we deem it needless to recapitulate the details, and have, therefore, merely to add that we hope His Honour the Governor will afford the relief, which, it appears, is out of the power of the Board to grant, though they fully admit the justice of the request we have made to them, as we cannot think that it could ever have been the intention of the Government that the stamp duty should fall

so heavily on those who are employed in collecting the land revenue.

We are, Sir, your most obedient servants,

(Signed) { W. C. HURRY,
 { PROSONOOCOMAR TAGORE,

Calcutta, July 17th, 1838.

Hony Secs

H. T. PRINSEP, Esq. *Secretary to the Government of Bengal in the General Department.*

Sir,—On the 17th instant, we had the honor of addressing you, and forwarding for your perusal, a communication which we had received from the Board of customs, salt and opium, on the subject of the stamps, levied on the kuboolouts of zemindary servants.

The Landholders' Society, however, are anxious that his Honour the Governor in Council should be put in possession of the reasons which prevent the Society from fully concurring in the opinions expressed by the Board, in their letters above referred to, and they have therefore desired us to express the same to you.

The Board observes, "that in the administration of the Stamp Law, as it now stands, the Board do not perceive that they have any option, but to consider the kuboolout of village gomastahs, as falling under No. 3, Schedule A Regulation X. of 1829, and the security bonds having reference to, and giving value to such kuboolouts, as falling under entry No. 11, in the same schedule and regulation, with reservation, of course, of those cases in which parties may choose to take kuboolouts under entry No. 1, of the schedule and security bond under No. 12, with reference to a definite sum." But all these quoted clauses have reference to a limited sum and no recovery can be made on the instrument in any court of justice of a larger amount than may be covered by the stamp at the rate prescribed in the schedule. Thus the representation made in the 5th paragraph of our letter to the Board, dated 28th June, ultimo, is borne out, that the stamp duty leviable on kuboolouts of zemindary servants is hence involved in greater uncertainty.

The Board observes, "that with respect to the other point, viz. the requisition of a separate stamp for a security bond, written on the same piece of paper with a kuboolout, it does not appear to the Board that the order of the 13th January, 1836, is opposed either to the spirit or letter of the Mutussil Stamp Law." With due deference to this opinion of the Board, we beg to submit that the Regulation X. of 1829 being a regulation merely consolidating the former ones, and affording a pledge in the preamble of the same, that its object is not to increase the burthen of the impost on the people; the question is now to be considered whether the security bond was required to be written on a stamp, prior to the said order of the Board. We beg to quote the highest judicial authority available, namely, the opinion of the Sudder court on this point, (the copy of their circular dated 22d September, 1825, hereto annexed) from which it will appear that the court distinctly mention, "that the security bond should be written on plain paper, until the Government should declare by a formal enactment the amount of the stamp paper on which they should be executed." The requisition of the Board for a separate special stamp to a security bond in the absence of an enactment must appear not to bear out the construction of the regulation, when generally the security bond itself was declared by the Sudder court to be receivable on plain paper.

Besides the Board allege as the ground of their regulation, that a bond attached to a kuboolout gives additional security, and is therefore liable to a separate tax. We also beg respectfully to differ from this opinion, and regret that in arriving at this conclusion the Board overlooked the spirit of the original stamp regulations, as embodied, and expressed in the Regu-

lation X. of 1829, for the stamp duty is leviable, not a reference to the additional security, but to the amount which constitutes the subject of transactions between individuals, otherwise every joint bond of parties, indorser or acceptor of drafts, and mortgage of property to secure the amount of bond. All these giving further security to the advances of the principal sum, may, by the above principle adopted by the Board, be subject to a separate full amount of stamp duty, which is obviously contrary to the spirit and letter of the existing regulations.

It is also worthy of attention, that when an action is required to be brought before a court of justice against a principle and his security, in reference to a kuboolout, the plaint is to be filed against the parties jointly, and award is given accordingly. It is, therefore, by no means a separate transaction, on which a separate stamp duty ought to be charged, moreover the records of the Board, or if necessary, a reference to the mutussil courts, will satisfy his Honour the Governor that it has been an universal practice to take a kuboolout and security on the same piece of paper, and it is admitted by the courts of justice that such documents no way infringe on the provision of the stamp regulation.

The Board, with reference to their order of the 13th January, 1836, remark, that if the observance of the order in question were not inconsistent upon, a wide opening would be left for defrauding this branch of the public revenue. The Society beg to submit their opinion that neither an alteration in the rate of stamp duty nor the total exemption of certain documents from its operation are in themselves likely to occasion frauds on the revenue, and they trust that his Honour the Governor will concur with them in thinking that a reduction of duty tends to diminish the temptation to the commission of fraud, as well in this as in all other departments of the revenue. The Board admit the argument of the Society for a reduction or mitigation of the duty now levied to be cogent.

They have, therefore, respectfully to request that you will lay this letter before his Honour the Governor in Council, in addition to the papers forwarded on the 17th instant.

We have the honour to be, Sir,

Your most obedt. servants,

(Signed) { W. C. HURRY,
 { PROSONOOCOMAR TAGORE,

Calcutta, July 27, 1838.

Hon. Secs.

No. 293.

To W. C. HURRY, Esq. AND BARON PROSONOOCOMAR TAGORE, *Honorary Secretaries to the Committee of the Landholders' Society.*

Gentlemen,—I am directed by the honourable the Separate Deputy Governor of Bengal, to acknowledge the receipt of your letter, dated 17th instant, enclosing a correspondence with the Board of Customs, salt and opium, relative to the rate of stamp duty leviable on kuboolouts and bonds of village gomastahs, and, in reply, to state that the subject of this representation, will be taken into consideration, in connexion with the other questions regarding stamps, which are now before the Legislative Council; the society will be aware that Government has for some time had in contemplation an entire revision of the laws regarding the stamp revenues of this presidency, and a considerable advance has been made in this revision.

I am, Gentlemen, your obedt. servant,
(Signed) H. T. PRINSEP,
Secy. to the Govt. of Bengal.

Fort William, July 25, 1838.

No. 306.

To W. C. HURRY, Esq. AND BABOO PRISONMOOMAR TAGOOR, *Honorary Secretaries to the Committee of the Landholders' Society.*

Gentlemen, I am directed by the honorable the *Separate* Deputy Governor of Bengal, to acknowledge the receipt of your letter dated 27th ultimo, and, in reply, to state that the provisions of the existing stamp law noticed in your representation, has already been brought under the consideration of the Government of India, and the point will be provided for in the

revision of the stamp law, which is now in progress.

I am, Gentlemen, your obedt. servant,
(Signed) H. T. PHINSEK,
Sec. to the Govt. of Bengal.

Fort William, Aug. 1, 1838.

Read a paper from Moonshe Mahomed Ameer on the resumption law, submitted to his sub-committee, appointed to consider the resumption petition.

Resolved that a letter be addressed to the sub-committee, requesting them to prepare their draft petition without further delay.

WILLIAM COBB HURRY,
P. TAGOOR,

Hurkari, Aug. 11.]

Honorary Secretaries.

TEMPERANCE SOCIETY.

The first annual report of the Temperance Society established in her Majesty's 49th regt. 17th April 1837, under the sanction of Colonel R. Bartley, commanding, read to the members at a meeting held on the 17th April, 1838.

With feelings of gratitude to Divine Providence and much thankfulness for the success that has been vouchsafed to our Society, we now lay before you a summary report of its progress since its commencement in April 1837.

The annexed statement will exhibit its monthly variations, and it must be satisfactory to us all to observe, that these have always been caused by an increase to our numbers, till within these last three months, during which time a great number have fallen into their former habits of intemperance. Painful as it is to every man, who has the welfare of his fellow-creatures at heart, to witness such defection, we can boldly say, that it by no means amounts to discouragement; and though the falling away of some of our associates adds another to the many proofs of the infirmity of human nature and the blindness of man to his own happiness, still we can triumphantly appeal to those who have stood firm, and who can bear their honest testimony to the beneficial effects of joining a Society which is only ridiculed and scoffed at by bad men, and misrepresented by those who do not, or will not, understand its principles.

When we consider that at the first formation of this Society, there were only twenty-three individuals out of the inhabitants of this cantonment who came forward to join it, and that now it numbers 360 members, those who then looked up to that being who despises not the day of small things, may now indeed go on their way rejoicing, trusting, that as he has hitherto prospered the cause, so will he incline men's hearts towards it, until the Temperance Society proves an effectual barrier against that dread mass of misery and crime, which drunkenness engenders. All experience proves, that its principles are correct, and that nothing but total abstinence from ardent spirits will ensure the reformation of the drunkard, or the prevention of the temperate becoming the degraded victims of this vice.

Much as Temperance Societies have done for the good of mankind, there is still much for them to do. Notwithstanding we have more than three millions of our fellow-creatures of all classes, from the sovereign on her throne to the poorest subject who upholds the respectability of his humble name and character, we cannot escape the distressing fact, that we still are few compared with the multitude who are or are becoming the slaves of that degrading vice, which is the cause of most of the misery, crime, punishment, and distress which we are all

painfully obliged to witness. We may with truth say, that the temperance cause is yet in its infancy: it has to struggle against the bad habits which have for centuries been handed down from generation to generation, against deep-rooted prejudices, the influence of bad example, the selfishness of the evil-hearted, the thoughtlessness of the inconsiderate, and that enmity and hatred which is borne by all whose deeds are dark to whatever by its brightness exposed them to shame. With so much to contend against, the cause is deeply indebted to those who come forward to bear the burden and heat of the day to those who stood in the front of the battle against wickedness and sin, and who, mounting the breach which had been made in the fortresses of the evil one, gallantly waved the banner of the Temperance Society to encourage their comrades to follow that hope which shall never be forlorn.

The establishment of a coffee-room with a library and reading room had, ever since the first organization of the Society been a desirable object with the committee; but the ungenial state of the funds had always precluded every hope of so desirable an object. This result, however, the committee rejoice to add, has, at length, been happily accomplished, entirely through the unsolicited liberality of Colonel R. Bartley, who, upon casually learning our wish on this subject, and the reason which prevented its realization, most cheerfully gave us a very large and comfortable building, which is situated in a very eligible part of the lines. Had not Colonel Bartley thus kindly intererred, it is more than probable that the Society would have sustained a loss of all those comforts which they have since enjoyed. The grateful thanks of the Society are given to Colonel R. Bartley, commanding, Lieutenant Colonel E. Morris, Dr. French, Captain G. J. Pasley, (president of the Society) and Lieutenant and Adjutant A. McEwen, for the interest and zeal which they have at all times manifested for the Society's welfare, and the kind and liberal support they have given the Society since its formation.

Whilst we tender our thanks to our staunch supporters, and fearlessly appeal to them whether in doing good they have not received an immediate blessing in their own persons by the enjoyment of all the happiness which temperance confers, we would earnestly entreat others, who have been less decided, to judge fairly for themselves, whether a single benefit was gained by withdrawing from or not joining us. Whether our Society did not fulfil all that it engaged for, and whether they were better off by leaving us.

It is taking a very contracted view of the merits of a Temperance Society to imagine, that it merely regards the drinking or not drinking a certain number of drams; our object is professedly to put an end to the misery and

degradation which drunkenness entails; and, should we succeed, as we earnestly hope that we shall do, ultimately, it will be our delight to see the British soldier in possession of those privileges to which his intonation for ardent spirits now blinds him. Let him compare his lot with that of the agriculturist, the mechanic, or journeyman, and he will find a great balance in his favour. His duties, are much more easy than their labours; in sickness he is provided for without the dread of a wife and children being reduced to distress, while he is unable to work for their support; his lodging, food, and comforts are under Providence secured to him free from the dangers of bad seasons, stagnation of trade, or any of the many necessities to which all the labouring classes are liable: his pay is more than adequate to his support, and the bank is open for his monthly savings. Books are provided for his leisure hours, and he has time to enjoy the exercise and amusement for which many a hard-working man elsewhere sighs in vain. We all know that good conduct recommends him for promotion to honourable and trust-worthy situations, and if men would but use their reason they would not only find cause for contentment, but would see what is actually the fact, that the army affords a better livelihood and more hope of advancement in life than almost any profession, trade, or calling. And shall we barter all these advantages for the wretched, senseless depravity of dram-drinking? Shall we be any longer blinded to the madness of casting from us all those good things, and willingly incur the curse that spirit drinking offers in exchange.

A few rough calculations will, we trust, speak with convincing power to those who have hitherto been insensible of the advantages of their situations, whose interests and intellects have been ruined by ardent spirits. We will confine ourselves within the narrowest limits, and only suppose that a man drinks no more than his two annas per day, merely to show the enormous consumption of arrack, in rations, by European soldiers in India. We would indulge the sincere hope that this statement may be the means of opening the eyes of all, not only to the waste of money, but to the serious importance of what so vitally affects the efficiency, good conduct, health, and prolongation of the life of the British soldiers. We will suppose that there are only 20,000 British soldiers in India, that each man only drinks his two drams at the rate charged for them by Government, and the sum thus drawn from the army amounts to no less than 6,38,750 rupees per annum, for which the deluded soldiery receive as an equivalent 14,600,000 drams, or 1,438 tons, 1 puncheon, 20 gallons of ardent poison, administered to ruin the finest army in the world. Now could the enormous sum above mentioned be directed into any other channel beneficial to the soldiers, what a blessing would it be to the men themselves, and what an inestimable advantage to the state! Independent of the saving that would accrue in the expense of medicines, hospital charges, attendants, and the many contingents required in endeavours to renovate the arrack-shattered constitutions of drunkards, whose spirit produced illness and premature deaths cost more than all the duty they have ever done, would be an equivalent for.

Having shewn a very low aggregate of the annual consumption of arrack, we will state a few facts for individual consideration.

A man who takes no more than his two drams a day, drinks in one year 730 drams or eighteen gallons, two pints of ardent poison. In seven years he will at this rate swallow 10,320 drams or two butts, fifteen gallons, four pints.

Twelve years is, we have heard, a fair average for the life of a spirit drinker in this country, taking one with another; but if a man should survive these daily doses of poison, as some few do, he will in twenty-one years drink 15,330 drams or three butts 2½ gallons and two pints of

ardent spirits, taking the butt at an average of 120 gallons. We all know, however, that it is rarely indeed that the man who drinks two drams, drinks no more, and that for many a calculation might be more than doubled.

Now let us exhibit the gain of joining the Temperance Society, and we shall find that the man who adheres to his pledge, and lodges the price of the poison in the savings bank every month, will have in Government securities, bearing interest 4 per cent;

In 7 years.... 254 rupees

In 14 ditto.... 588 ditto

In 21 ditto.... 1,029 ditto

for the two drams a day. But two drams beget two drams, and let those who drink more calculate their loss taking into consideration the destruction and waste of property during drunken bouts.

Should a ship arrive from England with news that an increase of £64,000 per annum, was to be made to the European soldiers' pay, what rejoicing there would be; but the soldiers can do for themselves more than Government can do for them, even if it were possible to give them so much money. Neither the Government nor any human power can give them health and happiness so long as they continue spirit-drinkers; but when they leave off the accursed habit, they really and bona fide come into possession of the above increase of pay by their own savings, and, at the same time, benefit the state to an extent that can only be correctly calculated, after some years have shown the blessed result of so glorious a reformation.

We have thus given a faint sketch of some of the advantages which we invite all to partake of. We ask for nothing in return, and hope for nothing, but to see the spirit-drinker rescued from his degradation, and the temperate preserved from the deadly contagion of the drunkard's touch. Your happiness is our reward; and, in seeking that we would close our report by an appeal to the judgment, to the mind, to the conscience of every man around us. What have you who stood aloof from us ever gained, or what can you hope to gain by persevering in spirit-drinking? Is the drunkard a friend? Alas! he is dead to every feeling that would make him one. He knows that unless others can be led into a participation of his guilt, his own spirit fallen from the high and generous bearing of the British soldier, will quail before the disgrace that is attached to drunkenness by every honest, upright, manly mind. The drunkard recklessly causes misery and ruin into the domestic peace of every family and society to which he is admitted; absorbed in self, he neither wishes nor dares to contemplate the extent of his pernicious influence, but with a satanic joy at which even hell might shudder, onward he goes, seeking fresh victims, turning the peaceful home into an abode of wretchedness, the affectionate husband into a cruel, drunken tyrant, the virtuous wife into all a woman ought not to be, cold blooded and hard-hearted. The children's cry falls unheeded on his ear, and when he has played out his infernal part and seen the hopeless parent consigned to an early grave, he leaves the wretched orphans to the pity of the good and sober, and seeks whom next he shall destroy.

Friends! think of these things; turn them over in your minds; ponder well what the drunkard offers, and what we earnestly beseech you to except, and judge which is best. We hold out peace, happiness, contentment, the enjoyment of those privileges to which you have hitherto shut your eyes.

The drunkard invites you to the certain commission of some crimes, and the almost certain commission of many. He invites you to a breach of the laws of God and man, to what renders you obnoxious to punishment and disgrace in this life, and to the wrath of your offended Maker throughout the endless ages of eternity. He offers you cursing, fighting, blasphemy, outrage, whoredom,

adultery, neglect of every duty; hours of debauchery followed by days of misery; the aching head, the trembling hand, sickness, disease and premature death. We invite you to health, happiness and sobriety; to an enjoyment of the good that Providence so abundantly and mercifully supplies for us in this world, and we point beyond it to that heaven which the God of infinite goodness, wisdom, and mercy has commanded to be shut against the pollution of the drunkard's presence.

We appeal to you as Christians! We appeal to you as men worthy of being British soldiers! We appeal to you by every hope of happiness here and hereafter! Rouse yourselves from the wretched infatuation which has too long prevailed. Burst asunder the fetters that have hitherto chained you in bondage, to bad example, to evil habit, and the most degrading vice. Hear us, you who are sober, moderate men; and if in your breast there is one spark of love to God, to your fellow-men, for the Lord's sake, if you are not indifferent to the welfare of those around you, join your exertions to ours: throw the weight of your influence, your example, your persuasion into the temperance cause, and do your duty towards God and towards man for God's sake. Should there be any here who have made a traffic of their comrades' souls, any who, finding no English word to designate aright their dreadful trade, have called themselves brahmins or merchants, for the occasion, we earnestly and affectionately address ourselves to you that have assumed the name of those whose profession is without one redeeming point, that to carry on your soul and body destroying work, you have cast off even the designation of Christians and of Britons, and adopted that which is too truly descriptive of the dark and nefarious transactions in which you have engaged.

Think of the comrades you have helped to ruin and destroy; looking at the dying victim whom, though slowly, you have surely murdered; listen to the groans poured out in agony, to the ineffectual cries to God for

merry and to man for help. Look to the noble specimen of manly strength and beauty that has been reduced to weakness and emaciation, now sinking into an unhonoured and untimely grave. Think of the widows and orphans who have lost all that endeared once their happy homes, and ask yourselves these awful questions: how much of all this is my doing? When the secrets of all hearts are disclosed, when all stand before the judgment seat of God, when human opinions or allowances will no longer be heard will those whom I have induced to drink away happiness in this world and salvation in the world to come, appear as witnesses against me, or will they not? Either the one or the other, they must be and now is the time to consider which.

In conclusion, the committee earnestly recommend to the Society a firmness and consistency on the part of its members, as the most effectual means of encouraging others to join it by their example, and of thereby increasing its strength; and thus, while the Society gains in numbers and respectability, its good effects will at length be felt and acknowledged throughout the regiment.

STATEMENT.

37.	38.	Strength.	Admitted.	Left.
1st April	0	23	0	0
1st May	23	13	0	0
1st June	36	16	3	0
1st July	49	18	10	3
1st August	57	49	16	16
1st September ..	90	38	24	24
1st October ..	104	272	3	3
1st November...	373	58	87	87
1st December...	344	60	125	125
1st January ..	279	154	58	58
1st February ..	375	24	85	85
1st March	314	147	101	101
1st April	360	27	27	27
17th	360	0	0	0

Hurk. Aug. 15.]

J. Wood, Secretary.

REMOVAL OF LEPERS AND MENDICANTS FROM THE STREETS.

(No. 1.)

Calcutta, 29th June 1838.

To D. McFARLAN, Esq. Chief Magistrate.

SIR,—I am authorized by the District Charitable Society, to hand you the annexed extract from a report submitted to it by a special committee, on the subject of the lepers in this city, infesting the streets, &c and to solicit your co-operation in the attainment of the Society's wishes.

I am, Sir, your obedient servant,

(Signed) J. GREGORY VOSS, M. D.

Sec. C. C. D. C. Society.

(No. 2.)

Extract from report, dated 22d June 1838.—To the accomplishment of the grand object in view, your committee urge the necessity of the central committee District Charitable Society, authorizing the chief magistrate to offer to shelter and support in the asylum to each poor leper individually, and, in event of any refusing to avail themselves of the proffered relief, that the laws, which must be in existence for the suppression of vagrancy, should be vigorously put in force against any individual who, refusing the advantages now offered, persists in infesting the streets and bazars for the purpose of extorting alms; and if this be carefully enforced,

your committee is of opinion, that we shall soon have the poor lepers spontaneously resorting to the asylum.

A true extract,

(Signed) J. GREGORY VOSS, M. D.

Sec. D. C. Society.

(No. 3.)

To F. J. HALIDAY, Esq.

Sec. to the Government of Bengal.

SIR,—I have lately received from the District Charitable Society the letter of which a copy is annexed, leaving it to me to put the law which the Society supposes to exist, into force against lepers. It is known to Government that we have no special Indian law for annoyance caused by this class or by common beggars, but, finding the ancient criminal law of England, (James 1st, Act 7 c. 4) to have been very strong in virtue of statutes passed long before the first charter of the Supreme Court, I ventured to send out to the China bazar, at 1 o'clock of the afternoon on Saturday the 30th June, and found it infested with beggars, the cases of a few of whom are detailed in, "Cause book 30th June 1838."

2d. The civilization of Calcutta is, at least, as far advanced as was that of England in the days of Lord Coke, who is reported to have said, "whilst the justices and other officers were diligent and industrious, there was not a rogue to be seen in any part of England

but when the justices and others became remiss, rogues swarmed again!" The long and beneficial existence of the District Charitable Society gives just ground to hope that some such institution will never be wanting for the relief of the sick, the maimed, and the blind, and were there fewer promiscuous and unworthy beggars, the funds of that institution would probably increase. The legislature need be under no alarm that cruelty may attend the operation here of acts found salutary in England.

3l. It is obvious, that if Government desire the magistracy to act at all, they should not leave them and their proceedings to the uncertain defence of ancient acts of parliament, but at once prescribe the course that is to be followed. (See vagrant act, attached.) The last vagrant act for England which, whilst slight alterations, might be made law here; the parts which I would propose to omit as inapplicable, or alter, "are struck out," and notes are also entered to show the parts of the act which are already law here.

4h. It seems quite plain that none of the principal marts of a metropolis like Calcutta, should be infested by upwards of eighteen wretched objects, seeking and importuning alms by exposure of disgusting sores; and whether the interior of the country or the great towns in it should have the same law, is a question that may be decided in the negative or affirmative, without affecting the case of Calcutta at all.

5th. The practice of the natives of the country who administer indiscriminate charity at shrauds, could not be affected by the law, for to them the poor come at the bidding or seeking of the givers of charity, nor perhaps would it affect the charity given by Mahomedans on Thursdays. Practically, the apprehension in cases of vagrancy would be found to rest on summons by complaint to a magistrate, with European officers of the police, or thanadars, when the complaint accompanied the case to the magistrate.

I have the honour to be, Sir,

Your most obedient servant,

(Signed) D. McFARLANE,
Chief Magistrate.

Calcutta, Police-office, July 4th, 1838.

P. S.—One or two of the clauses above recommended relate to police more than vagrancy.

If necessary in England they are as much so here at least.

Extracts from Act 5th, Geo. IV. cap. 83, dated 21st June 1824.

Idle and disorderly persons committing certain offence, herein mentioned, how to be punished.

Section 1st. Enacted, that every common prostitute, wandering in the street, &c. and behaving in a

riotous or indecent manner; persons wandering in the public streets to gather alms or encouraging children to do so, shall be deemed idle and disorderly within this act, such offenders shall, on oath of credible witnesses, be imprisoned one month with hard labour.

Section 2l. After having been committed as in the 1st section, persons professing to tell fortunes or otherwise deceive her Majesty's subjects, or persons wandering about, or exposing obscene points, or persons in any place with intent to insult any female, or exposing wounds or deformities to obtain alms, or going about to gather alms or endeavour to procure charitable contributions of any kind under any false or fraudulent pretence.

Persons leaving wife or child referred to in this act, is provided for in bye-laws of 11th November 1814, section III, also for gaming, in bye-law, of 17th April 1820.

This act then proceeds. Persons having in their possession implements or weapons for any unlawful act or purpose.

The bye-law of 11th November, has also provided for suspected persons frequenting rivers, docks, warehouses, avenues or any public places of resort with intents to commit felony.

The act then goes on. Persons resisting a peace officer when apprehended as idle and disorderly, and if found guilty, shall be deemed a rogue and vagabond, shall be imprisoned three months with hard labour.

Persons deemed incorrigible rogues.

Section 3d. Persons breaking out of any place of legal confinement be dealt with as rogues and vagabonds, and persons so adjusted so to be before, and again apprehended as such and resist a peace officer, shall be deemed an incorrigible rogue, shall be imprisoned with hard labour, for six months.

Section 4th. Lawful for any person to apprehend and take before justice of the peace, found offending against this act.

Section 5th. Justice may issue warrants to apprehend suspected persons.

Vagrants to be searched and trunks, &c. to be inspected, what may be found to go towards expense of apprehending and maintaining them.

Justices may bind persons to prosecute vagrants at the sessions. Sessions may order payment of expenses to prosecutors and witnesses.

Clerk of the peace to make out and deliver order. Sessions may punish rogues and vagabonds and incorrigible rogues either with whipping or hard labour.

Lodging houses suspected of concealing such persons may be searched, and suspected persons brought before justices.—*Hurharu, August 16.*

UNION BANK MEETING.

At a meeting of proprietors, held this day, (15th August) A. St. L. McMahon, Esq. in the chair. T. Hclroyd, Esq. moved, that the following resolutions, passed at the general meeting held on the 14th ultimo, be now confirmed:

Resolution 1st. That in consequence of the greatly increased capital of the bank to 80 lacs of rupees from 30, at which it stood on the 4th May 1837, the limitation fixed by the resolutions of that date to the stock, which might be held by each proprietor, namely, 150

shares of Rs-1,000, be extended in the same proportion of three to eight, that is 400 shares.

Resolution 2d. That the qualification of any directors to be hereafter elected, be extended from its present amount of five shares to ten, as the capital has been doubled, and that a declaration be required from each candidate, that he holds the required number of shares bona fide, on his own account, or for self and partners in a Calcutta firm and not as trustee, agent, executor, administration or assignee, or collaterally on any other

account; and in case any director shall, during his term, reduce his interest below ten shares, he shall thereby be disqualified.

Resolution 3d. That no proprietor, after the present election, shall be eligible for a director's seat, until he has held his qualification for three months, being the time fixed for enabling a proprietor to vote.

Resolution 4th. That the scale of voting according to the amount of stock held, which now stops at ten votes

for fifty shares, be extended in the rate of one additional vote for every ten shares above fifty, and that each proprietor prior to voting, if required, shall make the same declaration as provided for in the second resolution.

This motion being seconded by J. Mackenzie, Esq. was carried unanimously.

The thanks of the meeting were voted to the chairman, when it was dissolved.—*Hurkaru, May 16.*

STEAM MEETING.

Proceedings of the tenth half-yearly general meeting of the subscribers of the new Bengal steam fund, and to the petitions to the House of Commons, held at the Town-hall, on Saturday, the 19th August, 1838.

Ross D. MANGLES, Esq. in the chair.

The chairman having read the requisition called upon the secretary to the committee to read the report, which is read accordingly.

Proposed by James Cullen, Esq. seconded by A. F. Smith, Esq. and carried unanimously,

1st.—That the report now read be received and adopted.

Proposed by W. Spier, Esq. seconded by W. Carr, Esq.
2d.—That this meeting following up the second resolution of the half-yearly meeting, held on the 18th August last year, reiterate their unabated desire for the immediate establishment of steam communication direct to the principal ports of India, and their firm determination to pursue by all possible means "a communication by steam packets, with Madras and Calcutta, as well as with Bombay," which has been declared by the president of the Board of Control to be nothing more than the people of England and India have a just right to expect.

Proposed by H. M. Parker, Esq. seconded by Thos. Holroyd, Esq.

3d.—That in the event of the late petition to the House of Commons, and memorial to the Board of Control, and Court of Directors failing to induce the authorities at home, to establish such a communication forthwith, the committee be requested to take measures for calling a general meeting, of the inhabitants of Calcutta and its neighbourhood, with a view to determine what further measures it may be proper to adopt.

Proposed by Ram Comul Sen, seconded by W. Storm, Esq.,

4th.—That H. M. Parker, Esq., be appointed a member of the committee, in the room of the late Archibald Dobbs, Esq.

Proposed by Thomas Holroyd, Esq. seconded by W. Storm, Esq.,

5th.—That the committee be instructed to address the supreme Government, urging the recent failure of the *Semiramis*, and the heavy disappointment and loss thereby inflicted upon the whole community as an additional strong reason for pressing earnestly upon the home authorities the prompt and efficient establishment of the comprehensive plain.

The thanks of the meeting were then voted to the chairman, and the meeting dissolved.

Ross D. MANGLES, chairman.
Town-hall, August 19th, 1838.

Report of the committee of the new Bengal steam fund, to the subscribers to the fund and to the petition at the tenth half-yearly general meeting convened under the 10th regulation of the original meeting of the subscribers to the fund, held on the 22d day of June, 1838.

The report, presented by the committee of the new Bengal Steam Fund at the last half-yearly meeting of the subscribers to the fund and petition to the House of Commons, agreed upon at the public meeting of the 4th January last, communicated the despatch of the petition to Bombay for conveyance to England by steam *via* the Red Sea, and they have now to report that it reached London on the 3d or 4th of May. In the interim the committee have caused to be published in all the papers of the presidency, the correspondence had with the home committee. The committee regret to state, that that correspondence will have afforded to the subscribers and the public, no information whatever of the progress of the important question. Subsequent to the presentation on the report of the late select committee of the House of Commons by Lord William Bentinck at the close of the last Parliament.

In their last report, the committee stated, that they had received no communication from the home committee, by the immediately previous mail; and they, therefore, were ignorant whether or not it was the intention of lord William Bentinck to follow up that report by any motion on the re-assembling of Parliament, nor have they since received any communication as to his lordship's intention. This, however, is now of the less consequence since the presentation of the petition, agreed to on the 4th January last, will, of course, enable his lordship to proceed with greater confidence.

But the committee cannot conceal their regret, that from the date of the report of the select committee, *viz.* the 15th July 1837, to the 12th May last, the date of the last communication received (from Captain Grindlay) acknowledging the receipt of the petition, the question should have had no agitation at home. They cannot but think, if, on the publication of the evidence taken before the select committee, judicious selections had been inserted in the leading journals throughout the country, accompanied by apt comments, and occasional application of the evidence to Dr. Lardner's arguments, that the public, especially that part connected with India, would have been in some degree prepared to support the prayer of the petition. The committee feel if agitation and discussion are not kept up at home, between the intervals of the necessary movements in India, that but luke-warm and merely passing support can be expected when the question is brought forward at home. They feel that it is only by a constant and systematical course of proceeding at home as well as here, that success can be looked for; and they, therefore, cannot but repeat their regret that the question should have been allowed to subside for so long a period, indeed without demonstration of any intention of further agitation, notwithstanding the ample materials furnished by the evidence taken before the select committee, and by Dr. Lardner's letter to Lord Melbourne.

From the date, however, of the presentation of the report of the select committee, the only communication received from the home committee, bearing on the

question, is that from Captain Grindlay above referred to, which is as follows :

London, May 12th, 1838.

To C. B. GREENLAW, Esq,

Secy. to the new Bengal Steam Fund.

Sir,—I am directed by the home committee to apprise you of the arrival of your communication to Mr. Mackillop, of the 12th February, transmitting the petition agreed to on the 4th January. I have directed attention to it by notices in the *Atlas*, of the 7th and 14th of April, and 5th May, and every opportunity which offers for renewing effectually the demand upon the public interest will be improved.

Lord William Bentinck has been for some time at Paris and only arrived in London on the 8th instant. He is and he has ever been, full of ardour in the cause, and prepared to exert all his power and influence to promote its complete success. The home committee meet next week, and I shall not fail to forward information of any thing that may occur interesting to the Indian community by the mail for June.

I have the honor to be, Sir,

Your most obedt. servt.

R. M. GRINDLAY.

It will be seen that Captain Grindlay states, that he directed attention to the petition by notices in the *Atlas*, of the 7th and 14th April and the 5th May, but, beyond this, nothing whatever appears to have been done by the home committee, subsequently to the presentation of the report of the select committee, even after a knowledge of the important proceedings had here on the 4th January last, which reached England early in April. Those proceedings have not been published, either by the committee or Captain Grindlay in any of the English papers. The Indian public are indebted to Captain Barber alone, that up to the 12th May, more than one month after their receipt in England, they were published in any English newspaper.

The committee cannot but again repeat their deep regret at this apparent general neglect of the question at home, from the date of the presentation of the report of the select committee to the receipt of the account of the proceedings held here on the 4th January, and also at the little notice taken of the subject during the following month. Captain Grindlay also states, that Lord William Bentinck is, as he ever has been, full of ardour in the cause, and prepared to exert all his power and influence to promote its complete success. The committee need not say that they have the fullest reliance on his lordship's zealous ardour in the cause, and that he will be ever found ready at his post when the occasion is made for his appearance. Such occasion, however, can only be produced by the continued and judicious public agitation of the question here and at home. Here it is the business of the committee to take care that the question is not allowed to slumber; at home it was the especial duty of their paid agent, acting, of course, with the general concurrence of the home committee, to do the same. The instrumentality of Lord William Bentinck in this matter is entirely distinct from that of the Calcutta committee's agent. It was and is the business and duty of the latter by constant agitation of the REAL question to inform the public mind as to the actual object sought to be attained, to explain its vast importance in contradistinction to the limited communication to Bombay, and to induce strong expressions of public opinion. This and this alone can arm Lord William Bentinck with power to act, and it is the want of this proper and judicious agitation of the REAL question at

home that this committee so deeply regret. They are waiting with much anxiety the arrival of the June mail, when they hope to be able to communicate to the subscribers a favourable report of progress.

The committee have always been mindful of passing events bearing on the question; and when circumstances have seemed to require a renewed expression of public opinion, they have not hesitated to make the appeal, which they are happy to say has always been met to their entire satisfaction.

The late failure of the *Semiramis* to affect the passage from Bombay direct to the Red Sea in the S. W. monsoon, is an event which has necessarily attracted the attention of the committee. They are as yet ignorant of the actual particulars, but, be they what they may, the failure cannot in any way impugn the practicability of establishing the comprehensive scheme; for if, instead of proceeding direct from Bombay, the steamer had at the same period left Calcutta, she would have arrived at Galle with ease in nine days, including one day's stoppage at Madras; at Galle she could have been readily joined from Bombay even by a sailing vessel in seven days. Thence proceeding to the southward through the Maldives, and making a course to bring Cape Guardafui to bear N. N. W. about 300 miles, she would avoid altogether the strength of the monsoon in the Arabian Sea; and, from that point having a fair wind to the Cape, she might put out her fires, clean her flues and boilers, and be prepared in good steaming order for the entrance into Red Sea. No one yet has said that a proper steamer would have any real difficulty in passing from Cape Guardafui to Suez at any time of the year. While the steamer was thus passing from Galle to Suez, the Bombay vessel, whether steamer or sailing vessel, might leisurely proceed by the southern passage to Socotia, thence to await the return of the Calcutta steamer, and thence proceed to Bombay with the packets, parcels, and passengers for that place, the Calcutta steamer, of course, proceeding on to Galle, Madras and Calcutta; and this is the operation of the comprehensive scheme during the S. W. monsoon; an operation at once furnishing the greatest possible accommodation to passengers, packets, and parcels to, and from all parts of India. This failure of the *Semiramis*, and its bearing on the main question as above noticed, will necessarily require attention hereafter, if a further expression of public opinion should be necessary. The disappointment and unnecessary expense, to which correspondents connected with the letters sent by her will have been subjected, will afford a strong argument for the communication being put on the most effective and comprehensive footing possible.

Month.	Number of Despatches	Time Occupied.	
		days	hours
June... 1837	2	13	1
July...	3	13	10½
Aug...	4	13	9½
Sept. 2	No mails	0	0
Oct. 3			
Nov...	3	14	4½
Dec...	2	11	20½
Jan... 1838	1	13	17
Feb...	1	15	3½
March...	3	12	10½
April...	4	13	12½
May...	4	13	21½
June...	5	13	12½
July...	4	13	20½

Again the committee have not been unmindful of the great length of time occupied in the transmission of the mails between Calcutta and Bombay; in the margin is a statement of the number of days taken in that transmission, during the year from June 1837 to June 1838, which the committee would beg the subscribers and the

public in general to compare with the following extract of a letter from the then chairman of the Court of Directors to the address of the president of the Board of Control, dated so far back as March 1837; bearing in mind, at the same time, that the English mail for Calcutta is

divided into three or more portions, (noted in the margin as "number of despatches") and forwarded on subsequent days; so that in the case of many letters some days are to be added to the number in the margin, as that of the transmission of at least a part of the English mail.

"The court are aware, that it will be necessary to promote, by every possible means, facility and quickness of communication between Bombay and Calcutta and Madras; and they have observed, by recent intelligence, that the Government of India has adopted arrangements for the acceleration of the *dawk*, by which packets may be conveyed from Bombay to Calcutta in from eight to ten days, and to Madras in about seven days, and which the court consider to be a much more rapid and certain and unquestionably more economical mode of communication than a steam conveyance."

It will be seen that this understood reduction of the time of the *dawk* from Calcutta to Bombay, to from eight to ten days, is expressly mentioned with a view to establish that letters by the English mail would reach Calcutta quicker by the Bombay route than by steam from Socotra, and therefore the *actual* number of days taken during the last twelve months, may fairly be employed to show that the route by steam from Socotra would be the quicker mode of conveyance, independent of other more important advantages. Assuming that a steamer in the S. W. monsoon would, from Socotra, steam at the rate of 200 miles *per diem* as well to Bombay as to Calcutta, the *first part* of the Calcutta mail would arrive via Bombay, according to the minimum time occupied in the transit from Bombay to Calcutta in eighteen days, and, according to the maximum time, in twenty-one days from Socotra, and the remaining parts from one to five days after; bringing after all nothing but light letters and newspapers at a heavy cost for postage, to the spot, moreover, to which and whence nearly one-third of all the letters to and from India are sent and despatched; while the *whole* would reach Calcutta by steam via Galle in seventeen days, allowing twelve hours' delay each at Galle and Madras; including in that *whole* letters, packages, and parcels, without limitation as to weight, and above all, that most important and indeed indispensable essential in any *really* beneficial mutual intercourse—MAN.

It is necessary also to bear in mind, that every improvement, whereby the speed of steamers is increased, is so much additional time gained, in bringing even the letters alone by steam from Socotra.

With respect to the transit of the mail from Calcutta to Bombay, the post-master general regularly gives notice that from thirteen days in the N. E. monsoon to fifteen days in the S. W. constitute the least safe period.

This fact of the more speedy course being by steam, especially during the S. W. monsoon, under existing circumstances, with the much greater reduction of time by steam, when the more speedy steamers, such as the GREAT WESTERN and VICTORIA are employed, combined with it, may be said, the impracticability of any arrangement being made whereby letters, newspapers, and monthly periodicals, to say nothing of passengers can be passed across the country to Calcutta, should also have attention and representation in the event of the last petition not being successful. The committee can only assure the subscribers and the public that while they have the satisfaction of enjoying their confidence, they will unremittently continue their exertions until success is obtained.

* Note.—This one-third of all the letters between England and India is not to be considered as including the letters received at Calcutta from, and for despatch to the *musul*, but expressly at the correspondence of Calcutta and its immediate neighbourhood.

The accounts are as usual laid upon the table. The balance on the 31st ultimo, was Co.'s Rs- 43,822 8-8, subject to a letter of credit for £1,000 on the house of Sir Charles Cockerell and Co. in favour of the home committee. The item on account of printing and advertising is very large. It has mainly been incurred by advertising in *all the papers of India*, the document connected with the conditional subscriptions of shares in a scheme for establishing a communication by steam from Calcutta, Madras, and Ceylon to England, by way of the Red Sea, by means of a company. The number of shares is 2,579, which at Rs- 500 per share, amounts to Rs- 1,289,500, subscribed by 758 individuals and firms. Mr. Turton, with whom the suggestion originated, having left England, the committee have made over the lists and documents to Capt. Barber; and they are satisfied, that when the matter is by him properly brought before the British public, it cannot fail to have a beneficial effect, as well on the public as on the authorities; on the public by shewing those who are willing to combine to establish the communication that they may depend upon efficient support in India; for although little aid has been received from Madras, yet the committee are quite satisfied that there will be no want of support at that presidency, when a well arranged and sufficient scheme is actually proposed. The authorities at home, it is presumed, will not fail to see in the general support given to the proposition and especially in the really moderate *individual* subscriptions, that the parties subscribing have not been led by enthusiasm or other motives to subscribe largely for shares; but that they have soberly, and with a fixed purpose to take up their shares, evinced the steady strength of their desire to have the communication established at the earliest period in the most perfect and efficient form possible.

The committee regret to report the death of their late colleague, Mr. Dobbs, whose attendance in committee and zealous interest in the success of the comprehensive scheme were unremitting. It becomes necessary for the subscribers to choose a successor.

By order of the committee of the New Bengal Steam Fund,
Calcutta, Town-hall, August 17th, 1838.
CHAS. B. GREENLAW, Sec.

Summary statement of receipt and disbursement on account of the New Bengal Steam Fund, from the 1st February to 31st July 1838.

To balance per last account, dated 16th February 1838, published in the Calcutta newspapers of the 22d February 1838.....	Co.'s Rs-	47,942	4	3
Amount received back from Messrs. Harding and Thacker, in part of the £500 remitted to them		1,968	6	4
Interest realized Company's paper		1,518	14	11
Amount realized by the sale of Pamphlets, by Mr. Ostell.....		14	6	6
	Total Co.'s Rs-	51,444	2	0

DISBURSEMENTS.

<i>By Secretary's office.</i>				
Clerk's pay from 1st Jan. to 30th June Co.'s Rs-		210	0	0
Stationery and blank books.....		34	0	0
Parchment.....		48	0	0
Section writer's work.....		8	0	0
Expense connected with steam petition.....		126	0	0
Transcribing proceedings.....		191	5	6
Compiling index for ditto.....		250	0	0
Ticca peons and palankeen-hire, &c.....		72	4	3
	Total Co.'s Rs-	938	9	0

By Postage.
Amount paid in this account..... 187 1 0

By Interest.
Amount charged against the fund upon the amount last due..... 320 3 5

507 3 5

By charges general.

Printing and Advertising charges paid as follows ;		
<i>In the Compendium and Daily</i>		
<i>Advertiser</i>	114	11 0
<i>At Colombo</i>	182	11 7
<i>Printing evidences</i>	448	8 0
<i>In the Englishman</i>	833	0 0
<i>In the Hurkaru</i>	1,250	9 3
<i>In the Courier</i>	580	10 0
<i>At Bombay</i>	1,602	7 2
<i>In the Delhi Akbar</i>	240	9 0
<i>In the Delhi Gazette</i>	160	4 0
<i>In the Friend of India</i>	236	6 0
<i>Agrn press</i>	504	15 6
<i>Paid six months' subscription to the Delhi Gazette</i>	18	0 0
<i>Newspapers</i>	18	0 0
	6,175	12 2
<i>Brought over</i>	7,621	9 4
<i>Balance on the 1st Aug. 1838, Co's Rs-</i>	43,322	8 8

Composed of the following.

<i>Balance as per last account</i>	47,943	4 3
<i>Cash in secretary's hand</i>	39	3 9
	47,981	8 0
<i>Less cash due to the Union Bank on the 1st Aug 1838</i>	4,158	15 4
<i>Co's Rs-</i>	43,823	8 8

The above balance is subject to £10,000 on account of letter of credit granted by Messrs. Cockerell and Co. in favour of the home committee.

CHAS. B. GREENLAW, Sec. N. B. S. F.

The 16th August, 1838.

[Hurkaru, Aug. 20.]

UNCOVENANTED SERVICE FAMILY PENSION FUND.

There was a very full attendance of subscribers to the uncovenanted Service Family Pension Found, this morning at the Town-hall, when

Mr. N. CAMPBELL, was called to the chair.

The chairman having taken his seat, called on the secretary to read the report; after which the following resolutions were moved and passed:

Proposed by Mr. C. Byrne, and seconded by Mr. R. Rose,

First.—That the report just read, be adopted and printed for the information of subscribers, carried.

Proposed by Mr. M. Cockburn and seconded by Mr. J. Madge.

Second.—That a copy of the report be forwarded to the right honourable the Governor General of India, as patron of the fund, carried.

Proposed by Mr. H. Andrews, and seconded by Mr. J. Madge,

Third.—That the amended code of rules now read, be adopted and published with the report, carried.

Proposed by Mr. W. Ryland, and seconded by Mr. H. J. Lee,

Fourth.—That the bye-laws passed by the directors, (just read) be approved of and published for the use of subscribers, and that the directors be at all times authorized to enact bye-laws for the settlement of cases arising out of the workings of the fund not specially provided for by its fixed rules and regulations; such bye-laws to be duly recorded and submitted at the annual general meeting for the information of subscribers, carried.

Proposed by Mr. W. Byrne, and seconded by Mr. Aviet,

Fifth.—That this meeting earnestly calls upon the uncovenanted servants at large, to afford their aid to a fund which, from its present state, may reasonably be expected to realize every hope of success, carried.

Proposed by Mr. H. Andrews, and seconded by Mr. W. Ryland,

Sixth.—That a copy of the report be forwarded to the president of the Council of India in Council for information; and that his Honour in Council be requested to

forward a copy to the honourable the Court of Directors, if deemed unobjectionable, carried

Proposed by Mr. Rose, and seconded by Mr. H. Andrews,

Seventh.—That the following gentlemen be appointed directors for the ensuing year, with power to add to fill up vacancies: Messrs. E. Wilkinson; N. Campbell; R. Kerr; J. Madge; H. J. Lee; C. Kerr; W. Ryland; C. Smith; W. Byrne; M. Johnston; T. P. Oxborough; and H. Maitindell, carried.

Proposed by Mr. W. Byrne, and seconded by Mr. Rose,

Eighth.—That the thanks of this meeting be given to the chairman for his kindness in presiding on this occasion, and for his able conduct in the chair, carried.

This fund has only been in existence a very short time, and is but in its infancy, it has however during this time notwithstanding the very limited support that it has hitherto received from subscribers, only seventy-five having yet declared themselves as such, provided for future need a capital of Co.'s Rs-20,000, and a monthly income from subscribers of Co.'s Rs- 1738-7 3; while on the other hand there are but two widows and four children at present as incumbents upon the fund, the aggregate amount payable to whom is Co.'s Rs-130-10-8. The receipts on account of the widow's fund for sixty-five assured amounted on the 31st July last, to Co.'s Rs-15,479 10-1-1 and on account of the children's fund for one hundred and twenty-seven assured the sum of Co.'s Rs- 5,582; making an aggregate receipt in fifteen months of Co.'s Rs- 21,601-10-11.

We call on all the uncovenanted service, for all must be interested equally in its establishment, to exert their utmost in bringing about the speedy and permanent establishment of the above fund, and to afford it every encouragement that may lay in their power for the obtaining of such an end. The fund is at present in a most flourishing condition, but still requires further support to be able to stand without the assistance of Government. We shall endeavour to publish the new rules that were passed at the meeting of this morning in a day or two, when perhaps we may have something more to say on the subject, —*Cul. Cour. Aug. 28. [Hurk. Aug. 29.]*

CALCUTTA CHURCH MISSIONARY ASSOCIATION.

FOURTEENTH REPORT.

Another year having been added to the existence of the Calcutta Church Missionary Association, it becomes necessary to submit to its supporters an account of the transactions of the past year.

The last year has been one of trial and difficulty. The want of means to carry on the work of the association with efficiency has been sorely felt; and the necessity of circumstances has induced the committee greatly to circumscribe their operations.

The balance against the association, as shewn in the account appended to the last report, amounted to Rs. 773-2-10, a debt of Rs. 800 was also contracted at the commencement of the past year, and the committee were in hopes that they would have been enabled gradually to liquidate the amount due to the treasurers; but the desire which they expressed of closing their connexion with the association, obliged the committee to devote the greater part of the subscriptions which had been raised, towards the liquidation of the claims of the late treasurers.

The committee were also necessitated to apply to the corresponding committee for aid, which was very kindly granted to the extent, on the first occasion, of Rs. 800, and on the next, of Rs. 500. The committee beg to express their grateful acknowledgments for the aid which was so seasonably afforded, without which the association would now have been in a far worse condition than it is at present.

In making the above statement, the committee do not desire to assume a discouraging tone. They wish only to recite the facts, in the hope that proper attention to them may lead to renewed exertions at a time when they are so much needed, and to greater dependence upon that blessed Saviour, for the furtherance of whose cause the labours of the association are carried on.

The express object of this association was to assist the corresponding committee in carrying on the work of native education on Christian principles in Calcutta and its neighbourhood. All the village schools about Budge-Budge and Dum-Dum which were at one time kept up by the corresponding committee were made over to the association, so that there were formerly about twenty schools under its care in various parts of the town and in and about the forementioned villages. Instruction has been communicated both in English and Bengallee, and the course of instruction has comprized the holy Scriptures, grammar, geography, ancient history, and arithmetic. There can be but little doubt that the use of such means must have had a beneficial tendency, and have collaterally aided in the furtherance of that great object which the gospel has in view; the knowledge of the way of salvation among men!

Although, compared with former times much is now being done to educate the natives, yet it is obvious, that the great mass of the population still continues in the most deplorable state of ignorance and superstition, living without hope and without God in the world; how greatly therefore is it to be deplored, that instead of about twenty schools, a still greater number could not have been established, when through this means so much good was likely to be accomplished! How much more is it now to be deplored that it should have been found necessary to reduce the number of schools that has heretofore been maintained!

The committee, proceeding according to the means at their disposal, have given up the schools at Baug-bazar and Mirzapore lane, which were those in the least promising state, the chapel at Hautkholla, as well as all the schools in the villages, except those at Baraset, Digheerpar, and Borsah.

There are still retained and supported by the association, the English and Bengallee schools at Baraset, the chapel and Bengallee school at Pottuldanga, the schools at Simla and Shampooker, the female department of the Christian institution at Mirzapore, the chapel at Digheerpar, and a room used as a place of worship at Borsah near Digheerpar.

In consequence of the repeated applications for a school at Mawnicktollah, a sicar has lately been engaged to commence a school there, and there is every prospect of its being well attended. It is intended, so soon as funds may be available for the purpose, to erect a school-room for the accommodation of the

scholars. Although, the funds of the association have been so extremely low, it felt itself justified in listening to this call, depending upon the Christian liberality of the people of God to enable it to carry on the work.

The association has also been recently engaged in erecting a suitable dwelling-house at Baraset for the use of the European catechist who has recently been placed there with a view to the efficient superintendence of the English and Bengallee schools, which, as they could be visited only once or twice a month from Calcutta, required more constant and efficient superintendence. In the English school at this place there were formerly about 100 scholars, but when last visited there were only about 70 in attendance, and this number has since been greatly reduced, owing to circumstances connected with the teachers; but it is hoped, that this reduction is only temporary, as, when the cause of this defection shall be remedied, there is reason to believe, that the number will again be equal to what it was formerly.

The English school at Allipore was supported, part of the year by the association, and in it there are about 100 scholars, most of whom acquitted themselves remarkably well, and were making very satisfactory progress in their respective studies. The state of the funds requiring a reduction in the expenditure, this school was transferred to the care of the Society, which has very kindly undertaken the charge of it, and continues to support it to the present time.

In the chapel at Pottuldanga, the gospel is preached to very fluctuating congregations of natives, who there on the opportunity of hearing of the way of salvation through faith in Christ Jesus.

The schools at Pottuldanga and Mawnicktollah are attended almost exclusively by Mussulman children, while those at Simla and Shampooker are attended by the children of Hindu parents.

The Christian institution on the mission premises which was commenced about five years ago, contain sixty-two boys, partly the children of native Christians, and partly orphans, has from the first been supported by the association, but this also has recently been transferred to the care of the Society. The children are educated in the Bengallee and English languages, and part of them in Hindu also, and it is hoped, that with the divine blessing, this institution will be instrumental in training up native Christian teachers and schoolmasters.

In the female department of the Christian institution, there are twenty-four girls, daughters of the native Christians on the mission premises and in the villages; these learn in the first place to read the Bengallee language, and having made such progress therein as to be able to read the new testament, they learn to read English also, in which language some are engaged in reading the new testament, and in committing catechisms and hymns to memory, while others are learning the first book. These children also devote a portion of their time to needlework.

At Digheerpar, Rutten, the eldest son of MadubGhatta, the first man who embraced Christianity there, about six years ago, is acting as catechist; this young man was some time ago a pupil in the Christian institution at Mirzapore, but the sudden removal of his father by death rendered it necessary for him to return home before his education was completed. There is reason, however, to hope, that the instruction which he received in the Christian school, will enable him to teach the way of salvation to the native Christians, and others residing in that district, and to Europeans, and even to such natives as have not been brought up at that very unhealthy station. Two native Christian catechists, Jeebon and James, who had been sent from Calcutta to reside there with a view to ensuring the regular and efficient instruction of the native Christians and catechumens, fell victims to the unhealthiness of the climate, having both within a very short time departed this life, in consequence of illnesses

which commenced there, and there is every reason to believe that they did so in the steadfast hope, through the merits of our adorable Redeemer, of entering upon that inheritance which is incorruptible, undefiled, and which will never fade away. These circumstances led to a discontinuance of the practice of sending native catechists from Calcutta, and to the endeavour to supply the places of the deceased from among the native Christians, who reside in those parts. With this view Peerit and Jogomohun were sent for and detained at the mission premises until they were able to read the new testament and the book of common-prayer, and then engaged as readers and sent down with instructions how to proceed in teaching the people in their villages, and they continued to attend to their duty for two or three years, but Peur having lately been engaged as a teacher to several native Christian families, who were obliged to seek employment at another station, another native convert, Petar Gopeenauth, has consequently been engaged to succeed him; and recently Jogomohun having resigned his situation also, the above-mentioned Rutten was appointed, in his stead.

Opportunities have lately been afforded for the introduction of the gospel among a few of the native inhabitants of that part on the eastern side of Calcutta, called Tangra, and those who have manifested a desire for Christian instruction have lately been visited weekly by Mr. Sandys, by which means the people of that neighbourhood have had opportunities of hearing something concerning the way of salvation, and many tracts have been distributed among them. It is hoped that the generosity

of the Christian public will enable the association to build a school-room, which may also serve as a chapel at this place, as the inhabitants have solicited that a school may be established for the instruction of their children,

Funds—The total amount collected for the purposes of the association, including the grants from the Society, from January 1837 to the end of April 1838, is Rs. 4,066 0-6, and the amount expended is Rs. 4072 14 0, leaving a balance against the association of 6-13-6

In closing their report, the committee beg to solicit from the Christian public, a continuance of that support which is so much required, in order, that the blessing of education on Christian principles may be brought to bear upon the great mass of the population of this city and its vicinity. Although much has been done to extend the blessings of education, yet it is still most obvious that great multitudes have not yet been privileged to enjoy its benign and cheering influence. The great body of the natives are still living in ignorance and superstition, for the amelioration of which the labours of this association are carried on. There is reason to believe that this association has been instrumental in awakening the native mind in some degree, and in drawing it forth to endeavour to participate in the blessing of education, it is therefore incumbent upon the association to persevere in its work of faith and to continue its exertions in dependence upon the blessing of Almighty God, until the people are brought from their degradation to the enjoyment of those privileges and hopes which the gospel of our Lord and Saviour Jesus Christ imparts.—*Cal. Courier, Aug. 30.*

A CURIOUS DOCUMENT.

We have been favoured with a document, which is too long for publication, but a *résumé* of which will, we think, prove of some interest. It is the returns for the month of July last, of the number of human bodies, dead cows, cats, dogs, horses, jackalls, and jackasses found floating on the Hooghly, and sunk by the moonidalerash boats of the Calcutta police. There are five boats employed on this duty.

During the month of July, the first boat sunk,

Mén.	Cows.	Dogs.	Cats.	Horses.	Jackasses.	Jackalls.
211	134	135	89	75	2	43

The second boat was rather more successful. The third boat still more so, and the fourth and fifth boats in a slight degree surpassing in the number of bodies sunk, the three first mentioned boats. The total number of human bodies found floating and sunk, is 1,095, and of dead cats, cows, dogs, horses, jackalls, and jackasses, the total numbers found and sunk in the same month amounts to 2,370. From the statement of

the first boat's exertions, our readers will see the jackasses appear to have the wit to keep themselves on dry land. In all only 20 jackasses were found floating and sunk by all the boats; but, considering that the ass is an undying animal, and that no one save Sterne ever witnessed the obsequies of one, we think the fact of the police ferashes being in at the death of twenty in one short month, is not the least surprising fact contained in the statement of their labours. How far the purity of the water of the Hooghly may be affected by these masses of corruption it is for Dr. O'Shaughnessy to say. We state the fact from the police report, leaving it to the calculators to find out how much of dead animal matter goes the cubic inch of water, under the above data. We should, however, recommend the use of a filter to our Hindu fellow subjects, provided they like their water clean and as this is a mere matter of taste, we dare say we may be wrong. We hope, however, there is no harm in observing that the above statement considered, of all known waters, those of the Hooghly may fairly be supposed to contain more of the animal-culæ than any other waters.—*Calcutta Courier, August 28.*

[*Hurkaru, Aug. 29.*]

ASIATIC SOCIETY.

The meeting of the Asiatic Society, on Wednesday evening was pretty well attended. There were present, Sir Edward Ryan, Drs. Evans, Greene, Spry, Stewart, Griffith, McLellan, Colonel Macleod, Captain Pemberton, the Rev. C. S. Mallau, Messrs. Speir, Ewart, Stocqueler, Rajseep, Stirling, Kittoe, Martin, &c. &c. The secretary laid before the meeting a report from a

committee appointed to consider the propriety of translating and printing Hooper's Anatomists, *Vide Mœcum.*

A discussion then arose as to whether the translation should be made in the Sanscrit or the vernacular tongue. On the one hand it was contended, that general utility would be consulted by rendering it into the vernacular; on the other, that, as the work was only intended for

a small and learned section of the community, the translation into Sanscrit would suffice, and that moreover, the bonus of 1,000 rupees offered by Mr. Muir, for the translation would then become available. The discussion terminated with a resolution, passed by the meeting, that the question should be referred back to the committee. Baboo Ram Comul Sen was added to the committee, at the suggestion of Mr. Hare.

Amongst the numerous works presented to the Society, were Sir G. Haughton's vindication of Mr. Colebrooke's "Vedantas," in answer to Colonel Vans Kennedy; a volume of Lardner's Cabinet Cyclopaedia; Transactions of the *Société Géographique de Paris*; a number of Jardine's Ornithology; Recollections of the Deccan, by a Cavalry Officer, &c. Amongst the specimens of natural history, were the skulls of two enormous ourang-outangs, presented by Mr. Gregory, 61st N. I.; sundry skeletons of the bustard, monkeys, &c.; the coat of the armadillo, a skin of a civet cat, and some specimens of stuffed birds. The miscellaneous presents embraced arms, specimens of cloth manufactured from Indian caoutchouc, combs, &c.

The secretary read portions of a letter from Captain Burnes, communicating information which he had gathered from Dr. Lort, respecting the fate of Mr. Moorcroft, who, it is now ascertained, from a memorandum

in Mr. Trebeck's hand-writing, died on 18th February, 1827. Some rude drawings, a map of Mourcroft's, and an account book, accompanied Captain Burnes' letter.

The sanction of Government to the payment (in arrears for 5 months) of the 500 rupees per mensem allowed to the Society by the Court of Directors was communicated. It appears, however, that the outlay is accompanied by some conditions which we did not exactly catch, Government intimates its readiness to subscribe to Mr. Toussaint's translation of the *Alif Léila*, as soon as it is informed of the probable cost of the entire work.

After the various presentations had been announced, Dr. Spry, as secretary to the subor statistical committee communicated the result of the labours of the committee, which appear, on the whole, to have been satisfactory. The committee have collected much information respecting the population, commerce, occupations, diseases of Calcutta, together with some statistical intelligence regarding Moorshedabad, Firhoot, &c. &c. all of which Dr. Spry was requested to suggest the committee to send up with a formal report.

After this, the meeting dissolved.—*Englishman*, August 3. [Mark, Aug. 4.

AGRICULTURAL SOCIETY OF INDIA.

A general meeting of the Society was held at the Town hall, on Wednesday, the 8th August, 1838.

The Hon'ble Sir E. RYAN, *President in the chair.*

Present.—Dr. Wallich, v. p. Messrs. C. K. Robinson, v. p. W. F. Fergusson, W. Cracroft, A. Grant, N. Alexander, J. P. Alcock, John Allan, D. Hare, F. T. Fergusson, W. Storm, A. Harris, W. F. Gibbon, T. S. Kelsall, and R. Campbell; Col MacLeod; Capt. Pemberton; Dr. Stroug; Dewan Ramcomul Sen; Messrs. T. Holtroyd, A. Porteous, R. Watson, R. S. Strickland, W. K. Ewart, C. A. Dyce, E. Preston, F. Kirchhoffer, and W. Jackson; Capt. W. Spiers; Messrs. Chas. Deatie, and John Bell.

Visitor.—Alex. Greig, M. D. introduced by Mr. Allan.

The proceedings of last meeting were read and confirmed.

The following gentlemen proposed at the July meeting, were duly elected members of the Society, viz.

Jeffrey Finch, Esq; W. Bell, Esq., c. s. J. D. Herklots, Esq.; Colonel G. W. A. Lloyd; Alex. Holmes, Esq.; George Barton, Esq.; Captain C. Dallas; D. E. Shuttleworth, Esq.; Dr. McCosh.

The following gentlemen were proposed as members, viz.

E. Mackintosh, Esq. (firm of Becher Mackintosh, and Co.) D. C. Low, Esq., proposed by William Storm, and seconded by the secretary.

James St. Pourçain, Esq., proposed by H. Piddington, Esq., and seconded by the secretary.

G. Gibbon, Esq., proposed by W. F. Gibbon, Esq. and seconded by the secretary.

G. H. Clarke, c. s. proposed by N. Alexander, Esq. and seconded by the secretary.

C. R. Richardson, Esq. (Tirhoot) proposed by the secretary and seconded by Dr. Wallich.

Motion of which notice was given at last meeting.

Mr. G. A. Prinsep's motion to set apart 1,000 rupees, answering for cotton seed, was brought forward, and, after some discussion, carried nem. con.

REPORTS.

The president brought to notice a second report drawn up by Mr. Bell, on the experiments which he had made with the cochineal insect committed to his care by the Society, which would duly appear in print.

In connexion with his inquiry, the president read a letter from Monsieur Bedier to the secretary, and extract of another letter from Monsieur Richard to Dr. Wallich, (see fuller extracts further on.)

And with reference to these communications, drew the attention of the meeting to a resolution proposed by Dr. Wallich at a general meeting on the 13th September 1837, to offer the Society's gold medal for delivery at Calcutta of a fair proportion of the cochineal insect in a living and healthy state.

The secretary informed the meeting, that he had received the chest of cactus and cochineal alluded to in the letters of Monsieurs Bedier and Richard, by the French ship *Therence*, Captain Caillaud; that the plants were very fine, although most of them were decaying at the root, and that they had very few insects upon them. That in concert with Dr. Wallich, whose opinion he had solicited, he had plucked them out immediately on receipt, as the only means of saving them.

The president stated, that the evidence collected from various quarters, and especially from Bourbon, as to the source from whence the supply of cactus and insect was originally obtained, went far to establish it as the true *grana fina*, concerning which there had been a doubt raised by some members, and thought that as the former committee appointed to investigate the question in dispute had already considered that, as far as they could decide, the insects before them (those from Bourbon and the Cape,) were as distinct as the *grana fina* of commerce is described to be different from the "*grana sylvestra*!" it now become necessary to appoint a separate committee, for the purpose of carefully perusing all that had been said on both sides, together with the fresh evidence of identity now submitted to the meeting, and to report their opinion to the Society.

The following gentlemen being requested to act as a committee signified their assent, viz. C. K. Robison, v. p. W. Cracroft, W. F. Feigsson, W. K. Ewart, and D. Hale, Esqrs., Mr. Hare consented to act as secretary to the committee.

Resolved accordingly, and that Mr. Bell be directed to make over to the new committee all papers connected with the subject.

Two reports upon samples of cotton were submitted, viz.

No. 1. Report upon samples, the produce of Egyptian nankin, and South Sea Island seed, grown at Huzaarebaug, Meerut, Dacca, and Tavoy, by Baboo Rajkissen Mookerjee. The Society at Meerut, Colonel Stacy and Captain Macfarquhar.

No. 2. Report upon samples, the produce of Upland Georgia, Sea Island, New Orleans, Peruvian, and Arracan seed, grown at Delhi, Singapore, Coosipore Beerbloom, Allahabad, Akyab, Cuttack, and Soonderbuns, by G. H. Smith, Esq., T. O. Crane, Esq., Dr. Haffnagle, the Beerbloom Society W. Lambert, Esq., Captain Bogle, the Cuttack Society, G. A. Prinsep, Esq.

Report of the Calcutta committee on samples of various sorts of wool received within the last four months, was also brought forward.

Report of the agricultural committee on the subject of a fruit tree nursery and the state of the sugar-cane plantation. All these reports have been confirmed, and directed to be made over to the committee of papers and acted upon.

The secretary intimated to the meeting that of four hundred packets of vegetable seeds received from the Cape, upwards of 200 parcels had been already distributed to members, and but few applications yet received from the mossul members. He wished to take the sense of the meeting, on the question of distributing any to natives this season as heretofore, with reference to the increased number of members during the last year, who might still call upon the Society for their respective shares.

The secretary further stated, that he had sent some parcels of seeds to Colonel Lloyd at Dorjeling, and that Dr. Campbell of Nepal and Lieutenant Kirke at Deyrah Dhoon, might wish for some to enable them to carry into effect the resolutions already passed, in regard to making those places available for the purposes of acclimating seeds for after cultivation in the plains; and it was ordered, on the recommendation of the president, that some parcels should be forwarded to those gentlemen for such purpose.

It was further proposed by Mr. Cracroft and resolved that an advertisement be issued to the effect, that unless members throughout the country apply for their shares before the 8th September next, the Society will be at liberty to dispose of the residue of seeds as they may think fit.

The secretary submitted medals engraved for Signor Matti, Messrs. G. W. Rose and G. Lay, and wished to know if he might deliver them to gentlemen authorised to receive them.

Proposed by the president and resolved, that the presentation of medals shall take place at the last anniversary dinner.

COMMUNICATIONS.

From Messrs. Boyd and Co., presenting in the name of Messrs. Tredgold and Pocock, of the Cape, a parcel of squash seeds.

From F. J. Halliday, Esq. secretary to the Government revenue department, dated 29th May, received 14th July, forwarding for the use of the Society, in conformity with the wish of the Hon'ble the Court of Directors, two copies of reports on the culture and manufacture of cotton, raw-silk and indigo, in India.

From A. V. Dunlop, M. D., secretary to the Agricultural Society of Azinghur, dated 7th July. In reply to the secretary's letter of the 15th June, respecting the amount awarded by this Society, to encourage the growth of European vegetables, annexes a memo. specifying the manner in which it is intended to distribute the rewards.

Gives a favourable account of the guinea grass introduced into that district. States that almost all the Otahette canes have suffered from the ravages of white ants.

From T. O. Crane, Esq. secretary to the branch Society of Singapore, dated 23d June, presenting a chest containing five sour-sop plants, and one of the "numnam;" promising by next opportunity to send a second supply of mangosteen plants, and some plants of a superior description of pine, together with samples of cotton, and a general report upon experiments hitherto made in that island.

From Those Leach, Esq. dated 17th July, presenting some strawberry seed just received from England.

N. B.—(At the service of applicants.)

From W. Storm, Esq. dated 24th July, forwarding a further specimen of the tusser-silk thread, wound off by Mr. Poulet at Bhauglepoie.

From the same, dated 6th August, presenting a citron grown in his garden at Chaudairi.

From Monsieur Bedier, late Governor of Chandernagore, dated Bourbon, 16th June, acknowledging the receipt of secretary's letters of the 16th February last, and with reference to the request therein conveyed, advises the despatch per French ship *Therence*, of a chest containing plants of the castilian nepal, with the cochineal insect thereon.

Monsieur Bedier, in reply to the several points of inquiry put by the secretary, informs the Society that the cochineal and cactus, upon which it is reared in the Botanic-garden at Bourbon, were originally introduced to the colony in October 1826, having been brought from Cadix, by a French ship of war, *The Elephant*, at the instigation of the French Government, and quotes the authority of the Count-de-Cheffautaine, in a discourse delivered on taking charge of the Government of Bourbon at that period, that every precaution had been taken to have the true nepal, and the *finis* cochineal. He, (the Count de Cheffautaine) having been charged to take care of these precious objects, introduced them into Bourbon.*

Monsieur Bedier answers the question put by the secretary, as to the cause of its being confined to the botanical-garden at Bourbon, thus "L'introduction de la cochenille à Bourbon, n'a pas eu les résultats qu'on en esperait; le pis du travail y en trop leve pour que cette industrie puisse y être productive; en suite la regularité et la minutie des soins qu'elle exige, n'entrent pas dans les habitudes et l'esprit des petits creoles aux quils on la destinait."

Monsieur Bedier quotes the authority of Menonville, Monsieur Perotet, naturalist to the French Government now at Pondicherry, and Monsieur Richard, in favour of the Bourbon insect being the true *grana fina*; all those authorities having had under their charge, both the *finis* and the *sylvestre*, and after a very careful examination, Monsieur Bedier adds his conviction that the insect is the true *grana fina*.

From Dr. Wallich, dated 4th August, enclosing extract of a letter from Monsieur Richard to his address, dated Bourbon 20th June 1838, on the subject of cochineal. This gentlemen says,

* The cochineal cultivated at Cadix, from which the Bourbon supply has been derived, had its origin in a chest of castilian Nepal with the *grana fina*, presented to the Royal Economic Society of Cadix, by Don Idefonso Ruz del Ros, to whom it was sent from Vera Cruz in 1820, by Don Pedro Josep Cuasogot, under special charge of Don Josep Martinet, (Note by the secretary.)

"Since its arrival at Bourbon, this species has always been regarded in this country as the true fine cochineal, and I frankly confess my opinion, I have been in the habit for several years of seeing the cochineal called the sylvestre. The very remarkable difference which exists between the two species, does not admit of a doubt upon its identity with the *grana fina*."

From Major C. C. Smyth, dated Neemuch July 10th, presenting a few seeds of birch, beech, and alder trees, lately received from Van Dieman's Land.

From Dr. Wallich, dated August 5th, presenting in the name of Major Aicher, a quantity of creole paddy, brought by that gentleman from Bourbon.

From T. H. Garduer, Esq. dated Augt. 6th, presenting a small sample of Assam tea, prepared by Dr. Scott.

From Major H. C. M. Cox, dated Barrackpore July 30th, forwarding a few observations on experiments made on the price of the berry or fruit of the "*passiflora minima*," which has the property of yielding a fine purple dye, which turns on exposure to the sun to a brown colour similar to "*sepia*," enclosing a sample of muslin dyed purple, and paper tinted with the brown.

From James Prinsep, Esq. assay master, dated 6th August, forwarding three gold medals, struck at the mint for the Society, two engraved and one blank, the amount cost of which is Rs. 369-10 0.

From W. Bruce, Esq. dated July 27th, intimating his intention of entering extensively into the grazing of sheep at and in the vicinity of Dorjeling, mentions having already there a flock of Tartary sheep, of fine fleece, and is now taking up some Doowbah, Patna, and Merino rams and ewels. Mr. Bruce is informed, that within a very trifling distance of Dorjeling, immense tracts of grazing ground are within reach entirely free of locust, and is sanguine that at Dorjeling, he will be able to graze a very tolerable proportion, and from what he has seen of the country that he will succeed in his views.

From Captain E. Rose, commander of the *John Fleming*, dated July 27th, intimating that he has brought out six Norfolk rams from England, with the intention of competing for the premiums offered by the Society.

From M. G. Rose, Esq. dated Rammaghui 2d June, acknowledging receipt of secretary's letter of the 15th June, announcing that the Society had awarded him the gold medal for the best sample of raw-silk, and requesting the same may be made over to W. Storm, Esq.

From Lieutenant H. Bigge, dated Cowhatty 1st July, forwarding a sample of cottons grown in his farm at Bissnath from Pernambuco seed.

From James Anderson, M. D. secretary to the Agricultural Society, Beechbloom, applying for Otahute sugar-cane, &c.

From J. W. Wilson, Esq. M. D. secretary Agricultural Society of Comillah, dated 23d July, applying for Otahute sugar-cane and seed.

From Captain Lloyd, dated Dorjeling 23d July 1838, acknowledging receipt of cotton and garden seeds and transactions.

States his opinion, that coffee and tea plants are likely to thrive at and about Dorjeling.

From the Society of Natural History of Mauritius, its 8th annual report.

From the Royal Asiatic Society of Great Britain, its Journal, No. 8.

From Mr. Bell, a quantity of fresh guinea grass seeds, of the "*Anburry*" melon grown by N. Alexander, Esq.

From Major Sleeman, giving extracts from his Diary in 1835, on the subject of a blight which attacked the wheat and other grain crops, with some interesting details relative to superstitious notions of the native as to the causes.

(*Referred to the committee of papers.*)

From Samuel Smith, Esq. dated 8th August, presenting some very fine ripe figs.

A sample of wool, from Mr. Cope, of Meerut, referred to in his letter of May proceedings.

The thanks of the meeting were ordered to be offered for all these communications and presentations.

Town hall, 8th August 1838. JOHN BELL,
Hurkara, August 9.] Sec.

A special meeting was held in the Society's room, Town-hall, on Wednesday morning, the 29th August 1838, agreeably to the following advertisement, viz.

"To take into consideration such circumstances as may be brought before it, relative to the state and management of the nursery on the 21st August to the 18th September 1837."

PRESENT.

The hon'ble Sir E. RYAN, *president in the chair.*

Rajah Radakant Deb Bahadour; James Pattle, Esq.; N. Wallich, M. D. V. C.; Messrs. W. F. Ferguson and W. Cracroft; Col. McLeod; Capt Pemberton; Messrs. W. Ainslie, H. Cowie, Samuel Smith, D. Hare, R. Watson, A. Colvin, C. Huffnagle, M. D. D. B. Syers, and Thomas Leach; Captain Speers; Professor O'Shaughnessy; Messrs. W. Storm, W. K. Ewart, J. H. Stueckeler, A. Holmes, C. R. Prinsep, C. Dearie, W. Jackson, H. J. Leighton, C. A. Dyce, W. P. Gibbon, A. Grant, T. H. Gardiner, M. G. Ross, F. P. Morell, E. Preston, R. H. Strickland, M. G. Staunton, T. Bae, J. S. May, N. Hudson, T. S. Kell-all, and John Jenkins; Lieut. Sibley; The Rev. T. Boaz; Dr. Egerton; Captains H. J. Woods and Carter; Messrs. J. W. Masters, Thos. Bracken, and G. A. Prinsep; Baboo Pearymohan Day; Mr. Colin Campbell; Dr. Macpherson; Messrs. W. Dowson, R. Smith, Jas. Crooke, and F. L. Beaufort; Baboo Dwar-kagath Tagore; Lieut. Abercrombie; Messrs. A. Beattie and N. Alexander; Dewan Ramcomul Sen; Mr. R. Walker; Baboo Prosoonocomar Tagore; Messrs. W. Cobb Hurry, Thomas Holroyd, P. Sutherland, Rustonjee Cowasjee, A. Gouger, J. P. Marcus, A. Postous, Thos. Palmer, and John Bell.—Visitor Mr. John Franks.

The president opened the business of the day by reading the advertisement calling a special meeting—and drew the attention of members to the following correspondence:

(No. 1.)

Mr. Cracroft's letter to the president.

To the Honourable Sir EDWARD RYAN,
President of the A. H. S. India.

HONOURABLE SIR,—1. In consequence of the publication of a pamphlet containing a certificate given by Mr. Masters, relative to our visit to the nursery garden, we have thought proper to put certain questions to that gentleman, to which he has declined to reply. We submit the correspondence for your consideration and that of the Society, before whom we request you will do us the favour to lay this letter.

2. We also think it necessary to offer a detail of what passed during our visit to the nursery, and of what we heard and observed therein regard to any change in its state, between 21st August and the time of our visit on the 18th September last. On the landing of the first party, consisting of Mr. Ainslie, Mr. Colvin, Mr. Gibbon, and myself, at the garden gate, we were met by Dr. Wallich, who accompanied us in the direction of

the nursery, being in conversation with myself, and after pointing out the path leading thither, he left us, and no communication whatever took place regarding the state of the nursery. Mr. Masters met us at the gate with Dr. Wallich, and was in attendance the whole time. The nursery was afterwards visited by Mr. Hare and Mr. Stirling together, and subsequently by Mr. Watson, on the same day.

3. The secretary did not accompany either of the three divisions to the nursery as implied by Mr. Masters' certificate, and which implication he has not denied; the secretary was indeed there when the first party were about to quit the nursery, and he spoke casually to Mr. Gibbon, but not on the subject of the visit, and immediately afterwards walked away.

4. Mr. Masters gave the first party unequivocally to understand, that the nursery was substantially in the same condition in which it had been at the time of Dr. Griffiths' visit. Mr. Cracroft and Mr. Gibbon distinctly recollected that Mr. Masters was questioned on this point; and Mr. Hare, Mr. Stirling and Mr. Watson afterwards questioned the males, and received the same information. Mr. Masters was, of course, not understood to allude to a large patch of land, trenched or the reception of new importations, and on which labourers were seen at work; but principally to the cotton beds, which were the chief object of our inquiry.

5. I particularly questioned Mr. Masters, whether he experienced any clog from any quarter, upon his exertions in keeping the nursery in good order, or whether he met with any interference or opposition to his views and wishes, on these heads he answered by a decided negative. I repeated the question in a different form, whether he met with confidence and co-operation, and this met with as decided an affirmative; he added, that he acted under the orders of Dr. Wallich, who was head of the garden, but who readily attended to any suggestion which he offered; he also told the party, of which I was one, that any trees could be cut down if the situation was thought too confined, but, that he did not think that it was so.

6. Understanding that Mr. Masters was the principal manager of the nursery, and finding as we did, that his exertions have been perfectly uncontrolled, we cannot help observing, that if any thing was found to blame on the 21st August 1838, it must have been in consequence of Mr. Masters' neglect, and that he alone should bear the blame; and if any change had been made in the interval alluded to, it must have been with his knowledge and assent, but this, as above stated, he fully denied to the first visiting party.

7. We have thought it necessary on our own account to bring this statement to the notice of the Society, and we trust we shall not be considered to have troubled them unnecessarily.

8. Finally, we request, with reference to a report that you, honourable Sir, are likely to absent from the presidency at our next regular meeting, that you will have the goodness to call a special meeting of the Society, to take into consideration such circumstances as may be brought before it, relative to the state and management of the nursery from the 21st of August last year to the date of our visit, on any day which may appear convenient.

I have the honour to be, Sir,

Your most obedient servant,

W. CRACROFT,

Chairman.

Calcutta, August 24, 1838.

Present at the meeting of the 24th.

W. Ainslie

A. Colvin

Wm. Cracroft

W. F. Gibbon

D. Hare

Robt. Watson

(No. 2.)

Mr. Cracroft's letter to Mr. Masters.

To J. W. MASTERS, Esq.

DEAR SIR,—With reference to a pamphlet lately published by Dr. Griffiths, to which a certificate with your name is attached, I beg to make the following observations, and solicit information in reply to queries contained in this letter.

You were present at the meeting of the Society on the 13th September last, when Dr. Griffiths' letter of the 24th August, the secretary's reply and Dr. Griffiths' rejoinder were read, and when myself and other gentlemen were named as a sub-committee to visit and report on the state of the nursery, and it was observed on that occasion, that the nursery committee's hands having been tied since the receipt of Dr. Griffiths' letter, it was desirable that an early day should be fixed for the next meeting.

You were also present at the garden when myself and several others of the sub-committee visited it and accompanied us all over the nursery.

I observe further, and Mr. Bell's statement published in the papers, relates especially to the cotton beds having been left as they were for our inspection, whereas your statement published in Dr. Griffiths' pamphlet, certifies the employment of ten coolies and a boy generally in the nursery after his visit.

1stly,—If the ten coolies and boy were not the same as those previously entertained, and were employed during that time in digging and trenching the beds of sugar-canes, and that which we observed prepared for a new importation of canes, &c. and not in digging, weeding, or turning the cotton beds, I shall be obliged by your certifying in reply that such was the case, and in that event no replies will be necessary to the following questions:

2dly.—If the ten coolies and boy were employed in addition to the hands previously entertained in the nursery, why did you not state that fact at the meeting of the Society on the 13th Sept when the hands of the nursery committee were declared to be tied till an inquiry should be made?

I put this question, because it appears to me, that as member of the Society, you should and might, under such circumstances, have prevented the appointment of a sub-committee, by mentioning that the nursery was no longer in the state in which Dr. Griffiths' had seen it.

3dly.—If the ground of the cotton beds had been turned up and weeded during the interval between the 24th August and the date of our visit, what might be your reason for keeping myself and the other members of the Society who visited the garden in the dark as to that fact, either at that time or subsequently?

4thly.—Your certificate states, that on the 18th September, the garden was "visited by the select committee and the secretary," implying as it seems, that the secretary accompanied the members of the committee on their visit, have the goodness to state if such was the case, and if any, and what communication passed between the secretary and any member of the committee, or could have passed without your cognizance.

I address you at the request of the members of the sub-committee who visited the nursery, with the exception of Mr. Stirling, who is not at the presidency, and by their desire beg the favour of an early reply.

I am, dear Sir, your most obedient servant,

W. CRACROFT.

(No. 3.)

Mr. Masters' reply.

To W. CRACROFT, Esq.

DEAR SIR,—I have been favoured with your very polite letter of this date, and am extremely sorry that I cannot consistently comply with your request, by furnishing answers to the questions which you propose.

I am, dear Sir,
With the greatest respect, your obdt. servt.

J. W. MASTERS.

Botanic-Garden, Aug. 20, 1838.

(No. 4.)

Mr. Cracroft's letter to Mr. Masters.

To J. W. MASTERS, Esq.

DEAR SIR,—After receiving your reply, declining to answer any of the queries contained in my letter (dated I think the 20th), the select committee thought it necessary to address the president of our Society on the subject; as it appears just that you should be aware of the nature of that address, I communicate a copy of it for your information.

I remain, dear Sir,
W. CRACROFT.

(No. 5)

Mr. Masters' reply.

To W. CRACROFT, Esq.

DEAR SIR,—I have the pleasure to acknowledge the receipt of favour of this date, together with a copy of an address to the honourable Sir Edward Ryan.

I remain, dear Sir,
With respect, your obdt. servant,
Botanic garden, Aug. 29, 1838. J. W. MASTERS.

(No. 6.)

Nursery committee's letter to the president.

Calcutta, 21st August, 1838.

THE HON'BLE SIR EDWARD RYAN,
President of the Agr. Society of India.

HONOURABLE SIR,—We are compelled to bring to your notice the enclosed copy of a letter addressed by us to Mr. J. W. Masters on the 10th instant.

To this letter we have received no reply, indeed none could have been returned without Mr. Masters placing himself in a still more humiliating position than he already occupies.

We give the most positive orders to Mr. Masters not to allow any part or parts of the Society's nursery to be touched, to which allusion had been made, and our perfect conviction is, that if the nursery was in an "untidy state, as represented by Mr. Masters on the 21st August 1837, it must have been in a still more, untidy state when visited by the special committee on the 18th September.

We have nothing further to add, except the expression of our confident hope, that the Society will adopt some measure that will place our conduct and motives in an unquestionable light before the public.

We have the honour to be, Hon'ble Sir,
Your very obdt. servts.
N. WALLICH, M. D.
W. STORM.
JOHN BELL.

(No. 7.)

Nursery committee's letter to Mr. Masters.

Calcutta, 10th August, 1838.

MR. J. W. MASTERS.

SIR,—A pamphlet having appeared under the signature of Mr. William Griffiths, bearing the title of "supplement to vol. 5th of the transactions of this agricultural and horticultural Society of India," in which, at page 17, is a declaration signed "J. W. Masters," member of the agricultural and horticultural Society of India, bearing date Calcutta, 29th July 1838. We, who constitute the committee, appointed by the agricultural Society of India, to superintend and direct operations in the nursery at the time to which the said declaration refers, feel called upon to request that you will be pleased to state in the most unequivocal terms, by whose orders, or with whose knowledge, the simultaneous operations of digging, hoeing, weeding, and otherwise clearing the Society's nursery! were carried on?

2. We request you will inform us with reference to that part of your declaration,* what alterations had taken place (as we do not understand the exact meaning of the term "untidy," and whether during this interval you were not desired by the committee, and repeatedly enjoined by Dr. Wallich not to allow any of those parts of the nursery to be touched to which Mr. Griffiths' animadversions especially applied?

3. Since you have noted particularly the number of labourers employed, you will be pleased also to state, whether those hands formed the establishment of July and August 1837, and whether any accession of labour was brought to bear on the nursery between the date of Mr. Griffiths' visit and the meeting at the garden, of the select Committee; and whether the "untidy appearance of the nursery was improved by the orders, or with the sanction of any of the undersigned, individual or collectively, or whether it was lessened by any orders emanating from yourself.

These are points on which we request you will be explicit.

4. As you have declared that the nursery was in an untidy state when visited by Mr. Griffiths, will you say whether you did at any time, bring this, your opinion to the notice of the committee, or to the notice of the superintendent of the botanical-garden, with whom you had daily opportunities of communication, and whether you never thought it a part of your duty to notice

* "And that the nursery did not exhibit, the same untidy appearance on the 18th September last, when visited by the select committee and the secretary, as it exhibited on the 21st August, when visited by Dr. Griffiths."

† Extract from bills sent in monthly under the signature of Mr. Masters, head gardener, and paid by the secretary on account of the Society's nursery.

Number of Labourers employed.

1837.	Head Males	Males.	Cooperatives.	Yucca Cooperatives.	Boys.	Total.
January	1	0	4	7	0	12
February	1	0	4	6	0	11
March	1	1	3	6	0	11
April	1	1	3	6	0	11
May	1	1	3	6	1	12
June	1	1	3	6	1	12
July	1	1	3	6	1	12
August	1	1	3	6	1	12
September	1	1	3	6	1	12
October	1	1	3	6	1	12
November	1	1	3	6	1	12
December	1	1	3	6	1	12

“the untidy” state of the nursery in your journal† and how you reconcile the statements hereunder in juxtaposition?

(Extract from Journal written by Mr. Masters, 27th July 1837.)

“All the canes, and all the cotton, with every other plant of interest, are looking very well. Two fine beds of asparagus plants from American seed, eight plants of Captain Stirling’s cotton from Fernando. Nearly all the ground is trenched, ready for cropping.”

Lastly, we request you will state, if, from a state of things which appears, by the above entry, to have called forth your unqualified praise on the 27th July, such a material change took place in the aspect of the nursery as to make you declare that when Mr. Griffiths visited it on the 21st August, it bore an “untidy appearance,” you can, in any manner account for such change? did it proceed from relaxed vigilance on your part, since the 27th July, when you expressed so favourable an opinion of things in general; or owing to what cause do you ascribe the sudden change of sentiment?

On the other hand, as the nursery is declared by you to have as suddenly recovered from an “untidy state” after Mr. Griffiths’ visit, as it had elapsed into between the 27th of July and the date of such visit, you are requested to state, if greater vigilance on your part was the cause, or owing to what circumstance this singular fluctuation of opinion has been effected.

Or, in other words:

With the same complement of labourers, as when the nursery was described by you to be in a promising condition, how do you account for its assumed unfavourable state, and for having allowed it to get into such a state, at that particular moment when Mr. Griffiths’ animadversions appeared, and by what extraordinary means was it brought back to its previously admitted promising condition when visited by the special committee?

We are, Sir, your obedient servants,

N. WALLICH, M. D.
W. STORM.
JOHN BELL.

The above correspondence having been read from the chair, Mr. Masters addressed the meeting on the several points adverted to therein.

RESOLUTIONS.

No. 1.—moved by Mr. Cracroft, seconded by Mr. W. F. Ferguson, “that Mr. Masters, in giving Dr. Griffiths a certificate for publication at variance with the statements made by him to the members of the select committee, when he accompanied to the nursery, has acted with a want of regard to the interests and credit of this Society.”

† “Journal of proceedings at the honourable Company’s botanical-garden, in behalf of the Agricultural Society of India.”

(Extract from Mr. Griffiths’ Pamphlet)

“I hereby declare, having been called upon to do so as a member of the Agricultural and Horticultural Society of India, that between the 24th of August and the 3d of October 1837, ten men and one boy were constantly employed in digging, hoeing, weeding, and otherwise clearing the Society’s nursery. And that the nursery did not exhibit the same untidy appearance on the 18th September last, when visited by the select committee and the secretary, as it exhibited on the 21st August, when visited by Dr. Griffiths.”

J. W. MASTERS,
Member Agr. & H. S. India.

Calcutta, July 29, 1838.

This motion having been put to the vote, there appeared on the names being voted,

For the motion ... 54
Against it ... 1

Carried by a majority. ... 53

N. B.—Of course neither the president nor members of the special or original nursery committees voted on the occasion.

No. 2. moved by Mr. C. Dearie, seconded by Mr. T. S. Kelsall,

“That as Dr. Griffiths’ charge respecting the state of the Society’s nursery, when he visited it on the 21st August 1837, is substantially correct, this Society expresses its regret, that, owing to some misunderstanding in the evidence upon the question submitted to the committee, whereby their report is at variance with his, the Society apologizes to Dr. Griffiths, for the discrepancy thereby occasioned in the committee’s report, as well as of the rejection of his last communication.”

Mr. Stocqueler moved the following amendment on Mr. Dearie’s motion:

“That, as no evidence has been adduced to shew that Dr. Griffiths had made a mis-statement *knowingly*, regarding the condition of the nursery on the 24th August, or regarding the proceedings of the committee (since it appears he had evidence on which he had been every reason to rely) that the reply to Mr. Griffiths’ last letter be withdrawn.”

Mr. W. F. Ferguson moved as an amendment on Mr. Stocqueler’s proposed amendment, seconded by Mr. A. Beattie:

“That the Society adhere to their former resolution regarding the nursery, and also with respect to Dr. Griffiths’ communication which they consider offensive in its language and wholly uncalled for on the occasion.

This last amendment having been put to the vote, there appear on the names being voted,

For it ... 52
Against it ... 4

Carried by a majority of ... 48

N. B.—Of course, neither the president nor member of the special or original nursery committee voted on the occasion.

No. 3. Moved by Mr. C. R. Prinsep, seconded by Mr. Richard Walker,

“That this meeting do now adjourn, *sine die*,” carried, *nem. con.*

No. 4. Proposed by Mr. Pattle, seconded by Baboo Dwarkanauth Tagore.

“That the whole of the correspondence this day submitted to the meeting, and resolutions passed be published at full length in the newspapers and proceedings of the Society, carried.

On the proposition of Mr. C. R. Prinsep, the thanks of the meeting now voted to the president for his conduct in the chair.

JOHN BELL, Sec.

Calcutta, Town-hall, August 29, 1838.

[Harkaru, Aug. 30.

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of the meeting of the medical and physical Society of Calcutta, held at the Asiatic Society's apartments, the 4th August 1838.

Letters were read from Sir James McGregor, returning thanks on behalf of the library at Chatham, for the 3d and 4th numbers of the Society's *Journal*, and on his own part for the 1st part, vol. 8th of the *Transactions*.

From the secretary of the Royal Asiatic Society, returning thanks for the 8th vol. part 1st of the *transactions*, and the 1st and 2d Nos. of the *Quarterly Journal*.

From the Secretary of the Asiatic Society of Bengal, presenting on behalf of that body, duplicates of some of Dr. J. R. Cox's publications lately received from Philadelphia.

From M. Desjardins, secretary to the *Société d'Histoire Naturel* at Mauritius, forwarding copies of the eighth report of that body.

From A. Halliday, Esq. requesting to withdraw from the list of members.

The following communications were presented :

A paper upon magnetism explanatory of his electro-magnetic Hemisphere, by the late R. Tytler, Esq. presented by the medical board.

An account of some intestinal worms, and memoranda of cases of lithotomy, by J. Taylor, Esq. Dacca.

Dr. O'Shaughnessy read an extract from the last No. of Johnson's *Medico Chronological Review*, containing the important information, that the Peruvian Government had suspended the exportation of cinchona bark for a period of five years. Dr. O'Shaughnessy then laid before the Society the details of thirty-two cases of remittent and intermittent fevers treated by narcotine as a substitute for quinine, and of which thirty-one were cured.

The cases previously described in the first report of the pharmacopœia committee were twenty-seven making on the whole sixty, of which the narcotine was successful in all but two.

The cases now communicated were as follows :

Two cases by Dr. Goodeve. One of them the case of the late deputy collector of Chittagong. Quotidian of several months standing, spleen enlarged. Quinine was used without success, although given in every possible form. Arsenic was then tried and checked the fever, but did much mischief to the patient's general health. Narcotine was then given and with such success, that Dr. Goodeve concludes it thus : " I do not hesitate in saying, that this patient owes his life to the remedy in question." The other case was a patient labouring under inflammation of the bowels at the same time, where the administration of quinine would have been inadmissible.

Three cases are reported by Dr. Smith, of Hidgees, who adds " as far as these three cases go, I cannot speak too favourably of the narcotine, and am very desirous of trying it more extensively, to Captain Marshall of Calcutta, communicated three cases of severe ague occurring among his servants: all were rapidly cured, and Captain Marshall says, " It would be presumptuous in me to offer any opinion as to the virtues of narcotine; all I can say is, that if ever I am ill of fever I shall unhesitatingly and confidently

prefer it to sulphate of quinine or any other medicine I know of."

Mr. R. O'Shaughnessy described the case of a man on whom he had operated for stone, and who was attacked by violent ague on the day of the operation. The ague returned next day at the same hour. Mr. O'Shaughnessy considered it unsafe to employ quinine under these circumstances, and had recourse to narcotine, four doses of this medicine were given, and Mr. O'Shaughnessy states : " The fever did not return, the wound was not in the slightest degree affected; there was no excitement or headache produced. After he took the first dose, he slept soundly, which he had not done the two previous nights, and he was discharged cured of the effects of the operation on the fourteenth day after its performance.

Mr. O'Brien, the apothecary of the native hospital, reported three cases, Mr. Evans one, the Pandit Modhosoodona Gupta one, all successfully treated. The Pandit's patient laboured under dysentery at the same time.

Dr. Chapman, a-sistant surgeon of the Calcutta general hospital, related the case of a European, who contracted violent remittent-fever at Kedgeree on the 16th July, and was received in hospital on the 19th. Quinine was used in the usual manner on the first remission on the 20th, and again on the 21st, but the symptoms were rather aggravated than improved. The narcotine was then given, and its use was speedily followed by a complete remission. From that time the fever did not return with the exception of tediousness and slight headache on the evening of the 25th.

On the 28th, all medicines were omitted and the patient was discharged convalescent.

Dr. O'Shaughnessy further submitted two cases, treated in his own home among his servants, both of which were cured. Lastly, he communicated fifteen cases extracted from the journal of the medical college hospital. In five of these cases quinine and arsenic had failed, in eleven there was enlargement of the spleen or liver, in one inflammation of the knee joint. Seven of these cases were remittents and two of these had died. Of the two fatal cases one was admitted on the 7th day of violent fever and died next day. In the 2d (a child) the spleen, liver, pancreas, and mesenteric gland, were immensely enlarged, and the case hopeless upon the beginning.

Dr. O'Shaughnessy added, that besides the sixty cases now recorded over 100 ague patients had been treated by his pupils and acquaintance with perfect success by this remedy. He, therefore, felt warranted in proposing, that, in order to obtain, speedily, conclusive and unbiased evidence on the subject, the members of the Society resident in the most unhealthy parts of the country (and he specified Kyouk Phoo, Akyab, Chittagong, Tumlook, Rungpore) be invited to give the narcotine a trial and to report the results. Dr. O'Shaughnessy offered to place a sufficient quantity of the remedy at the disposal of the Society for the proposed experiments.

Mr. Hutchinson, the secretary to the medical board, objected to the proposition on the grounds that he considered that it was the province of the medical board to institute the suggested inquiry, and that consistently with due subordination it could not be attempted by the Society.

Considerable discussion ensued, in the course of which Dr. O'Shaughnessy disclaimed any intention of disrespect to the medical board, and stated, that he

thought all societies and public bodies ought to co-operate cordially in such an important investigation. All he wanted was to arrive at the truth by the least circuitous route. Mr. Swayze, first member of the medical board then suggested, that the proposed reference to the medical gentlemen at the specified places, be made by Dr. O'Shaughnessy himself, as secretary to the committee, on Indian materia medica. This suggestion was adopted and the proposition accordingly withdrawn.

The report of the sub-committee appointed to inquire into the state of the Society, was then read.

The report stated, that it appeared to the members that the chief cause which had led to the late inroad upon the propriety of the Society, were to be found in the discussions which had from time to time arisen up in the reduction of the medical allowances, and the increased calls upon the pay-bills of the members by the establishment of the retiring fund, and in the feelings that the Society did not afford sufficient advantages to the moribund members.

To remedy these evils it was proposed,

1st. To reduce the subscription to one-half of the present rates, or, for non resident members, one rupee per month; resident ditto two rupees.

2d. To reduce the establishment within fifty rupees per month.

3d. In lieu of the present journal, to return to the old plan of publishing transactions in monthly or quarterly parts.

First. To solicit all members of the service to join the Society in its remodelled form.

To invite all assistant-surgeons recently arrived from Europe, to be present at the monthly meetings, and

subsequently to become members. It was stated that though the reduction of the present rate of subscription would materially cramp the resources of the Society at first, it might reasonably be hoped an accession of members would, in consequence, take place, which would eventually compensate for the temporary loss of income, and it was shewn that many of the expenses might be reduced in the meantime, especially the cost of printing, which it was believed might be effected at two rupees per page for the future, instead of the high price charged at the Baptist Mission Press.

The only member of the committee who objected to these rules, was, Mr. McClelland. He stated that he disapproved of the idea of *remodelling* any Society. He should prefer *reverting* to the original rules under which the Society had so prospered. He approved of a reduction of the subscription, but he thought remodelling a Society gave a bad precedent to enable any influential member at head-quarters to mould the body to suit his own view.

The members present for the most part appeared inclined to adopt the report, but its further consideration was postponed for the next meeting.

With reference to the third proposition, it was proposed by Dr. O'Shaughnessy, seconded by Mr. Egerton, and carried, that the Society continue to issue a quarterly publication to be called the *Quarterly Journal* and transactions composed of original papers and communications, limited in expense to 250 rupees per number.

H. H. GOODEVE, M. D.

Sec. Med. and Phy. Society.

Hurkaru, Aug. 4.]

SUPREME COURT.

ADJOURNED SITTINGS.

(Before Sir E. Ryan and Sir J. P. Grant.)

This was the first day of the sessions, and also the day to which the sittings after the third Term were adjourned. The sessions having been opened and the charge delivered by Sir J. P. Grant to the grand jury, their lordships proceeded to give judgment in the causes standing over.

RADAKISSEN MITTER v. THE BANK OF BENGAL AND OTHERS.

This case was argued on the 12th of this month, and a full report of the argument may be found in the *Hurkaru* of the following morning. The bench being divided in opinion, their lordships delivered their judgments *seriatim*.

Sir J. P. Grant. (After stating the facts of the case,) I conceive that there is nothing better established in equity, than that a surety is entitled to all the rights and remedies against the principal debtor that the creditor himself enjoys. *Praythorne v. Swinburne*, 14 Ves. Jun. 162, per Sir Samuel Romilly. If the creditor takes a new security from the principal debtor, without the privity of the surety, the latter is wholly discharged. *Boulton v. Stubbins*, 18 Ves. Jun. 20. Many authorities establish that a surety paying the debt stands in the place of creditor as against the principal debtor. Thus where the surety paid the debt of his bankrupt principal, after proof by the creditor under the commission, this

was held to entitle him to stand in the creditor's place for the debt paid, not only in respect of dividends but of the certificate. *Ex parte Gee, Glyn and Jameson's Reports*, p. 330. If, therefore, the creditor puts it out of the power of the surety to stand in his place, with respect to the debtor, the surety is discharged. Thus a release to the debtor without the surety's consent, discharges the latter. Upon the same principle, if the holder of a bill of exchange gives time to the acceptor by a binding agreement, this discharges the indorser. The rule is founded upon the principles of natural law and justice, because it is not just or right that any transaction affecting the rights of the surety should take place without his consent and privity. The surety only undertakes to make good the deficiency; and, where the principal has left a sufficient fund to pay the debt, in the hands of the creditor, and the creditor chooses to pay it back, without applying it to the liquidation of the debt, this is clearly a complete discharge, *Law v. East India Company*, 4 Vesey Junior. Now applying these principles to the present case, the complaint would be entitled to stand in the place of the Bank of Bengal, upon paying the debt, and if the bank has given up (as I think it has) available securities, not only without the consent, but against the remonstrance of the surety, the complainant as such surety is discharged. The copper and indigo were deposited with the bank, as a general pledge for all past and future advances, and the surplus value ought to have been applied in part liquidation of the sums due on the outstanding bills. Again, with respect to the bank share, the charter gives the Bank

of Bengal a lien upon the dividends of shares, and this share was liable for the advances to the firm. They had no right, therefore, to surrender such lien. The deposit by the assignees in the name of Darnarian Gangooly, the indorser of the Company's paper pledged with the bank, stands upon a different footing. This arose from a mere accidental blunder on the part of the assignees, in allowing the transaction to take place in the name of a nominal party, who, in fact, happened to be under liabilities to the bank; and this I admit, raises no equity in favour of the complainant. I consider it unnecessary to enquire whether the knowledge of Mr. W. F. Fergusson, who was at once chief partner in the insolvent firm, and a director of the Bank of Bengal, is to be taken as constructive knowledge on the part of the bank. Upon the whole, I am of opinion, that the injunction ought to be granted, but as the opinion of the learned chief justice is the other way, the bill will, of course, be dismissed: without costs, however, according to the usual rule in equity where there is not unanimity of opinion upon the bench.

Sir Edward Ryan. I regret extremely the difference of opinion which exist in this case between myself and my learned brother, the more especially as it falls upon me, in the present state of the Court, to decide the question upon my own single opinion. (His lordship then stated the facts of the case, and read portions of the complainant's bill.) Now, there can be no question, if all the allegations of the bill had been admitted in the answer, or proved in evidence, that this injunction must been he guaranteed, because not only it is stated that there was a positive and specific agreement between the firm of Fergusson and Co. and the complainant, that the latter was to be only a nominal party to the bills, and was not to be liable under any circumstances, but also that the Bank of Bengal was privy to the agreement. On the pleadings and evidence, however, it only appears that there was an understanding that the bills were to be taken up by the firm, and that the complainant would not be called upon by them; but there is nothing whatever to shew that the bank were parties to any such arrangement. There is nothing, therefore, to fix the bank with actual knowledge, and I am clearly of opinion, that the knowledge of one of the directors of the bank, which is a corporate body, is not in law the knowledge of all. It is different from a partnership, because a director cannot act alone and bind the rest, as in the case of members of a partnership. It seems, then, that upon the original bills, there are no equitable grounds whatever to entitle the complainant to relief; nor does anything appear to shew that at the renewal of the bills, the bank were parties to any agreement or understanding in favour of the complainant as drawer. It only appears, indeed, that the complainant was reluctant to renew the instruments, but was prevailed on by these presentations of Fergusson and Co. Whatever equity exists, therefore, must be raised (if it all) by subsequent transactions, and the whole case stands upon the deposit bonds. Now, I will take the strongest of these, the copper bonds (schedules A and C annexed to the bill) to test the grounds of the supposed equity. These bonds give the bank a general power of sale, not only for securing the repayments of the specific sum advanced thereon, but as a security for any past or future advances; and I have no doubt, they were framed expressly to meet the case of *Young v. The Bank of Bengal*, I think that they do meet that case, and that the Bank of Bengal might have claimed a general lien on the copper, if they had chosen, and that they might have retained it in their hands to secure any other outstanding debts from the firm of Fergusson and Co. But in point of fact there is nothing to shew that at the time when the copper was permitted to be redeemed by the assignees, the bank could have made any profit by disposing of it at the current market rates, although it so happened that the assignees, by keeping it on specu-

lation for some time, did actually succeed in eventually obtaining a profit. It does not appear, therefore, that there was any available surplus applicable even to the part liquidation of the outstanding bills. Again I admit that in bills of exchange and promissory notes, every subsequent party is a surety for the prior parties, and that every circumstance which in law or equity will discharge drawers or indorsers, who are mere guarantees for the acceptor. But in all the cases cited, where the surety has claimed to stand in the place of the creditor, the debt had been actually paid by the surety, and until he has paid the debt, he cannot insist upon equitable grounds to be placed in the creditor's position against the principal debtor. Discharge of the surety by "giving time" to the principal proceeds upon totally different grounds. The bill must be dismissed, and with costs; for I conceive that the rule mentioned by my learned brother is only discretionary. Mr. Colville, however ought not to have appeared and answered separately, and he must pay his own costs.

Sir J. P. Grant. I must protest against the bill being dismissed with costs, when there is a difference of opinion on the bench.

Sir E. Ryan. I have pronounced my judgment on the question of costs, as well as on the general question involved, and I must say that I do not at all understand the grounds of my learned brother's protest.

Bill dismissed with costs.

IN THE MATTER OF THE BARK "CALCUTTA."

Admiralty side.—Judgment.

Sir Edward Ryan. This case came on, upon a claim of salvage made by Captain West and the officers of the steamer *Enterprise*, for rescuing the bark *Calcutta*, from the perils of the sea. It appears to us unnecessary to go minutely into the circumstance disclosed in the affidavit, or to endeavour to reconcile the somewhat conflicting statements. It may be sufficient to express our opinion upon the whole, that the *Calcutta* was in considerable danger from her proximity to the sand-bank, that she was aided by the timely intervention of the steamer, and that if it had not been for such aid, the bark might possibly have been altogether lost. But although we are thus of opinion that Capt. West rendered valuable and efficient service, the question is whether he was not bound so to act by his positive duties to his employers, and whether he has done anything more than what his mere duty required. Now, the instructions of Government to the commanders of their steam vessels expressly direct them even to leave any private service upon which they may be engaged, when necessary for rendering assistance to ships in distress. We think, therefore, that Captain West was acting in the ordinary course of duty, and that as he incurred no extraordinary risk, he is not entitled to the extraordinary reward in the shape of salvage. In the case of *The Huikes*, 1 Hoggard's Reports, which seems in some respects similar to the present, but which was not cited in argument, salvage was only granted on the ground that the steamer *Monarch*, was a private vessel, and not bound by any specific duty to act in the way of rendering aid. Each party must pay his own costs.

Judgment disallowing salvage.

F. P. MENDES v. LAWRENCE DE SOUZA AND OTHERS.

Sir Edward Ryan. In this case the bill was filed by Mr. Mendes, for a legacy of Rs. 20,000, which he claimed under the will of his uncle, Francis Mendes, deceased. The sole question which was, whether such legacy, being left to a lady for her life, provided she remained a widow, and, in the event of her death or remarriage, which ever should first happen, limited in

remainder to the complainant, became, upon the marriage of the lady in the testator's life-time, a lapsed legacy altogether, or vested in remainder. We are clearly of opinion that the legacy does not lapse into the residuary estate, but vest in this complainant as legatee in remainder. The case of *Humberstone v. Stanton*, *Vevey* and *Beames*, and all the cases cited for the residuary legatee, where the legacy was held to have lapsed are very obviously distinguishable from the case before the Court, for, in those cases the remainder never was to take effect, not on the occurrence, but on the non-occurrence of a particular event. The costs of the plaintiff, and of the two executors, *DeSouza* and *Dow*, must be paid out of the estate; but the executor, *Mr. Doucet*, and the residuary legatees, the *Pereiras*, must pay their own costs.

Legacy decreed to complainant.

LATHEY V. PITTAR.

The *Advocate General* and *Mr. Marnell*, as counsel for the complainant, shewed cause against the conditional rule obtained by *Mr. Leith* on the last day of the sittings, (see the *Harkara* of Friday last) for allowing *Messrs. Savory and Moore*, chemists and druggists of London, to come in and prove before the master a claim against the estate of *Mrs. M. A. Fleming*, deceased, of which estate complainant and defendant are co-executors. The learned counsel contended that the affidavit of the applicants was, not positively sworn to be actually due. Moreover, those creditors had been guilty of *laches* in lying by for nearly ten years. They had either voluntarily slept upon their claim, else had virtually admitted by their conduct that the claim was nugatory.

Mr. Prinsep and *Mr. Clark*, as counsel for the defendant, concurred with complainant's counsel in opposing this application. They contended that no title was disclosed upon the face of the affidavits, and also that if there was any debt due at all, the estate of *Mrs. Fleming* was not liable; but the estate of her husband.

Mr. Leith supported his rule.

Sir Edward Ryan. The Court are disposed to grant leave to the creditors to come in upon certain terms. In the first place, they must pay all the costs of the present application, and those who act for them in this country, must give security for all future costs which may be incurred. If they are not now prepared to prove the debt, we cannot allow the cause to abide the long delay of reference home to procure the necessary evidence; but if they are prepared we shall allow them one month, at the end of which time the master must make his report.

Mr. Leith assented to the conditions, but inquired whether the Court did not consider four counsel an unnecessary number to oppose the application.

Sir Edward Ryan said, that, although the same object in fact was in this instance had in view by the complainant and defendant, yet that as they were hostile parties in the suit itself, each had a right to oppose the application by his own counsel.

Rule absolute on terms.

BONNERJEE V. BONNERJEE.

In this eternal cause, the *Advocate General* informed the Court that the parties were all at loggerheads once more, and that all hopes of an amicable compromise were at an end for ever.

Sir. E. Ryan. Then they must wait for our decision until next term.—*Harkara*, August 3.

SUPREME COURT SESSIONS.

August 1, 1838.

The sessions commenced this-day, *Sir J. P. Grant* presided. The following are the grand jury-men :

Capt. H. L. Johnson, foreman.

Jury-men,

<i>William Stuart Smith</i>	<i>Alfred Ganger</i>
<i>George Frederick McClintock</i>	<i>John Lackensteen</i>
<i>Henry Malcolm Low</i>	<i>Charles Edward Newcomen</i>
<i>Henry Chapman Kemp</i>	<i>James Cullen</i>
<i>Robert Campbell</i>	<i>Natzeville Campbell</i>
<i>Thomas Bracken</i>	<i>Andrew Sim, Esqrs. and</i>
<i>Henry John Palmer</i>	<i>Baboo Doorgachurn Pal</i>
<i>James Henry Young</i>	<i>— Gopal Lall Tagore</i>
<i>William Carr</i>	<i>— Bhowarychurn Mitter, and</i>
<i>Francis Kerchoffer</i>	<i>— Ruggonath Bose</i>
<i>William Bracken</i>	

True bills were found against *Gungaram* for wounding *Sibboo Mudduck*. *Kooshee Ghose* for stealing. *Mator* for ditto. *Suroop* for ditto. *Ameer Saung* for rape. *Horro* for burglary.

We will give a full report of the judge's charge tomorrow.—*Harkara*, Aug. 2.

CALENDAR.

Of prisoners now in confinement in her Majesty's prison in Calcutta, who are to take their trial at the sessions, which commence this-day.

1. *Bonmully Bonejee*, alias *Gungagound Banerjee*, alias *Manick Banerjee*.—Charged with having, at Calcutta, on the 1st, 2d, and 3d days of February 1838, while employed as broker, by *Alfred Betts*, embezzled two hundred and ten pieces of silk corahs of the value of one thousand three hundred and forty-four rupees.

2. *Boodhoo*.—Charged with having, at Calcutta, on the night of the 23d or the morning of the 24th of April, 1838, while it was dark, burglariously entered the dwelling house of *Cossnauth Lalla*, at *Postab-bazar*, by cutting a hole in the wall thereof, and stolen, taken, and carried away therefrom, a great variety of gold and silver articles, &c. (particularized in the commitment) the property of the said *Cossnauth Lalla*.

3. *Iseanchunder Kur*.—Charged with having, at Calcutta, on the 30th day of April 1838, stolen from, or cheated *Djanthoolah* of five caps, of the value of eight rupees and twelve annas.

4. *Kooshee Ghose*.—Charged with having at Calcutta, on the 13th day of May 1838, stolen, taken, and carried away from the house of *Soorjee*, in *Muzapore-street*, brass utensils of the value of two rupees, the property of the said *Soorjee*.

5. *Gungaram*.—Charged with having, at Calcutta, on the morning of the 7th day of April 1838, given *Sibboo Mudduck*, two blows with a cutting instrument, the one on the face and the other on the right side, whereby his life was endangered.

6. *Ramchand*.—Charged with having on the night of the 21st of May 1838, committed burglary and theft in the house of *Maudhub Sandkhan* and *Jaudub Purrananick*.

7. *Ramchunder Mitter*.—Charged with having at Calcutta, cheated *Cullin-ood-deen* and *Ruggoonauth Sing*, and procured money from them under false pretences.

8. *Bhugwan Bose*, and 9.—*Bhowrub Gungooly*.—Charged with having, at Calcutta, on the night of, or

about the 7th of May 1838, unlawfully, maliciously, and feloniously administered and given to Hurro, a woman of the town, some kind of delirious drug at her dwelling house at Chote-bagaut in Calcutta, and then and there feloniously stolen, and carried away gold and silver ornaments and wearing apparel, particularized in the commitment, of the value of about 100 rupees, lawful money of Bengal, the property of the said Hurro.

10. *Gohee*.—Charged with having, at Calcutta, between the 12th day of April, and the 14th day of May 1838, feloniously stolen, taken, and carried away from the registrar's office in the Supreme Court of Judicature at Fort William in Bengal, a silver hunting-watch No. 2350, made by George Hedger, of the value of about eighty rupees of lawful money of Bengal, the property of the late Robert Pigou, and the special property of Theodore Dickens, the registrar of the said Court.

11. *Juggomohun, Sircar*.—Charged with having, on the 23d day of May 1838, been found at large in the district of Hooghly, within the province of Bengal, he having been banished on the second day of August 1833, to the British possessions on the eastern coast of the Bay of Bengal, south of Malaban, for the term of fourteen years.

12. *Surnooop*.—Charged with having, at Calcutta, on the 1st day of June 1838, feloniously stolen, taken, and carried away from the dwelling house of Gregory Chater, various gold and silver and other articles of the value of ninety-six rupees, lawful money of Bengal, the property of the said Gregory Chater.

13. *Horro*.—Charged with having, at Puttuldangah in Calcutta, on the night of Saturday, the 23d of June 1838, having feloniously broken into the house of the said Ramnarain Putramanick, and feloniously stolen and carried away therefrom, a brass lotah, a brass tumbler, and two pieces of wearing apparel of the value of three rupees and eight annas, the property of the said Ramnarain Putramanick.

14. *Mator*.—Charged with having, at Calcutta, on Friday, the 2d of June 1838, feloniously stolen in the godown or warehouse of William Forbes Gibbon and George Gibbon, trading under the firm of Watson and Company, about two seers of nails, value about eight annas, the property of the said William Forbes Gibbon and George Gibbon.

15. *Ameer, Serang*.—Charged with having, at Calcutta, on the 3d June 1838, committed a rape on the person of Golaup, the wife of Edoos Khalassy.

16. *Munnee Tankoor*.—Charged with having, at Calcutta, on the night of Saturday the 23d of June 1838, violently assaulted Jowhoory Hulwe, and stolen, taken, and carried away from his person, a gold neck chain, value one hundred and fifty rupees, lawful money of Bengal, the property of the said Jowhoory Hulwe.

17. *John George Ricketts*.—Charged with having, at Calcutta, on the 30th of June 1838, feloniously stolen, taken, and carried away, a gold neck chain of the value of two hundred and seventy eight rupees, lawful money of Bengal, the joint property of Charles John Pittar Isaac Pittar, and Robert Hamilton.

18. *Mohun Doss*.—Charged with having, at Calcutta, on the 4th day of June 1838, feloniously stolen, taken, and carried away from the dwelling house of Hurnschunder Paul, situated in Shampooker, a silver looka, a silver spon, a silver salvar, a silver surpoh, with a variety of other articles, (particularized in the commitment), the property of the said Hurnschunder Paul.

19. *Ensoff Beg*.—Charged with having, at Calcutta, on the night of Monday, the 2d July 1838, stolen, taken, and carried away from the house of Chadee Sing, brass articles of the value of two rupees, the property of the said Chadee Sing.

20. *Bissoka*.—Charged with the wilful murder of Jeetun.

21. *Nujjoo*.—Charged with having, at Calcutta, on the morning of the 13th of July, 1838, stolen, taken, and carried away from the custom-house, two Bank of Bengal notes, for twenty-five rupees each, and six rupees in silver, the property of Roodsor Doss Munjee.

22. *George Cole King*.—Charged with causing the death of Goree Shaik by sun-burn kicks and blows.

N. B.—Committed by the magistrate of Moordshedabad :

23. *Madub Shaw*.—Charged with stealing from a godown in Coolootoolaw street, seven pieces of cotton cloth, the property of Sheik Hyder Ally.—*Clarkaru, August 1.*

August 1, 1838.

(Before Sir F. Ryan and Sir J. P Grant, Knights.)

After the grand jury had elected their foreman, Sir John Peter Grant, whose turn it was to preside during the present sessions, in his charge to the grand jury, said, that he regretted it was not in his power to congratulate them, during the present session, on the paucity of the cases which would be submitted to them. Amongst the cases they would find many similar to those which are usually brought before them every session, viz. burglaries, larcenies, &c. and on which he need not detain them, as, from their former experience regarding them, they must be fully competent how to dispose of them, without his assistance. But there were, he was sorry to observe, three cases towards which he felt it his duty to direct their attention. Previously to his specifying them, he would state to the jurors, that the indictments which they would send to the petty jury, for trial, would be indictments legally found by them; therefore, if respecting any of those indictments, they believed that the evidence adduced in support of them, either increased or diminished the crime of the individuals implicated in them, they were fully competent to throw out that indictment, and direct the clerk of the crown to frame a fresh indictment suitable to the nature of the case, according to their opinion. The first case on which he would comment, was one in which a gentleman, high in the civil service, was indicted on a very serious charge, and, he trusted that from their investigations in it, they would either be able to lessen the nature of the charge so as to divest it of its darker features, if not able to acquit the individual at once. Here the judge observed, that having been aware that this case would have to be tried before him, he had carefully abstained from noticing the detailed particulars of it, which had appeared in the public newspapers of Calcutta. He certainly condemned this erroneous practice of the press, as it tended, in some measure, to bias the minds of the community, a portion of whom have been empanelled in the jury, to whom he was then addressing himself, and some may be in the petty jury. He then entreated the grand jurymen, that if any of them had read any of these statements to which he alluded, that they would divest their minds from any impressions which they may have imbibed from their personal. The individual he alluded to, has been indicted for a wilful homicide. Before going into the particulars of the case, as he gleaned from the depositions laid before him, he felt it his duty to explain to them the law of England regarding homicide.

Homicide, is either, 1st purely involuntary, as *per infortunium*, or by misadventure, 1 Hale, 424; or 2dly, partly voluntary and partly involuntary, or 3dly, purely voluntary, as murder and manslaughter. The second of these classes was formerly subdivided into two kinds; viz. "inducing a forfeiture," as homicide *se defendendo*, and not "inducing forfeiture," as homicide in advancement or execution of justice. But all punishments and forfeitures incurred by killing without felony, being now abolished, this distinction no longer subsists.

To constitute homicide *for infortunium*, three ingredients are requisite, first, an absence of all intention to do bodily harm; secondly, the lawfulness of the act intended to be done by the actor; and, thirdly, proper care and precaution in doing the act. It is sufficient merely to mention these points, and quite unnecessary to dwell upon them at any length.

In order to make the second species of homicide innocent and excusable, viz. homicide partly voluntary, and partly involuntary, in must be *ex necessitate*. Formerly, a distinction used to be taken between *justifiable homicide* and *excusable homicide*, for, it was considered, that in the former the slayer was in no kind of fault whatsoever; but in the latter the very name thereof imported some slight degree of culpability, 4 Blackst. Comm. 182. But this distinction no longer prevails. Now homicide *ex necessitate* might be homicide *se defendendo*, or in self-defence which is defined by Lord Hale (1 Hale's Pleas of the Crown, 477) to be "the killing of another person in the necessary defence of himself against him that assaults him." Regularly it was necessary that he who killed another in his own defence, should fly as far as possible before he turned upon his assailant, but to this rule there were exceptions. Thus in respect of the person killing, if a gaoler, sheriff, constable, or other officer of justice be assaulted in the execution of his office, he is not bound to give back to the wall, but may kill the assailant. Again, if a felon fly and cannot be otherwise taken he may be killed, without the act amounting to felony, Post. Crown Law, p. 271; but if a prisoner, not being a felon, makes no resistance, but flies, and the officer kills him for fear he should escape, this is murder, or, at the least, manslaughter, according to the other circumstances of the case, 1 Hale, P. C. 481. So if one attempt to commit a felony accompanied with force, and is killed, it is justifiable; but otherwise if the attempt was without force as an attempt to pick a man's pocket. Again, if a person having, actually committed a felony, will not allow himself to be taken, but stands on his defence, or flees so that he cannot possibly be apprehended alive, his pursuer, although a private individual, is justified although he slay him. (1 Hawkins' Pleas of the Crown). And if an innocent person be indicted of a felony, and resist an officer who has a legal warrant for his arrest, he may be lawfully killed by the officer if he cannot otherwise be taken. Again, it is laid down by Hawkins, that if those who are engaged in a riot or a forcible entry, stand on their defence, and continue the force in opposition to the command of a justice of the peace, or resist him in endeavouring to arrest them, the killing of them is justifiable. And, where a sheriff attempts to make a lawful arrest in a civil action, or to retake a prisoner, and is resisted, it is justifiable though he slay the party in the affray; nor is he bound to give back. But no private person can arrest another for a civil matter; nor can the sheriff lawfully slay one who merely flies to escape civil process. Judge Foster laid it down, that where persons having authority to arrest or imprison, used the proper means, and were resisted, the party making resistance might be killed; and this holds in all cases whatever civil or criminal.

In the case of private persons using their endeavours to bring felons to justice, two cautions must be observed, both that a felony has been actually committed, and that

it was committed by the party persued. If a supposed felon be killed by the private individual, upon mere suspicion, erroneous, though possibly well founded, it was said by judge Foster, that this would be *felonious homicide*, though not murder. Yet if a man, although innocent, is attempted to be arrested by an officer having a warrant against him by name, and he flees or resists, even a private person would stand justified in killing him while aiding the officer in the pursuit or struggle.

The warrant of a justice, although obtained by perjury, is a good warrant, as far as is necessary to justify the officer acting *bona fide* under it. A warrant will justify the officer in breaking open doors, after they have given due notice, and demanded an admittance, and if an officer be killed, it is murder; but bare suspicion, without the warrant of a magistrate, is not sufficient. A constable or officer, out of his own precincts, is a private individual, and if he have no special warrant neither he nor his assistants are under any special protection of the law in the apprehension of suspected persons, and the killing of them in resisting such apprehension, stands on the same footing as the killing of a private person under the same circumstances.

As suspicion will not warrant an officer in breaking open doors without the lawful warrant of a magistrate, nor a private person in attempting the arrest, so it should seem that suspicion will not warrant the sheriff himself personally arresting for felony or breach of the peace, or giving verbal orders on the spot to arrest, unless such suspicion be communicated to him on oath sufficient to have grounded there on the issuing of a warrant, or such suspicion be created by matter within his own view. By stat. 3 and 4 Edw. 6 ch. 5 and 1 Mar. c. 12. sheriff were authorized to raise a *posse comitatus* for the purpose of apprehending rioters assembled together to the number of twelve, and if after proclamation the rioters refused to disperse and any were killed, or maimed, it was justifiable. This act was continued by Queen Elizabeth, but expired in her reign; but, saith Hale, "although per chance as to the killing of such persons do not presently retro upon proclamation, it needs the aid of an act of Parliament to indemnify them; yet if they attempt any riotous act, and cannot otherwise be suppressed, the sheriff or justice of the peace may make use of such a force upon them for the preservation of the peace, as well by the common law as by statute." By 13 H. 4 c. 7, it was enacted, that if any riot, assembly or rout of people, against the law be made, the justice of the peace and the sheriff or under-sheriff of the county, shall come with the power of the county, if need be, to arrest them and shall arrest them. Upon this, Lord Hale remarks, that "all men are bound upon warning to assist for suppressing of riots even by force, if it cannot otherwise be effected, so that the statutes are but pursuant to the common law." As to the point of indemnifying the rioters in assistance of the sheriff, &c. it is true that the killing of rioters barely for continuing together after proclamation, required a new law, to indemnify it; but if rioters resist the officer, or make head against him in attempting to apprehend them, or continue the riotous acting, he or his assistants would be justified in slaying them. And it seems the same law is for the constable of a vill. If a riot happens within his vill, he may assemble force to arrest the rioters, and if they resist and be killed by the constable or any of his assistants, these officers are *dispunishable*, for they are authorized hereunto by the common law, 1 Hale, P. C. 495. A constable has original or primitive powers, as a conservator of the peace, and is justified in imprisoning a person for breach of the peace, and he may act upon information, without having himself seen the offence committed. But he ought to inquire into and examine the circumstances and causes of suspicion. 2 Hale, P. C. 88, 91.

It is necessary to consider the difference between an arrest upon a warrant for *felony* and an arrest for a simple *misdemeanor* and also the difference between the cases where the officer killed the party during *flight* and where he killed him in making *resistance*.

If there be a warrant for trespass or breach of the peace and the party flies, and will not yield to the arrest, or being taken, makes his escape, without force, the officer killing him is guilty of *murder*. But if the party upon the arrest, or afterwards, *assault* the officer with intent to make his escape, and the officer standing on his guard, kills him, this is not *felony*. Were warrant issued against a felon or one suspected of *felony*, and either before or after arrest he flies and forcibly defends himself in such a way that the officer must give over the pursuit, or cannot take him without killing him, it is no *felony* if he kill him. 2 Hale, P. C. 118. But there must be these cautions first, he must be a lawful officer, or there must have been a lawful warrant; secondly, the party must have notice of the reason of the pursuit; and thirdly, it must be a case of necessity, to wit, that he cannot otherwise be captured. But, although a private person may arrest a *felon*, and if he flies, so that he cannot be taken without being killed, it is excusable in this case for the necessity, yet it is at his peril that the party really be a *felon*; for an innocent person is not bound to take notice of a private individual's suspicions. 2 Hale, P. C. 119.

Every British subject he observed, was in this country liable to be tried by the English law; but in his defence he was permitted to plead the law of the place where the crime for which he was to be tried was alleged to have been committed. The learned judge then remarked, that both he himself and his worthy co-adjutors on the bench, had made it their particular study to learn the *mofussil* law, because many cases connected with it were often decided by them; and they could not, on a reference, observe, that in the case before them it differed materially from the English law.

In this case from the depositions before him, he learnt that the magistrate had received information that an illegal assembly had collected. Acting on that information, he sent for aid to the military forces, which he by the law of this country was empowered to do, and went to disperse this assembly. When the magistrate arrived at the place, where this assembly was stated to be, they saw a body of men drawn out on shore, and they went on board the boats which were lying in the river, and saw a person named Pertaub Chund, who has stated himself to be the Rajah of Burdwan, lying in a boat. At this time, no riot is stated to have occurred, nor any resistance offered to the authorities. Some shots were then fired by the party aiding in dispersing this assembly into the boats, and some persons killed. The accused is stated to have given the order for this firing, and to have been present on the occasion. It will be for the jurors to determine whatever, the information which the accused had received, was of such a nature as to justify his proceeding with an armed force to disperse this assembly, and whether, under the circumstances of the case, it was lawful on the accuser to have given the order he is accused of having given on this occasion. If he (the judge) were to judge of it from the papers before him, he should say the accused was not justified in having given the order to fire. But if the accused was present at the time these shots had been fired, and he had not given the orders, he cannot be implicated.

A magistrate in all such cases is placed in a very delicate and difficult situation, and has great latitude given him to exercise his discretion to the exigency of the case, for he is bound under penalties to use all his endeavours to quell all unlawful or riotous assemblies within his jurisdiction, by all the means in his power.

The present assembly, it seems, was at Culna, within the jurisdiction of the accused, and the assembly was ostensibly stated to have been met for the purpose of asserting the claim of the said Pertaub Chund to the gудdee of Burdwan. The purport of Pertaub Chund's coming as he did, must be kept in view, and whether he came armed or unlawfully or peaceably, must be for the jurors to decide.

In conclusion, the judge admitted, that the case was one of very great difficulty, and in which a gentleman, high in the civil service, was very awkwardly exposed in the exercise of his duty; and it was for the jurors to determine whether, in exercising it, he had acted beyond what the circumstances of the case warranted or not.

The other case on which he had to comment, was one in which a European has been accused of *murder*. And the third was, in which a woman at the instigation of her paramour, had administered drugs unlawfully to another woman to cause an abortion, and shortly after which the pregnant woman died. True it is, that in this case the prisoner did not intend the death of the pregnant woman, but as that death was caused in the commission of a crime, which, by the English law, is in itself a capital *felony*, the woman, if the depositions are true, is guilty of wilful *murder*, and the jurors will return their indictment accordingly.

In conclusion, he said, he was sorry that he had detained them so long; he had nothing further to notice to them at present; but if they required any explanation or assistance from him on their duty, he would be most happy to afford it to them; and should any new case be brought to his notice, requiring him to direct their particular notice towards it, he would do so.

After this, the jurors, who had been permitted by the judge to sit down, whilst the judge delivered his charge to them, because of its length, retired to investigate the indictments which were submitted to them.

The judge then told the petit jurymen who had been summoned to attend at this sessions, that as he would not take up any of the criminal cases to-day, they were at liberty to retire, but must attend the Court at 10 o'clock A. M. to-morrow.

The Court then took up the postponed cases, during the investigation of one of which, Mr. Manell, the barrister, was attacked with a fit and fainted in Court and was carried out in his chair by his bearers.—*Hur-lan, Aug. 3.*

August 2, 1838.

(Before Sir J. P. Grant.)

Mator was tried on a charge of having, on Friday the 22d June last, stolen from the godowns of Messrs. William Forbes Gibbon and George Gibbon, two sets of nails, value eight annas.

The prisoner pleaded *not guilty*.

William Forbes Gibbon deposed: He is a member of the firm of Watson and Co wine-merchants. Deponent and his brother are the sole proprietors. Deponent recollects he saw the prisoner on the 22d June last. He saw the prisoner at the door of his office in Clive-street, and asked him what he required. He said that he was in search of a *sircar*, and mentioned his name. Deponent informed him, that he had no *sircar* of that name in his service. About an hour after this, deponent saw him go behind a godown of his. Deponent then asked him what he wanted there; to this the prisoner made no direct reply. Deponent then desired his servants to search him and then turn him out. Deponent then observed the prisoner hold in his right hand something hid in a cloth, which he

en leavoured to conceal. Deponent asked him what he held in his right hand. Prisoner replied, nails, which he had obtained from a stoop in the river, on board which vessel he had formerly worked as a sail-maker. Deponent had the cloth untied, and on examining these nails he discovered that they were some such nails which the prisoner had abstracted from a box in deponent's godown, lying close to the prisoner, and over which he had his hand when the deponent observed him the second time. He then wrote a letter to Captain Birch and sent the prisoner in custody to the police office. There is a slight difference amongst the one inch nails. The box was not full when the prisoner was detected, nor was there any thing in the appearance of the box to lead him to suppose that any nails had been abstracted from it. The nails deponent recognizes to be his property. When deponent gave the nails to the police chokeydar, he sealed the bag of the nails at the police office. Deponent by Mr. O'Hanion's order took them down and gave them to Mr. McCann, the police officer. Mr. J. J. McCann then produced the bag of nails, and the prosecutor recognized them to be his property, because his seal was still on the bag. These nails may weigh about two seers, and their value might be near eight annas.

Buggen Doss, the prosecutor's bearer, deposed, that he saw the prisoner on the day in which he was taken into custody. This witness confirmed the evidence of the prosecutor regarding the arrest of the prisoner at the prosecutor's godown door with the nails in his hands.

The prisoner in his defence said, that in consequence of an altercation he had in the office, Mr. Gibbon charged the prisoner with having stolen these nails. The rest of the defence consisted in insinuations, that the case was made up against him, and the prosecutor's witness had been tutored at the police to give the evidence he had done.

The learned judge then summed up and gave a short detail of the leading features of the case as disclosed at the trial, and left the case to the jury, who, after a short consultation, returned a verdict of guilty.

The learned Judge then sentenced the prisoner to six months' imprisonment in the house of correction. As the prisoner is indisposed, the judge informed him that he would not undergo labour till he was cured.

Gungaram was tried for having, on the 7th April last, wounded with a knife a person named Sibboo Mudduck, on the face, nose, neck, arm, and right side, with intent to kill him.

The prisoner pleaded not guilty.

Sibboo Mudduck deposed. That he has a confectioner's shop at Taubtoneah in Calcutta. He has known the prisoner for about six or seven years. Prisoner is a seller of curds and whey, and lives near the police hospital. Prisoner was an acquaintance of deponent's. The prisoner had, some months ago, a dispute with the prosecutor regarding the interest due to the prosecutor from the prisoner on the mortgage of a silver key chain on the 16th April last. Prisoner on that occasion threatened him and said, "I will see how you abide in Calcutta." That very night the prisoner assaulted and wounded the prosecutor. The prosecutor and the prisoner in the quarrel alluded to, abused each other. Prosecutor called him *salah*. It was then the prisoner threatened him. Prosecutor then defied him and said, "Well, do your worst." Prosecutor at 3 o'clock a.m. of the morning of the 17th April, went to attend a call of nature against a wall facing to the east, and whilst he was in the act of rising and turning to go to his house northward, he was struck by the prisoner under the right eye with a knife. Prosecutor immediately seized his

assailant by the hair of the head and recognized him to be the prisoner. He then said Gungaram, "why have you murdered me." It was then clear moonlight. After prosecutor had spoken to the prisoner, the prisoner struck him another blow just below the ribs. Prosecutor then fell with the prisoner under him and fainted away. Deponent when he first recovered his senses, was at the police hospital, where he was surrounded by a crowd. Deponent believes that whilst he lay wounded at the place where he had been struck, an old woman poured some water down his throat, and gave the alarm at the thanna; but after this of what occurred to prosecutor that night he has no distinct recollection. The next day he was attended at the hospital by a European doctor, whose name he does not know, but could recognize his person if he were to see him. Prosecutor was about 15 or 20 days or one month at the hospital, where he saw the prisoner once, but no conversation occurred between them.

Radhamoney deposed: That she resides in Sibboo's house, and is acquainted with the prisoner. On the morning of the 17th April last, Sibboo went out for some purpose, and soon after she heard Sibboo cry out, "Gungaram why have you murdered me." On hearing this deponent went out and saw Sibboo lying wounded and bleeding on the ground, and Gungaram seeing her come, ran off. Deponent wept and lifted up Sibboo Mudduck, and examining him perceived a severe wound on his cheek bone and a slight one under his right ribs. Four pieces of cloth were drenched with the blood which flowed from the prosecutor's wounds. Deponent then had the wounded man removed by the chokeydas to the police hospital, Sibboo is a distant relative of the prisoner.

Mohomed Dorah, thanadar of Thantimich thanna, deposed: That he is acquainted with both the prosecutor and the prisoner. On the morning of the 17th April, deponent, in consequence of information received, went to Sibboo Mudduck's house, and saw him lying senseless there wounded on the cheek-bone and under the right rib. Deponent put him in a palkee and took him to the police hospital, where he recovered his senses by dawn; and the next morning, in consequence of what the prosecutor intimated him, deponent went to the house of the prisoner and arrested him, and took him to the police hospital to Sibboo Mudduck, who recognized him to be the person who had wounded him, but the prisoner denied the charge. Deponent then brought the prisoner back to his house, and, with the aid of the thanadar of the Cooloolollah division, where the prisoner resided, he searched the prisoner's house, and discovered two knives in his premises. These knives the deponent produced in Court. Gungaram acknowledged the knife to be his property, and said they were used by him for cutting curds. Deponent then took the prisoner to the superintendent of the police. On the way to the police office, the prisoner offered deponent a bribe, if he would get the charge hushed up. The smaller knife, when deponent discovered it, appeared to be slightly stained with blood.

R. H. Bain, Esq. deposed, That he is the police surgeon. He recollects that the prosecutor was, on the 17th April last, brought to the police hospital in the morning, and deponent attended on him. There were two wounds upon his person, one in his right cheek and the other round the right ribs. (Here deponent described the nature of these wounds.) Deponent did not examine the wound over the liver, for fear of producing an inflammation if he were to examine it. The wounds were inflicted with great force, and with a cutting instrument. The wound over the liver was a clear wound, and must have been a stab. Either of the knives produced in Court might have inflicted these wounds. The wounded man was in considerable danger from

these wounds for several days. He was for sixteen or seventeen under medical treatment at the hospital; when he quitted it he was not cured, but out of danger. During the examination of this witness, as to the relative position the prosecutor and the prisoner must have been in, at the time the latter wounded the former, one of these questions deponent did not understand. The judge then remarked to Dr. Bain, that it is very unfortunate in this case, that he was not near at the time when the prosecutor gave his evidence, as he ought to have been, and then he might have understood the question put to him. The judge then read the prosecutor's depositions, and asked deponent whether the parties could have been in the position at the time the prosecutor has described they were, when he was wounded.

This closed the prosecution.

The prisoner, in his defence said, that the prosecutor's wife is a very incontinent woman, and has a gallant for whom she has thrice left the prosecutor's house, and it was this gallant that wounded the prosecutor and not prisoner. Prisoner was, at the time the prosecutor is stated to have been wounded at his house, attending a person who was indisposed with the small-pox. Prisoner said he had ten witnesses to prove his case.

Dabee Sing, Naib of the Cooootollah thanna, deposed, that he, on the night when the prosecutor is stated to have been wounded, went to the prisoner's house at 2 o'clock A. M. to see a person who was indisposed in the prisoner's house with the small-pox, and left at 3 o'clock A. M. The rest of his evidence bore no reference to this case. This witness prevaricated in his testimony, and was detected by the jury.

Ram Subuk, chokeydar of Cooootollah. This witness's evidence did not elucidate any information relative to this case. Three or four more were then called, but they knew nothing about this case. *

Lochun deposed, that one night he was indisposed with the small pox. The chokeydars inquired about his condition four times from the prisoner, at whose house deponent was then residing. At 2 o'clock A. M. the prisoner fell asleep near the deponent. Deponent did not sleep that night, being restless from the heat of his sores. At 4 o'clock A. M. prisoner awoke, smoked a chillum, washed himself and went out, near 5 o'clock A. M. There was no light in the room.

The prisoner then called four more witnesses, whose testimony elucidated neither any information in his favour and one of them contradicted Lochun in some material points of his evidence.

This closed the prisoner's defence.

The learned judge then summed up the proceedings. He detailed the nature of the indictment, which he said charged the prisoner with a capital felony, and then recapitulated the cases made out by the evidence pro and con, and commented on it, explaining the law as he went on, and then left the case to the decision of the jury.

The jury after a retirement of about one hour, returned a verdict of not guilty.

The judge, after this verdict had been recorded, ordered the prisoner to be released, after cautioning him to be more guarded in his future conduct.

In the case of Mr. Ogilvy, Mr. L. Clarke, the counsel for the prosecution, applied for a capias on a certificate of two bills being found, in order to make the defendant come into Court, and give, if requisite, a fresh and stronger bail to compel the party to proceed to trial during this term, and prevent his putting the trial off. He said that he was not so very apprehensive that

Mr. Ogilvy would not take his trial during this sessions, but he required it more to uphold the practice of the Court.

Mr. C. R. Prinsep, for the defence, replied, and quoted Chitty's pleadings, to show that even a magistrate, was fully competent to bail before the bill is found, and it can hold good after bill is found; and no bench warrant, on a certificate for bill being found, can be issued, unless the defendant fails to come in cognizant to his bail, and take his trial, and have his bail estreated.

The judge then read the charge, and the commitment on which Mr. Ogilvy had been arrested and bailed, and the recognizance which showed, that he was bound by his recognizance to answer any indictments which may be found against him during this sessions, and asked what precedent Mr. Clarke could quote to show that the writ now demanded is requisite.

Mr. Clarke replied, that a magistrate by the 2d section of the act of Parliament might take bail, but his bail could not be considered sufficient after the grand jury have found the true bill, because the justice does not know on what evidence the grand jury have subsequently on their oaths found him guilty of the indictment preferred against him. He then quoted the case of Rajah Buddenauth, who, on his second indictment was bailed for 800,000 rupees with an injunction to come into Court and give either first bail or surrender and take his trial within twenty-four hours' notice; and he likewise quoted the case of Debra Abasse Khanom, from whom bail was taken by the Court in first instance, and then she was compelled to give first bail after a true bill was found. He then quoted the case of Mr. Drummond for manslaughter, who was likewise required to give first bail, after true bill had been found against him. Mr. Clarke further said, that with regard to the quotation from Chitty made by Mr. Prinsep, it only applied to misdemeanor cases; for at the time that clause was framed, no magistrate was competent to take bail for a felony. He likewise stated, that in misdemeanor cases no bench warrant can be issued until the last day of the sessions, and, therefore, the case could not be tried until the ensuing sessions, and as the sessions are by law looked upon as one day, the defendant has the whole of the sessions to come in and traverse, whereas felony cases must be tried in the sessions, in which their indictments have been found, and cannot be traversed.

The judge decided, that Mr. Clarke could enforce his motion, because after the indictment has been found, the case assumes a different nature; but he thinks there cannot be any very strong motive for enforcing the capias. He advised Mr. Clarke to consider of it before he would apply to enforce his motion.

Mr. Clarke replied, that he only made this motion; because Mr. Prinsep had supposed, that his client could not take the writ he had now applied for, and that he could put off the hearing of this case till the end of this sessions; and that his client could not make his client come into Court, and take his trial during this sessions by the writ he has now applied for; but as the judge's opinion must now have convinced him, that he was wrong in entertaining such an opinion, he supposed there would be no necessity for enforcing the writ he has now applied for at present, the motion can be postponed till to-morrow.

The judge after consulting counsel, fixed next Monday for the trial of this case.

On the following indictments the grand jury have returned true bills:

1. Boodhoo for burglary, committed on the 24th April last, in the house of Cossinauth Lalla, at Postah-bazar.

2. Kooshoe Ghose for a larceny, committed in the house of Soorjee, in Mirzapore street, on the 13th May 1838.

3. Gungaram for wounding and assaulting Seebou Muddak, on the 17th of April 1838, in Fauntunneah, with intent to kill or maim him.

4. Gohee for stealing from the office of the registrar of the Supreme Court, a silver hunting watch the property of J. Dickens, Esq. on the 14th of May 1838.

5. Juggomohun, sircar, for returning from transportation.

6. Surroop for stealing from the house of Gregory Chater, on the last June 1838, various gold and silver articles, valued at 96 rupees.

7. Horro with burglary in the house of Ramnarrain Purramanick, committed on the 23d June last.

8. Mator with stealing some nails from the godown of Messrs Watson and Co. in Clive-street, on the 22d June 1838.

9. Ameer syrang, for a rape committed on the person of Golaub, on the 3d June last, in Machua-bazar.

10. John George Ricketts, with feloniously carrying away from the shop of Messrs. Pittar and Co. a gold neck-chain, valued at 270 rupees.

11. Mohon Doss with a larceny, committed on the 4th of June 1838, in the house of Haureschunde Paul.

12. Euseph Beg for a larceny, committed on the 3d June, 1838, in the house of Cho-lee Sing.

13. Nuzoo with stealing from the custom-house two bank of Bengal notes of 25 rupees each and six rupees, the property of Ransoouder Doss, manjee, on the 13th of June 1838.

14. Madub Shaw with stealing seven pieces of cloth from a godown in Cooloolollah-street, the property of Sheekh Hyder, on the 29th of June 1838. — *Hurkaru*, August 4.

August 3, 1838.

(Before Sir J. P. Grant, Knight, Judge.)

Kooshoe, was tried for stealing, on the 13th of May last, a brass pot and other articles to the value of two rupees two annas, the property of Soorjee, widow, at Mirzapore.

The prisoner pleaded *not guilty*.

Soorjee, widow, deposed, that she resides in Mirzapore. On the 13th of May last, at about 8 o'clock A.M. a wedding procession passed her house. She went to see it, closing the mat of her hut after her, and, on her return, she perceived the prisoner, who was a stranger to her at that time, coming out of her hut. This raised her suspicion against him, and she therefore called a chokeydar who was near her at the time, to apprehend the prisoner. The chokeydar then seized him and found in his possession a brass water-pot and a bundle, which she recognized to be her property. The chokeydar then took the prisoner and the articles found on him to the police office, where she afterwards saw the bundle and the pot. The articles and the prisoner remained at the police office, and prosecutrix came away.

Ameer, chokeydar, who had apprehended the prisoner, produced the stolen articles, and the prosecutrix recognized them to be the property stolen from her house by the prisoner. The rest of the deposition of Ameer chokeydar confirmed the testimony of the prosecutrix.

The prisoner said, that he had an acquaintance with the prosecutrix; she met him at the marriage procession and took him to her house, where she said that she was in great distress, and, as she had long been a paramour of his, she begged him to give her some trifle to relieve her distress. Prisoner pleaded incapability, and she then requested him to get her brass pot and cup pledged for her for one rupee; and when he said that it would shame a person of his respectability to be seen hawking a brass pot and cup about the streets for pawn, she tied them up in a bundle, and then desired him to go with them. As he was proceeding with them at her earnest request to pledge them, the prosecutrix, when he had got out of her house, called to the chokeydar who is her paramour, and had him arrested on the present charge. He said he had no witnesses to prove his allegation; but added that if the judge chose he could make inquiries at the police office, and the would then ascertain that the prisoner had never been brought up at the police office previous to this charge on any account.

The learned Judge then summed up the case briefly to the jury, who after a short consultation, without retiring, found the prisoner guilty.

After this verdict was recorded, the judge, in sentencing him said, that as his offence was aggravated by his having entered the prosecutrix's house during her absence, he would inflict a severe sentence on him than he did on the prisoner convicted for larceny yesterday. He then sentenced the prisoner to one year's imprisonment in the house of correction. After this sentence had been passed, the prisoner begged the judge to alter his sentence, and to order him to be transported, for he could not survive one year's imprisonment in the house of correction.

The Judge ordered him to be removed from the bar.

Horro was indicted for having, on the 23d of June last, burglariously entered the house of Ramnarrain Purramanick, at night, in Putoolbanganah, and stolen therefrom several articles of brass, &c.

The prisoner pleaded *not guilty*.

Ramnarrain Purramanick deposed, that he resides in his own house, at Pootoolbanganah, and his niece resides with him. When he retires to sleep at night he sometimes shuts the doors and sometimes his niece. On the 23d of June last, he shut one of the doors with a mat fastening it to a cross bar, and his niece shut the other. Prosecutrix did not see her shut it that night, but she informed him she had done so. She is a *purda-nushin*, and therefore she is not in attendance in Court to-day. He retired at 10 o'clock P.M. to rest. He slept in one room and his sister and niece in another. At night he was awakened by some person entering the room in which he slept which faces the street. There is no communication between the room where prosecutor slept, and where his sister was, but through the compound. There were two persons entering his hut. One of them entered his hut by opening the mat door and the other was standing in the street close to the door. Prosecutor seeing them got up and called to the chokeydars for aid. When the thieves heard prosecutor's voice they both ran off, pursued by the prosecutor and Bishendeal, the chokeydar of his division. The man that was in the street escaped; but the one who had entered the hut and ran off with a bundle was caught by the chokeydar, who brought him to deponent's house and examined the hut to see how the hut had been entered, and they then perceived that it had been entered by digging a hole in the floor of the room where the prosecutor slept from the street. It was an earthen floor over which was the matted wall where the hole was made. The matted wall extended to the floor.

The chokeydar took the man he had arrested to the thanna. The prisoner at the bar is the man. It was about 3 o'clock a. m. when this occurred. The bundle and the articles in it were on examination found to be the prosecutor's property. The prisoner was taken from the thanna to the police office together with the articles found on him. The prisoner and these articles remained at the police office, and prosecutor came home. Prosecutor here enumerated the articles found on the prisoner and stated where they were kept at night in his hut when he went to sleep.

Beshendeal, the chokeydar of Putooldangah, produced the articles found on the prisoner, and the prosecutor recognized them to be his property.

The rest of this witness's testimony was in confirmation of what the prosecutor had deposed on the case.

Munsa Ram, the naib of Putooldangah, stated, in confirmation of the last witness, that he was present when the prisoner was apprehended and taken to the thanna, and thence to the police, up to his commitment.

The prisoner said that he had been on the night in which this theft is stated to have been committed to the Chandney chokey, and was returning home rather the worse for liquor, when, on passing near the prosecutor's house he heard the prosecutor who is an oilman, call out stop thief. Prisoner hearing the hue and cry, through fear, began to run off. He was challenged by the chokeydars and stopped, who charge him with the theft, and took him to the prosecutor's house near where a bundle of clothes were lying. They taxed prisoner with having stolen it from the prosecutor, and asked the prisoner who were his accomplices and where were his implements of house breaking. Prisoner denied the charge, and begged them to call some shopmen in the neighbourhood to bear witness to his character. This the police peons refused, but took him to the thanna and examined his hands and clothes and found no marks of mud on him. He was then taken to the police before Mr. O'Hanlon, the magistrate, who committed him to the sessions, prisoner called no witnesses to prove his defence.

The learned judge then summed up the case briefly, and the jury found him guilty.

After the verdict had been recorded, the judge sentenced the prisoner to be transported to the S. E. Coast of Martaban for 14 years.—*Hurkarn, Aug. 6.*

August 3, 1838.

(*Before Sir J. P. Grant, Knight, Judge.*)

Mohon Doss for stealing, on the 4th June, several articles of clothing, &c. valued altogether at Co.'s Rs. 240 or 250 rupees, the goods of Hurrishunder Paul, from his house at Hoogulporeah.

The prisoner pleaded *not guilty*.

Hurrishunder Paul deposed, that he resides in his own house at Hoogulporeah. He recognizes the prisoner who was a khansomah in his service. Prosecutor lost several articles from his house on the 4th June last. On that evening prosecutor returned from his office at 6 o'clock p. m. and did not see Mohon at his house, and from the information he heard regarding the prisoner from his servants, he, on the following day, applied for a writ for his apprehension, more so as Mohon did not return all night, and as Mohon had locked his wardrobe room. He next day had it opened by a blacksmith, and missed several articles from it. Mohon used to have the charge of the key of that room. Mohon never returned to him. Prosecutor could not get a writ on the 5th June, because he did not know the name of the village

where Mohon resided. Cassi is the name of the blacksmith who opened the wardrobe room. When the prosecutor entered this room he discovered that his writing desk, in which he kept his money, and his chest of drawers, in which his wearing apparel were kept, had been broken open and rifled of their contents. Prosecutor then made a list of the articles which he missed from that room before he applied to the police office. (Here the prosecutor detailed the articles which had been stolen from his house, and stated their value.) The next time prosecutor saw the prisoner and his lost property they were at the police office. He then saw the articles merely superficially, and therefore he cannot say whether they were all there. He did not see the ready money or the silver amongst them. The articles altogether were valued at 240 or 250 rupees—they certainly were worth more than 200 rupees.

Khan Mohamed, police peon, attached to the thanna of Ooloobareah, in zillah Hooghly, deposed, that the first time he saw the prosecutor was at the police office about one month and a half ago. On that occasion he had brought the prisoner at the bar from the thanna of Ooloobareah together with a pataarah sealed, to the Calcutta police office, by the orders of the jemadar of that thanna, who entrusted them to him. The pataarah remained sealed all the time whilst under deponent's charge. Mr. McCann produced the pataarah, and deponent certified it to be the same which he brought to the police office. It appears to have been opened at the police office since deponent left it there, as there are the seals of the police office on pasted papers on it.

Khristoo Mullick, chokeydar of Rajgunge, in zillah Hooghly, deposed, that he recognized the prisoner. He had known him from the date on which he first saw him at Rajgunge on a Monday, in the month of Joisree last. When he first saw him, the prisoner was carrying the pataarah now produced in this Court on his head. He knew it from the circumstance of its being sealed before him, at the thanna, by Mohon Sing, jemadar. That mark is still on it. On being challenged by deponent, prisoner said that he was a stranger in the village, and feared somebody would beat him, and put up at their house. This was towards the evening and he asked deponent to show him the quarters of the jemadar of the village, and deponent did so. Deponent again met him at the village bazar, as he was returning with a cruize of oil. Prisoner again addressed him and said, that he was the servant of Baboo Hurrishunder, a writer, and was proceeding to Tumlook. The baboo in his haste had left him behind whilst he was eating his victuals, and requested a place of safety for himself for the night. The deponent then took him to the police station and told him to stop there. He asked the prisoner what he had in the pataarah. Prisoner said that he could not show its contents to him then, as he had lost its key, but would shew it to him before he left the place. Deponent then gave him his chillum to smoke, and went to keep his watch, and the prisoner staid all night at the police stand. The next morning deponent again asked the prisoner to show him the contents of the pataarah, and prisoner refused. Deponent then lifted up the cloth which covered the pataarah, and perceived that its hinges had been started. Deponent then left another peon with the prisoner, and the naib sent information to the jemadar of the thanna, who was out on an investigation, and went to feed his cow. When the jemadar came to the police stand, the prisoner, at his request, lifted up the lid of the pataarah and exhibited its contents to him. The jemadar then took down the prisoner's statement regarding himself, and committed it in writing together with the box, to the thannadar, Mirza Mogul, at Ooloobareah, in deponent's custody, together with the three persons who witnessed the prisoner's statement regarding himself at the Rajgunge thanna. The darogah at Ooloobareah, then questioned the prisoner, who said

that he was a servant of Huty baboo, who had gone off in a hurry with Mr. deponent, and that he was going with the pataarah to Lumlook, and the pataarah had been broken by a fall in the boat at Rajjunge. Miza Mogul took down the prisoner's depositions and forwarded them to another thanna in custody at Kooterah, together with the witnesses to the deposition given by the prisoner at Ooloobareah. When they arrived at Kooterah they were kept in custody all night, and from thence they were all forwarded to the village of Dingabangah, where a robbery had been lately committed, and the articles found on the prisoner, were exhibited to the person whose house had been robbed at Dingabangah to see if any of the articles stolen from his house were amongst them, and on his disowning these articles, the prisoner and the pataarah were sent back to Ooloobareah thanna. The thannadar of that place took charge of the prisoner and the pataarah; and deponent, by the thannadar's orders, returned to his duty at Rajjunge.

Mootee Mohammed, writer of the thanna of Ooloobareah, deposed, that he saw the prisoner in custody of Chutterdaree Sing, a peon of Ooloobareah thanna, at Kooterah, where the darogah and deponent were carrying on an investigation regarding a darooty which had been committed there. There was a pataarah on the prisoner's head at the time. This was after their return from Kooterah. Deponent was desired to compare the contents of the pataarah with his list describing it. Gurreeballah, chief moonshiee, then read the paper, with which deponent compared the contents of the pataarah and they talked. Deponent was then ordered to seal the pataarah and put it in the guard-room. Deponent did so, and the paper remained with the darogah. The prisoner and the pataarah were afterwards forwarded to the police office at Calcutta where deponent opened the pataarah, and again in the presence of the prisoner examined the contents with the list which had the darogah's seal and signature, and found them to be correct. Deponent then left them at the police office.

Mr. McCann then produced the pataarah which he had received from Khan Mahomed, and which was recognized by Mootee Mahomed to be the one he had been mentioning in his depositions. He again examined its contents and found them to be correct. The prosecutor then examined the articles and deposed they were a part of the property stolen from his house.

C. K. Robison, deposed, that the paper in his hand was the confession of the prisoner on this charge, after he had been duly cautioned by him. Mr. Holroyd read it. In this prisoner said, Donah, a person residing in Haut Kolaw, advised prisoner to rob his master, and one day whilst prisoner was asleep, Donah stole his keys and robbed Murrishunder. Prisoner, when he awoke, he persued Donah and overtook him at Rajjunge, where, when prisoner made him over to the police peons there, they received a bribe from him of a silver salver and forty-eight rupees, and liberated him and sent the prisoner in custody to the Calcutta police office.

The prisoner made no defence.

The judge then summed up and stated the nature of the indictment and the facts adduced from the evidence, after commenting on which, he left the case in the hands of the jury.

The jury after a short consultation, found the prisoner guilty.

The judge after this verdict had been accorded, sentenced the prisoner to seven years' transportation to the S. E. Coast of Myrtaban.

Boodoo was tried for having stolen, on the 25th of April last, from the house of Cossinauth Lallah, in Postah-bazar, several articles of jewellery, valued at 80 rupees.

Prisoner pleaded not guilty.

Cossinauth Lallah deposed, that he is a burkendauze, employed in the export warehouse. Prosecutor, in April last, lived in the house of a brahmin in Postah-bazar, and he was robbed there. Prosecutor hired, at one rupee a month, one of the rooms of the brahmin's house. Prosecutor lost many gold and silver articles. He has a memorandum of the articles, which was made by him on the morning following the theft, which happened on the night of the 23d April last. Prosecutor was on that day in the export warehouse. On the morning of the 24th, an old woman gave him information, that his house had been robbed during the preceding night. Prosecutor, in consequence of this information, went home, and, on his arrival there, he discovered that his box, containing his things, had been stolen. He then went and gave information at the thanna, and the thannadar, naib, and some peons came with prosecutor to his house and made an investigation. [Here the prosecutor gave a detailed statement of the articles of which he had been robbed.] And they observed the mat which shut the door of prosecutor's room had been cut. The thief, it appeared, had entered by cutting the mat of a room, in which the brahmin's cow was kept, and had escaped by the door of prosecutor's room. The last time prosecutor had seen the box in his room, was on a scaffolding in his room, on the evening of the 13th April, when he left it to go to his duty, at the export warehouse. Prosecutor subsequently saw some of the articles which were stolen from his house, in the hands of the prisoner at the Burra-bazar thanna. Prosecutor had known the prisoner at Benares, where he had been punished for a robbery at the magistrate's court. Prosecutor was then a peon in the magistrate's service. Prosecutor had not seen the prisoner in Calcutta, before he saw him in custody at the thanna. Prosecutor's wife, daughter, and the old woman, slept in the room in which the robbery was committed on that night.

Goordial Sing, naib of the Burra-bazar thanna, deposed, that he first saw the prosecutor at his house, at the time he went with the thannadar and peons, to examine it, in consequence of its having been burglariously entered. Deponent has known the prisoner since he has been arrested. The prosecutor's and the prisoner's houses are close to each other, separated by a lane about two cubits in breadth. The hole that was cut in the prosecutor's hut, was in the direction of the prisoner's house. In consequence of what the prosecutor told deponent, he arrested four or five of the prosecutor's neighbours and took them to the thanna. Whilst they were at the thanna, one of these five men said, there is Boodoo going along. Hearing this, deponent then proceeded with Guneish chokkydar and arrested him. The prisoner at the bar is the person he then arrested. Deponent then took him to the thanna and searched him. He found on him some English pennies and some rupees. Both the prosecutor and the prisoner claimed these pennies to be their property. Deponent then perceived the prisoner slip a paper parcel under his shoe, and searched it, and on opening it he discovered some jewellery wrapped in the paper which the prosecutor identified to be his property. Deponent afterwards went with the prisoner to search his house which is an upper-roomed one and there discovered some implements used in cutting into a matted house, and some other articles belonging to the prosecutor. Deponent then took the prisoner in custody to the police office, together with the articles found in Boodoo's possession and in his house, and those articles have ever since that time been in deponent's possession, and he now produces them at the trial.

The prosecutor then looked at the articles produced, and recognized them to be a part of the property which had been stolen, on the night of the 23d April last, from his house.

Guneish, nephew to the prosecutor, deposed, that he is a kidmtugur in the service of Dinonauth baboo, and

lives with him. He has seen the jewels now produced in Court on the person of his female relatives, and believes them to be a part of the property stolen from his house.

Mr. D. McFarlane produced the prisoner's depositions, and proved that the prisoner, after being warned, had given them voluntarily.

Mr. Holroyd read them. In them the prisoner had stated that he had lately arrived from Noabpurrah, his native village, in the zillah of Benares, and resided with a person named Munna at the Rajah's postah. On the day on which he was arrested, he picked up a bag on the road, containing the jewels now produced in their Court. As he was proceeding with them to give them to the thanna, the prosecutor, whose house had been robbed, and who had a handsome wife, with whom the prisoner had an intrigue, immediately charged him with the theft, and he was beaten and taken to the thanna.

He in his defence added, that the property was deposited by the prosecutor to be gold, and these are guilt and prisoner's property, and if they be tested by fire they will be found to be guilt.

The prisoner said he has three witnesses.

Two of them said that they heard on the day the prisoner was arrested, that he had found a bag on the strand road, containing some coins and jewellery, but they did not see him pick it up. The third witness denied all knowledge of him. A fourth said, that one day the prisoner asked him the way to the thanna and he pointed it to him.

This closed the defence. The learned judge then summed up the case, read the indictment and the case as added from the evidence, and commenting on it, left the decision of it to the jury, observing that the charge of burglary is not made out against the prisoner.

The jury, after a long retirement, acquitted the prisoner, and the judge, as the verdict had been recorded, admonished him to be more cautious in his future conduct, and ordered him to be released.

After this the Court adjourned till 10 o'clock a. m. to-morrow morning.

August 4, 1838.

(Before Sir J. P. Grant, Knight, Judge.)

Juggomohun, sircar, was indicted on the 27th of July 1831, during the third session of that year, for having, on the 14th July 1833, counterfeited, against the statutes, four sicca rupees, for which he was convicted on his trial and sentenced for 14 years' transportation to the S. E. Coast of Martaban. And that he in defiance of this sentence, and before its expiration, did unlawfully return to Bengal within the Company's territories, and was found and apprehended as a felon in zillah Hooghly.

The prisoner pleaded guilty of returning before the expiration of his sentence, and put in a petition, in which he said he had his reasons for returning fully set forth. After the judge had read this petition, he again gave him the option of pleading not guilty.

The prisoner again pleaded guilty, and wished the judge to investigate the severe ill-treatment he had received at the place of his transportation, but of this he had no proofs.

The judge replied, that the matter which the prisoner now wished to have investigated, could not be investigated here, because that could only from a consideration of the judge in passing his sentence on him, should he persist in his present plea, or be convicted after having taken his trial on the present charge. The only point now to be enquired into by the Court is, whether he (the

prisoner) is not the same Juggomohun, sircar, who had been convicted of the crime already set forth in this indictment and explained to him, and who, after he had been sentenced to transportation for 14 years, on that former conviction of the 27th July 1833, did return to Bengal from the place where had been transported, before the expiration of the period of his transportation. And the judge, after having given him this explanation, again cautioned him, and gave him the option if he felt so disposed, to alter the plea he had just now pleaded, and take his trial on the indictment now preferred against him.

The prisoner, after this explanation and caution, still persisted in his plea of guilty.

The plea was then ordered to be recorded, and after this had been done by the clerk of the crown, the prisoner was ordered to be removed from the bar at present, and his sentence deferred.

Ameer, syrang was tried for having, on the 4th of June, 1838, at Mutchau-bazar, committed a rape on the person of one Golaub, wife of Eeloo khalasee.

The prisoner pleaded not guilty.

Golaub, deposed that she subsists by her labour; she sews clothes and does occasionally job work. She is a married woman, and her husband went to sea about two months ago. Other people live in the same house in the other apartments of it, but they are in no way related to her. Prosecutrix knows the prisoner, and has known him for about two months. Prosecutrix's husband is a seaman; the prisoner is of the same profession. Prosecutrix does not know the English months. Prosecutrix does not recollect the month of Jait. She recollects that upwards of two months ago the prisoner offered her some violence, a little previous to that time the prisoner proposed to prosecutrix's husband to leave the prosecutrix at his house with his family, during the period he then would be absent at sea. Prosecutrix did not hear this. Prosecutrix's husband did not consent to this proposal. Shortly after the departure of the prosecutrix's husband, prosecutrix one day called at the prisoner's house at Mutchau-bazar, to demand payment of four rupees due by him to her husband. Prosecutrix found him sitting at the door of his house in the verandah. The house has mud walls. In proceeding from the verandah it leads to the compound of the house. The compound is walled in, and has a gate-way leading to the street. When the prosecutrix had entered the prisoner's house, the outer gate was open. She has no recollection whether any person did shut it afterwards or not; she, on that occasion, only saw the prisoner by himself. On her entrance, she said to the prisoner, "give me the four rupees you owe to my husband." He refused to give it, and, on the prosecutrix reiterating the demand, he again refused to pay her. Prosecutrix then arose, and, as she was going to leave the house, the prisoner ran after her, seized her by the arms and legs and took her forcibly into an inner room of his house. [Here the prosecutrix after some hesitation, and being informed by the Court that in this case there was no shame nor occasion for delicacy, and the only thing for her to be ashamed of was speaking an untruth, as it was a crime the result of which might affect the prisoner's life, stated that the prisoner threw her down on the ground, and then, after some more interrogation, she described the perpetration of the violence towards her, the commission of which constitutes the present charge against the prisoner at the bar.] Prosecutrix further deposed, that she was not a consenting party to this act, which was forcibly committed on her, otherwise she would not have complained. She did cry out, struggle, and screamed in vain, and desired the prisoner to desist from his purpose, but he was obstinate and would not hearken to reason. There was no person in the room, but two females were in the compound at the time.

The prisoner's house consists of but two rooms. When the prisoner took her into the room she saw the two persons sitting in the compound. They could have heard her cries, but neither of them came to her assistance. One of the females was the prisoner's wife and the other maid-servant saw the prisoner seize on the prosecutrix and take her away, but the prisoner's wife did not see the prisoner overtake the prosecutrix in the verandah. On being questioned by the judge, whether she had not just previously stated that the prisoner first seized her in the compound, she replied that he first seized her in the verandah and then took her away from the compound. On being desired to explain herself, she said that the prisoner took her up in the compound and not in the verandah, but carried her from thence through the verandah to the inner room. The maid servant was at that time sitting in the verandah near the place where she was seized, and in taking the prosecutrix into the inner room, he passed quite close to the maid servant. Prosecutrix was screaming at the time, but neither the maid servant nor prisoner's wife said any thing, nor interfered in any manner on the occasion. After the prosecutrix had been freed from the prisoner's hands she went out into the lane crying. She observed in quitting the prisoner's house, that the maid servant was still sitting quietly at the place where she had been when the prisoner took her into the room, and the prisoner's wife was then sitting in the compound on the abutment of the well washing her mouth after having taken her meals. No conversation passed between the prosecutrix or any of them on that occasion. The well is about five cubits distance from the door of the room into which the prisoner took the prosecutrix. Prosecutrix cannot say whether the prisoner's wife heard her screams or not, the distance is so close that she might have heard them. Whilst prosecutrix was quitting the prisoner's house, she saw his wife go to the verandah of the house. The prosecutrix after she quitted the prisoner's house, went to a plain behind the prisoner's house and began to cry, and shortly afterwards went home. She then saw her landlady, she does not know her name. She related to her what had happened to her. She did nothing on that day, but the next morning she went to the police office and lodged her complaint before Mr. O'Hanlon, the magistrate. Prosecutrix's statement at the police was not so very elaborate, but the facts stated in these coincide with those she has stated here. Prosecutrix did not state at the police office that when she entered the prisoner's house, she saw him sitting with his wife and servant maid in the verandah, for such was not the fact; and if the magistrates had entered that in her deposition at the police, they must have done it erroneously. Prosecutrix did state at the police office, that when she demanded her diet money from the prisoner, he desired her to sit down on a cot in the verandah and he would pay her. Both the statements, viz. that made by the prosecutrix here and at the police are true, for at first he promised to pay her and then he refused to do so. Prosecutrix did sit down in the verandah. Prosecutrix did not state at the police office, that the prisoner seized her in the verandah, whilst she was sitting there, and carried her into the room. The fact is, he seized her at the entrance to the verandah, and she did state at the police office, that no conversation had passed between her and either the prisoner's wife or her servant, and if either of these two facts were otherwise entered at the police office, they are wrong. Prisoner after he took her into the room, shut the door of it.

Cross-examined by the prisoner. Prisoner was neither mad nor drunk at the time, and prosecutrix cannot say whether it was love or any other motive which impelled him to the perpetration of this crime. The prisoner's house is mud-walled and tiled-roofed. The doors of the house, room and compound are of wood. The compound is water-logged. After the prisoner had shut the door he bolted it on the inside.

Chumpah, the next witness, when called to be examined, shook her hands and appeared to be either labouring under some illness or affected. She, it appears, however, appeared to have been examined at the police office. The prisoner said that she was a mad woman, and subject to temporary fits of insanity, and Mr. Neamy, the interpreter to Mr. O'Hanlon, said that she was sensible enough when examined at the police office; and the police peons who had brought her, said that they have seen her every day from the last instant, and she appeared well and sane; but since yesterday they have seen her in this state of insensibility. The judge, after intimating to the witness, that if she was ill, she could sit down or be examined hereafter, but if she affected to be so to avoid being examined, he would be compelled to send her to the jail. Notwithstanding this, the witness still continuing in a state of stupefaction and it appearing that she was really ill, she was removed from the witness box. The prisoner said, that she had been frequently bled and under medical treatment whilst in his service. The jemadar of the Mutchua-bazar thanna said, she had not been under medical treatment, to his knowledge, since these four days. On the 1st and 2d instant, he has seen her talking and sane to those near her, but these two days she has not spoken a word to any person. She comes every day to the court, and goes home in the evening to the prisoner's house. The prisoner's wife and mother-in-law, who are here, can be brought to the court and depose to the state of this witness's intellect.

The jemadar then deposed to the truth of what he had already stated, and said that he saw this witness home, yesterday, and believes her to be a woman of weak intellects, but at the same time he supposes her present conduct partly assumed.

Sahab Jaun, the mother-in-law of the prisoner, deposed, that she knew the last witness, Chumpah; she is a servant maid in her son-in-law's employ. She is mad occasionally and unable to speak. About eight months ago, she underwent medical treatment. The doctor shaved her head and bled her. She then recovered partially, but since that she has had a relapse about twenty days ago.

Dr Bain, the police doctor, having come into the Court, the judge ordered him to examine this witness.

Sahab Jaun's evidence continued. Deponent has known the prosecutrix about two months. She is her landlady. Deponent generally is out all day on her business, and the prosecutrix likewise goes about, therefore she cannot form an idea of her character, but from appearance. This any body else might do. On the day on which this crime is stated to have been committed by the prisoner, the prosecutrix came and stated the particulars of it to her. The judge remarked, that anything the prosecutrix might have stated immediately after the commission of the act is legally evidence. The prisoner has been married to the deponent's daughter about sixteen or seventeen years, and has always borne a good character. She would not suppose him capable of committing such a crime as this for which he is tried.

Buckteer, deposed, she recollects that about two months ago, on a Sunday, she saw the prosecutrix; beyond this she neither knew the month nor the date of it, her evidence was of no avail in the elucidation of this case and it was consequently dispensed with.

In this stage of the proceedings, Dr. Bain returned, after having examined the witness Chumpah, and deposed, that he could not get any answer from her, and she appeared to him to be an idiot. This was inconsistent with her being a sane person, on the 11th June last.

After this Mr. Namey, the interpreter to Mr. O'Hanlon, who had translated the depositions of Chumpah, proved their genuineness. Mr. O'Hanlon, the magistrate, is, deponent believes, unwell, he has not attended office

this week. Chumpa was then of sane mind, Mr. Holroyd then read these depositions. Deponent stated that she is the servant of Ameer, syrang. She receives no wages, only victuals and clothes; on Sunday the 3d June, prosecutrix came to Ameer's house and began to smoke tobacco. The prisoner asked her whose tobacco she was smoking? Prosecutrix replied not his but his wife's, nor was she in his house but his wife's. The prisoner then seized her and threw her from him. The crime the prisoner has alluded he did not commit, nor did the prosecutrix accuse her of it at that time, but merely of an assault.

The prisoner in his defence said, that the prosecutrix is the concubine of a lascar who is under considerable obligation to the prisoner. This lascar wanted deponent to go to sea with him. Prisoner declined to go in a small country ship; but that man went in the *Indian Oak*, on a salary of seven rupees per month, and desired him to give the prosecutrix four rupees a month on his account. After he had left the pilot in the ship, prosecutrix came every day during his absence for these four rupees. Prisoner refused to pay to her until her paramour was out at sea. One day she came to the prisoner's house and began to fight with him and made free with his wife's beadle and hookah. Prisoner desired her not to behave so disrespectfully towards him, nor so ungratefully to her paramour, as her present conduct indicated. Prosecutrix then began to cavil with the prisoner and began to be very obstreperous; he therefore seized her by the neck and turned her out. She then, in revenge, trumped up this charge against him. He, in conclusion added, that he had witnesses to prove both his character and that of the prosecutrix.

Bunoo proved, that the prosecutrix is a woman of loose character, and is the mistress of a khalase. She once was a tenant of the defendant, and then attempted to extort some money from her son-in-law by raising a similar charge some time ago against him; they consequently turned her out of his neighbourhood. Deponent would not believe her on her oath. She is a woman of notorious character. The prosecutrix is the raiway slave-girl of a moonshee, living in deponent's neighbourhood. The prisoner is in no way related to the deponent.

Mahomed Tukie, the last witness's son-in-law deposed, that the prosecutrix was tenant of his mother-in-law for six months. Deponent did not see any thing unchaste in her conduct during that time, but the neighbours, and even her husband, often spoke of her as a woman of a very loose character.

Mahomed Ushroof, naib of the crazy of Calcutta, deposed, that he has known the prisoner, he is a native of Dacca. Deponent has known him for fifteen or sixteen years, ever since his arrival in Calcutta. He bears a very good character. He attends prayers in deponent's masjid, and hears deponent's sermons. He is a syrang by profession. Deponent never saw any thing lascivious in the prisoner's conduct, nor heard any reports against him of that tendency.

Mear Nussurut Ulle, Mahomedan priest, deposed to the character of the prisoner. He said he is a religious and pious man, having a wife and family; whereas the prosecutrix is a woman of loose character. He has seen her in the streets coquetting and jesting with young lads.

Golan Mahomed, mahomedan tutor, deposed, that he has known the prisoner for a long time. He is a pious religious man, and shuns vice and women, but attends to the care of his wife and family.

This closed the prisoner's defence.

The learned judge then summed up the case, stated the nature of the indictment and said to the jury, that if they had any doubts as to their verdict or about the innocence of the prisoner, he would detail the evidence

and the case as made out from it, and comment on it in his charge to them; but if they were unanimous as to his innocence, he would not do so.

The jury after a short consultation said, that they were unanimous as to the innocence of the prisoner, and returned a verdict of not guilty.

The judge remarked, that he entirely concurred with the verdict of the jury. The case, from the very nature of the prosecutrix's own statement, appeared to be a made up one; for it is not probable, that any man in his senses would, in the presence of his wife and family, commit the crime the prosecutrix had accused him of in open day. In discharging the prisoner, the judge said, that the prisoner in his opinion quitted the bar, without the slightest imputation on his character from the present charge.

Previous to investigation this case, the Judge intimated to the juvenile spectators, that perhaps it would be better for them to quit the Court-room, as there were circumstances in this case which might not be altogether proper for them to hear.

Soorooop was tried, for having, on the 1st of June last, stolen from the house of Gregory Chater and Anna Abraham, at China-bazar gully, a silver watch and several other articles of value.

Prisoner pleaded not guilty.

Gregory Chater, deposed, that he resides in Armenian-street. On May last, he resided in China-bazar lane. He knows the prisoner at the bar. He entered at the prosecutor's service a substitute for a bearer on the 31st of May last. On the 1st June last, prosecutor missed his silver watch with two gold seals, gold chain, one gold watch-key and one silver watch-guard, two gold rings, some gold studs, two brooches, and one pair of silver spectacles, &c. from the drawer of an almirah in the room which prosecutor occupied. The house at that time belonged to prosecutor's father's estate, and was in the hands of the registrar of the Supreme Court as administrator to the estate. Prosecutor and his sister had charge of it after his father's death, and lived there rent-free by the permission of the executor to the estate. On the 31st of May last, prosecutor's old bearer brought the prisoner as his substitute, and showed him the business he would have to do. The prisoner, on that day, and on the 1st June last, attended on the prosecutor to dress him, and saw prosecutor open the drawer in which the articles which have been stolen were kept. After prosecutor had addressed at 9 o'clock a. m. he shut the door of that room and went to breakfast, having previously deposed the articles aforementioned in the drawer, and locking it up the key of it in a small box on the top of the chest of drawers, and locked it and left the key attached to it. The prisoner quitted the room, together with the prosecutor. Up to the time prosecutor quitted that room only he and the prisoner had entered. Prosecutor likewise locked the door of this room and kept the key by him. After breakfast prosecutor went to his office, and returned home at 2 o'clock p. m. Prosecutor returned early by appointment to meet Mr. Kenderdine, Mr. Dickens' assistant, there to see the prosecutor's father's iron chest and value it, because the prosecutor's sister wished to purchase it, Mr. Kenderdine staid about one hour in the prosecutor's house on this occasion, and, after he had taken his leave, prosecutor unlocked his bed room and went into it. At about 5 o'clock p. m. the prisoner came to the prosecutor in his bed room and prosecutor asked him why he delayed coming from his office so long. Prisoner replied, that he was not aware that the prosecutor had returned home. The prisoner then replenished the lamp in the prosecutor's house with oil, and his nephews took away eight toys from his room to play with. The prosecutor then came

out locking the door after her and sat down to converse with his sister. The children then returned prosecutor these toys, and prosecutor gave four of them to the prisoner. Prosecutor then went into his bed room, put four toys on a chair close to the door, and desired the prisoner to put the four by him in the same place. He replied, he would put it in the *best place*, and went, whilst prosecutor was standing outside, waiting for him. The room he was in was dark, and he staid there about twenty minutes. He then came out of the room. Owing to the darkness, prosecutor did not observe any thing peculiar in his appearance at that time. Prosecutor then locked the door and proceeded towards the door of his house, intending to go out. Prisoner met prosecutor in the way and requested permission to go and take his meals. This the prosecutor granted him. Prisoner then said he would not be able to return that night. Prosecutor said "you must," and then went out. Prosecutor came home at 10 o'clock p. m. and asked if the bearer had returned. The prisoner himself replied "yes." Prosecutor desired him to bring the light. Prisoner replied what is the use. Prosecutor then "insisted *him*," and then the prisoner brought the light. The prosecutor then saw his chest of drawers open and his articles not there. He missed them, and likewise the key. When prosecutor discovered his loss, he began to cry until his sister's servants came to his assistance. Deponent then insisted that the bearer had taken the articles, and *his face became pale*, and he wanted to run away. Prosecutor then had him detained, sent for some police peons and arrested the prisoner. They searched his clothes, but it was *nothing was found*. He was then sent to the police office, where deponent attended, and the prisoner was committed by Mr. O'Hanlon. Prosecutor never again saw the articles stolen from his bed-room. The room is an upstairs room, has a terrace from the hall to this bed-room. When the prosecutor returned at 10 p. m. he found the door of the room locked as he had left it. One of the windows of the prosecutor's bed-room which communicated with a verandah, was shut. The "prosecutor said to the man 'shutty his hand as you sees I shuts it.'" There was a passage from the hall to the verandah, "Nobody would open the room because prosecutor had the key by him;" and the prosecutor, in his confusion, getting into personalities, said to the judge, "you could not come to the room without my *kaa-ying it*." All the articles stolen were valued at 100 rupees. Prosecutor valued the watch at twenty-one rupees. He bought it for sixteen rupees and he "gilted" it, and the chain he made of six rupees which he also he *gilted* two rupees, therefore he valued the chain at ten rupees, but supposed the watch may fetch from sixteen to twenty rupees, and the chain eight rupees, which if sold will always fetch its value, two-gold broaches and two rings, that is sixteen rupees each. This prosecutor having valued his second-hand articles at the same price which he had paid for them, the judge reproved him severely for the manner in which he gave his testimony, because the prisoner's sentence depended on the value of these articles. The prosecutor added, that he subsequently went to search the prisoner's *baussa*, i.e. his residence, as stated by him, and there learnt from the neighbours, that the prisoner had never lived there. The lock of his door was a common lock, and prosecutor does not know whether the other keys of the door might not have opened the lock of his bed-room. When the bearer was in the room, prosecutor "was not suspecting *nothing*." He did not suspect any thing "because the bearer had said he was put in *best place*, and he supposed the bearer was finding the *best place*, and he therefore did not say *nothing* to him when he came out."

Ekbor, the prosecutor's door-keeper, was next called. He could prove nothing beyond what the prosecutor himself had stated.

Koorah, servant of the prosecutor's sister, was then examined. His evidence likewise elucidated nothing.

The prisoner, in his defence, said, that his business consisted out of doors. He was never in doors except when the prosecutor was there likewise. During the day Mr. Chater sent several articles to the auction for public sale, perhaps the articles alleged to be stolen were sent there. Mr. Chater, after he had arrested the prisoner, searched his person, his home, and his box at Mrs. Gonsalves' house, and nothing was found on him, nor were his clothes of that nature, consisting merely of a dhootee and a slight covering, in which he could not conceal any thing. He put in some certificates as to character from his former employers, and said he was only in the room half a minute at the time he put those mud images in the room, and Mr. Chater was in the room with him, and they left it together.

The nab of the Barra-bazar thanna deposed, that he, in company with the prisoner, and by the directions of Mr. Chater, in his presence searched three places where Mr. Chater said the prisoner had resided. They likewise searched his chest at Mrs. Gonsalves' house in the Chandney, and a small box, and found nothing there. Mrs. Gonsalves, on that occasion, told deponent that the prisoner had been long in her service, and she had discharged him in consequence of having stolen her earrings.

Francis Barretto Gonsalves deposed, that the prisoner had been formerly in his mother's service. The certificate filed by the prisoner in Court was given to him by deponent, and is in his hand-writing, and deponent at that time believed him to be an honest, active servant, as he has stated in the certificate. Prisoner was twice in deponent's mother's service. What character he has borne subsequent to this certificate having been granted to him, deponent cannot say.

This closed the proceedings both for the prosecution and the defence.

The learned judge then summed up the case, adding that the crime as laid on the indictment, is a capital felony, because the articles are valued above 80 rupees, but if the jury believed them to be below that value, the crime would not then be a capital larceny. The judge then stated the case as made out by the evidence, detailing it and commenting thereon, and then left the case to be decided by the verdict of the jury.

The house is not the prosecutor's, as is stated in the indictment, but belongs to his late father's estate; and if it could be the house of both, it certainly could not be that of either individually, but must go to pay the debts of his father, if any, and until the estate's accounts are wound up, remain as assets in the executor's hands, and not as in England, where landed property is hereditary, necessarily devolve on the eldest son as heir-at-law.

The jury, after a short consultation, acquitted the prisoner, and the judge, after this verdict had been recorded, ordered his release.

True bills against the undermentioned individuals were found by the grand jury. Against Euseph Baig for violently assaulting Chaitoo Sing, and stealing from his house in Gollaw-bazar in June last, several articles of value.

Issorchunder Kur with stealing from Deauth Ollah a cap, valued at 1-12, in May last.

Muddub Bonnerkea for larceny, in a godown in Collooli-ch-street, and stealing seven pieces of cloth, the property of Shaikh Hyder Ullee.

No true bill against Munnee Toukoor for larceny.

MONDAY, AUGUST 6, 1838.

There is an indictment, we here, preferred against a magistrate in the mofussil, for going into the jail in his zillah, and beating and otherwise maltreating some witnesses, who are confined in it, for want of sufficient bail

for their appearance to give evidence in the case in which they are subpoenaed. The grand jury asked the learned judge, whether in the mofussil, a magistrate had, in the administration of his duty, the power to beat those confined in it, and whether the accused could plead the practice in justification of his conduct. The judge replied, that in all cases where they believed that any grounds whatsoever for the accusation laid was correct, it was their duty to send the case up to the Court for trial for their verdict did not finally decide the case, which was done by that of the petit jury. The verdict of the grand jurors only declares, that there were sufficient grounds to have the case investigated, and to send it therefore before the Court.

The grand jury brought in this day-two true bills against Mr. James Balfour Ogilvy, late magistrate of Burdwan, for an assault and false imprisonment. The cases against this gentleman are, we hear, to be tried next Monday. — *Huskaru, August 7.*

August, 8, 1838.

(Before Sir J. P. Grant, Knight, Judge.)

Perrygoon Bose and Thomas Gray, who did not answer to their names when called, were fined 50 rupees each.

Boghwan Ghose and Byrub Gangoolce were charged on the 7th of May last, with stealing from the house of Hurroo Khankee, and Farra Monnee, in Sheeboo Thakoor's lane.

The prisoners pleaded not guilty.

C. R. Prinsep, Counsel for the prisoner Byrub Gangoolce.

Hurroo Khankee deposed that she resided in Moodoo's mother's hut. She does not know the name of the place. Prosecutrix is a prostitute, she was acquainted with Moodoo, whilst she lived there, but she has left it fifteen days ago. She only occupied one room in the house. There were other tenants in the house who occupied the other rooms. The door of her room was in the lower apartments of the house. The door of it led to the compound of the house. Prosecutrix paid two rupees eight annas a month for the hire of it. The house is situated in Calcutta, in Sheeboo Thakoor's lane. Prosecutrix has known both the prisoners. They visited her three successive nights, and stole her property from thence. This occurred about four months ago in the month of Jyest. On the last day of that month, they visited her late at night about ten o'clock p. m. On the day last mentioned, the two prisoners visited the prosecutrix at about ten o'clock p. m., and, after they had been there about one hour, and had smoked a chillum and eaten some betel. Bhagwan Ghose prepared some woodapple sherbut, and put some deleterious drugs in it, and Byrub Gangoolce gave it to her to drink. Prosecutrix did not then know the name of the man who had prepared this sherbut. Prosecutrix declined at first to drink this liquor and said, that she had some of it ready prepared in her house, and would drink of it; but they pressed her to drink their preparation, and she, in compliance with their repeated solicitations, drank about one ounce of it. The sherbut, if prepared properly, has no intoxicating quality in it. Soon after prosecutrix had drunk the liquor the prisoners had prepared for her, she felt a sudden giddiness and become insensible. At this time prosecutrix had all her jewels on her body. What occurred during the time she lay thus in a state of stupefaction, prosecutrix cannot say. Prosecutrix's daughter had some jewels on her body at the time likewise, besides her and her daughter's jewels. There were some clothes hanging on a string in the room and, a silver

mounted hookah, as the indictment stated, four sawrees and one dhootie. The judge asked her whether they were dhooties or sawrees. Prosecutrix said, there were no sawrees for she never wore a sawree; and the judge observing that the prosecutrix had on a sawree, asked her what clothes were those she had on in court. She said she called it a dhootie, others may call it a sawree. Prosecutrix's daughter is aged six years. She was at the time this occurred sleeping in another room. Prosecutrix recovered her senses six days after this had transpired, and then she discovered, that the prisoners had absconded from her house in the interval, carrying away all her's and her daughter's jewels, and the clothes lying in the room, likewise the hookah. The value of the property stolen by them on that occasion, might be 100 rupees, or thereabouts. One string of the waist chain and one dhootie, were found in the house of Gour, moodce, in the presence of the prosecutrix, when she went with Ram Sing, the nana jemadar of the Cabberdangah thanna, to search his house. Prosecutrix immediately recognized them to be her property. The dhootie had the washerman's mark on it. There were more than one mark on it, because several washermen washed for her.

Randeem, jemadar of the police office, produced a dhootie and the one string of the silver waist band with the clasp on it. The prosecutrix examined them, and deposited, that they were her property.

Cross-examined by Mr. Prinsep. Prosecutrix deposed, that the mark on the dhootie is a triangular black mark in the corner. It is a very common one. All clothes sent to the same washer are marked similarly. There is no particular mark by which she can recognize the waist chain. It is a very common ornament, and almost every prostitute wears one like it. On the two former occasions, when the prisoners visited her, she lost nothing; they brought her some sweetmeats, and neither felt any effects from them, nor lost any thing on those occasions. The prisoners gave her one rupee in part payment of her wages. They had agreed to keep her in common, each to give her eight rupees a month, and the two rupees were paid in advance. Prosecutrix lives in the upper room of the house. There are four or five other prostitutes there in the same house, some of them are in keeping of baboo's, others receive visitors promiscuously; any person wishing to visit any of them, had only to go upstairs and walk without any hindrance in the room of any of them. Gour, moodce resides about one cross from the place where this theft occurred. His mistress is Behloomonee. What character either Goumohen or Poddoo Bear does not know, nor the name of the place where Gour, moodce lived. The house where the robbery occurred belonged to Sheeboo Shaw. Prosecutrix occupied a room in the third story of it, and the door of it leads to the staircase. Moodoo's mother is the owner of the house prosecutrix occupied. Prosecutrix lived alone on the third story of Sheeboo Shaw's house. The other tenants occupied the second story of it. Boghwan Bose never visited her before the occasion just deposed to.

Tipporah, corroborated the statement of the last witness regarding the visits of the prisoners to her. Deponent said, that she is the servant of the prosecutrix. On the night of the last day of Joistee, deponent left the prosecutrix and the two prisoners in the prosecutrix's room and went to her house. When deponent returned to her duty next morning, she saw the prosecutrix lying insensible in the room and start naked, having been deprived of all her jewels which she had on the night previous. When deponent saw this, she gave information of it to the inmates of the house, some of whom came to see her; and leaving some of them with the prosecutrix, deponent went to the prosecutrix mother's house, and brought her to this prosecutrix's room. Prosecutrix's mother gave the prosecutrix some tamarand sherbut to drink, and prosecutrix

then vomited some nauseating black stuff into a cup, in which there were the drugs of some woodapple sherbut. Deponent, by the order of the prosecutrix's mother, threw it away. Prosecutrix remained insensible for three or four days, and gradually, by constant cooling applications, recovered. It was about one week after the prosecutrix had drunk the sherbut given her by the prisoners, that she recovered perfectly. When the prisoners came the first time to see the prosecutrix, they brought with them some sweetmeats, two woodapples, in a hollow joint of a bamboo. Deponent did not see the prisoner throw up. The vomits of the prosecutrix were woodapple sherbut, mixed with some black drug. Deponent has been in the prosecutrix's service four months, and had never seen her drunk or in that state before this occasion.

Cross-examined by Mr. Prinsep. This examination elicited nothing by and what the deponent had already stated.

Byrub raur, deposed, that she is the mother of the prosecutrix, which was confirmed by the evidence of the last witness, and added, one Sheeboo doctor who lives in Sheebtollah cured her, but even now the prosecutrix gets deranged, and her eyes are inflamed, and she then talks at random. These symptoms she never saw in her previous to the date of the occurrence she has just related. This witness, as well as the one examined just previously, identified the jewels and clothes produced in court, to be the property of the prosecutrix.

Tarrah Monnee, deposed, as to the state in which she had seen the prosecutrix on the morning of the night after she had taken the woodapple sherbut.

Ramdeen, naib of the police office, deposed, that the articles he produced at the police office, were found by him on a search warrant in Gour, moodee's house. There were with him at the time the thannadar of the Jorasankoo and Cubberlangah thannabs, and an aurduary of Mr. McCann, named Sham. Both the prisoners informed the deponent that the articles which had been stolen from the prosecutrix, and for the robbery of which they had been arrested, were in the possession of Gour, moodee. The silver articles were found by the prosecutrix on the top of the curtain, and the dhooties on the bedstead. The prosecutrix recognized them to be her property. Bhogwan Bose was present during the search, and when he saw the articles found, he said, "these are the things." Deponent arrested both the prisoners at the house of Byrub Gangoolee. When deponent arrested them they were lying on one bed. Deponent held out no promises or threats to induce the witnesses to confess. Deponent saw under the pillow of Byrub Gangoolee, a paper parcel, containing some poisonous powder, and a little in a rough state on a window, and in the place where he kept his firewood, deponent found a pick lock and a scindcuttee, used in burglariously entering a house.

Mr. J. J. McCann produced these articles, and deponent recognized them to be things he had discovered in Bhyrub Gangoolee's house.

Puddoo Moonnee deposed, that she is the mistress of Gour, moodee. The prisoner Byrub Gangoolee brought to her, some months ago, the dhooties and the waist chains produced in Court, to mortgage them to her for three rupees nine annas. Deponent referred him to Gour Mohun, and deponent afterwards, by Gour's direction gave the three rupees nine annas, and received the articles in pledge. Bupproo naib, and Moocheeram were present when they were mortgaged. On a subsequent day, Bhogwan Bose came to deponent to redeem the articles, but deponent refused to part with them but to Byrub Gangoolee, as Bhogwan Bose was a stranger to her. Soon after the police jemadar came and searched deponent's house, and having found these two articles took them away.

Gour Kiswur Day, moodee, deposed, he is acquainted with Byrub Gangoolee but Bhogwan Bose is a stranger to him. On the 2d day of Joistee, Byrub Gangoolee brought the dhooties and waistband, and mortgaged them to him for three rupees nine annas. When property is brought to deponent to be mortgaged, deponent's inquires whose property it is. Deponent did so on this occasion, and Gangoolee said it was his, and as on a former occasion Gangoolee had mortgaged and redeemed a shawl, he from that circumstance believed him to be a respectable man and made no demur to the pledge. As the money lent on this occasion was to Puddoo Monnee, deponent knew only of this loan.

Mr. J. J. McCann, deputy superintendent of the police office, deposed, that the articles produced by him in Court, he had received from Ramdeen Sing, police jemadar. The powders were never chemically examined. Deponent cannot give any reason why they were not examined. Deponent has heard that Mr. McFarlan did give orders to have examined them, but not to him, therefore he did not have them examined. The judge said, this was very strange, as the matter produced in Court resembled the stuff which had been given to the prosecutrix, therefore its nature or quality ought to have been examined by a medical person, to ascertain whether it had any poisonous qualities in it or not.

Mr. McCann then added, that he knew the stuff, it is called dhootoorah, and is an intoxicating drug; whether it is poisonous or not, deponent could not tell. Natives may be better able to speak of its qualities.

Ram Deen Sing recalled, deposed, that dhootoorah is an intoxicating drug and common in his country. Whenever any person wishes to commit suicide, he eats some of it and remains insensible for four or five days. He has never heard of any person had died from having eaten it. It might be poisonous, for doctors, whenever any person takes any of it, give them emetics to make them vomit.

This closed the case for the prosecution.

Mr. Prinsep for the defence said, that the indictment laid the stealing from the dwelling house of Hurroo Khankee, and of Farrah Moonee, but it appears the house was the house of Sheeboo Shau, and neither of Hurroo Khankee nor of Farrah Moonee. The learned judge replied, that in the case of King v. Wm. Drey, the indictment laid, that the prisoner had entered the house of James Limond, whereas the house belonged to the Earl of Rodney, and was let to several lodgers, having a common door. The case was referred to twelve judges, and they decided that though the Earl of Rodney was the proprietor of the house, it was in law the dwelling house of each of the lodgers in it; and if it were not so, there would not be any security to lodgers. In this case, as well as the one cited by him, all the lodgers entered by one door.

The prisoner Bhogwan Bose said, that on the night on which the robbery is stated to have occurred, he visited the prosecutrix. The next day, having heard of this robbery, he called first of all on Byrub Gangoolee, as he was a police informer, and having seen him on the fourth day, told him that if he could trace the perpetrators of the robbery, he would get ten rupees. He consented and desired prisoner to come the next day; prisoner did so, but did not see him. The next evening, he met Gangoolee in Gurranhatta, and went home with him. Prisoner proposed to go and visit Hurroo that night. Gangoolee consented and said to wait till a person, who was expected, would come and then they would go altogether. Prisoner then having occasion to go out for a short time, did so, and left eleven rupees with Gangoolee, and on his return asked Gangoolee to return them. He refused and went to cook. Whilst Gangoolee was cooking, Ooky Dass came, and prisoner

mentioned this circumstance to Ooky Doss, who replied, do you not know Gangoollee's character, and asked why he gave them to him, and advised him to complain at the thanna. Four more persons then came in, and they menaced the prisoner and kept him there during the night; but Ooky Doss went by prisoner's desire to the thanna and gave information. At midnight some police peons came to Gangoollee's house and took this prisoner into custody. The next day he saw at the police office a petarrah and Hurroo, and there she accused this prisoner and Gangoollee of this theft; but if he had stolen any thing from her house, why did not she at once charge him with this crime, as both she and her maid servant knew him and his house, and the servant had met him the next day in the road. He concluded by saying, that Hurroo khaankee has a paramour named Petumber, and as this prisoner visited her by stealth, he believed that person had, in order to remove an obnoxious rival, preferred this false accusation against him; for when he was confronted with Hurroo at the police office, she replied that she had no charge to make against him. He said he had no witnesses to prove any of his allegations.

The prisoner, Byrub Gangoollee said, that the prosecutrix is a stranger to him and he knows nothing of this transaction. He called some witnesses to prove his character.

After some five or six witnesses had been called and did not answer to their subpoenas, a chokeydar of Cubburdangah thanna, in whose beat the prisoner Byrub Gangoollee had lived, came forward and deposed, that he did not know the prisoner's character, but he has heard him declare that he has a situation at Hautkoolaw.

Ruggonauth Khan deposed, that the prisoner Byrub Gangoollee had been in deponent's service three years, and did his duty to deponent's satisfaction. Deponent is a salt merchant, residing in Hautkoolaw.

Roopchand Dutto gave the same evidence as the last witness.

This closed the defence.

The learned judge then summed up the case, read the indictment and explained its counts, then detailed the evidence adduced in this case in support of the prosecution, and how far it tended to establish the charges with which these prisoners are indicted; and after commenting on it and on the case made out for the defence, he directed their attention to the second count of it, which stated the theft had been committed in the house of Hurroo and Farrahmoonee khaankee, whereas it appeared that the house was the property of Sheeboo Shaw, and the prosecutrix was a lodger in it. He then explained the case he had before quoted to Mr. Prinsep on this head, and observing, that unless they are certain that sawrees are identical with dhooties they are to leave their value out of consideration, because the indictment mentioned sawrees and the prosecutrix had stated that she never wore any sawrees. The judge added, he had mentioned this circumstance to the jury, because the value of the articles, if above fifty rupees, constituted a capital felony, if stolen from a dwelling house; and after he had stated that if all washermen's marks were alike, as the counsel of the defence attempted to show, there would hardly be any use in their affixing them; but they might in some cases resemble each other, he left the decision of the case to the discretion of the jury.

The jury, after a short retirement, found the prisoners guilty of a simple larceny.

The learned judge, after this verdict had been recorded, sentenced them both to two years' imprisonment in the house of correction with hard labour.

John George Ricketts was indicted for stealing a gold neck-chain, valued at 278 rupees, the property of

Messrs. Pittar and Co. jewellers, from their shop in Old Court-house-street, on 30th June last.

The prisoner pleaded *not guilty*.

Mr. Strettell appeared on behalf of the prisoner.

Charles John Pittar, deposed, that he is a member of the firm of Messrs. Pittar and Co. and the names of the other partners are Isaac Pittar and Robert Hamilton. Their shop is situated in Old Court-house-street, and they carry on the business of goldsmiths and jewellers. All the goods in the shop of the firm, belong in common to all the partners. Prosecutor, on Saturday the 30th of June, received a letter purporting to be written by a gentleman named Allan, an assistant in the custom-house, and requesting prosecutor to send him for inspection some ladies' gold neck-chains. Prosecutor then produced the note.

Mr. Holroyd read the letter, "Mr. J. Allan's compliments to Messrs. Pittar and Co. and begs that they will be kind enough to send him a few ladies' gold neck-chains, &c, for inspection, 30th June, custom-house."

This note was received at the shop, from a ticca bearer carrying a chattah. In consequence of the receipt of this note, prosecutor sent four ladies' gold neck-chains for inspection. Prosecutor at the time he received this chit, supposed it to have been sent to the shop by Captain Allan, of the custom house. Prosecutor did not know Captain Allan personally, nor is he acquainted with his hand-writing, prosecutor sent these chains with Suddaram, his duiwan.

"Mr. Allan has retained done chain, and will thank Messrs Pittar and Co. to send their bill for the same. 30th June, 1838."

The price of each chain was marked on it. Sooddaram, when he came with the second note, brought back only three chains. The one retained was, prosecutor believes, valued at 278 rupees, Sooddaram, prosecutor's duiwan, was directed to take the chains with the bearer who had brought the chit, to the custom-house. On Monday following the bill was made out for the chain, and sent to the custom-house. Prosecutor gave orders for the bill to be made out and sent in the usual way, and prosecutor believes it was consequently taken to the custom-house by one of the bill-collecting sircars of the concern. All the bills are entered in a book and registered, and the bill in question was likewise made out, when the chain was sent on the 30th June last, and account must have been opened in the firm books as debtor to the amount of the chain. The bill for payment was served by prosecutor in the name of the firm of Pittar and Co. Prosecutor did not get his money for the chain, and the sircar who went with the bill reported no person of the name of Mr. James Allan was to be found there. Subsequently, prosecutor ascertained that there was a Mr. Allan at the custom-house, for prosecutor received a letter from him, and it was signed W. Allan, and this gentleman himself subsequently saw prosecutor, and denied that the letters purporting to be written by him were his, nor did they bear his name. Prosecutor subsequently saw his chain at Mr. Hudson, his attorney, it was delivered to him by the prisoner, that was the first time. Prosecutor saw the prisoner, who was a total stranger to him. The chain is in the custody of Mr. McCann. The first chit was received by prosecutor at 3 o'clock p. m. the second not till past 5 o'clock, owing to some delay in sending the chain, because prosecutor was engaged in other business when he received the first chit.

Mr. McCann being sworn, produced the chain in Court. He said, he remembered the prisoner being brought to him at the police office in custody on that occasion. Deponent received the chain in question from Mr. C. J. Pittar at deponent's house. Prisoner

was then in the custody of Mr. Hudson on the present charge.

Mr. Pittar looked at the chain, and testified it to be the chain belonging to the firm of Messrs. Pittar and Co. and it is the chain of which he has been speaking. Prosecutor does not recollect what the prisoner said to him at the time he delivered up the chain to him. He did say something, but with the exception of his having acknowledged that he had written for the chain, Prosecutor has forgotten the rest of his conversation on that occasion.

Cross-examined by the prisoner. Prosecutor did not go to Mr. G. F. Hudson's office, in consequence of any note received from the prisoner. He went because he had received a letter from Mr. Hudson informing him, that the prisoner was at his office. Prisoner was not then in custody. Prosecutor did not know until after he had arrived at Mr. Hudson's office, that he had been sent for by Mr. Hudson at the request of the prisoner to get his chain re-delivered to him. When prisoner returned the chain to the prosecutor, he was not in custody. The ticket showing the price of the chain in question is still on it.

The jury here requested to be permitted to look at both the chits, to see if they corresponded.

Prosecutor could not say whether the custom-house was open when he received the second chit. Prosecutor cannot say whether the bill for the chain had not been presented to the prisoner, previous to the prisoner having returned the chain to him. He does not know whether the bill was ever presented to the prisoner or not. The bill was made out on the 2d of July last. The prisoner re-delivered the chain to prosecutor on Thursday the 5th of July last. The ticket on the chain must have been well known to the persons dealing with the prosecutors. Prosecutor believed, that if any person wished to dispose of the chain, he would let the ticket remain with the owner's name on it, in order to enhance the price for it by showing what he had paid for it. If the person went to sell it to an European shopkeeper, he might perhaps remove the ticket in order to avoid detection; but these kinds of articles are generally disposed of under false names in the bazars of Calcutta. Whether articles being manufactured by European jewelers fetch a higher price or not prosecutor cannot say. He has no practical knowledge of how these matters are conducted in the bazars. He only speaks from supposition.

Soondaram deposed, that he is a durwan in the employ of Messrs. Pittar and Co. He recollects on the 30th of June, that he went with a gold chain, by the orders of his employers, to the custom-house, in company with a bearer. On his arrival at the custom-house, deponent went upstairs and as directed by Mr. Lethbridge, the head assistant of Messrs. Pittar and Co. deponent put the chains before a gentleman, who the bearer pointed to the deponent. Deponent put the boxes with the chains in them on the desk before which the gentleman sat. The gentleman retained one of the chains which deponent had exhibited before him, and gave deponent a chit and desired him to return with it to Messrs. Pittar and Co. Deponent then left the custom-house, and was on his way to the shop in court-house-street, when the bearer who brought the chit to the shop came running after deponent, and told him that his master desired his return. Deponent then went back to the custom-house, where he met the same gentleman, with whom he had left one of the chains at the foot of the staircase of the custom-house. The gentlemen, when he saw the deponent, returned him the chain, which he had first returned, and informing deponent that he did not approve of it, desired to look again at the other three, out of which he selected another, and kept it. Deponent then returned with the other three chains and the chit, the gentleman had given him to Messrs. Pittar and Co.'s

shop to Mr. Lethbridge, who received the three chains returned, and said, very well, go about your business to the deponent. The prisoner at the bar is the gentleman who returned the chain, and deponent identified the chain produced in Court to be the one the prisoner had received from him and returned. When deponent arrived at the custom-house, all the writers had left it except the prisoner, who was at his desk.

Cross-examined by the prisoner. When deponent went with constable Hamilton, he saw a gentleman sitting. Mistaking him at first for the prisoner, he pointed him out to the constable to be the person who had received the chain from him, but on perceiving the prisoner he corrected his mistake. When deponent took the chain they were in a large box. There was no name or address on it, nor any lock. Deponent carried no chit on the occasion. Deponent put the box before the prisoner, and lifted up the lid and showed the chains to the gentleman. No conversation beyond what the deponent has already deposed, occurred between him and the prisoner.

To a question of the jury, the judge replied, that the value of the article has nothing to do in this case, as it is a simple larceny.

Sreeram, bearer, deposed that he is a bearer who plies with a chit for hire. A gentleman at the custom-house, one day at about one month ago, gave deponent a letter at half past 3, p. m. and desired him to take it to the shop of Messrs. Pittar and Co. and when he delivered it there, he was desired to wait a little, and then he would get an answer. After he had waited one hour, he urged Messrs. Pittar and Co. that it was getting late, and if he did not get an answer soon the custom-house would be closed.

Messrs. Pittar and Co. then called the last witness, and putting a chit and box in his hand, desired deponent to point out the gentleman who had given him the chit at the custom-house to the last witness. The rest of this witness's evidence corroborated the statement of last witness. This deponent further added, the prisoner was a stranger to him. When prisoner gave deponent the letter, he desired him, in case Messrs. Pittar and Co. should ask him who had given him the chit, to say Mr. Allan, of the custom-house.

William Hutton, constable of the police office deposed, that on the evening of the 5th of last month, he, by an order of the police office, went to the office of Mr. G. F. Hudson, the attorney, where he saw Mr. Hudson, Mr. C. J. Pittar, and the prisoner; and on his informing them, that he had come to arrest a prisoner, one of them pointed the prisoner to him and said, "we have delivered him over to you, you are now answerable for safe custody." Deponent had no warrant at that time against any one. Previous to deponent's leaving Mr. Hudson's office, Mr. Pittar handed a gold chain to deponent, and desired him to take charge of it. Deponent took it and delivered it to Mr. McCann. The prisoner subsequently wanted to give bail, but Mr. McCann desired deponent to take him at once to the town-guard. It was then between 6 and 7 o'clock p. m. and the police office had closed; therefore, it was too late to take the prisoner before any magistrates at that time.

This closed the case for the prosecution.

The prisoner put in the following petition, which the clerk read to the jury in open Court.

My lord and gentlemen of the jury, I admit, I applied to the prosecutors for the chain to an assumed name, and I had an intention of paying them and not cheating them; I had formerly some business with them, but in consequence of my remissness in payment, they would no longer give me credit; therefore I maintain, without attempts to conceal from you, that I did this crime; I had formerly a situation in the custom-house, where I still attend, but as this was not the busy season the business was slack. My wife was about to be laid in

and I was in distress, and had not the means of relieving her distresses. I, under the hopes of being soon able to pay the prosecutors for this chain with an intention to raise in the mortgage of it 50 rupees in the bazar, to relieve my present distresses. Having afterwards, on reflection, found that I acted wrong, I went in company with my attorney, Mr. Stuetell, and delivered up the chain to him, and desired him to write to Mr. Pittar to come and take it. I have never bore a bad character before, and I never attempted to hide or secret myself, therefore I hope when the jury will find me guilty of a wrong act, at least to bear my former good character, and my then distressed circumstances in consideration. He said he had some witness to call to support his case.

G. E. Hudson proved, that the prisoner called on deponent and expressed great contrition for his foolish act, and desired deponent to write to Mr. Pittar to come and take his chain. Deponent did so, and Mr. Pittar shortly afterwards called, and was followed by a constable. Deponent did not see the constable, nor he was then in his garden. Prisoner was under no restraint until Mr. Pittar came, and if he chose, it might have left deponent's house with the chain any time previous to Mr. Pittar's arrival. Deponent did not witness the delivery of the chain by the prisoner to Mr. Pittar, but from what he has subsequently learnt he believes it was voluntary on the part of the prisoner.

John Cullodon deposed. He is a writer in the custom-house. He said that he has known the prisoner for the last ten or twelve years, and he believes he has always, up to the present transaction, bore a very good character, and conducted himself very well. For the last eighteen months, deponent has not had opportunities of seeing the prisoner often; previous to that he had known him intimately.

In this part of the proceedings, as the prisoner had called another witness to be examined, the jury addressed the judge and said that there was no necessity of going on further, because they had made up their minds already.

The judge said, that if they were disposed to acquit the prisoner, they could stop the proceedings but not otherwise: for if not prepared to acquit the prisoner, they must hear the whole of his defence. They cannot decree cases against any prisoner *ex parte*. One of the jurymen replied, that they had made up their minds to find him guilty; but, in consequence of his youth and contrition, they felt disposed to be lenient to him and recommended him to mercy.

The judge replied, that the jury had misled him, otherwise he would not have thus stopped trial and called on them for their verdict. They had nothing to do with larceny. They were sworn to dispense justice, and that is all that they have to do.

Mr. Thomas Lewis gave deponent a good character and said, from his long acquaintance with him he believed him to be incapable of committing a theft.

The prisoner wanted to put cases regarding the state of his wife. The judge said, if the prisoner chose it he may put this question, but he must recollect that the jury is to try a case of simple theft on a direct indictment. He then declined to put these questions, and observed to the judge, that he had several more witnesses to call as to character; but other examinations would occupy the time of the Court, too much and prolong the trial till a late hour.

The judge replied, that if he thought fit to call them, the court was bound to hear them how long soever the court may be delayed in examining them; but if the prisoner thought that the evidence as

to character was sufficient, he may in that case stop his defence.

The prisoner declined to call any more witnesses, but closed his defence.

The judge then summed up the proceedings, and stated that the nature of the indictment, which was his having stolen and taken away from the house of the prosecutor's a gold chain, valued at Co.'s R. 278. The learned Judge then read the evidence for the prosecution, and commenting on it, explained to the jury how far the case made out tallied with the indictment, and where it differed. Here the judge remarked, that when a trader putted with his goods to the buyer, no matter under what pretences, there was an end of all theft. The legislator had certainly, to meet a case of this kind and protect trade's people from being imposed on, enacted a law by which the person so swindling trade's people was made liable to be indicted for misdemeanour, called "receiving goods under false pretences." If the owner of the property had, under misrepresentation, been induced to send goods, and had given instruction not to part with the goods unless he had received money for it, and the prisoner had taken and kept it, it would have been a felonious taking; but if the prosecutor had opened an account and given credit to the supposed purchaser, then let the purchaser be who he will, and the credit, there is no theft, but the crime of taking goods under false pretences. If the jury believed the prisoner had, under these false pretences, obtained these goods to appropriate them and to sell them, then it is felony, which is not the case here; for there is no proof of his having attempted to sell it or secret himself; but had voluntarily afterwards himself restored it to the prosecutors. But it is for the jury to judge whether they believed he had the intention to steal it at first, and had repented of it afterwards, or whether the prisoner had resorted to these fraudulent means to get a credit under a false name, which he knew he could not get under his own signature from the prosecutors. In the latter case the prisoner cannot be convicted on this indictment. His crime will then be of receiving goods under false pretences, which although it is a heinous crime in itself, is not the crime charged in the indictment, and therefore he cannot be tried on it. He then dwelt on the nature of the defence the prisoner had made, and the witnesses he had produced to support his assertions, and the character they had given him, and thus left the case.

The jury, after a short retirement, returned a verdict of not guilty.

After this indictment had been recorded, the judge addressed him and informed him the verdict was correct from the facts described during the trial, and the nature of the indictment, but setting aside the legal points of the case, eliciting that he was guilty of an act of dishonesty, and if the indictment had been otherwise proved he must have been guilty. As he was a young man and in consequence of the circumstances in which he was placed, and his former good character and contrition, the judge would not, order an indictment for receiving goods under false pretences, to be proved against him; but hoping that this will be a warning to him and make him more careful in his future conduct, he ordered his release.—*Hukari, August 8.*

August 7, 1838.

(Before Sir J. P. Grant, Knight, Judge.)

Peary Mohon Bose and G. E. Dandbar, who were summoned on the petit jury, were called on their subpoenas and, not answering, were fined 50 rupees each.

Euseph was indicted for having, on the 23 of July, 1838, burglariously entered the house of Chaides Sing,

in Mutchua-bazar, and stolen from thence a brass water-pot and a brass-plate, valued at three rupees, and further having violently assaulted the said Charles Sing.

The prisoner pleaded *not guilty*.

Charles Sing deposed, that he remembers, that one night in the month of Assaur last, the date of which he does not recollect, but it was on a Mouday, he was sleeping in his hut in the Mutchua bazar road, when he was aroused from his slumber by hearing a jingling noise amongst his property. The night was a rainy night, and there was no light burning in his hut at that time. He got up and perceived a person grouping in the hut and seized him; the person on being seized, collared the prosecutor and threw him down in the compound of his house, close to a drain. This was at about two o'clock A. M. Prosecutor called for assistance and struggled with the thief. About a quarter of an hour afterwards Muneer, the chokeydar of the division, came to his assistance on hearing his voice, and seeing the situation, the prosecutor and his assailant were in which attempted to free the former from the hold of the latter; but not succeeding in the effort, he shouted for assistance to the neighbours, one of whom, named Nundoo Sing whose house adjoins the prosecutor's hut, and who is a peon in the salt department, came to his aid, and then they both, after a severe tussle, succeeded in releasing the prosecutor from the grasp of his assaulter, and took him into their custody. In this interval, the rain ceased, and the clouds which had obscured the moon, passed off. By the moonlight the prosecutor saw the features of the thief, whom he now recognized to be the prisoner at the bar. When the prisoner was arrested he had hold of the prosecutor's throat with his right hand and in his left he held a brass water-pot and a plate, the property of the prosecutor, valued at three rupees. The drain is distant three cubits from the prosecutor's door. On a subsequent examination the prosecutor ascertained that the prisoner had entered his hut by cutting the fastenings of the mats of his door towards this drain. The prisoner, when arrested, had on only a long gootee on his body. Prosecutor has been in Calcutta three months. He is a native of Patna. He pays one rupee a month for the hire of the hut. When he retired to rest on the night in question, he had put by his property in their usual place and fastened the mat door of his compound with a string. After the prisoner had been arrested, he was taken with the articles found on him to the thanna, where prosecutor, by the light of a lamp burning there, observed his features more attentively. Prisoner, when taken to the thanna, neither confessed nor denied the accusation against him. Prosecutor accompanied him that night to the office of Captain Birch, who ordered the prisoner to be taken to the town-guard. The next day the case was investigated by Mr. O'Hanlon, the magistrate in whose division the crime was committed, who, after taking the depositions of the parties, committed the prisoner to take his trial at the ensuing sessions. Muneer-peon was going his usual rounds, when, hearing the prosecutor call "thief thief," he came to his assistance. The property said to have been stolen was produced by Muneer, police peon, and the prosecutor identified it to be the property found on the prisoner when he was apprehended and to have belonged to him.

Muneer chokeydar of the Mutchua-bazar thanna, and Nundoo Sing, chaprassie, both confirmed the statement of the prosecutor regarding them, and the latter added that he could hear from his hut the noise of the struggle between the prosecutor and the prisoner, and the gurgling noise the prosecutor made when the prisoner seized him by the throat. This ended the case for the prosecution.

The prisoner, in his defence said, that the prosecutor and his witness had all perjured themselves, and the former had trumped up the case against him in consequence of a private quarrel which had engendered ill will between the parties. On the night which this robbery is stated to have been committed, prisoner was sleeping in his room, having been unwell for three days previously. A little after midnight he heard a noise in the streets, and, seeing a crowd at the prosecutor's door, he got up to see what had occasioned it, but he had scarce joined the crowd, when the prosecutor and his partizans perceiving him, taxed him with the theft, and arrested him in spite of all his remonstrances, and took him to the thanna. When prisoner was arrested, he neither had in his possession, nor did he see in the hands of any person, either a brass-pot or plate; but he was quietly standing spectator in the street. Seeing the prosecutor was bent on taking him to the thanna, he, on the jemadar's requesting him to go there, went voluntarily. Prisoner is a Persian and a foreigner and came to Calcutta to see Mirza Mhendee, his countryman. The prosecutor and his witnesses are all strangers to him. He called Kurrembox kidhaurga, his landlord, and Golam Hossain Khan and Mirza Fayoth Ullce, his neighbours, to prove his assertions and depose as to his character.

These three witnesses, who were all serving men, long out of employ, proved, that when they saw the prisoner arrested he was standing in the street and had neither pot nor plate in his hands, nor were there any near him at the time. Whether he had been seized with any before they came to the spot they could not say. The prisoner's house is to the west of the prosecutors, and the thanna to the east of it. They are not aware of any ill will existing between the prosecutor and the prisoner. From the short acquaintance of a few months, during which time the prisoner has lived in their neighborhood, they have not heard anything against his character. Prisoner was sick at the time he was arrested, his house is quite close to the prosecutor's hut.

This closed the case for the defence.

The jury, after a short consultation, found the prisoner guilty. After this verdict had been recorded, the Judge addressed the prisoner, and said, that he entirely concurred with the verdict of the jury, and, he believed, so must all those who had witnessed this trial. He then sentenced the prisoner to six months' imprisonment in the house of correction with hard labour.

After the sentence had been awarded, the prisoner requested the judge to commute it, as he was a foreigner, and transport him to his native country. The judge replied, that the safety of the natives of this country required, that the laws should be upheld, and all persons, whether natives or foreigners, were liable to the punishment prescribed against those who violated them. He ordered the prisoner to be removed.

During the investigation of this case, one of the jurors called the constable in waiting, and requested him to carry a chit to some person in the Court-house. The judge observing the constable talking to the jurors, rebuked him and said, that it was contrary to law for any person to converse with any juror whilst a case was under investigation; if any juror required any thing they must address the judge, who, if the request was reasonable, would accede to it.

Issurchuder Kur, was tried for having, on the 30th of April last, stolen from the shop of Dyanath Allah cap vender in Doomtollah-lane, four military and one skull cap, valued at 8 rupees and twelve annas, the property of the prosecutor.

The prisoner pleaded *not guilty*.

Sheekh Dyanath Allah deposed, that he is a cap vender and has a shop in Doomtollah-lane. On the 30th of

April last, on a Sunday, at 9 o'clock a. m. the prisoner, who is a stranger to him, and represented himself to be a hawker of caps, came to his shop and asked him if he had any military caps for sale, for, if so, and he would show them to him, he could get some sold for him, if he would give him his brokerage of two pice of the rupee for the amount of those sold. Prosecutor then showed him some caps, out of which the prisoner selected four military caps and one skull cap for himself; the prices of which, after some bargaining, were fixed at two rupees each military cap, and the skull cap at twelve annas. The prisoner then wanted to take these caps away with him, and when the prosecutor demanded the price of them, he replied that if the prosecutor would send a person with him to the fort, he, prisoner, would get the money from the officers, who owed him a considerable sum, and pay him. The prosecutor at first objected to this proposal, and said that he could not at that early hour procure any person to accompany the prisoner to the fort, but at the earnest request of the prisoner, the prosecutor consented and directed his servant Reazoddeen, who came to the shop at this juncture, to put the five caps which the prisoner had selected into a box, and go with the prisoner to the fort; who would there give him eight rupees and twelve annas, and when he should receive this sum he was to return four annas as brokerage to the prisoner, and give him the five caps, not otherwise. Prosecutor then made a memorandum of this sale in his day book, but no entry of it in his ledger, for he, on such occasions when he does not give credit to any person, only makes a temporary memorandum, which if the money is paid, he subsequently enters in his ledger as a ready money transaction; but if the goods are returned he cancels the memorandum. The sale to the prisoner was an outright cash sale, as the prosecutor had no dealings with him previously, he refused to give him credit. When the prisoner and Reazoddeen left the prosecutor's shop, the caps were carried by Reazoddeen. At about ten o'clock p. m. Reazoddeen returned to the shop crying and without either the caps or the money and unaccompanied by the prisoner. From what Reazoddeen told the prosecutor then, prosecutor desired him to return to the fort and search for the prisoner. Reazoddeen did so, and came back to the prosecutor's shop at dusk and said that he had not been able to find the prisoner. Prosecutor then desired him in all his perambulation about Calcutta to keep a look out for the prisoner. On the 5th of May last, Reazoddeen came to the prosecutor's shop about midday, and informed him that he had succeeded in tracing the prisoner, and had him confined in the old fort thanna. Prosecutor, in consequence of this information, proceeded there and saw the prisoner, and asked him what he had done with his caps, and requested him either to return them or pay their price. Prisoner, when he heard this, denied all knowledge of the prosecutor and the transaction regarding these caps, and called him a liar and abused him. Prosecutor finding it to be quite futile to argue the point with the prisoner, desired the thannadar to take him to the police office. When they arrived there, Mr. McCann recognized the prisoner to have been an old offender, and said to him, "you have only been released from the house of correction ten or fifteen days ago, and are now brought on a fresh charge to the police office; and asked him what offence he had now been guilty of. The prisoner then acknowledged that he had purchased these caps and sold them to some soldiers in the fort, who had paid him nine rupees for them which money he had spent. Mr. McCann then referred the case to Mr. O'Haulon, the division magistrate, who, after he had examined the parties, committed the prisoner to be tried at this session. Prosecutor has up to this moment neither seen his caps nor received their value.

Reazoddeen deposed, that he is a servant of the prosecutor, and he by the prosecutor's orders accompanied the prisoner with five caps to the fort, where he

was to receive eight rupees twelve annas for them. On their arrival at the fort, the prisoner took deponent to the door of a barrack, where there were some soldiers, and requested deponent to entrust the caps to him, and he would go with them into the fort and bring from the officers the price of them and give it to this deponent. Deponent objected to this proposal, and asked to accompany the prisoner into the barracks with the caps; but the prisoner told him that he would not be permitted to go into the barracks by the sentry on the guard, for none but the barrack siccas, were permitted to enter the barracks and he represented himself to be one of them. After this explanation as deponent had never been inside the fort before, and he did not know whether the prisoner had stated a truth or a falsehood, he permitted him to take the caps into the barracks, and waited at the outside from 10 o'clock a. m. till 12 o'clock midday, when, as the prisoner did not return, he began to cry, fearing the displeasure of his master for what he had done. Some person seeing deponent cry, inquired the cause of his lamentation, and when deponent had informed them of it, one of them seized deponent by the hand, took him into the barrack which the prisoner had entered, and helped deponent to search for him, but without avail. He then advised deponent to return to his master and acquaint him with what had just transpired, and added that some swindler had cheated him. Deponent did as advised, and by his master's order he again returned to the fort, and searched vainly for the prisoner. As deponent's master had ordered him never to forget the prisoner during his rounds in Calcutta, deponent observed this order, and, on the 5th of May, as he was in company with another hawker of caps going his rounds, he saw the prisoner on the strand road opposite the Bankshall, leaning against the iron railings. When the prisoner perceived deponent he attempted to skulk away, but deponent went up to him and asked him either to return the caps or pay the eight rupees twelve annas. The prisoner then got angry, abused him and denied all knowledge of the deponent or these caps, and struggled to free himself from the grasp of deponent, who held him by the wrist. He likewise proposed to this deponent, that if he would accompany him to his house in Matchua-bazar, he would pay him the nine rupees. Deponent declined doing this, and insisted on prisoner going with him to his master's shop and called Shumo to help him to take the prisoner there. As Shumo was coming to his assistance, prisoner, with a sudden jerk, freed himself from deponent's grasp and run off towards the north stairs and deponent followed him, both crying "stop thief," "stop thief." Some of the passers by hearing the hue and cry, and, seeing deponent and Shumo pursuing the prisoner, inquired of them what was the matter, and when they had ascertained the cause of the pursuit, some of them arrested the prisoner and made him over to the custody of a burkundaze, who had just been relieved from duty at the custom-house. Before this burkundaze, deponent preferred his accusation against the prisoner, who thereupon took him to the thanna and informed the thannadar of the reason of his bringing the prisoner there. At the thanna, the prisoner denied all knowledge of either deponent, the prosecutor, of the caps; and when deponent had brought his master, as directed by the thannadar, to the thanna and confronted him with the prisoner, he persisted in his denial and abused them both. The thannadar then took the parties to the police office. The rest of this witness's evidence was but a corroboration of what the prosecutor had just before deposed, regarding this transaction. On cross-examination, deponent denied, that he had consented to the prisoner going with the caps to Dum-Dum, and paying him the eight rupees twelve annas on his return from thence.

Shumo, the hawker of caps, who said he was a servant of the cap vender, and the burkundaze, alluded to by this deponent, confirmed his account of the capture of the prisoner in toto. Deponent does not know whether

persons are not allowed to hawk goods in the foot without a pass.

This ended the case for the prosecution.

The prisoner in his defence stated, that he was long acquainted with the prosecutor, and had often bought cap on credit from him; that this sale was likewise a similar transaction, and he, with the consent of Reazoddeen, accompanied some soldiers who had purchased these caps from him to Dum-Dum. On the evening of the 1st May, he received the nine rupees from them, on the 2d he returned to Calcutta fatigued with his journey, rested on the 3d, and on the 4th he met Reazoddeen in the Strand road and offered to pay him the nine rupees if he would accompany him home. Reazoddeen refused to do so, and insisted on having the money then and there, and as the prisoner could not pay him instantly he abused and had him confined at the thanna, from whence he was carried before Mr. O'Hanlon at the police office, where the prisoner acknowledged his debt of nine rupees to the prosecutor, and Mr. O'Hanlon desired him to pay it instantly and would not permit him to go home and pay it; but as the prisoner could not pay it immediately, he confined him for three days at the town-guard, and then committed him to the sessions. He called no witnesses. This closed his defence.

The jury, after a short consultation, found the prisoner guilty.

After this verdict had been recorded, the judge remanded the prisoner till the last day of the sessions.

Nujroo was indicted for having, on the 15th of July, 1838, stolen two bank of Bengal notes, to the value of Co's Rs 25 each, and six rupees in silver, from Muddub sircar at the custom-house, the property of Ramchunderdoss, munjeet merchant.

The prisoner pleaded *not guilty*.

Ramchunderdoss, munjeet merchant, deposed, that he is a Goojrattce merchant, and resides in the Moorgy-butta-lane. Prosecutor has never seen the prisoner before this day, and is a total stranger both to his name and profession. Prosecutor has a sircar in his service named Aluddub. Prosecutor recollects that about fifteen or twenty days ago, having to pay some duty at the custom-house to effect a clearance of some sugar, he gave Aluddub sugar two bank of Bengal notes of twenty-five rupees each, and ten rupees cash, and desired him to proceed with them to the custom-house, pay fifty-six rupees as duty on the sugar, and give four rupees to the sircar of that office, and procure a challan for the sugar. Prosecutor took down the number of these notes, but kept no memorandum of them; as it is not usual to keep any registry of the nos of notes below fifty rupees value, nor of the dates of their payment. These two notes were his property. He has not seen them since that day. He has heard that they were stolen at the custom-house.

Muddub Chunder deposed, that he is a sircar in the service of the prosecutor, and transacts his mercantile concerns. He perfectly remembers that on the 13th of July, at 10 o'clock A. M. the prosecutor gave him two bank of Bengal notes of twenty-five rupees each, and ten rupees in silver, with directions to go to the custom-house and obtain a pass for some sugar, and pay fifty-six rupees duty there, and four rupees for the minor expenses contingent thereto. When deponent received these notes, he made no memorandum of them, but wrapped them in a piece of paper, and tied them to the end of his coverlet, and proceeded to the custom-house. On his arrival there, he proceeded to the department where passes are granted, and having paid four rupees to a sircar there, he obtained two passes which he understood were the passes. After deponent had received these passes he proceeded to a window, near which there was more light, and seating himself on the floor, he

put the two notes and the six rupees tied in a bundle before him, took a pen which was stuck behind his ear, and, with it, pierced a hole in the corners of these two papers, and then, having twisted some thread, he got up, turned his face to the light of the window and in about two minutes, stringed the two papers together with the thread. After this he tucked the papers in his waist cloth, and, on turning himself towards the place where he had placed the parcel with the notes and the six rupees, he missed them, and began immediately to search for them, making inquiries from the peons and the dutrees who were not very far from him at that time. In reply to his interrogations, one of them, named Shekif Keeno, a chaprassce attached to the custom-house, pointed to the prisoner who was then descending the staircase, and said, "I do not know what notes or monies you allude to, but if you mean the small paper parcel which was lying close to you on the ground, Nujroo has picked it up." His conversation between this deponent and Sheka Keeno, occurred at the head of the staircase. Whether Nujroo heard this conversation or not deponent cannot say. He was close enough to hear it, for they talked in their usual tones. Deponent, however, suspects that Nujroo did hear it, for he immediately afterwards began to descend hastily, and although the deponent repeatedly bawled to him to stop, as he had something to say to him, he paid no attention to the call, but only quickened his steps. Deponent then, accompanied by Keeno, pursued him, and entered for him all over the custom-house for a short time, but failing to find him, deponent went to Mr. Walker, the collector of customs, and related to him all that has just occurred. Mr. Walker desired deponent to search for him again, and gave a peon directions to assist deponent in the search. Failing to find the prisoner, deponent again went to the collector and intimated him of the result of his inquiries. Mr. Walker then gave him advice to go to the police office, and have the prisoner apprehended for the theft. Deponent, consequently went there, and having obtained a peon from Mr. McCann, he first returned to the custom-house, and searched again for the prisoner; but not finding him he took Keeno with him, and all three proceeded to the prisoner's house in Mutclau-bazar. When they arrived there, they, on inquiry, were informed by the inmates, that the prisoner had been there, but had just left it. As they were about to return, they met the prisoner in charge of Nowowice, peon of the custom-house, near a moolce's shop, close to his house. Immediately the prisoner saw this deponent and his companions, he, before ever they could address him, said to deponent, "I have found the money you have lost; it is in my house, what will you give me for having found it." He then desired one of the by-standers to go into his hat and bring the money from it, and that person proceeded by his directions and brought a red silk kerchief from thence, in which were tied fifty-six rupees in silver. He saw no more on that occasion. Prisoner gave the money to deponent, and said there is the money, I have exchanged the notes. Deponent took the money, counted and examined it, and finding it to be the exact sum he had lost, and good money, he took it, and then the two custom-house peons, the police peon, and deponent, took the money and the prisoner before Mr. McCann at the police office, who asked the prisoner where he had cashed the notes, and sent Henry Phurton, constable, with the prisoner, to the banker's shop where the notes had been cashed to recover and bring them to him. Prisoner then took them to the shop of a banker in Loll-bazar, nearly opposite the police office, and told the constable that he had exchanged the notes at that shop. The banker at the shop denied all knowledge of the prisoner or the transaction mentioned by him, and so the prisoner's assisting, the constable began to examine the banker's day book. Whilst he was so doing, the banker's assistant, Moodoo, came to the shop and said he had negotiated these notes during the banker's absence from the shop, on

receipt of four pice brokerage, and had paid them to Gopaul Kisto Newgy, the bangau of a French merchant named Monsieur Teron, with Rs. 200, and took it partly to the house of Monsieur Teron, Gopaul Kisto Newgy said that he had paid the notes to Messrs. Jenkins, Lowe and Co. auctioneers, Lall-bazar, where they all went and eventually succeeded in getting these notes from the auctioneers. The constable received these notes from Gopaul Kisto Newgy and brought them to the police office and handed them to Mr. McCann. The case was then heard before Mr. O'Hanlon, the division magistrate, who, after he had taken the depositions of the parties concerned, committed the prisoner to take his trial at the ensuing sessions. One hour and half elapsed from the time the deponent first missed the notes, till the value was returned to him by the prisoner. Deponent has known the prisoner as a custom-house peon and no farther.

Keenoo Shikh, custom-house peon, confirmed the statement made by the last witness regarding the part he took in this transaction, and added, that whilst Muddub was stringing the pass papers, he saw Nujroo approach the place where the parcel containing the money was lying, press it with his toes and then take it up and tuck it in his waist cloth and walk down with it. As Muddub had requested deponent to keep an eye on the parcel, when he saw Nujroo take it up and walk off with it, he followed him and requested of him to return it; but he, instead of minding what he said, took the parcel to an Arab ship captain, who had formerly been in the prosecutor's employ, and producing the two notes asked their value of this Arab, who told him they were two Bank of Bengal notes of twenty-five rupees each. Nujroo then put the parcel in his waist cloth and walked out of the office, and deponent saw no more of him until he was arrested at his house, by the order of Mr. Walker. After relating all he knew about this affair to him he was ordered to accompany Muddub's sircar and show him Nujroo's house. Nujroo has been in the sea custom-house for about eight years, formerly he was in the inland custom-house. What character he bears deponent cannot say.

Rahuman Khan, jemadar of the custom house, deposed, that he, by the orders of the collector, searched for the prisoner on the day in question, and having found him in the export department, he took him to the collector, who asked him regarding these two notes, and having ascertained that they were below in the prisoner's possession, ordered deponent to send two peons with him and take him to the police office, together with the money, on a charge of theft. He consequently made him over to the charge of Nowco vrec chupfasee. He gave the prisoner a good character for honesty, and said he had known him for upwards of eight years.

Sheikh Nowcowrie deposed, that he, by the direction of the last witness, took the prisoner to the police office, where, not seeing Mr. McCann, the prisoner begged to be taken to his house, where he said he had the money and would return it to Muddub sircar. Deponent took him there accordingly, and when they arrived there saw Muddub and his party, who took the prisoner and the money under their charge. This witness likewise gave the prisoner a good character.

Moodsoodoon, sircar, the banker's assistant, Gopaul Kisto Newgy, the bangau of the French merchant, Henry Thornton, the police constable, and Mr. J. J. McCann, the deputy superintendent of the police, each corroborated the evidence which had been given regarding the part they took in this transaction by the former witnesses, and the latter produced the two notes in Court.

This closed the case for the prosecution.

The prisoner in his defence said, that he had found the parcel containing the two notes and the six rupees,

which it is alleged he had stolen, lying in the custom-house, and had picked them up and informed Mr. Bracken, the deputy collector of the custom-house, of it, who desired him to keep it till it was claimed by some person; and when he ascertained that the money belonged to Muddub sircar, he voluntarily returned the money to him before ever he was arrested on this charge. Notwithstanding he was accused of the theft and taken to the police office, and thence committed to the sessions. The prisoner added that he had subpoenaed Mr. Bracken to prove the truth of his defence, and to depose to his character.

Mr. Bracken was then called on his subpoena, but did not answer.

Mr. King, the jailor, informed the Court, that Mr. Bracken was on the grand jury, where a constable had given him his subpoena in this case, and added that he had sent notice this morning to Mr. Bracken that this case would come on for hearing to day, but he has not seen Mr. Bracken in court to day.

The judge then wished to send a person to the custom house to desire Mr. Bracken's attendance at the court, but he was informed that as it was then past six o'clock p. m. the custom house had closed business for that day, and Mr. Bracken would not be found there then.

The judge then informed the prisoner that if he thought it necessary he could compel the attendance of the first person in the land in his case on his subpoena, or else have his recognisance on it estreated, and asked the prisoner whether he wished Mr. Bracken to be called on his subpoena and have his recognisance estreated. The prisoner replied that Mr. Bracken's evidence would have been of material service to him if he had attended, the court and testified on his behalf; but as he has not done so, and he is his master, he had no wish to deal harshly with him and compel his attendance. He then called several respectable native writers of the custom-house, who deposed that they had known the prisoner for upwards of fourteen years, during which period he had served both in the inland and the sea custom-house; He had always borne a good character, and had often been entrusted with large sums of money, but never embezzled any of it. They would not, from the knowledge of him, have believed him capable of committing a theft of this petty nature.

This closed the prisoner's defence.

The jury after a retirement of about half an hour, returned to the court and acquitted the prisoner.

The judge after this verdict had been recorded, informed the prisoner of it, and, after cautioning him to be more circumspect in his conduct, ordered him to be discharged from custody.

The court then adjourned till ten o'clock a. m. the next day.—*Hinjharu, August 9.*

August 8, 1838.

(Before Sir J. P. Grant, Knight, Judge.)

Radanauth Paul not answering to his name as a juror, was fined to forty rupees.

Muddub Shaw was tried for having, on the 29th of July last, burglariously entered the house of Sheikh Hydur Uly, and stolen from them several articles of cloths, &c.

The prisoner pleaded *not guilty*

Sheikh Hydur Uly deposed, that he resides at Colootollah, where he has a shop. He is a merchant and a native of Lucknow. Deponent had in his shop sixty bales of cotton cloth and each bale contained 140 pieces. Kakab, baboo, Gourmook Messar, and Soomarres

lived day and night in that godown. Thirteen days ago, whilst prosecutor was sitting in his house, at 6 o'clock p. m. a person came and informed him that his shop had been entered by a robber and some pieces of cloths abstracted from it, and the thief had been arrested and was in custody. When prosecutor heard this, he became alarmed and ran to the shop, and perceived one of the bales of mahamoodee cloths had been cut open, and, on examination, he ascertained that seven pieces had been stolen out of it. The house where the prosecutor's shop is, is upper roomed, and the lower apartments are occupied by the prosecutor, and a compound adjoining it. The door of the compound, when he arrived there, was shut, as likewise the door of the room where these bales were kept; but a side door in the compound, which opens into a gully and a side door leading from another room to the room where these bales of cloths had been, were open, but prosecutor did not perceive any mark of violence on the door to suspect that these doors had been forced open. The robbery was committed on the night of Friday. At midday of that day, prosecutor had seen the bales in quest on board. On the Saturday when he heard of this robbery, and examined the bales, he discovered the fastenings of it and the wrapper to be cut, and seven pieces lying on the floor, quite close to the bale. The cloths are marked 25½. This is the prosecutor's mark. Prosecutor looks at the prisoner and recognizes him. Prosecutor recollects having seen him on the day when he was robbed, in the custody of Gourmook and Soomarree. He was a perfect stranger to the prosecutor. The cloths were the prosecutor's property. Prosecutor saw no breach made in the wall, and therefore he cannot say how the prisoner entered the house. Kakah, baboo, was directed by the prosecutor to shut the doors at night, but his servants used to perform their duty. Prosecutor did not see the prisoner till after his apprehension.

Gourmook Missur deposed, that he is the servant of Kakah, baboo, and lives in Colootollah-street. The godowns below are rented to Hyder Uly, the prosecutor, who keeps his merchandise there. Here this deponent stated the number of the bales which were kept in that godown. Deponent recollects the 13th of Shirawon last. It was on a Friday. Deponent on that night shut all the doors at 11 o'clock p. m. and retired to rest. [Here deponent described the situation of the house and the doors, which corresponded with the prosecutor's description of them.] A part of the outer or the inner wall of the house or compound was broken. The room where the bales were kept is an open room, but the room adjoining it, in which the deponent sleeps, has a door. There is no direct communication between these two rooms. Whilst deponent was asleep that night, he was awakened by hearing a bale of cloth fall on the ground. Suspecting that all was not right, he listened, and, shortly afterwards, he heard another bale fall. Deponent could not see any thing, because he was sleeping within curtains. Deponent then roused Soomarree, who was sleeping beside, and they both then went to the room where the bales had fallen. Deponent and Soomarree stood there and called to Kakah, baboo, to come to them. Deponent saw nobody else besides Soomarree there. Kakah, baboo, then came down and desired Soomarree to light a candle and bring it to the place. Soomarree did so, and when the light was brought, they perceived that one of the bales had been cut open, and some of the pieces which were tied in it lying scattered in the road. After this, Kakah, baboo, ordered deponent to go and see if any of the doors were open. Deponent then went and ascertained that one of the compound doors were open. Deponent further, by Kakah, baboo's, orders, searched the house, but did not perceive any stranger in it. Shortly afterwards deponent said to Kakah, baboo, that he believed the thief must be concealed in the godown where the bales were kept. Kakah

baboo replied, "If you think so go and search." Deponent consequently went and searched the godown, and on lifting up the blankets which covered the bales, he perceived the prisoner between two bales of cloths in a sitting posture. Deponent, when he perceived the thief, called out, "here is the robber concealed between the bales." Kakah, baboo, said "seize him." Deponent then grasped the thief's arm, and when he did so, the prisoner, whose face he then perceived, for the day had then dawned, gave a sudden jerk, forced himself from the deponent's grasp and ran out. Deponent is sure that the prisoner is the man whom he discovered there. As the prisoner was running out of the godown, deponent called out to Soomarree to stop him. Soomarree, hearing deponent's voice hastened to the spot, and seized the prisoner in deponent's presence. The prisoner when apprehended, said he had committed a great offence, and entreated the deponent and Soomarree to forgive him and release him, and he would never be guilty of the like crime again. Deponent by Kakah, baboo's, directions, searched the place where he had discovered the prisoner, and found there a two bladed pen-knife, which the prisoner owned to be his property. Kakah, baboo, then desired Soomarree to go and give information of this theft to Paunchoo, baboo, the proprietor of the house, and to Sheikh Hyder Uly, who, on receipt of information, came to the place. The thannadar of the Colootollah thanna came soon after sunrise. The prisoner was apprehended at about 4 o'clock a. m. in the morning. The thannadar came and questioned the prisoner. Deponent supposes the prisoner must have entered the godown and hid himself previous to the door being shut.

Soomarree deposed, that he is the servant of Kakah, baboo. The rest of this witness's deposition corroborated the testimony of the last witness. The cross-examination elicited nothing.

Gopaul Chunder Biswas deposed, that he is commonly called Kakah, baboo, but Gopaul Chunder Biswas is his real name. Deponent is acquainted with Sheikh Hyder Uly, but he is not the prosecutor's servant. Deponent is a commission agent by profession, and lives in Colootollah, and the house is the property of Paunchoo, baboo. Deponent rents it from the owner, and has under-letted the lower apartments to Hyder Uly. Deponent receives the rents from Hyder Uly and pays the rents of the whole house to the owner of it. Deponent has occasionally transacted business for Sheikh Hyder Uly, who lives in Moorglyhatta-street. Here the deponent confirmed the statement of the two former witnesses regarding the discovery of this theft, and the apprehension of the prisoner.

The thannadar of Colootollah thanna deposed, that being informed of this theft, he went to the place where it had been committed, viz. the residence of the last witness, where he saw the prisoner in custody. A bale of cloth was cut in a godown and some of the pieces were near the bale and a penknife, which was given to him by Paunchoo baboo. On being requested by the inmates of the house to inquire of the prisoner how he had entered the house, he asked him that question; and the prisoner replied, that he, in company of another person, came into the house where he was apprehended, shortly after gun-fire in the evening, and had concealed himself all night amongst the bales. That person lives in jaun-buzzar road, but the prisoner said he did not know that person's name. When the falling of the cloths alarmed the inmates of the house, that other person jumped down and opening the wicket ran out of the house; but the persons who arrested prisoner having arrived before he could follow that person, he retreated and hid himself amongst the bales, from whence he was found and given into custody. Beyond this deponent had no further conversation with the prisoner, but

took him before Mr. O'Hanlon, the magistrate of the division to the police, who committed the prisoner to be tried at the ensuing sessions.

On cross-examination, deponent said, that when deponent called at the house where the theft had occurred, he met no obstruction, but was instantly admitted, and when he first saw the prisoner he was in the custody of the inmates of the house, and his hands were bound together. This deponent produced the seven pieces of the cloths found in the gown, cut out of the bale by the prisoner, and said that they had remained ever since that morning in his custody.

In this stage of the proceedings Sheikh Hyder Uly and Gopalchunder Biswas, recognized the cloths to be the property of the prosecutor, and the former showed the mark, 25, on the pieces.

This ended the case for the prosecution.

The prisoner, in his defence, said, that Panchoo, baboo, to whom prisoner is indebted a small sum of money, sent a brahmin to call him. Prisoner consequently went to his house in his neighbourhood, from whence after the prisoner and Panchoo Shaw had smoked a chillam and conversed on in different topics, Panchoo Shaw demanded from the prisoner the money the prisoner owed him; and when the prisoner replied that he had already paid him five rupees and owed him only six rupees more, for which he requested him to wait a while, and take one rupee per month by instalments, Panchoo baboo said nothing; but, under pretence of going out on a spree, he enticed him near the house where this theft is stated to have occurred, and when they were quite close to it, Panchoo pulled the prisoner into the house, and shutting the door beat him most unmercifully, and said to prisoner, "villain, you have been abusing my wife, either pay me my money directly or else I will make you repent it to the latest day of your life." Panchoo baboo then sent for Hyder Uly. After they had consulted for a short time, they bound the prisoner and accusing him of this theft they made him over to the custody of the thannadar of Colootollah as he could prove by his witnesses, one of whom can prove that the prisoner was in his company till past 11 o'clock of the night in which it is deposed he had hid himself, ever since nine o'clock p. m. and they would testify to his character likewise.

The prisoner then called four or five witnesses, some of whom supported his defence and gave him a good character, whilst others said they knew nothing about him or the matter in question; and one of them, a stupid looking chokeydar, when questioned, lifted his hands and eyes towards the judge and said "you are the emblem of the fountain of justice," and remained dumb.

This closed the prisoner's defence.

During the trial one of the jurymen wished to ask the thannadar of Colootollah, whether the prisoner was well known to the police office as an old offender or not, in order to ascertain his former character.

The jury, after a short consultation, returned a verdict of guilty of a larceny only.

After this verdict had been recorded, the judge addressed the prisoner, and sentenced him to one year's imprisonment in the house of correction, with labour. The prisoner begged the judge to commute his sentence to transportation, as he could not survive twelve months in the house of correction.

Goohie, duffray, was indicted for stealing on, the 12th April 1838; a silver gullt watch, the property of T. Dickens, Esq. from the office of the registrar to the Supreme Court, valued at Rs. 80. Another account stated the watch to be the property of flour.

The prisoner pleaded *not guilty*.

James Low, deposed, that he is the head clerk in the registrar's office, and has charge of the watches, jewels, trinkets, &c. which the registrar receives in his capacity of a registrar to the estate. On the 12th April 1838, deponent received an engine turned watch belonging to the estate of Robert Pegan, indigo planter, by hawk. The No. was 2,350, and the maker's name, George Hedger, London. An entry of its receipt was made in a registrar's book, called the trinket book. All similar goods which come into the registrar's office, are entered in this book. Here the deponent produced the book and said, there is no particular person to keep this book, but it is kept under deponent's superintendence and it is deponent's duty to see that the entries are correctly made. The entry regarding the watch in question was made by Bonneville, a writer in the registrar's office in deponent's presence. Deponent did not compare the entry with the watch, because it was exceedingly late that day, but deponent did see the watch. Deponent never compared the entry, but left the watch on his desk for the purpose of comparing it during the next day; but he saw it corresponded with the letter of Mr. Morrison, the judge who forwarded the watch to the registrar's office from Jowpoo by hawk. It came in a small tin box and had two gilt seals, one water stamp, one chain, and one brass chain. Deponent does not know Mr. Morrison's signature, but the letter is dated the 14th of April last. Deponent subsequently compared the entry with the watch at the police office, when he found it to correspond. The watch was in this stage of the proceedings produced by J. Street, the police constable, and deponent identified the watch to be the one which he had received by hawk from Mr. Morrison. Deponent could not depose as to its value, not being a judge of the value of watches. Deponent, when he left the office, on the day on which he received the watch, locked it in his desk as he left the office to go home. Deponent never quits the office without locking his desk. Deponent received the watch on the 12th April, 1838, but he did not miss it till the 14th May, 1838. Deponent, about the latter period, in consequence of a suspicion arising in the duffrey's conduct, from circumstances which occurred, had a search made in the office for the several trinkets under deponent's charge, and, on inquiry, discovered that several articles, and the watch in question were missing. Previous to this search, which was made on Monday the 14th May, on the evening of Saturday the 12th of May, deponent had seen the watch late in the evening at the police office, where, as Mr. McFarlan was absent, deponent could not examine the watch and identify it; but had Mr. McFarlan been present and the watch submitted to him for identification, he could then have identified it. Seeing the watch at the police office on Saturday 12th May, was the cause of deponent's having the search made on the 14th May, Monday. Deponent, on a former occasion, mixed three gold coins, and had an inquiry instituted amongst the servants attached to the office, and the sepoys at the office to learn from them whether any of them had seen the doors of the office ever opened after or before office hours; but nothing was elicited from the inquiry. Several trinkets previous to this had been lost from the office. Deponent, on that occasion, ordered the prisoner to follow him to the police office, from whence an officer from the police office was sent with the prisoner to search the prisoner's and his brother's house, and to point the latter to the police peons. Prisoner did on that occasion follow deponent to the police office, and his house was searched. Deponent never parts with his keys to any person, and therefore no person could get access to any of the locked articles unless he previously got possession of the keys of the boxes and desks in which they were locked. On the 14th May 1838, when deponent had the search made, he found his desk locked as usual. Deponent was not an employed servant of the office; but he sometimes came to the office and assisted the

duties of the office, named Meah Jaun, for six or seven days at a time, and stated himself to be that person's brother; and whenever he thus assisted Meah Jaun's duties, he had access to the things in the office, the same as the other duties had. Deponent has the keys of all the boxes containing the trinkets, titles, and other valuables, and deponent never parted with them to any person, nor left the boxes in which these valuables were kept, unlocked. Deponent produced the administration in the name of F. Dickens, to the estate of Robert Pegan, in Court.

William Street police constable, deposed, that he, by the order of Mr. McCann, on the 12th May last, proceeded with the prisoner to his house in Pattuldangah, and a peon named Shum, and on his arrival there, he inquired for Meah Jaun, and found a man sitting in the house who answered to that name. Prisoner was then standing in the compound, but deponent cannot say whether he heard the conversation between Meah Jaun and deponent or not. Deponent, in consequence of what Meah Jaun said to him, entered the prisoner's hut and found a trunk, the key of which deponent obtained from the prisoner, and found a small box in the trunk in which he found the watch with its accompaniments. Several trinkets and parts of a broken watch were also in it. Deponent is not certain whether the prisoner was present or not when these things were discovered in the prisoner's box, but Meah Jaun was, and he might be able to state with more certainty. When deponent found the watch, he opened it and examined the number and the name of the maker. Deponent is sure that the prisoner gave deponent the key of the large trunk. He always gave the same account. It is true he did, in his deposition at the police office, first state that Meah Jaun gave it to him, but afterwards having recollected himself, he had that part of his depositions amended at the police office.

Kurrounsoonloo Bonnerjea deposed, that he is a writer in the registrar's office. Deponent remembers making an entry regarding a watch appertaining to the estates of Robert Pegan, indigo planter. Deponent is not sure whether Mr. Low was present or not when this entry was made by this deponent, but he examined it afterwards. Deponent recognizes the prisoner. He is reputed to be the brother of the office-duty, Meah Jaun, and assisted occasionally in his official duties. Deponent did see the prisoner in the office between the 12th of April 1836 and 12th of May, 1838. Deponent has seen Mr. Low's desk occasionally open when he moved about in the office, but never when he was absent from it.

Mr. Charles James Pittar being disposed, and unable consequently to leave his house to day to come to Court on this subpoena, deputed Mr. Chance in his stead, who said, that by an entry in the books of the firm of Messrs. Pittar and Co. it appears that a silver watch had been sold to Mr. Robert Pegan, in January 1837, for eighty rupees, but he is not sure whether he was present at the time of the sale or not, and he could not identify the watch by seeing the entries made in the books. Mr. Pittar sent Dr. Craigie's certificate by the deponent to show that he was indisposed.

This closed the case for the prosecution.

The prisoner, in his defence, said, the watch which the prosecutor has alleged that the prisoner had stolen about three months and three weeks ago, from the office, had been mortgaged to the prisoner by a person named Peeroo for twenty rupees, about eight months ago, and he called two witnesses to prove this fact, and, strange to say, two Mahomedan witnesses actually swore to this being a fact.

This closed the prisoner's defence.

The jury not being unanimous, retired after a short consultation to consider of their verdict.

Whilst the jury were gone, the judge addressed Mr. James Low, the first deponent in the case, and requested him in future not to keep any estate property in his desk, for he may, in the hurry of the moment, forget to lock his desk and thus expose the property of others, through his neglect, to be stolen. Mr. Low replied that he generally locks up all property in the several boxes allotted for their keeping; but as in this instance he had received the property very late and could not examine it with the number on that day, he kept it separate from the rest in his desk to examine it on the following day; but from the multiplicity of business on his hands he forgot to do so. He promised to be more careful in future and attend to the judge's injunction on this subject.

The jury, after they had retired for about ten minutes, give their verdict of guilty against the prisoner.

After this verdict had been recorded and explained to the prisoner, the judge sentenced the prisoner to twelve calendar months' imprisonment in the house of correction, with hard labour.

Ramechundur Mitter, was tried for having, on the 15th of August 1836, taken from a person named Kulhee in Oddeem, two rupees, under pretence of procuring for him a situation of seven rupees a month, in the service of a baboo as a sircar, at whose disposal the said situation was.

The prisoner pleaded *not guilty*.

Kulheem Oldero, peon, deposed, that he has known the prisoner ever since August, 1836. Prosecutor was formerly a peon in the Larkin's thanna. Deponent took leave and went to his house, from whence he returned in August, 1836. The day after his return prosecutor went to see his brother at the coked hat. Prosecutor found the prisoner there in company of his brother. At the time prosecutor came up to them, he heard the prisoner say to his brother, "If you have any person out of employ, and I wish to procure one I can get him one." Prosecutor's brother replied in the negative. A person named Dhoroop Singh, who was present, brought his brother to the prisoner and begged of him to get the situation for him. The prisoner, without returning any answer to Dhoroop's application, asked prosecutor what was his profession, and whether he was in or out of employ, and required a situation. Prosecutor replied, that he was a police peon by profession. He had lately returned from his native country, where he had been absent on leave, and was out of employ and on the look out for one. Prisoner, when he heard this, replied, "What a person of your appearance and capability to seek so paltry a situation as a chokedydar at four rupees a month. If you will give me two rupees I will procure you a situation of seven rupees a month, and pickings besides, in the fort." Prosecutor consequently asked his brother to lend him two rupees. Prosecutor's brother said, he had only one rupee by him, and sent it to the prosecutor on their way to the fort, where the prosecutor then accompanied the prisoner. Prisoner informed the prosecutor, that one of these rupees was to be paid to a baboo, and the other to a sircar, and then they would give them the situation, and the badge of his office. In the fort the prisoner spoke something to a gentleman in English, who made a reply and pointed with finger towards some barracks, where the prisoner then proceeded with the prosecutor. When they arrived there, the prisoner took the rupee from the prosecutor and went into a godown in the barracks and spoke something to a baboo in English, after which he returned and informed the prosecutor that in consequence of another person having applied to the baboo and the sircar for the hurkaruship, which he intended to procure for the prosecutor, the baboo and sircar would not abate any fraction of two rupees, and added, that if he wanted the lucrative situation he had better make haste and get the other rupee, or else he had better

take the rupee he had given him in part payment, and wish good bye to the situation. When prosecutor heard this, he ran off to his brother, who was a peon in the Larkin's lane thanna, and borrowed another rupee from him, returned speedily to the prisoner, whom he found seated in the place where he left him. He there gave him the other rupee. The prisoner then took prosecutor to the entrance of the barrack, desired him to wait for a short time, and then he would return to him. This happened at ten o'clock A. M. and, after prosecutor had waited till near four o'clock P. M. for him, he searched for him all over the fort, but not being able to find him, he abandoned all ideas of getting the lucrative appointment the prisoner had promised to procure for him, and returned to his former despised situation of a police peon of four rupees per month, in procuring which he had better success. When prosecutor gave the two rupees to the prisoner in the fort, there was one person present, an acquaintance of the prisoner, but who was a stranger to the prosecutor. Prosecutor did not see the prisoner again till he met him at the Larkin's lane thanna, where he seized him and asked him for his money, one year and nine months after the first transaction. The prisoner, on that occasion, owned the receipt of the two rupees in the presence of all the persons at the thanna, and gave him a piece of cloth which he then had on his body, and said to the prosecutor, "This cloth I purchased only fifteen days ago, for one rupee six annas, take it in part payment, and I will pay you the balance." Prosecutor said, this cloth is worth one rupee. Hear brother chokydars, this fellow owns the debt and has paid one rupee, when am I to get the other rupee? The jemadar of the thanna observed, that it was evident from the circumstance of prosecutor's having cried on that day in which he gave the money, that he must have given it, and asked if he would forgive prisoner the other rupee or prosecute him. Prosecutor replied that he would prosecute the prisoner, as he was not going to be imposed upon, and receive one rupee after having been cheated by the prisoner of two rupees. The prisoner hearing this, snatched the cloth he had put into the prosecutor's hand and said, "very well, if you are going to complain brother, you shall not get a piece of your money, and I will see what judge can get it out of me." The prisoner was then taken to the police office and put in "the railed place in Mr. O'Hanlon's division, where he said to the prosecutor and the jemadar, "what are your paltry police peons that I need fear you? I have choused you betters and they could not do any thing to me for it. When the case was called on for hearing before Mr. O'Hanlon, prosecutor's brother mentioned this circumstance to Mr. O'Hanlon, who, when he heard it, immediately committed the case for trial for this session. The judge asked the prisoner, who every now and then kept telling the judge, that he had something more to add to his account of this transaction, whether he had stated all what he has done here to the magistrate at the police office. Prosecutor replied that he did, but nobody would hear him there. Hearing this reply the judge smiled and said to the prisoner, you see we are hearing you very patiently now, and added, that he believed that if all that the prosecutor had stated here he had said at the police office, he would have saved this Court the unnecessary trouble of bringing this case here. The prosecutor added that the prisoner is a notorious character, and has been repeatedly in the house of correction. The greater part of the prosecutor's depositions kept the Court in a roar of laughter.

Meah Jaun, the prosecutor's brother, corroborated, with many discrepancies, the evidence of his brother.

The prisoner observed, that the prosecutor and this witness are brothers, and the one will swear through thick and thin to what the other states.

Two or three more witnesses were then called, who said that they knew nothing of this transaction.

This ended the case for the prosecution.

The prisoner admitted, that there was a situation vacant in the office of Col. Sweeny, the principal commissary of ordnance, of seven rupees per month. Prisoner took him before Colonel Sweeny, and the babops of the office, who required two rupees to be given them as a douceur before they would give him this situation; but as the prosecutor had no money by him to give to these babops, he returned back to the thanna, and thus the matter ended. In conclusion, he denied that he had ever received any money from the prosecutor, and said that if he had paid prisoner the two rupees he has alleged to have paid it to him, where are the witnesses to prove the payment. He had no witnesses to support this defence.

This ended the defendant's case.

The jury after a short consultation, not being unanimous, retired for a short time and returned a verdict of not guilty.

The judge, after this verdict had been recorded, informed the prisoner of it and ordered him to be released from custody.

The grand jury this-day brought a true bill against the following prisoners:

Munnee Taukoor, &c. for an assault.

Ramchunder Mitter for obtaining money under false pretences.

Ramchunder Doss for a burglary.

This day the 8th instant, the grand jury returned a true bill against Besokur for the murder of Jestun.—*Hurkaru*, August 10.

August 9, 1838.

(Before Sir. J. P. Grant Knight, Judge.)

Ramchanda Doss was indicted for stealing from the house of Jaudub Paramanick and others, in Haurkuttah-lane, several articles, the property of the prosecutor's, by burglariously entering it on the night of the 22d May last.

The prisoner pleaded *not guilty*.

Jaudub Paramanick deposed, that he resides in Haurkuttah-lane, the prosecutor and two others have hired the house jointly, one of these, Maudub, is prosecutor's nephew, and the other Bheem, a distant relation. On the night in which this robbery had been committed, prosecutor and his two relatives went to Coloottollah to visit the thakoor there, and returned to their homes at seven o'clock A. M. of the following day. On their arrival, they perceived the padlock to the door lying broken and the door open, and, on entering the house, they discovered prosecutor's and Maudub's goods had been stolen during their absence. Shortly afterwards they were informed, that the thief had been apprehended and was in custody at the Putaldangah thanna. When he arrived there, he perceived an English promissory note in the hand of the nab of the thanna. The note was for 100 rupees, lent by prosecutor to an English lady. Here the prosecutor detailed the articles belonging to him which he had seen at the thanna and their value, and said, that if he were to see them again he would be able to identify them.

Maudub Saud Khan, the prosecutor's nephew, confirmed the deposition of the last witness, and added, that when they left their house at 11 o'clock to go to the thakoorbarree, prosecutor locked the door of the house in his presence.

Bhoodhoo, naib of the Puttaldangah thanna, deposed, that as he was on the night of the 22d May last, going his rounds at about 3 o'clock p. m. he met the prisoner coming down Harkutah-lane. When deponent saw him, he challenged him, and the prisoner answered, that he was a subject. Deponent desired him to stop, to be examined. When the prisoner heard this, he dropped a brass lotian and a bundle which were on his head and in his hand, and ran off with another bundle which was slung over his shoulder. The deponent followed him, and saw the prisoner leap over a drain and endeavour to get into a hut; but before he could do this, deponent seized him. The prisoner, when he was arrested, bawled out that the naib had forcibly entered his house, and was illegally dragging him to the thanna. Deponent, without attending to his protestations, took him to the thanna and locked him inside the thanna-guard. Whilst deponent was next morning showing an English paper to the passer by, to ascertain its nature, Jaudub came there and informed deponent, that the paper was the English bond granted to him by a lady eight months ago for 100 rupees, and added, that his house had been burglariously entered on the previous night, and he had been robbed of all the property in it. Deponent then took Jaudub to the thanna, where he and his nephew, who came soon after him, recognized the property found on the prisoner to have been those stolen from their house. Deponent then took the prisoner and the property to the police office, where Mr. O'Hanlon investigated the case, and committed the prisoner for trial to the sessions. The property found on the prisoner was assigned to the care of Mr. McCann. In this stage of the proceeding, Mr. McCann produced the property and deposed, that he had received it from Bhoodhoo naib, Bhoodhoo naib deposed, that it was the property he had found on the prisoner on the night of the 22d May last, and Jaudub and Maudub both recognized the property to have been theirs, and stolen from their house on the night in question, as likewise the promissory note for 100 rupees.

Bheem deposed, that when he went in company with Jaudub and Maudub to see the thakoor, he locked the out door, and saw the goods now produced in Court hanging from a string in the house. There are some doors and windows on the back of the house, which look into the premises of the landlady, who, to prevent her domestic concerns being overlooked, has placed padlocks on them from her side of the house, and keeps their keys by her. These doors are never opened. When deponent entered his house in company with his companion, and found the door open, and the padlock lying on the ground, he picked it up, and applied the key to it, and found that its works had been broken in the inside.

This closed the prosecutor's case.

The prisoner stated, that whilst he was sleeping in the house, the naib of Puttaldangah thanna, who owed him a grudge in consequence of a quarrel, as may appear manifest by the way he gave his evidence, in stating falsely, that he had formerly a purwana forwarded to the police office from the magistrate of zillah 24-pergunnahs, came on the night in which the robbery is stated to have been committed, and forcibly dragging him out of it, without listening to him or even acquainting him of what crime he had been guilty, beat and took him bound to the thanna, where he, the next morning, sent for the prosecutors, and concocted this charge against him. Prisoner knows nothing of the articles now produced in court, which has been falsely sworn to have been stolen by him. He is a respectable man, and can adduce evidence in support of his assertions.

The jury, whilst the first witness for the defence was being examined, requested the judge to have prisoner's other witnesses put out of Court. The judge ordered a constable to remove them all out of hearing, with the exception of the prisoner's wife, who, he informed the

prisoner, could neither be a witness for or against him in this case.

One of the prisoner's witnesses deposed, that he had seen the prisoner taken out of his house whilst asleep by some chokeydar and the naib of Puttaldangah thanna; but, when desired by the jurors to recognize the persons who had apprehended the prisoner, he could not identify any of them, although they were all standing before him at that instant.

The prisoner called two more witnesses, but they knew nothing of this matter. He then recalled Bhoodhoo, naib, and asked him, when he took him into custody with the goods found on him, as he had stated, why did he not call some of his neighbours to witnesses his apprehension? The naib replied, that he did not think it necessary to disturb the neighbours at that un-reasonable hour, as the two chokeydars who were with him, were sufficient evidence to prove this case.

The jury, in this stage of the proceedings, expressed a wish to examine these two chokeydars, putting one of them out of the Court, whilst one of them was being examined. The judge replied, certainly. He had, during the trial of this case, as their names were on the back of the indictment, called them to give the prisoner an opportunity of contradicting the evidence of Bhoodhoo naib by their testimony, if he could do so; but as the prisoner declined to avail himself of it, the judge did not consider it necessary to examine them; because their evidence, as taken at the police office, is but a repetition of what the naib has already deposed; and in a such case, the evidence of one witness uncontradicted, being sufficient in law to establish the fact, attending the prisoner's apprehension, he did not think the examination of them unnecessary; but if the jury wish it, they can examine them.

The jury did so, and found their evidence corroborated the testimony of the naib Bhoodhoo, almost verbatim.

This ended the case both for the prosecution and the defence.

The jurors, after a short retirement, convicted the prisoner of a simple larceny.

The judge, after this verdict had been recorded, informed the prisoner of it, and sentenced him to twelve months' imprisonment in the house of correction, with hard labour.

Munna Thakoor was indicted for having assaulted Laxartee Lall, on the night of the 2d of June 1822, at Barra-bazar lane. The charge of larceny against the defendant having been thrown out previously by the grand jury, he was tried for the misdemeanor only.

The defendant pleaded *not guilty*.

Mr. Morton, the barrister, conducted the defendant's case.

Jowhunny Lall deposed, that he is a confectioner, and has a sweetmeat shop in the Barra bazar, but lives in Baudhollah-lane. Prosecutor knows the defendant Munna Thakoor, who likewise is a confectioner and has a shop in his neighbourhood. Prosecutor knows Bolauky Doss, he is the defendant's servant. Bolauky owed the prosecutor two rupees. Prosecutor demanded payment of these two rupees from Bolauky. Defendant was not present when this demand was made. This occurred in Assau last, the day previous to the rath-jatra. Bolauky requested prosecutor to wait four days and he would pay him. At this juncture the defendant came from his shop, which adjoins the prosecutor's, and, after abusing him, he gave him several blows and slaps on his face. Prosecutor fell on the ground and defendant struck him after his fall, prosecutor then got up and ran to the thanna. Defendant pursued him thither, but did

not overtake him. On his arrival at the thana, prosecutor complained to the thannadar of the maltreatment he had received from the defendant. The thannadar replied that he could not interfere in an assault case, but the prosecutor could go to the police office and take out a summons against the defendant if he choose to do so. On his way to the police office, prosecutor was threatened again by the defendant if prosecutor dared to complain against him. The next day prosecutor went to the police office, but he could not obtain a warrant, but he procured a summons in Mr. O'Hanlon's department, which the prosecutor served on the defendant at 4 o'clock p. m. and returned at his shop at 9 p. m. escorted by two friends for fear of the defendant's threats. At 11 p. m. that night, prosecutor shut up his shop and proceeded to his house. When he arrived opposite the office of Gourdhan Doss, a servant of the kotee met him and asked him if he was not apprehensive of being robbed going at that late hour of the night with his gold ornament on him. As the prosecutor was proceeding with Kissen Doss, the prisoner came behind him and struck him a blow on his head, with a stick, which felled the prosecutor. The defendant then got astride the prosecutor, and beat him severely. Prosecutor called for aid, and a chokeydar came to his assistance, seeing whom the defendant with a jerk snatched the gold ornament from the prosecutor and ran off, pursued by the prosecutor and the chokeydar. The chokeydar of the street down which the defendant had ran, hearing the hue and cry, inquired what had occasioned it; and when informed of it he held his stick across the line to stop the defendant in his flight; who, when he saw this, turned aside and ran into the house of a merchant in the Burra-bazar Cullerub, where the chokeydar refused to follow him, because it was not in his division, but another police peon arrested him. At that time there was no ornament found on the defendant, although he was searched. The thannadar then took the parties to the office of the superintendent of the police, who took his bail for the night to appear the next day at the police office, and Mr. O'Hanlon, the magistrate, after he had taken the depositions of the parties, committed the prisoner for trial during these sessions.

Cross-examined by Mr. Morton, defendant's counsel. Prosecutor does not know who the grand jury are. There is a jury here and they may be it. Depoent did charge the defendant with having stolen his gold beads, which were taken from his neck by the defendant. There were some gentlemen who called prosecutor into a room and asked him a few questions on this subject, and then ordered him out. Prosecutor afterwards learnt that they had expunged the count for the theft from the indictment. The first assault was committed on the 12th of August, at 8 o'clock a. m. the second at 11 o'clock p. m. at night. It was a clear night, but not a moonlight. Prosecutor, when the depoent got on his breast, recognized him. The prosecutor fainted from the blow on the head with the stick, and was for some days ailing for it. Neither the stick nor the gold beads were found on the defendant when the depoent was first taken to the thana. The thannadar asked the defendant what made him go towards the prosecutor's quarters at that late hour of the night. The defendant denied that he had been there; but when the prosecutor showed the thannadar the stick which the defendant had left in the prosecutor's hands, when he ran away from the chokeydar, he admitted that he had assaulted the prosecutor with his fists but had no stick, and that the hurt in the head of the prosecutor was occasioned, by his falling on the head from the severity of these blows. The first assault was witnessed by many persons, the second by Reperdar, and prosecutor's servant Bagwar, who was following prosecutor; but when he saw this he ran away. Balauky was formerly in the prosecutor's service, but left it and entered the defendant's. This assault happened on a Saturday night, and he wished

to show the contusion to Mr. O'Hanlon on the Sunday following; but the peons at Mr. O'Hanlon's house would not admit him. The stick was a very thick one, with which defendant struck him. Prosecutor, on Monday, went to a hospital to have his wounds dressed. Prosecutor's shop had been established previous to the defendant's, but there was no rivalry between them. The defendant never offered to pay the two rupees to the prosecutor on Balauky's behalf until after his arrest; then he only offered one rupee. Prosecutor fainted on receiving the blow on the head with the club; but when the head was wrenched, the force of the jerk revived him. Prosecutor called for aid, when he saw the defendant coming to strike him, before he was struck. Prosecutor never returned the blow, but struggled to free himself from the defendant's grasp.

Bhugwan Puto deposed, that he is the servant of Tarra-moonnee, the cocubine of the prosecutor, and was sent by her to the shop of the prosecutor, on a Saturday night, to bring some sweetmeats for her from her paramour's shop. The Prosecutor gave deponent the sweetmeats and desired him to walk awhile till he had shut his shop, and then they would go together to the house of Tarra-moonnee, and deponent did so. After prosecutor had shut his shop they both went together. The rest of the witness's evidence was but a corroboration of what the prosecutor had stated, regarding him in his deposition, with slight variations, hardly worth noticing.

Kissen Doss was next called. His deposition confirmed the statement of the prosecutor regarding him, and added, that at the distance the prisoner was from the defendant he could have distinguished his features, unless the person came up and struck him before he had abused him. What effect a blow from a club would have on the head of a person, deponent could not say, as he never had been struck with a club.

Sheroutollah, the peon of the Burra-bazar, deposed to his pursuing the defendant on the night in question, and to his having gone by the order of the thannadar to the house into which the defendant had fled, in which they arrested him in a room in the upper story, into which he had fled for shelter and concealed himself.

Mahomed Moosau, the thannadar, confirmed the evidence of the prosecutor regarding him, and a lad, that he, in consequence of the prosecutor having charged the defendant with having stolen a string of gold beads, searched his person, and ordered the house in which he had been apprehended to be searched; but nothing was found either on the defendant nor in that house. In conclusion, this deponent said, that when the defendant was brought to the thana, he, at first, denied both the assault and the theft; but when the prosecutor showed the defendant's sheet to him, the defendant acknowledged that he beat the prosecutor, and struck him a blow on the face in consequence of the prosecutor having showed him and taken his overlet sheet from his person; the prosecutor fell on a stone when he received the blow and cut his head with the fall. There was an old quarrel between them, and as they met each other in the street they quarrelled. On cross-examination this witness said, that the defendant never acknowledged to him that he had struck the prosecutor; but said that he met the prosecutor in the street, who wished to renew an old quarrel with him, but defendant showed him and attempted to pass on. Prosecutor when shoved lost his balance and began to fall; to save or break his fall he seized defendant's sheet; this tore it, and it came into the prosecutor's hand, who fell with it on the stone pavement, and hurt his head with it.

Mr. Morton submitted, that as there was no case for the defendant having stolen the string of beads, and therefore there was a flaw in the indictment, and the case could not go before a jury, there not being proof

sufficient of the defendant having taken this string of beads.

The judge said, that the defendant might have taken the beads and thrown them away, and that would not be a theft; but this indictment was for an assault, only of which there was certainly evidence sufficient for the case to go before a jury.

Mr. Morton then addressed the jury in a long speech, which would occupy too much of our space to give it in detail; but the purport of it went to make out, that owing to a rivalry in business and the defendant having enticed Bolaukey, the prosecutor's servant, into his service, the ill-will which had been engendered between them in consequence of the defendant's setting up a rival collectionary shop close to the prosecutor's, was increased by this act, and they, no doubt, met with angry feelings, in the street, and taunting and abusive expressions passed between them; a scuffle ensued, and the prosecutor fell accidentally in consequence of a shove the defendant gave him in the scuffle, hurt himself by the fall; and, as the defendant had no witnesses to rebut the prosecutor's accusation, taking advantage of this circumstance, the prosecutor hatched up this case against the defendant. He called no witnesses to prove the defence for these very reasons.

The learned judge then summed up the proceedings. He explained the difference between an assault to do some injury and common assault and battery which he said was one of the slightest of misdemeanours, which even the showing of a person or holding a gun at him or a fist with threatening manners, was sufficient to constitute. He then said, the evidence in this case is so very distinct and clear, that he need not go over it in detail to the jury, or to comment on it, as it must be fresh on their mind; therefore he would with the observations already made, leave the case to their discretion entirely.

The jury not being able to come to a decision by consulting amongst themselves in the Court, retired, and afterwards returned a verdict of guilty on the second count, *viz.* of a simple assault.

The learned judge then, in consideration of the long imprisonment the prisoner had already undergone, sentenced him to ten days' imprisonment in the jail of Calcutta.—*Hurkaru, August 11.*

August 10, 1838.

(Before Sir J. P. Grant, Knight, Judge.)

Ra. lanauth Paul, not answering to his summons as a petit juror when called, was fined fifty rupees.

Besookha Bevah, was indicted for having, from the 1st to the 8th of July, 1838, administered several poisonous drugs whereby she did procure an abortion to Jeetun Raur, unlawfully, and from having taken which drugs, the said Jeetun died on the 10th July.

The prisoner pleaded *not guilty*.

Nurrain, chokeydar of Colootollah thanna, deposed, that he recollects the prisoner at the bar. On the 9th of July last, deponent went to the house of Jeetun, which is situated within his beat. He there saw a crowd at the door, and the prisoner sitting within the house. Jeetun is dead. Bolauky, Jeetun's paramour, was there likewise. Jeetun was the widow. Deponent inquired of Bolauky what was the reason of this crowd at his door, and the occasion of a midwife being there. Bolauky replied, Jeetun had been indisposed with a fever, which had taken an unfavourable turn. Deponent then

remarked that there was no occasion to call a midwife in a case of fever. Bolauky made no other reply. Deponent seeing a fire and some medicines there, suspected the correctness of Bolauky's statement, and gave information of what he had witnessed to Kadurbux, naib of the Colootollah thanna, who ordered him to return to Jeetun's house, and bring the midwife to the thanna. Prisoner, when the deponent had communicated this message to her, rose and accompanied deponent to the thanna. The thannadar asked the prisoner the nature of the deceased's complaint, and what medicines she had administered to her. Prisoner replied, Jeetun had a heart-burn, and she had given her some cooling medicines which would relieve her. The thannadar observed, the chokeydar Seeboo saw her at Jeetun's house, and suspects that she is endeavouring to procure an abortion, therefore she had better speak the truth, for he would send another midwife to inquire into the matter. Prisoner replied, that he may make what inquiries he pleased, for she had never been guilty of such an attempt as to procure an abortion. The thannadar then sent the prisoner accompanied by Kadurbux, naib, and two peons, to Jeetun's house, to inquire into the matter. Kadurbux asked Lutchmun, what ailed Jeetun, her sister. Lutchmun replied, that she lived in another part of the town, and had just arrived there in consequence of having heard that her sister was indisposed. Kadurbux then directed Lutchmun to desire Jeetun to come to him and inform him of the nature of her complaint. Lutchmun went into the hut, and shortly afterwards returned and informed the naib, that she was too unwell to be able to leave her bed, but the naib could go to her if he desired it. The naib, the deponent, and the prisoner then went to the place where Jeetun was lying, and exhorted her to speak the truth and inform them, what was her indisposition. Jeetun replied, that she had been *eniente* two months, and the prisoner had given her for the last seven days some medicines to be taken internally, and made some external applications on her belly. On the 4th day she had a miscarriage, ever since which she has been very weak and ailing and cannot either speak or breathe freely, and she fears that she will not live long after this treatment. Kadurbux then addressed the prisoner and said, "you said lately at the thanna that you had never given any medicines to Jeetun to procure an abortion; you have heard what Jeetun says regarding you, play wint reply can you make to her accusation." To this observation of Kadurbux, the prisoner made no reply, but adhered to her former assertion. Many persons were present and witnessed these transactions.

Kadurbux, naib of the Colootollah thanna, confirmed the statement of the last witness, and added, that Jeetun informed him, that the medicines which were administered to her to procure abortion, were forced on her against her consent by the prisoner and a woman who sells flour, but she knew nothing about their quality. The prisoner replied, that Jeetun's statement was false. She had been but just called to see Jeetun and administer to her, and had given her some lime juice and Benares sugar to relieve her of heart-burn, for which she had been paid ten annas. Jeetun added, that she had been a widow for one year. Bolauky was a servant in her late husband's shop, and now managed the shop for her. A connexion had been formed between him and her, in consequence of which she became pregnant. Bolauky wished Jeetun to procure a miscarriage, to this she objected. Subsequently Bolauky consulted with Kullen, a woman who sells flour, and they brought Besookha to her to administer medicines to her for the purpose of procuring an abortion. After this, Jeetun complained that she felt her belly to be inflating, and she expected her dissolution was approaching. Deponent then ordered Dobe Sing, naib, to take Jeetun to the police hospital, and took the prisoner to the office of the superintendent of police, who ordered security to be taken

for her appearance at the police office. He did so, and, having heard that the prisoner had absconded, he seized the securities who searched for and found her. She was then taken to the police office, and committed on the present charge, and has been in custody ever since.

R. H. Bain deposed, that he is police surgeon. He examined the body of a middle aged woman named Jeetun, who had been admitted to the hospital on the night of the 8th July last. Deponent examined her corpse on the 10th, on the morning of which day she died. It was pointed out to him by Dabee Sing, naib of the Colootollah thanna. Deponent opened the head, chest, and bowels of the deceased. The brain was natural. The lungs were congested, and discharged a large quantity of dirt and blood, when cut into. The liver, the heart, and the spleen were natural. The stomach contained merely the medicines which had been administered to her at the hospital. The stomach, bowels, and omentum, were glued together by a considerable quantity of coagulated blood. There was also a quantity of curdy looking fluid lying in the cavity of the abdomen. Deponent then examined the uterus and the vagina. The latter was very vascular. On one side of the mouth of the uterus, there was a sinus, one inch deep, about the size of a small crowquill. There was a dark fetid discharge from it. The uterus was considerably dilated at the mouth. The inside of it had a brownish character apparently the remains of the after-birth. Deponent could observe that the deceased had been gone in pregnancy and had an abortion. The sinus must have existed about eight days, it might have existed six, eight, or ten days. The deceased died from an inflammation of the bowels, and not the wound in the uterus. All the bowels were greatly inflamed which had proceeded to an effusion of lymph, which is a fatal symptom of inflammation of the bowels. The wound in the uterus may have led to the inflammation of the bowels. Deponent does not think it must have been of a necessity caused by that wound. The wound might have existed, and yet the inflammation might have been occasioned by some other cause unconnected with the wound, and yet might have terminated fatally. There are many natural causes which may produce inflammation. The death was not occasioned by the wound in the uterus unless the inflammation of the bowels was caused by it. Deponent cannot state to a certainty whether that wound caused the inflammation or not. The wound in the uterus may have caused the abortion. The inflammation must have been of some days duration, about three, four or five days. The deceased did not die of the abortion. The prisoner was not present when the corpse was examined. Deponent did not see any necessity for putting any question to him.

Previous to the examination of Dr. Bain, the judge informed the jury, that as it would be requisite first to prove the cause of the deceased's death, before the case would proceed further, he would, therefore, examine Dr. Bain as to the state of the corpse in Dr. Martin's presence, and then the latter can tell the judge the cause of death from Dr. Bain's deposition.

J. R. Martin, assistant surgeon, deposed, that he is in charge of the native hospital. From Dr. Bain's description of the state in which he found the corpse of the deceased, he agreed partly with his medical conclusion. He would infer that the deceased's abortion was caused either through accident or by chemical or mechanical process, or both jointly. That signs of inflammation were present in the womb and the passages leading into it, and there was a wound in the neck of the womb, circumstances unlikely to occur spontaneously. There was an inflammation of the covering of the bowels. All these circumstances led to the death of the deceased. Deponent believed there can be no doubt that both the wound and the inflammation tended to cause death. Which preceded

the other, the history of the case can alone point out. If the abortion was the first occurrence, then the other symptoms are the general and ordinary results of it. However, the abortion might have occurred, particularly if it was produced by chemical or mechanical means. Deponent believed that the medicines which the deceased might have taken before her admission to the hospital, might have passed off from the stomach, and left no trace of them on it. Medicines which procure abortion occasionally produce vomiting, and thus efface all trace of their having been taken in the stomach. Abortion is dangerous to life under all circumstances, but especially so when procured by violent means. Pineapple may, by producing a diarrhoea lead to an abortion, not otherwise. Deponent does not know a root called chitta. A root of one cubit in length, if dry, might wound the uterus, as it is very tender, and that might cause an abortion. From the depositions of Dr. Bain as to the nature of the deceased's corpse, deponent should suppose death to have been caused by the inflammation of the several parts of the deceased's body internally. The inflammation of the bowels might in themselves have produced death, so might the inflammation of the uterus. The death, in deponent's opinion in this case was caused by the joint influence of both the causes. If the wound was the first event, the other symptoms would follow as a natural consequence, and he would, in that case, affix the primary cause of the death to the wound. There are many natural causes independent of this wound, which may cause an inflammation of the bowels. In this case, from the history he has heard of it, he believes the abortion from the wound in the uterus was the first event, and all the others were caused by it and led to the death of the deceased.

Dr. Bain recalled. Deponent knows the root called thanna. If it were used in a dry state, as deposed on in this case, it could cause the wound. Deponent has mentioned that the root, if mixed with water, would produce a blister, and from its irritating properties is liable to produce an abortion.

Draustollah, thannadar of the Colootollah, deposed, in confirmation of the testimony of the first witness's statement, regarding him, as likewise Dabee Sing, the jemadar and another peon of that thanna, who had accompanied the prisoner to the house of Jeetun, on the 8th ultimo; but the naib admitted, that owing to the darkness, and the crowd and confusion he did not see the prisoner there. She might have been there at a distance from him, but was unobserved by him. He, on cross-examination, added, that on the day in which the deponent took the deceased to the hospital, Bolauky and Kullen both fled before deponent could obtain an order to take them into custody.

Lutchmun deposed, that she is the sister of the deceased. Deponent never saw the prisoner until the day on which she saw her at the house of her sister. She then related the account which the deceased gave regarding the prisoner in her and the police people's presence. The prisoner was then sitting at the head of the cot on which the deceased was lying. The deceased pointed to her; and when the prisoner denied the charge of having caused the abortion, and said that she had only administered and given cooling medicines, for the heart-burn, the deceased contradicted her and said, that she had given her compounded drugs internally.

Kullen, the flour woman, was then called; but as she had already absconded, she was called on her reconnaissance and not answering, they were estreated.

Mr. R. Crawford, assistant to the police hospital, deposed, that deponent remembers a woman named Jeetun being brought there for medical attendance under the care of a police peon on the night of the 8th July last. She did not then appear to him to be in a

very bad state of health. She complained of a pain across her abdomen. Deponent ordered fomentations to her bowels and she appeared much better the next morning, when deponent gave her a dose of castor oil and repeated the fomentations. Prior to Dr. Bain's arrival, a change took place, and she appeared to become worse, and complained of very severe pains across the abdomen. Shortly afterwards Dr. Bain ordered her some pills, and ordered fomentations to be applied to her. This composed her somewhat. This was on the 9th, no change was visible during that night, but on the morning of the 10th, she complained of the spasms across her bowels. The fomentations were repeated, and she expired at half after 7 o'clock a. m. of that day. Deponent did not consider her in danger until the morning of the 10th, at 7 o'clock of that day, deponent considered her in imminent danger. The deceased ever since the morning of the 9th had an impression on her mind that she would not recover from the disorder of which she was then confined to her bed. Deponent did not think her in danger then, but, owing to a press of business, it did not occur to him to tell her that she was not in danger. Deponent cannot say at what period Dr. Bain considered her in danger. The exclamations of the deceased were not the mere expressions used by natives when they are in pain, but those of a person who was fully aware and had made up their mind as to their approaching dissolution. She did not think that she would die immediately, but that she would not recover of her disorder, and would ultimately die of it, and had, consequently, given up all hopes of recovery. On the morning of the 9th, the deceased made a statement to deponent of the cause of her complaint. The statement was made before she had made the confession of her having given up all hopes of her recovery to deponent. Whether she had confessed that to others previously, deponent cannot say. The deceased's confession to deponent was coupled with the statement she made to him. She said that a native midwife had given to her some medicine mixed in a pineapple to eat, and she had introduced the root of a chitta plant to the vagina for the purpose of causing an abortion. The deceased did not mention the midwife's name to deponent at the time, nor did deponent ask it of her. Deponent never asks questions unconnected with the complaint under which they labour from the patients who are admitted to the police hospital. When the deceased had finished her recital, she said that she, in consequence of this treatment, would never recover.

The judge, after Mr. Crawford had been examined, told him that it might be as well for him to keep in his mind, in the event of any other person coming into the police office under similar circumstances, should they make any declarations regarding themselves, and how they came, to that state, and happen in their disclosures to mention any person, to commit the statement to memory, and inquire and ascertain, as far as possible, the names and the residences of persons named by them; for the declaration of all persons made under the conviction of approaching dissolution, if those persons should subsequently die, are admitted by the law as evidence.

This ended the case for the prosecution.

The prisoner in her defence said, that she neither knew Jeetun the deceased, nor Bolauky, nor is she acquainted with any of the transactions with which it is alleged she had been implicated. Kullen, the flour woman, who has absconded, and with whom she had a quarrel regarding ten annas pice which she owed to prisoner for having cured a patient of hers of a heart-burn, and on which occasion she only gave lime juice and sugar, in revenge for this quarrel, maliciously instigated the first witness, to take her into custody on this false accusation, which she and Harram together hatched up against her; and, as she was going about her

occupation as a midwife, they seized her, dragged her into a house, accused her of having administered deleterious and poisonous drugs to a woman, to cause an abortion, and thereby killed her, and then took her into custody. Prisoner had no witnesses to prove her allegations, but called four or five of her neighbours, gave her an excellent character from a long acquaintance of many years with her.

This closed the prisoner's defence.

The learned judge summed up the case, in which he said the indictment charges the prisoner of the highest crime an individual can commit, viz. of murder. Even old statutes of the English law—before abortion was made a capital offence, declared that if the death of the person whose abortion was sought to be procured happened, the crime was tantamount to murder; because the law considers that if any person causes death in the pursuit of any felonious action, the crime is murder, inasmuch as the legislature has made the crime of abortion itself capital. The statements of Jeetun, the deceased, made before her conviction of approaching death, go for nothing; for they were always rebutted and denied by the prisoner to be incorrect as she only admitted having administered to her some shelter to cure the heart-burn; but all along denied the administering of any drugs, ointments or any other medicinal applications; therefore the only statement which can be admitted in evidence is, that which the deceased made at the police hospital on the 9th ultimo, before Mr. Crawford; for at that time she had given up all hopes of recovery, and all such declarations are evidence, because, in that case, persons are supposed to have divested themselves of all worldly connexions, and have directed their minds solely towards their maker and their approaching dissolution. In this the deceased still adhered to the statement which she made before the jemadar; but in this, unfortunately for the better elucidation of the case, she did not mention the midwife's name, nor did Mr. Crawford, as he ought to have done, inquire it of her. With regard to the case, the judge desired the jury to dismiss suspicions, but to confine themselves to what is strictly evidence. Summing up the case in this light, the statement of the deceased, made before the jemadar of the thirina, not being under conviction of approaching death, cannot be considered as evidence against the prisoner; and as to the declaration she made before Mr. Crawford, when impressed with the conviction of death, in it she has charged a person, a midwife, with having administered these drugs, but did not name the person. Upon the whole, therefore, whatever suspicions there may be attached against this prisoner, still there is not in the judge's opinion, sufficient legal evidence to warrant her conviction of a crime, on the result of which her life must necessarily depend. The cause of the deceased's death has been clearly proved by the evidence of Drs. Bain and Martin, and the nature of the prisoner's defence. And he need not repeat nor recapitulate the evidence in this case, as he has observed, that the jury, as they ought very properly to be in a case of so much importance, were very attentive to it, and had most of them taken down notes of it; therefore it must be supposed to be fresh in their recollection. However, if they required it he would recapitulate it to them. The jury having intimated to the judge that there was no necessity for his doing so, he then impressed on their mind the character the prisoner's witnesses, who were persons in her rank of life, and those who were the most likely to be the best acquainted with her, and who had given her a very good character: and they were perhaps the only honest witnesses she could bring to prove that fact. After this he said that he left the case in their hands, advising them to consider maturely on their verdict, as on it the prisoner's life depended.

The jury, not being able to concur in their verdict, after a short consultation in their seats, retired to con-

sider of it, and, after a retirement of about quarter of an hour, acquitted the prisoner of the crime brought against her.

After this verdict was recorded, the prisoner were arranged on the corner's commitment and acquitted.

The judge then informed her of the result of her trial, and ordered her to be released from custody.

The grand jury brought in true bills against Bonno hummolly, for larceny.

Wailail Hossain, (a new commitment) for burglary.

Robert Barlow, for an assault.

George Cole King, no true bill for murder, but a true bill for manslaughter.

Toonoo, (for the murder of his wife). This man has absconded ever since the night he murdered his wife.

After this there being no other bill before the grand jury, the judge discharged them after thanking them for their labours on this occasion -- *Hurkain*, August 13.

August 11, 1833.

(Before Sir J. P. Grant, Knight, Judge.)

Biboo Peary Mohun Bose and Caboo Radanauth Datto, who did not answer to their summonses when called as jurors, were fined fifty rupees each, and Mr Francis Patton having answered on the second calling of his name, namely, after the jury had been sworn, had his fine remitted after a reprimand from the judge.

Banmallie Boneyjee alias Gungagovind Bundopdha, was indicted for having stolen, on the 1st of February, 1833, ten pieces of unprinted silk pieces, called korahs, valued at sixty-five rupees, the property of Alfred Betts, his master.

The prisoner pleaded *not guilty*.

Alfred Betts deposed, that he is a silk manufacturer, and his factory is situated at Moorshelabad. In February last, he resided in Clive-street. He had come to Calcutta to effect the sale of some silk korahs, which were entrusted to his charge by Nobinchauder Datto, a silk merchant residing at Cossimbazar. The silks were partly kept in the prosecutor's house, and partly in the godowns of Messrs. Eglinton, McClure, and Co. his agents in this transaction. The prisoner, who had been recommended to the prosecutor by Mr. Urquhart, called on the prosecutor, on the 1st of February last, and, having represented himself to be a silk-broker, and his name Gungagovind Boneyjee he requested the prosecutor to entrust him with a few silk pieces, as patterns to be shown to intending silk purchasers. Prosecutor gave him four samples, which the prisoner took away with him, and shortly afterwards returned and informed prosecutor, that Messrs. Adam, Scott and Co. were willing to purchase silk pieces of the kind he had shown them, at the rate of Rs- 130 per corgie, (viz. twenty pieces.) Prosecutor consented to the bargain on which the prisoner was to get one rupee per corgie, and having given a letter to his banian Muddun Mohon Deb, he entrusted a chest containing ten corgies, to his charge, and ordered to take them with him to the office of Messrs. Adam, Scott and Co. which prisoner would point out to him. Prosecutor at the same time informed the prisoner, that he had twenty corgies more of silk korahs of a different kind, and if the prisoner could effect a sale of them at the same rate as he had of the kind he had sold to Messrs. Adam, Scott and Co. for him, he was willing to give him a chit to the address of his agent to deliver him ten pieces from those

korahs as musters, to be inspected by silk dealers. The prisoner answered that he would endeavour, if these musters were entrusted to him, to effect a sale of the other silk, in which he flattered himself he would succeed. Deponent then gave him a letter to Messrs. Eglinton, McClure and Co. for the ten pieces. After this the prosecutor saw no more of either these silk pieces or the prisoner until he saw them both under the custody of the police authorities on the 5th May last. Up to this date he has neither received those ten pieces nor any money for them. This was the first transaction prosecutor had either with Messrs. Adam, Scott and Co. or the prisoner, who was, till then a stranger to him. Prosecutor never debited the prisoner in his books for any of these pieces, nor did he take any receipt from the prisoner for the muster which were entrusted to him. Messrs. Eglinton, McClure and Co. took a receipt for the ten pieces they gave to the prisoner from him, and the prosecutor considered this to have been sufficient to prove his having received them. This was the first transaction of the kind with the prisoner in Calcutta, to which place he is a stranger, and knows not the customary forms in practice here. Prosecutor never made any sale of the silk to the prisoner, who was only engaged by him as a broker. Two or three days previous to this transaction, prosecutor had a conversation with Mr. Ford, one of the partners of the firm of Messrs. Eglinton, McClure and Co. regarding these silks. The prisoner wished to ask the prosecutor the contents of the letter, in which he had authorized Messrs. Eglinton, McClure and Co. to give him ten pieces of silk korahs; and remarked that, by the prosecutor's own evidence, the silks were entrusted to him as a broker; so that he was neither the prosecutor's servant nor had he stolen the goods. Therefore the counts of the indictment coincide with the circumstances elucidated in the investigation of it. Even by the prosecutor's own showing, the crime would amount to embezzlement and not theft; but he would be able to prove hereafter by his witnesses, that he himself had bought these silks at Rs- 128 per corgie, and had, at two different periods, paid Rs- 1,550 to the prosecutor for them, as the transaction was a ready money one. Neither party either took or granted any receipt on the occasion.

The judge observed, that with regard to proving the contents of the letter, the best mode of doing that would be the production of the letter itself; but if the prisoner thought fit to ask the prosecutor any question regarding it, although it was not strictly legal evidence, yet in a criminal case he would not object to the prisoner's asking them. With regard to the other observations of the prisoner, he said, the prisoner could state them to the judge when he enters on his defence, and the judge, as it is a point of law he would pay attention to it and draw the jury's attention towards it.

The prisoner having, after this advice, persisted in questioning the prosecutor regarding the contents of the letter aforementioned, the prosecutor denied that he had ever in it stated that he had sold the silks to the prisoner, but through his medium, and then for ready money only. The price might have been Rs- 128 per corgie, but of this he is not very certain at this distance of time.

Muddun Mohon Deb, the prosecutor's sircar, recognizes the prisoner. Deponent recollects having accompanied him with 200 pieces of korahs to the office of Messrs. Adam, Scott and Co. If deponent were to see his master's korahs he would be able to recognize them again. They were marked in the corner A. Betts. Deponent then examined some choppahs or printed silk pieces, which Mr. McCann produced in the Court,

and added, these are the goods of his master, and showed the prosecutor's name written on them, he likewise said, that when they were taken away from his master's possession by the prisoner, they were korahs unprinted. They have been subsequently printed, and are therefore now called choppahs *i. e.* printed.

Mr. McCann deposed, that the choppahs now produced in court, he had received in May last from Ramdhon Mookerjee, silk printer, and Euambux, thanuadar of Mirzapoor, at the time the prisoner had been arrested. They have been ever since in his possession.

Gourmohon Gossain deposed, that he was formerly a bannan in the service of Messrs. Eglington, McClure and Co. Deponent remembers there were some silk korahs in their godowns in February 1838, the property of the prosecutor. On the 1st of that month, Mr. Ford, one of the partners of that firm, sent for deponent, and putting a letter into his hands which he said had been sent to him by Mr. A. Betts, by the hands of a person who was then standing in the room, and who deponent believes was the prisoner now at the bar, directed deponent to deliver to that person, according to the tenour of that letter, ten pieces of silk korahs, the property of Mr. Betts, in Messrs. Eglington McClure and Co.'s warehouse. Deponent after he had read the letter and entered it, delivered it to Nuboo Koomar Chatterjee, the warehouse keeper, and directed him to deliver ten pieces of these korahs to the prisoner, taking his receipt for them. Previous to this transaction, deponent did on the morning of that day receive from the prisoner a letter written by Mr. A. Betts, to Messrs. Eglington, McClure and Co. informing him that he had sold 200 pieces of silk korahs, and not to deliver them to the prisoner until he paid their price to Messrs. Eglington, McClure and Co.; but deponent does not recollect either the price of those korahs nor the name of the purchaser. The transaction was quite at from the delivery of the ten pieces as matters which happened subsequently.

Nubboo Komar Chatterjee, deposed, he is the godown sircar of Messrs. Eglington, McClure and Co. Deponent received from the last witness a letter from Mr. A. Betts to the address of Mr. Ford, a partner of the firm, with instructions to deliver to a person who was pointed out to deponent by Gour Mohon Gossain, ten pieces of silk korahs, belonging to Mr. Betts, which were in Messrs. Eglington, McClure and Co.'s godowns. That person was a stranger to deponent, he therefore could not identify him even if he were to see him. Deponent took that person's receipt on the back of that chit and gave him the ten pieces. The receiver signed his name Gungagovind Bundopadhia. That letter remained in deponent's possession until Gour Mohon was cited to the police office as a witness. Deponent then returned it to him. Deponent keeps the account books of the godown receipts and deliveries. When deponent delivered these ten pieces of silk korahs, he made a memorandum of their delivery to Gungagovind Bundopadhia in his day-book, but did not transfer it to the ledger, because the goods were not sold but merely taken away on inspection. These ten pieces were debited to Mr. A. Betts, but the memorandum mentioned through the medium of Gungagovind Bundopadhia by Mr. Betts' orders. Here the deponent read the entry, *viz.* 12th February 1838, Gungagovind Bundopadhia, Mr. A. Betts, silk korahs, ten pieces.

Ramdhon Mookerjee, deposed, that he is an assistant to the silk printing factory of Petumber Day, at Serampore. Deponent recollects the prisoner brought, on the 11th February last, 100 pieces of silk korahs and left them there to be printed in various patterns. A few days after they had been printed, the prisoner returned to the factory and paid deponent thirty rupees. The sum exceeded the charge for the printing of the

100 pieces; and, when deponent tendered him the balance, prisoner declined taking it, but requested deponent to accompany him to his residence in Mirzapoor, in Calcutta, where he would give him 110 more pieces to be printed. Deponent complied with this request, and received from the prisoner the 100 pieces, which the prisoner desired him, when printed, to bring to his house, where he would settle deponent's accounts, pay him up whatever may be the balance in his favour, and gave him some more to print. At that time prisoner represented himself to have extensive dealings in silk pieces. Soon after deponent had printed these 110 pieces, some sicars in the employ of Mr. Betts, having obtained secret intelligence, that the silk pieces, which had been stolen from their master by the prisoner, had been delivered to deponent to be printed, came to him and concealing the real purport of their call, asked him whether he printed silk korahs. Deponent replied, "Yes," and showed them some he had printed. They examined them, appeared to approve of them, and requested deponent to take some with him to their house at Mirzapoor, and they would show them to their master, who dealt largely in silks, and no doubt he would employ him in all his work, if his terms were moderate. Deponent believing what they said to be true, took the 110 pieces which the prisoner had left with him to be printed, intending by this opportunity to deliver them to him and settle his accounts with him, and, on his arrival at Calcutta, selected ten of these pieces and took them with him to the house of the gentleman, where a sicar, when he had seen them carefully, sent for a police thanuadar, and made deponent and the ten silk pieces over to his custody. By the thanuadar he was taken to the police office, where he gave his statement regarding the ten silk pieces to the magistrate, who, when he had committed it to writing, had the other 100 pieces seized and removed to the police office, before deponent could deliver them to the prisoner, and sent a peon with deponent to the prisoner's house and had him arrested and brought to the police office, where his examination was taken by the magistrate regarding these silk pieces and how he procured them. After this the prisoner and the silks remained in the custody of the police office, and deponent was handed over to attend and give evidence against him during these sessions.

R. Habberly, clerk to the chief magistrate, deposed, that he recollects the prisoner being brought to the police office in March last, and accused of embezzling some silk pieces. On that occasion deponent received a letter from Gour Mohon Gossain, one of the witnesses in the case, regarding the delivery of ten pieces of silk by Messrs. Eglington and Co. to one Gungagovind Bonnerjee. The letter was written by Mr. A. Betts to that person, and dated 1st of February, 1838. The prisoner was stated to be the person who had represented himself as Gungagovind Bonnerjee on this occasion at the police office. He said his name was Bun Mallie Bonnerjee. There was a Bengallee receipt for the ten pieces on the back of that chit, signed by the receiver of the ten pieces. This chit has ever since been in deponent's presence. Deponent then produced the chit, and it was successively identified by Gour Mohon Gossain, Nuboo Komar Chatterjee, and Mr. Betts, to be the letter they had deposed to, regarding the delivery of the ten pieces of silk to the prisoner, and the prisoner acknowledged the receipt, on the back of it, signed Gungagovind Bundopadhia, to be his, and which he said was his name and not Bun Mallie Bonnerjee.

This chit and receipt was then read by the clerk of the crown.

The letter informed Messrs. Eglington, McClure and Co. that the writer has sold, through the medium of

the bearer of the chit. Gungagovind Bonnerjee, two hundred pieces of silk korahs at Rs. 128 per corgo, on a commission of one rupee per corgo to be paid to the broker when the money for these goods was paid to them, and, desiring them, as the sale was one of ready-money, not to give up the 200 pieces until they received the price of them. The letter likewise directed that ten pieces might be given to the bearer of another sample, must be shown to intending purchasers. The latter part of this letter complained against the conduct of Messrs. Eglington, McClure and Co.'s bazaar, and expressed a wish to have the transactions regarding these silk pieces brought to a speedy close.

D. McFarlan, the chief magistrate, deposed, that the prisoner at the bar, was brought before him in March last, on the present charge. He, on the 8th and 11th of that month, after having been duly warned, and being sane and sober at that time, made the confessions which dependent now held in his hand, and which dependent faithfully translated into English and committed to writing. Mr. Habberley was present, and interpreted on the occasion.

The clerk of the crown read these confessions thus:—
“The silk korahs spoken of by Muddun Mohon Deb, I bought from Mr. A. Betts for Rs. 1,374, viz. 200 pieces. As the transaction was a ready-money sale, neither party took nor granted any receipt on the occasion. I further received ten pieces from a gentleman at Messrs. Eglington, McClure and Co.'s office, for which I granted a receipt. I gave them all to Petchum Day to be printed at his factory at Serampore. The other 190 pieces I received from him printed and sold them to several Malay and Pegue traders, whose names I do not know. I am an indigo broker to Messrs. Jenkins, Low and Co. but I occasionally act as a broker and deal in indigo, silk, and shell lac, on my own private account.”

This closed the case for the prosecution.

The prisoner, in his defence, declined saying any thing further than what he had already stated during the investigation of this case, regarding how he became possessed of these 210 pieces of silks, and called three or four witnesses to corroborate his assertions.

Some of these deposed, that they had seen the prisoner pay Rs. 736 to Mr. Betts, at the door of Messrs. Tulloh and Co.'s auction. Mr. Betts was in his palkee at the time he received this money, and after he had examined and counted it and found it to be correct, he told the prisoner, who asked a receipt for it, “This is no place to grant receipts, go to my office and I will give you one.” Prisoner borrowed the money from them at twelve per cent. interest per annum.

This closed the prisoner's defence.

The learned judge then summed up the proceedings. He informed the jury that the indictment stated prisoner to be the servant of the prosecutor, and charged him with a larceny, the property being laid to Mr. Betts and likewise to Nobinchunder Dutto, and stated the prisoner was the servant of Mr. Betts. He added, that in the manner in which the property was placed under Mr. Betts' charge, it would, although it was actually the property of Nobinchunder, be as Mr. Betts' property, and as the prisoner was to have been paid for his labour in procuring a sale of it, he was legally for the time being an employee of Mr. Betts, and therefore his servant; and whenever any servant, even with the consent of his master, obtains possession of any property for any specific purpose, and without his master's consent disposes of it for his own use and purpose, it is legally, by the 100 section of the criminal act of George 4th, which extends to this country, a

larceny. Having thus explained the law of this case, he detailed the evidence both for the prosecutor and the defence, and having commented on it and showed the jurors how far it tended to establish the case for and against the prisoner, he left the case entirely to their discretion.

The jury, after a short consultation, without retiring, found the prisoner guilty.

After this verdict had been recorded and the prisoner informed of it, the judge removed him and desired him to be brought up on the last day of the sessions to receive his sentence.

Wallaith Hossain, was indicted for having, on the night of the 8th August, at 2 o'clock A. M. broken into and entered burglariously the house of Syud Abdool Raheem, in Soonderputty-lane, and stolen from thence, two boxes containing several articles, the property of the prosecutor.

The prisoner pleaded *not guilty*.

Syud Abdool Raheem deposed, that he is a Mahomedan fakeer, and resides in three rooms on the second story of a house which is situated in Soonderputty-lane, the proprietor of which house is Baboo Nimmo Mullick. The top of the staircase which leads to these rooms by an open verandah, faces the door of the room in which prosecutor sleeps. This room at the opposite end has a door communicating with the adjoining room, which has two doors, and is by a mat partition divided into two apartments, in one of which he keeps his stock of doll, rice, &c. the door of which facing the verandah, is constantly locked in the other apartment, where his washing and hooka apparatus is kept. The door facing the verandah is kept open during the day, but invariably locked by his cookwoman, Pooteeal, at night; behind these two rooms there is a third room in which the cookwoman and an old Mogulness always sleep during the night. This room in his cookroom has no direct communication with either of the other two rooms, but opens to the verandah. There is a window in the room in which he sleeps to the southward blocked up by the wall of an adjoining house, so that neither light nor air can come through it. The thanadar of the Amrahtollah, lane thana, has a map of the premises. There is a staircase leading down to the compound of the house. There is a narrow portico on the back of the house leading to some baths, which form a part of his house, and are hired by another tenant. The compound leads directly into Soonderputty-lane. On Wednesday night, the 8th instant, prosecutor, after his cookwoman had locked the door of the second room at 10 o'clock P. M. bolted the outer door of his bedroom from inside and retired to sleep. At about two o'clock, he was disturbed by a rattling noise in his bedroom, and on awaking perceived the outer door wide open. He got up and by the light of the moon, saw the prisoner, whom he had known before, and recognized, proceeding hurriedly down the steps with the two boxes one under each arm. The prisoner had on only a pair of loose trousers tucked up, the rest of his body was naked and smeared with oil. Prosecutor bawled out to him and ordered him to stop, but this only increased his pace. Prosecutor then rose and pursued him down stairs, and having overtaken him near the well in the compound, seized him by the wrist. The prisoner struggled to free himself from the prosecutor's hold, and struck him with the larger of the two boxes which dropped from his hand. The blow knocked the prosecutor down and he hurt his knees by the fall. The prisoner then opened the compound door and ran down the lane. Prosecutor followed him shouting, “stop thief, stop thief,” and saw him turn down the lane, and leap into the premises of a prostitute named Theetah, of a lane off

feet high. At that instant, prosecutor heard the noise of something falling heavy; and Thootah immediately cried out, "landlady, mother, landlady, mother, a thief has got into the house." Prosecutor stopped at the door of this house until the naib of the thanna, who had heard his cry for assistance, came to his aid. They then entered the house by pushing the door open, and asked Thootah where the thief was. She pointed into a hut where a child had been sleeping on a platform. They then searched the room with the light which was burning in this room, and found the prisoner seated crouched between the platform, and the mat wall, trembling from head to foot. The naib went up to him, and arrested him, and brought him into the compound, where the boy who had been sleeping on the platform, told them that the prisoner had, in his haste to hide himself, stumbled over him, and hurt his foot, and this had occasioned, the noise which they had heard. As the other box was not found on the prisoner, prosecutor asked him what he had done with it. Prisoner denied all knowledge of it, and said that he had never entered the prosecutor's house, but was passing the night with Thootah, and had been mistaken by the prosecutor for some other person, and falsely apprehended on this charge. By this time the naib of the Burra-bazar thanna, and a crowd, together with the prisoner's mother and sister, joined them. Prosecutor suspecting the prisoner might have thrown the other box into a well in Thootah's compound, had the well and the reeds which grew round it searched, but nothing was found there. Thootah denied that the prisoner had come to pass the night with her. Prosecutor then left the prisoner in the custody of the police peons, and returned home, accompanied by the naib of the Aumrahtollah-lane thanna at 3 o'clock. A. M. On arrival home, he picked up the larger box in the compound, and exhibited its contents to the naib. He afterwards, together with the naib, examined his rooms, and ascertained that the prisoner had climbed over the wall of the house towards the baths, by fixing a ladder from the street to this wall, and then jumped from the wall to the terrace of the first floor, as a part of the cement of the wall where the prisoner had jumped, was broken and lying on the terrace. He had then picked the padlock of the second room which was lying unbroken in the verandah, and entering it, cut the mat partition with a penknife found there, and thus entered the prosecutor's bed room. As the larger box contained many nick-nacks which the prosecutor required for constant use, he retained that box in his possession until he produced it, together with the smaller box, at the police office before the magistrate. This box was found by the prosecutor the next morning lying open at the door of the portico leading to the baths, in the presence of many witnesses. The prisoner who had remained in custody at the thanna during the rest of the night, was taken next morning to the superintendent of the police, and thence to Mr. C. K. Robison, the division magistrate, who, after he had taken the depositions of the parties, committed the prisoner to take his trial during this session. Here the prosecutor detailed the articles which were in the two boxes, which were stolen from his place, and Baudollah, the naib jemadar of the Aumrahtollah-lane thanna, produced the two boxes with their contents. Prosecutor took out each article according to his description of them, and identified them to be all his property.

Baudollah, naib of the Aumrahtollah-lane thanna, Pooteah, the prosecutor's cookwoman, and Thootah, prostitute, were then called successively, and they all confirmed the depositions of the prosecutor regarding this robbery as far as they had witnessed it; and the latter, on cross-examination added, that the prisoner was not her paramour, nor had he paid her one rupee to pass the night with her; and that after the prisoner had been taken to the thanna, his friends and relatives,

during the rest of the night, kept watch round the mouth of the well in her compound by the prisoner's direction, because the prisoner indicated that the prosecutor and this deponent had conspired maliciously to trump up this charge against him; and he was apprehensive that they may throw during his absence something into the well, and then picking it up accuse the prisoner of having thrown it there. After this witness had concluded her evidence, she began to cry, and informed the Court, that the prisoner's relatives and friends had, in consequence of her having given testimony in this case against him, vowed vengeance and threatened to beat her and trump up some charge against her and get her transported. The judge informed witness that she need not be alarmed, as the laws of this country would protect her from their machinations and to rely on them.

This closed the case for the prosecution.

The prisoner, who was very conversant in the mode of conducting his defence, which he had managed with much skill and more abuse and vituperation, failing to elicit any thing from any of the witnesses to impure their testimony and bear in his favour, called the prosecutor a sorcerer and Thootah his concubine. Being informed by the judge, that his repeated interruption in the proceedings would be of no avail to him, but merely protract the investigation, and his violent conduct tended to injure his case, he shuted his tact and *falsely* accused the interpreter of incorrect and partial translation and misrepresentation of the evidence given against him, and appealed for the accuracy of his charge to the jurors. Their not having responded to his desire, and Mr. Smith having challenged him to show any single question or answer he had misrepresented to the Court, the prisoner said, "you have not misrepresented them, but you put such questions to the witnesses as tend to elucidate the facts of the case in all its bearings, and this bears against me and does me injury." To this remark the judge informed him, that the object of the present inquiry was to ascertain from the witnesses all the facts of this transaction, and all the circumstances connected with it, to get at the truth; and as to the questions which were put to the witnesses they were not framed by the interpreter, and he could not be answerable for them, as they were dictated by the Court, and the interpreter was in duty bound to put them verbatim, and to translate the replies to them literally; and if he were to deviate from it, he would swerve from his duty. The prisoner then said, that the depositions had been so lengthy that he could not possibly remember one-fourth of them, and he felt inclined to ask the judge to read each question and answer separately over to him, whilst he would form his opinion of them, and as they tended to bear for or against him, cross-examine the witnesses over again. The judge informed the prisoner, if he had doubts regarding any particular deposition, if he desired it, the judge would read it, or any portion of it which he may wish to be read to him. The prisoner then observed, that as he had not been detected in the prosecutor's house by any of the witnesses, nor any of the property alleged to have been stolen by him found on him; and as the prosecutor could not be a witness in his own case, there was not evidence sufficient to support the indictment against him. He would not, therefore, press that point, but he certainly, under the last mentioned circumstances, considered himself entitled to an acquittal on this indictment, and his immediate release.

The Court informed the prisoner, that in the present case, the Queen, and not the man, whose house he had robbed, was the prosecutor, and therefore this was not like a civil case, when the plaintiff could not give evidence in the case; but in all criminal cases, the party being injured, could give their evidence in support of the prosecution. However, as these were matters which

the Court could advocate better than him, he had better enter in his defence, and leave all points as to law to be decided by the Court, merely directing its attention to any he may consider beneficial to his case.

The prisoner then said, that in the evening of the night on which this robbery has been alleged to have been committed by him, he was returning to his home from the Chandney, where he had been to purchase some trifling articles. On the road he met some of his companions, and they proposed to him to go on a spree and visit the girls in Sooderputty-lane. Prisoner acceded to the proposal and they all proceeded thither. On their arrival there the other boys accommodated themselves and prisoner forced his old flame, Thootah, the witness in this case, and putting a rupee into her hand said, that he would go home and take his meals and return to her at one o'clock A. M. and desired to her to be prepared to give him a cordial reception. Prisoner then returned home, took his meals, and having put on his clothes, viz. a cap, a waistcloth, and chupku and a pair of trousers, he proceeded at one o'clock A. M. to Thootah's house. When he entered it, he perceived Thootah in company with a short, squat, fair man. This discovery raised his anger, and he taxed Thootah with duplicity and infidelity towards him. Thootah then being drunk, abused him, and, when the prisoner rebated and felt disposed to chastise Thootah for her impudence to him, her gallant interferred and struggled with the prisoner to keep him off. At that very instant, Thootah, hearing the hue and cry opposite her house, that a thief had escaped and got into a house in the neighbourhood, cried out, here he is, he has jumped over my tatters; and having by this noise got the police people, and the prosecutor into her house, showed them some foot marks near the well, which, as they correspond with the prisoner's feet, the prosecutor, who had only by his own account beheld the back and not the face of the thief who had entered his house, mistook the prisoner for him and had him apprehended. He then observed to the judge that by his own account, he was clothed, and not naked, as the prosecutor had deposed, and pointed out a trifling discrepancy which had been elicited from the witness as to the exact spot and posture the prisoner was in when seized by the police peons. In conclusion, he said, that Thootah, out of malicious feelings arising from the quarrel aforementioned, has involved him into this dilemma.

The prisoner called several witnesses who, by piece meals, corroborated the circumstances related by him from the time he had been seized by the police peons. The prior transactions none could depose to except his mother, sister and wife, and these merely said that he had returned from the Chandney at eleven P. M. that night, and after taking his meals left the house again at midnight of the 8th instant.

This closed the prisoner's defence.

The learned judge then summed up the proceedings. He said the indictment charged the prisoner in one of the counts with a larceny. In this case the theft of the property, and the accused and its value to distinguish it from petty and grand larceny was requisite, but the leading counts of the indictment charged the prisoner with a burglary, to constitute which offence it was not requisite that any property should be found on the accused, the mere act of forcibly breaking into a house in the night with intent to steal or even breaking violently out of it after one has feloniously entered, was sufficient to constitute a burglary. Now, in the present case, although no property was found on the prisoner, nor did any of the witnesses examined see him enter the house, yet it has been distinctly proved by the prosecutor, who is a respectable looking person, and has given a clear and distinct testimony to his having seen the prisoner in his room at night, walking away with two of his boxes and recognized him having known him before;

and that the prisoner after assaulting him forcibly broke away from his hold and quitted the premises with the other box, if his testimony is to be received, and the prisoner has not adduced any testimony to shake it, the forcible exit has been clearly proved. The learned judge then read the evidence both for the prosecution, and the defence to the jury, and explained how far each testimony tended to support the case for either party, and then explaining the prisoner's defence, he left the case to the discretion of the jury who, he said, appeared to have been very attentive to its details.

The jury without retiring, after a short consultation, convicted the prisoner of the burglary.

After this sentence had been recorded and explained to the prisoner, he asked on what grounds the jury had convicted him. The judge replied that was best known to them; but he, from the result of the investigation, was fully convinced that the verdict was a correct one. It was not for him now to enter into explanation of the case, but to pass the sentence on the prisoner a very unpleasant task; but after what he had seen of the prisoner's demeanour, he would not waste his time by very lengthy discourse with him as it would be unavailing. He then sentenced the prisoner to fourteen years' transportation to the S. E. Coast of Martaban.

No sooner was this sentence announced to, the prisoner, than he, his mother, grandmother, wife and sister, all began crying in the court-house and raised such a noise and clamour that the judge, after calling to Mr. Bird, attorney at law, the deputy sheriff, and severely reprimanding him for not having a sufficient force in attendance to prevent and quiet instantly this uproar in it, added, that if any repetition of it were ever to take place, he would inflict a fine on him so heavy as to make him more attentive to his duty in future. He then ordered the sister to be turned out of the court instantly, and this could only be effected by main force, in doing which constable Street had his finger bit by the prisoner's mother, who fainted away in the compound of the court.

The prisoner, at the commencement of the trial, requested all the witnesses for the prosecution to be put out of the court, and kept apart from one another. The jury recommended that the prisoner's witnesses be kept aloof in like manner, and they were all kept, by the order of the court, distant, and out of hearing from one another.
—Hutkaru, August 15.

MONDAY, AUGUST 13, 1838.

(Before Sir J. P. Grant, Knight, Judge.)

James Holfour Ogilvy, c. s. was indicted for the manslaughter of Tarrachand Chuckerbutty, at Culsia, on the 2d May 1838. The indictment contained two counts, one for shooting him with a pistol, and the other for aiding and abetting persons to the jurors unknown, in shooting him with a musket. Two other indictments similarly charged Mr. Ogilvy with causing the deaths of Serajee Majeed, and Govind Sing.

Mr. Ogilvy pleaded *not guilty*.

Counsel for the prosecution, Messrs. Clarke and Laith.

Counsel for the defence Messrs. Prinsep and Morton.

Several highly respectable European tradesmen were upon the jury. One native name was called, but challenged by the prisoner's counsel. Mr. Ogilvy was stated to be, and indeed appeared in a very delicate state of health, and was accommodated with a chair near his counsel, placed without the dock. The Court was densely crowded throughout, and the deepest interest excited.

Mr. Clarke. Gentlemen of the jury. The case that now comes before you is in every respect most important

—important as it affects the public, and most important as it affects the prisoner at the bar. You have, doubtless, heard various contradictory rumours and statements connected with this matter. I need scarcely remind you how desirable it is that you should endeavour to consider this a new case altogether, and dismiss from your minds all that you have heard without the walls of this court.

Gentlemen, the prisoner is a mofussil magistrate, and stands charged with having caused the death of Tarra-chund Chuckerbutty, at Calna, on the 2d of May. If the assembly at the place was an illegal one—if they came for an unlawful purpose and could not possibly be dispersed without the interference of a military force, I admit that Mr. Ogilvy stands justified in having had recourse to that force. The first point therefore is, to ascertain for what purpose the assemblage was collected, and how they comported themselves. I need scarcely inform you, that a person called Pertaub Chand, is the claimant of the Burdwan property, being alleged to be the son of the late Rajah Tejchunder Bahadoor. The income of this property is said to be about fifty lakhs per annum. Persons of wealth and respectability have supported the claims of Pertaub, and have advanced funds in his aid. This, although it may be an offence according to English law, is perfectly legal according to Hindoo law. Pertaub engaged the services of an attorney, and instituted a suit of ejectment in this Court, to recover certain property belonging to the Burdwan family, situated in Calcutta. Mr. W. D. Shaw first acted as his attorney, and afterwards Mr. R. Graham. About two years since, I may mention that Pertaub was arrested on a charge of disturbance and breach of the peace, and under some mofussil regulation or other he was convicted, and sentenced to six months' imprisonment. Last April, he came to the resolution of proceeding to Burdwan, for the purpose of being recognised by his Rawness, and other relatives, and thus procuring evidence to support his case. He had applied for aid and safe-conduct from Government, but this had been refused. All these circumstances shew that his intentions were peaceable and his object legal. He was accompanied by several followers and boats, but in no very large or unusual number. It was only upon one occasion that he went on shore, and no disturbance or breach of the peace was committed then or at any other time. At Calna, he remained from the 11th of April until the 2d of May. Mr. Shaw went up as his legal adviser, and by his recommendation letters were written expressing a readiness to comply with any orders issued by the magistrate. On Monday the 30th of April, it seems that Captain Little, who was then escorting treasure to Barrackpore, was applied to by Mr. Ogilvy, to aid him with the military force under his charge, and, on Wednesday morning, the 2d of May, they arrived at Calna. Evidence will be given to shew that Mr. Ogilvy gave directions that the troops should load with ball-cartridge, and that he had previously said that Pertaub should be taken "dead or alive." At Calna, when the troops were drawn up on the bank, the boats of Pertaub and his people, where in the middle of the river; it was an early hour, no disturbance whatever was taking place, and most of the people were sleeping. Two shots were ordered (not by Mr. Ogilvy) to be fired in the air, upon which a slight stir was observed, and somebody was seen to jump overboard. A cry then arose of "maro," "maro," in which the magistrate himself joined, and several shots were fired in succession by the line of soldiery. Mr. Ogilvy had a double-barrelled pistol, and is said to have discharged one barrel. Captain Little ordered the bugle to sound, and the firing ceased. This, gentlemen, is a simple statement of facts, and I shall abstain from all harsh comments, and all attempts to press the case against the prisoner at the bar.

W. D. Shaw, examined by Mr. Beth. I have been professionally engaged for Pertaub Chand, since May 1835. Mr. Graham was attempted to be made his

attorney last September or October, but my costs not being paid, it went no further than an order. I saw Pertaub at Calna on the 30th of April last. I was requested to go by a native gentleman who took an interest in him. I filed a plaint in ejectment on his behalf in this court. The property belonged to the Burdwan raj, and Pertaub claimed it as the person entitled to succeed to the raj. The present possessor is a son of Prawn, baboo, and he is the adopted son of Rajah Tejchunder. The young Rajah is a minor. I went to Pertaub in 1837, when he was in jail at Bancoorah. After he was liberated, he lived with Radakissen Bysack, the dewan of the general treasury. He was offered pecuniary assistance both by Europeans and natives of great respectability. My servants went on before me to Calna. I reached Calna in the evening at nine or ten. I saw Pertaub there on the following day, the 30th of April. I took a walk in the morning. The place did not appear disturbed. I saw no crowds. In the evening when I went on board the Pertaub's boats, I saw Mahaboollah, the darogah of Calna. He had a bundle of papers in his hand. One was a perwannah from the magistrate of Burdwan to disperse the followers of Pertaub. This was read. On hearing it, I said that it was an extraordinary order, but I was sure that Pertaub would send away any person he chose to point out, even to his kdmutgar or hookahbuidar. Pertaub repeated this himself. I spoke myself, and also directed my native writer, Joynarain Chunder, to interpret. I think he spoke in Bangallee. The darogah said that he had no complaint to make, nor any orders to issue, and that the proper party to receive the proposal was the nazir. The nazir was called, but did not come. I then requested the moonshee, Huroochunder, to write a letter to the official authorities at Calna. The letter was drafted, and I think copied and read over in my presence. The fair copy is among the proceedings at Hooghly. I am speaking of the recent prosecution, still pending against Pertaub, before Mr. Samuells. I directed the letter to be given to the nazir. Next morning I went to the factory of Mr. Lyall, my friend. I first wrote an English letter addressed to the magistrate of Burdwan. This was on Tuesday the 1st of May. I have seen it in the possession of Mr. Samuells. I returned on the following day. Some natives told me something about what had happened at Calna, I was arrested on my return on a charge of sedition, by Mr. Ogilvy. I recollect speaking about the letter written to the nazir, and Mr. Ogilvy said, "the letter will speak for itself." I am not sure whether it was the letter to the nazir, or my own English letter. I saw Pertaub and several of his followers, marched to prison under guard. I was myself taken to Burdwan on the Friday. After being in prison a week, I was released under the writ of *habeas corpus* from this court.

Cross examined by Mr. Prinsep. I found Pertaub when first acted for him, in prison at Bancoorah. He had been charged with disturbance and breach of the peace. I was with him a week. When he was going to Burdwan, I understood that he went for the purpose of being identified by the Rawness. He never informed me that he was going to be placed on the gallees. There were about forty boats with men in them. I saw a rather large collection of people on the bank. I have heard since that there prevailed much excitement. I did not know this before. The Rajah Pertaub has given a bond to Radakissen for some thousand rupees, but not for any number of lakhs. I claimed about Rs. 40,000 for my costs. The securities were Radakissen. Dr. Jackson and Rustomjee Cowasjee. I do not recollect whether there was anything in the perwannah which I heard read, about arresting Pertaub. I know that an application was made to Government and refused, to give Pertaub safe-conduct to Burdwan. The darogah did not when he was leaving the boat, ask anything about the answer which he was to take back. I saw a man enter

with a *tulwar*, and I suggested to the Rajah that the arms should be removed to my boat. The Rajah gave orders, but it was not done. I was present at the office of Mr. Secretary Prinsep on one occasion, when the Rajah attended, in hopes of being recognized by certain gentlemen of the civil service, Mr. Trower, Mr. Hutchinson, and Mr. Pattie. I think he recognized Mr. Trower. I believe he confounded one gentleman with another. After that meeting I took no further step in the ejection action. Radakissen Bysack pays the costs of this prosecution. There are three indictments, but only two warrants filed. I preferred a charge of murder against Mr. Oglivy before Mr. Barlow. There were several notices of action (perhaps twenty) serving upon Mr. Oglivy and Mr. Barlow. I was the attorney. My costs in the ejection action amounted to Rs-40,000; but the taxing officer cut them down to 7,000. There are no actions that I know of instituted on behalf of Pertaub in any mofussil court.

Re-examined. There was some dispute about the serving of the notices in the action of ejection. The actions against Mr. Oglivy were commenced to recover damages on the part of the owners of the boats at Culna, on account of their detention.

By a juror. I believe I was speaking at Culna of the English letter, but that Mr. Oglivy's answer referred to the Persian letter. I do not know this of my personal knowledge. The words "English letter" were not used. Mr. Oglivy said "your letter."

Pertaub Chund examined by Mr. Clarke. I was arrested on the 21st Bysack three years ago at Bancoorah. I was released from jail after six months' imprisonment. I then went to reside at Calcutta, I went to Burdwan last April, to see my Rawnees and other relations, and get myself identified as the Rajah Pertaub Chund. I presented a memorial to Government for aid and protection. This was refused. I went up to Culna and staid there seventeen or eighteen days. I wrote to Mr. Shaw and Mr. Graham to come up. I landed one day from my boat. I had a drawn sword in my hand. The nazir remained with me while I was on shore, I was in a *Tonjolin*. He saw me back into the boat. There was no riot or disturbance on the shore, I saw Mr. Shaw there two or three days before the 2d May. He came on board my boat. He came again afterwards before the firing. The darogah was once or twice on board. He came on board the second occasion of Mr. Shaw's being there. A *perwannah* of the magistrate was read. Mr. Shaw desired the nazir to be called. The *perwannah* contained an order to disperse the assembly. I wrote a letter saying there was no assembly, but only my own servants, Hurrochunder, moonshere, wrote the letter. The nazir was sent for but did not come. Mr. Shaw wrote a letter in English but no other Persian letter was written, I did not see Mr. Shaw the next day. On the second day, after the firing and other occurrences took place, it was very early and I was asleep in my budgerow, I heard first the report of a gun; this awoke me. I know Tarachud (luckerbutty). He came to me that morning. He served out my meals. He is dead; he was shot at Culna. I saw him struck by a ball. He was hit in the chest, I am not sure which side. He called out, that he was shot. I jumped into the river, and was swimming over to the opposite shore. When I was seen, the sepoys began firing ball at me. I looked round, and, seeing the flashes, I dived. The bullets fell near me. I escaped, but was afterwards arrested. I had about forty-five boats and two hundred men. There were women and children. I know a person called Radakissen Gosaul, my *mooktear*. He was with me at Culna. I sent him to Burdwan. This was four or five days before the firing. It was to present a petition. Another person went before, named Juggomohun Sing. Deenanauth Sing accompanied my *mooktear*. I was guilty of no riot or disturbance whatever. A number of people

belonging to Prawa, baboo, came there. I cautioned my people not to interfere with them.

Cross-examined by Mr. Merton. I have never been known by any other name than my present. There was a report that Pertaub Chund died and was burnt according to Hindoo ceremonies. I have heard of this, but it was not true; for here I am. This was a great many years ago, I was taken down to the river side. I jumped into the river and dived. I was not ill, only feigning. The history of my reasons for this is a very long one. I was not on good terms with my relatives. When I jumped into the river there was a concourse of several thousand people present. I was not carried down to the river side, I walked.

Sir J. P. Grant here interrupted the examination and asked how all this was precisely relevant to the question before the court, since even if the claim of this person was rightful, the act of asserting it by force would be wrongful.

Mr. Merton submitted that if the chief witness to prove the lawfulness of the Culna assembly, could be clearly shown to be an impostor, this must throw a slur upon the whole case. The evidence went to his credibility at all events.

Sir J. P. Grant said that he did not wish to prevent the line of examination taken, but only to suggest its apparent irrelevancy.

Cross-examination resumed. After escaping, I went to other countries, where I continued to be known by my friends, as Rajah Pertaub Chund. It is only during the last three years that I have re-appeared in that character in this country. I allowed my beard to grow, and passed for a *faqueer* part of the time. I was not then known by any particular name. Anybody called me what they pleased. I was convicted about two years ago of a disturbance and breach of the peace at Bancoorah; but I was not really guilty. I had assembled some people, I was sentenced to imprisonment for six months, and bound over to keep the peace for a year. It was very soon after this time expired that I went to Culna. I left the house of Radakissen Bysack, with whom I lived in Calcutta, because I chuse it, and was tired of living in the same place. I was not turned out. I know that the Burdwan district was excited in my favour. All the country is in my favour. I wrote letters to the Ranees of Pucheer, and to the Rajah of Bishenpore and others. I did not invite the Ranees to come with her attendants to see me reinstated on the *guldee*. The darogah came two or three times on board my boat, before I saw Mr. Shaw. He showed me *perwannahs* of the magistrate. Mr. Shaw came twice on board. The *perwannah* ordered me to disperse my assembly of followers, but I said that there was no assembly. When I landed, I had a drawn sword in my hand. It came out of the scabbard by accident, I had then with me fifteen or twenty followers. Some of my men had sticks, but no other weapons. I saw a sepoy of Prawa, baboo's, near the Sumaj Barree. I did not give orders to disarm him. The darogah did not remonstrate. I was not drunk at the time. On board my boats, there were ten or fifteen *tulwar*s or swords, three or four guns, one pistol, and two or three spears. There were no more in mine. There were some in a boat belonging to the Rajah of Hurdhan and others who come to me on a visit. When the firing took place at Culna, my boat was fifty or sixty cubits from the shore. I know Dwarkanauth Tagore by sight, (points him out in Court.)

Re-examined. I have not seen Baboo Dwarkanauth Tagore for many years until to-day. I recognized him on seeing him. I used to see him when I lived at Short's

Edward A. Samuels, examined by Mr. Leith. I was officiating magistrate of Hooghly. The original letters of Pertaub and Mr. Shaw are in my possession. (Persian letter produced from Pertaub to the nazir of Burdwan, Persian letter from Pertaub to the same, English letter from Mr. Shaw to Mr. Ogilvy.)

Cross-examined by Mr. Pinnsep. I have been officiating magistrate since 1835. I was nearly a year and half in the district of Burdwan. There appeared then to be a good deal of excitement, about the claims of Pertaub, the common people were hostile to the present family, and disposed to assist Pertaub. This feeling was very extended. I was at Hooghly at the period of his conviction for breach of the peace. (Record of conviction put in and proved of Aluckshah alias Rajah Pertaub Chund Bahadour. Also the orders of Government, and certain reports of the nazir and darogah, and other documents.) The reports made by the subordinate officers are made upon their own observation; and upon the receipt of the reports. Purwannahs or orders are made accordingly. On the execution of the purwannah, the officer makes his return or report thereon. When it cannot be executed, it remains in the record-office of the thannah. An interlocutory report is sometimes made, stating that the purwannah cannot be executed and praying further order.

Re-examined. The reports of the darogah are sometimes written by the mohurree, or assistant mohurree. I have heard that the Culna darogah cannot read or write.

Cornelius Smith, was called to prove that one of the documents (an answer to Pertaub's memorial) was produced from the office of Mr. Halliday, the secretary to the Government of Bengal. The document was an official one and signed by Mr. Halliday and countersigned by the Deputy Governor:

Trial adjourned at half past seven o'clock, P. M.

SECOND DAY, TUESDAY, AUGUST 14, 1838.

The adjourned trial resumed this morning at ten o'clock.

Francois Curween Smith examined by Mr. Leith. I am superintendent of police for Bengal. (Production of Pertaub to the Governor in Council, the Hon. A. Ross, and a letter addressed by Mr. Halliday to Mr. Ogilvy, received by witness as superintendent of police.) All the magistrates are subject to my orders and jurisdiction. I addressed a letter officially to Mr. Ogilvy before the Culna affair. I also addressed one after the affair. (Letters put in.) Mr. Ogilvy was bound to investigate the case as a magistrate, and he had my order, besides. When I went to Burdwan, I directed him to continue it. I did not know Mr. Ogilvy in the slightest degree personally. I have also been subpoenaed to produce some papers delivered to me officially by Captain Little.

Edward A. Samuels, again examined. I have in my possession a petition from one Radakissen Goswul for leave to file a nookteernamch on behalf of Pertaub.

Cross-examined. I have had delivered over to me officially, the arms stated to have been seized at Culna. They were delivered to me in June by Mr. Shaw, the then officiating magistrate of Burdwan. I have a list of them, drawn up by the nazir, when counted over in my presence. I could state from memory, having seen them counted.

Mr. Clarke objected unless the witness had counted them himself.

Mr. Pinnsep. Can you state about how many from your own observation.

Witness. There were ten guns and three pistols and about ninety-seven swords, and eight or nine spears, a few ladders, several lattes or clubs and a few miscellaneous weapons. This is to the best of my recollection, from my own observation. Altogether some 390 stand of arms. Of the men in custody, about 170 are fighting men by profession. It is by no means an essential qualification that the darogah should be able to read or write. The mohurrees are kept for the purpose. A return in the hand of the mohurree, and sealed with the thanna seal, is received as an official document, and as evidence in the mofussil courts of justice.

Re-examined. There were 310 men sent down in custody from Burdwan. Some are in jail, others out on security. A very few were manjees or boat-men.

William Nelson Hedger, examined by Mr. Clarke. I have been twenty-three years in this country. I have been frequently at Burdwan, with the last ten months. Prawn, baboo, has great influence there. I have heard from Mr. Ogilvy that he believed all the native officials there were under his influence. He assigned no other reason than his great wealth. I was at Burdwan when Mr. Shaw was confined, and on the day when he was liberated. He underwent a long examination before Mr. Ogilvy. Two or three letters were spoken by Mr. Shaw, one written by himself to the magistrate of Burdwan, another written in Persian by his directions. Mr. Ogilvy said, "I have your letter." Mr. Shaw said, "I do not mean that letter, I know you did not receive it. Mr. Mellis has that, I mean, a Persian letter, which you told me would speak for itself." I believe this was not written down. Mr. Shaw seemed to be a little angry, and said "I insist upon this being taken down." I heard the examination read afterwards, and I believe this was not in it. Mr. Mellis is acting or assistant collector of Burdwan.

Joynarain Chunder, examined by Mr. Leith. I am a head native in Mr. Shaw's office. I went up to Culna in April last, I saw Pertaub Chund there on Monday the 30th April in his bungalow. I went to inform him that Mr. Shaw had arrived. We went at dusk in the evening, on board. The darogah was there, there was a good deal of conversation. Mr. Shaw asked him, how he had got so fat. The darogah produced a purwannah, and desired that it might be read, it was read. It directed the assembly to be dissolved. The Rajah said he had no assembly, but only his own servants. Mr. Shaw said to the darogah, "see if there is any assemblage." He said "the nazir is the principal person." Somebody was sent to call the nazir, but he did not come. The darogah said that he made no complaint. A Persian letter was written by the moonshee, addressed to the nazir. I remained. Mr. Shaw went away after this letter was drafted. I delivered this afterwards to the nazir. The nazir read it, and said "very well, I will send it." This was in the darogah's presence. I was accompanied by Harris-chunder, moonshee, and two other persons. The day after, I was told at the thannah that another purwannah had just come ordering the Rajah to be taken to Hooghly. This was not read. The darogah said that he could not act without the order of the magistrate. Mr. Shaw wrote a letter to the magistrate of Burdwan, I went to deliver this to the nazir, but he would not receive it, because it was an English letter, by an attorney, and he had no orders. I sent to the magistrate. Mr. Shaw went to a factory three or four coss from Culna, I remained at Culna, until the next day at noon. That morning I was in Mr. Shaw's boat, and about half past four I was awoken by my servant who told me the sepoy's were come. The sepoy's discharged muskets. Most of the people to the boats were asleep. After the firing, Mr.

Ogilvy came on board Mr. Shaw's boat. He had a double-barrelled pistol in his hand. He asked me where Mr. Shaw was. I said, "he had gone to the Pygachia factory." He appeared to be angry. He examined some of the papers in the boat. I fled that day, and came down in a boat to Calcutta. I saw no multitude of people at Culna, only in tens and twenties. It is a very populous place and has much trade. It is customary for merchant-boats to carry pilgrims, I have been on a pilgrimage. I had twenty-four or twenty-five men with me I do not think that Pertaub's train was disproportioned to his assumed rank.

Cross-examined by Mr. Morton This is the letter written by Mr. Shaw (letter produced.) The person to whom it was given was not regular a runner. I can not tell when it arrived. The whole of the purwannah was read: Mr. Shaw understood most of it, and I explained the rest. I did not explain anything about arresting the Rajah or taking him to Hooghly, because it did not contain that. When I heard of the other purwannah at the thannah, I did not mention it to the Rajah nor to Mr. Shaw, I was not told to mention it. I did not forget the circumstance, but I had no reason to consider it sufficiently important. I went into the Rajah's boat and Mr. Shaw's that evening, but I did not see them. I saw Mr. Shaw the next morning. I do not know whether there were any purwannahs before. I should not know the purwannah if I saw it again. I did not read it myself. There were bonds and other papers in Mr. Shaw's boat. I do not know whether any of these bonds were from the Rajah to Radakissen Byack. If you shew me one, I will tell you. I cannot say for what purpose they were brought upon that expedition. I am one of the persons now charged at Hooghly with being accessory to a disturbance and breach of the peace. I am now at large on security.

By the judge. I saw the prisoner while I was at Culna not before the time when he came into the boat after the firing.

By the juror. I had not the purwannah in my hand, nor was I close enough to see it, so as to recognise it.

Hurrochunder Ghose, examined by Mr. Clarke.—I am in custody of the mofussil police, I was arrested on the 21st By-ack (the 2d of May) at Burdwan, I was liberated on security, on the 16th of July, I was again arrested on the 27th, presented a petition to the magistrate to come down to Calcutta. I know Pertaub Chund. I am his moonshee. I accompanied him to Culna. (A letter shewn, purporting to be to the nazir.) I wrote this at Culna, and Joynarain took it, and went with it to the nazir. This was after dusk on the 30th April. The nazir read it and said that no answer to it was required. The nazir and darogah had been that morning on board Pertaub's boat. The nazir put a purwannah into his hand. He said that he had not eaten his victuals that morning. Pertaub said that his vakeel would come in the afternoon, and the nazir might then return. The nazir never came again. The darogah came that evening. I wrote the second letter that day. I generally wrote the Rajah's letters. No one else did. He had one pinnace seven or eight budgerows, and three or four rowing boats. There were lists of the boats and of the men. These were seized and are at Hooghly. While I was at Culna, the Rajah went once on shore, in a tonjohn. There was no riot or noise, nor any disturbance while I was at Culna. Between Monday evening and Wednesday morning, neither the darogah nor the nazir came on board. The Rajah had sixty or seventy burkendauzes with him. They mounted guard, but they were not all armed. They guarded his boats containing birds, music, women, &c.

Cross-examined by Mr. Peinsep. (Four letters shewn.) The first is not the Rajah's, it purports to be

the writing of Radakistno Gosaul's, the Rajah's mooktear. He is the mooktear, who was sent to Burdwan; it is not his hand-writing. The second letter is my hand-writing, and signed by the Rajah, and was written at Santigore. I know Ram Bux Tewarry. He used to go on errands. The third letter is in my hand-writing. The writing on the outside is not mine; I do not know whose. This letter was written at Calcutta, before I left Calcutta. The direction is mine. The fourth letter I do not know. I do not know whether these were given to Ram Bux Tewarry. All the Rajah's papers were kept in the dufferkhanah boat. I heard nothing about the taking of the Rajah to Hooghly. I was at the thannah with Joynarain. The darogah had brought and shewn to the Rajah two or three purwannahs before. One related to the dispersion of the people. This was five or six days before the reading of the other purwannahs in the boat. To this the Rajah made answer that the people were his own attendants, and could not be denominated a concourse assembled to make a disturbance. The Rajah did not dismiss any of his people, but sent a mooktear with a petition to Burdwan. Those persons who are in the jail at Burdwan, were the persons in the Rajah's service, except four or five who happened to come to bathe on the morning of the 2d May. We were going to Burdwan to indentify the Rajah among his relatives and then to adopt measures for recovering his property. He was not going to seat himself on the guldee. There is nothing about that in the letters I wrote. The Rajah ordered his sword to be brought. When he landed he had it drawn as he walked on the bank, not all the time. When he was coming back, he returned it to the sheath. Some others had swords. I saw a sepoy at the Santaj Barree. The Rajah did not give orders to disarm him. I should have heard it, if given. There would have been a halt.

There was no firing of guns nor beating of drums, but there were huge crowds of people on the banks. Bamboe fences were put up by the darogah to prevent people tumbling in.

Radakistno Gosaul examined by Mr. Leith. I am a mooktear of Pertaub. I was at Culna in April last. I went to Burdwan by his directions. I saw Mr. Ogilvy in his cutcherry. I took a darklusk with a mooktear named from the Rajah. He said that he would not accept them, but that I must go to the judge. I said the Lord saheb had written to afford protection to the Rajah and it was incumbent on him to receive them. He told me to make out a petition in my own name. There was no stamped paper there, and this caused a delay, and by the time it was obtained, the cutcherry was shut and Mr. Ogilvy gone. On the Monday following as I was going in a palkee along the street, I was met by Mr. Ogilvy, Mr. Shaw, Dr. Cheek, and a mooktear of Prawn baboo's. They were in a carriage and alighted. They stopped the palankeen, and examined my papers. I was then arrested and pinioned.

Cross-examined by Mr. Morton. I did give three letters once from the Rajah to Ram Bux Tewarry. I do not know what they were about, I should not know them if I saw them. One was to the Gosein of Beroor; I think one was to the Rance of Puchet. I am one of those charged at Hooghly, I am now at large on security.

John Allen was called to prove the jurisdiction.

Bheek Sing, subadar, examined by Mr. Clarke. I am a subadar in the 3d regiment. I was at Culna on the 2d of May. I was coming from Byooonchee, where we were escorting treasure. There were two officers with two companies of sepoys, each eighty in number. I did not know Mr. Ogilvy by sight. Two gentlemen came, and I heard from the captain that one was the doctor and the other the magistrate. Byooonchee is six or eight coss from Culna. We reached Culna at three

In the morning, Captain Little ordered us to load with ball. Five gentlemen were then present, the two officers, the magistrate, the doctor, and a padre, and all were standing close together. After we had loaded, we proceeded to the bank. The captain told us, that a great many people were assembled there, and that he expected there would be a battle, and that we were to be upon our guard. The companies were drawn up in a long line, double files, eighty in the front rank, eighty in the rear. This was along the bank of the river. It extended 6 or 700 paces. I stood on the left flank of the first, and on the right of the second; between both, I saw no people on the banks. I saw fifty or sixty boats. It was said that the Rajah and his people were in them. The few people that were visible when we arrived got under the roofs. The captain took fifteen of the grenadier company, and fifteen of the light company, and proceeded to the left with them. He went on, till he came opposite to where the budgerows were, and all the gentlemen were with him. They were about three or 400 paces from me. Two small dinghies put off from the middle of the stream. The burkedauzas called out to them to stop. One stopped, the other did not. I heard a small report first, then several muskets in succession, to the number of about fifty. I saw no commotion or disturbance among the boats. I heard an order given "maro," "maro," preceding the firing. How could it take place without an order? This came from the place where these gentlemen were. I heard the cry, "golee maro woosko," I was not near enough to hear who spoke. The firing stopped when a bugle was sounded, "cease firing." The captain then ordered two havildars to proceed with two sections of sepoy to the other side of the river. The river was of very broad. Arms were found in the boat, swords and clubs. The people were taken prisoners.

Cross examined by Mr. Prinsep. The line was drawn up some space from the edge of the water. The police people were standing behind us, when the firing commenced, and none were before. Some were alongside, on the left, when they cried out to the boats to stop. They were where the gentlemen were standing. I would not have fired without the order of the officer. The officer's order to fire is given in Hindoostanee. The word "fire" is now never given, it is "jret," (present.) When successive or running shots are to be fired, an order is given beforehand for *file firing*. After that there is the beat of a drum. If there is no drum, it may commence by word of mouth or by a bugle if there is a bugle. I was examined before at the police office. I cautioned the men not to fire. This is usual. When the second firing took place, the captain ordered me to go to the left and forbid it, I did so. I cannot tell who gave the order "maro."

The trial was adjourned at a quarter before eight o'clock P. M.—Hurkaru, August 17.

WEDNESDAY, AUGUST 15, 1838.

THIRD DAY.

The trial recommenced at nine o'clock.

Lauchlan Alexander Maclean, examined by Mr. Clarke. I am an ensign in the 26th regt. N. I. I know the prisoner. I was at Culna on 2d of May; with troops. I saw Mr. Ogilvy about sixteen miles from Culna, at six in the morning. He wished Captain Little to march to Culna. There was a letter before from Mr. O. to Captain L. I left at five in the evening with Mr. O. The latter had remained at that place since the morning.

I do not recollect the name of the place. We reached Culna about twelve o'clock at night, or one in the morning. I saw the troops at Culna about three o'clock. The number was from 130 to 150. They were then remaining a short distance out of the village. With them were Captain Little, Mr. Ogilvy, Dr. Check, and Mr. Alexander. Captain L. ordered the sepoy to march to the river side. Previously to that Captain L. asked Mr. O. whether Pertaub Chund was to be taken dead or alive, and Mr. O. said yes. (The witness added "it" or some other words, in this answer after the words "dead or alive;" but upon being again questioned, he said he had recalled the word, and that he did not add "if he attempted to escape," but checked himself before doing so. Upon further questioning, the witness said, that if he added the words, he did not intend it, that in fact Captain L. did not say the word, though it was so reported afterwards.) Captain L. ordered the troops to load at the *choke*. The order was given in English "prime and load." This implied to load with ball-cartridge. They loaded with ball. Mr. Ogilvy could have heard the order at the time. When the troops reached the river side, they filed along the shore. The length of the line was 2 or 300 yards perhaps, but I am no judge of distance. I saw some natives on the shore, they began to collect; but there was no great crowd together. There were boats in the river, and alongside, and they appeared crowded with people moving about. Captain L. called out in Hindoostanee, but I do not understand enough to know what was said. I then went to my company to a different end of the line. Previously to that I heard nothing said by Mr. O. There was firing. When I reached my company I was about fifty yards from Mr. O. Before I reached the end the firing commenced. I heard one musket fired, and shortly after, several others. The single musket was fired rather to the left of the centre; the other shots were a running fire along each side. About twenty or thirty muskets, I believe, were fired. I saw somebody go on board the boats, but I do not remember whether it was after or before the firing. The bugle sounded "cease firing." Captain L. then went on board. There was a search for arms made by Mr. O. I saw some collected on the bank. There were swords, shields and clubs. No resistance was offered in my sight. I saw no riot. Mr. Ogilvy had a double barrelled pistol.

Cross examined by Mr. Prinsep. It is a very short time since I joined the Bengal army. This is the first time I was on active service. We were escorting twelve lakhs of treasure, when we were called away. I followed my superior officer, of course. Whatever orders were given, were given to Captain Little, and he can best speak. There was no medical man of our corps. Dr. Check was there; he came from Burdwan. The order to load was given; we had no blank cartridge. I do not know whether sepoy will obey any other order than one of a military officer. I saw a letter from Mr. Alexander to Dr. Check. I cannot say whether the firing commenced accidentally or otherwise. I heard no order given. Captain L. was close to where the first shot was fired. I heard no signal to fire by bugle.

By the judge. I heard no persons call out anything before the firing.

Buboo Tewarry, examined by Mr. Leith. I am a sepoy in the 3d regt. N. I. I was with my company at Culna on 2d of May. We were on the bank of the river early that morning. I was on the left side of the line in the light company. We came along in sections. I saw boats and budgerows in the midstream. A boat was proceeding, and not attending to the prohibition to proceed, the magistrate fired a pistol at the boat. I was at that time moving up to the line, which was not completed. I was passing close by the magistrate. At this time that the pistol was fired, every body was talking.

The magistrate, the darogah, the nazir and, others were calling out "maro," "maro." After the order to fire with ball, the muskets began firing. The magistrate and the other gentlemen gave the order to fire with ball. The people in the boats were sitting out. There was no kind of riot or disturbance. I did not go into the boats. Forty or fifty muskets were fired, when the bugle sounded to cease firing. I saw about twenty or twenty-five old broken swords. There was a second firing after the first had ceased on the sound of the bugle. This second firing took place on the Rajah's jumping into the river. The gentlemen, that is the magistrate, the captain, and the rest, cried out "the Rajah is escaping, *golee sa maro*." This was the occasion of the second firing; ten or twenty shots were fired by the sepoy. The gentlemen taking the muskets out of the hands of the sepoys also fired. It ceased when the Rajah got over to the other side out of reach. He was afterwards arrested, with several men.

Cross-examined by Mr. Morton. By the "gentlemen," I mean the magistrate, Captain Little, Ensign Maclean, Dr. Cheek and the Padre Alexander. *They all took muskets and fired. I saw the Padre fire!* When the magistrate fired, he gave his pistol to a servant to hold, who fired also. The pistol-shot fired by Mr. Ogilvy was the first shot I heard fired.

Khoda Bux, examined by Mr. Clarke. I am a havildar. I was with my company at Culna on the 2d of May. Mr. Ogilvy was there. Early in the morning, we went to the banks of the river. Captain Little told the sepoys, that they must be careful, because the Rajah was present with many armed men. The troops were ordered to draw up in two lines or ranks. The length was about 400 paces from one extremity to the other. I was in the middle of the line near the captain. I saw fifty or sixty boats in the river. We had extended to the right and left opposite the boats. The boats were forty or fifty paces from us. Nobody called out to the people in the boats in the middle; but when the boats near shore were moving off, they were told not to go. Upon a dinghy in the midstream moving away, orders were given to fire ball, to frighten them. The order was to fire in the air over the boats. Upon this, three or four shots were fired. But upon this having no effect in stopping them, orders were given to fire upon them, that they were taking away the Rajah. The magistrate was about seven paces from me. He was moving about, giving directions, and arranging matters. The order was "maro," and then balls were fired. Fifty or sixty muskets were discharged. The bugle sounded and the firing ceased. After that I know of no other firing, for I then went by the captain's orders to the other side. I arrested the Rajah. I saw sixty or eighty weapons, chiefly swords, two or three guns and one pistol. One gun was rotten, another was an English double-barrelled. The swords were native six-anna tulwars. The troops loaded with ball before leaving Culna, by the orders of captain. Mr. Ogilvy was present.

Cross-examined by Mr. Prinsep. I am an old soldier, and I have been in some battles. Sometimes we fire with word of command, but if the enemy come suddenly, we do not wait. I did not hear what directions were given to the nazir and darogah. My duty was to attend to my commanding officer. I did not see the padre fire; but he may have fired.

By the judge. I was standing seven or eight paces from the gentlemen behind them when the firing took place. All five were together, until Ensign Maclean went away to the left. The ensign went away after the firing commenced. I did not see the magistrate fire anything. I was looking sometimes to the right and sometimes to the left. The order was given by the captain to fire overhead, when the boats were in the midstream. Three or four muskets were then fired. Afterwards, when the boats got close to the others in the midstream, the magistrate said "maro." He also

said, that the Rajah was getting away in the boats. I distinctly recollect hearing the magistrate using those words. I do not confound what the magistrate said with what the others said, because the voices of natives is very different from that of Europeans. The other Europeans were not standing close to the magistrate. Upon this being said, the balls were fired. When the order was given, the Rajah was in the boat. No one else gave an order. There is some difference in the account which I now give, and the account I have given before, because I only speak to the questions put to me. The questions are not the same. I do not recollect, whether I said that the captain joined in the cry, "maro." He did not join. I never said at the police, that we would not have fired on the orders of magistrate.

By a juror. I saw a pistol in the hand of the magistrate, but no musket.

Gourdeen Daday, examined by Mr. Leith. I am a sepoy in the 3d N. I. Last May I was at Culna, I was with my company early in the morning. I saw Mr. Ogilvy, the magistrate of Burdwan, there. He was moving about. I saw boats and budgerows in the river. There was firing upon the orders of captain and magistrate. A boat was coming from the eastward, which was forbidden to proceed to join the budgerows. It went on, and the magistrate said in Hindoostance "fire at the *banchoots*, they will not obey orders." Upon that ten or twenty balls were fired. The captain then caused the bugles to sound "cease firing." Before this, there was no firing. The captain gave no orders until the boat disobeyed. He then said, "fire at them with ball; they will not obey orders." The magistrates was four or five paces on me.

Cross-examined by Mr. Morton. There were no muskets fired before the ten or twenty of which I spoke. I have always given the same accounts of this transaction. At the police office. I only answered to the questions put to me, and I do the same here. I do not recollect having said that any muskets were first fired in the air. (After some prevarication the witness confessed, that an order was first given by the captain, to fire three or four muskets in the air, and that he had stated this at the police.) There was no interval between these discharges and the ten or twenty muskets. I do not know whether the first three or four were aimed at the boats or fired over. The magistrate was not standing in front of us; if he had, he might have been shot. (The witness was asked whether he had not said at the police office that all the European gentlemen were standing together; this he at first seemed to deny, but after some shuffling, admitted.) I suppose all the others must have heard the magistrate give the order "maro." I saw the magistrate with the pistol in his hand. I did not see him with a musket. I did not see him fire the pistol. I did not see the padre or the doctor take a musket and fire on the boats.

By the judge. Immediately upon the three or four muskets being fired, the other ten or twenty were fired; there was no interval. The captain gave orders to two or three to fire overhead, and, immediately after, the general order to fire was given. The captain did not join in this second order. (The judge remarked that this was a contradiction of himself in express terms.)

Dwarka Sing, examined by Mr. Clarke. I was at Culna with my company on the 2d of May. We were in line. I was in the centre. Some boats were moving on the river. The magistrate desired them to be brought to the shore. The captain, the lieutenant, (ensign) the doctor, the magistrate, and the padre, were all together. An order was given, when the boats would not obey the orders, to fire at them with ball. The magistrate fired his pistol. About forty muskets were discharged. The bugle sounded to cease firing. After that five or ten muskets were fired on the right. The bugle did not sound

again. There was no riot, and no resistance offered. There may have been 250 or 300 police people, and chuprassees altogether.

Cross-examined by Mr. Prinsep. I did not see the pistol fired. I said so at the police. (This is different from the deposition taken.) All the gentlemen were together, ten or twenty paces from me on my right, I should have got into trouble, if I had fired without orders. There were vacant spaces between the sepoy in front of the magistrate. He aimed between the sepoy, through these spaces. I saw him. The captain gave the first order. I attended only to his order.

By the judge. No other person gave the order, but the captain.

Golaum Hyder, examined by Mr. Leith. I am a havaldar in the 3d regiment. I was at Culna on the 2d of May with my company. We were in line on the banks of the river. Mr. Ogilvy was there. There were five gentlemen. The magistrate was moving backward and forward. I heard firing. The shots were first fired by order of the captain. He told them to fire over two boats making off. The magistrate said "maro." Several shots were fired. The firing ceased when the bugle sounded. I saw, afterwards, some guns and broken swords; I saw a man in the boats who was shot through the chest. I do not know his name. I afterwards heard that he was a brahmin. The man was still alive.

Cross-examined by Mr. Morton. I heard the magistrate give the order. The captain gave an order to fire two guns over, to the sky (asmanko). I gave the same account at the police office. I did then say that the magistrate said "maro." (There was nothing said about the order of the magistrate, in this witness's deposition at the police.) I also stated at the police, that Mr. Ogilvy said, the Rajah is escaping, follow me to the boats. After the two shots were fired to the sky, I heard no other order given. I saw the magistrate with a pistol, but I did not see him fire it. I did not see him take a musket or fire.

Captain William Little. (not examined in chief.)

Cross-examined by Mr. Prinsep. I command the detachment at Culna. I was called upon by the magistrate of Burdwan, to give aid. I was escorting treasure to a large amount. I have a letter, which I then received from the magistrate, Mr. Ogilvy. In consequence of this I halted. Mr. Ogilvy joined me at Byoonchee. I proceeded to Culna in the evening. The troops were drawn up on the banks of the river. A firing took place. I should say, decidedly, that the firing was the consequence of a misapprehension of the orders on the part of the sepoy. Nobody, to my knowledge, or in my hearing, gave any orders to fire at the people in the boats. I never heard Mr. Ogilvy give any orders to the sepoy. I understood from Mr. Ogilvy that his intention was to arrest Pertaub and his followers. I apprehended that there was a great probability of resistance being offered. I did not see the magistrate fire a musket or pistol, nor Mr. Alexander, nor Dr. Cheek. The first time I met Mr. Ogilvy after the firing, he expressed his regret. The transaction displeased me very much. I took the sepoy to task. Between 90 and 100 arms, chiefly swords, were taken from the sepoy who had taken them from Pertaub's people. This was besides the weapons taken by the burkenduizes. I saw a *seik chukka* (a sharp disk) among the weapons. I delivered 337 prisoners over. Nearly 300 were fighting men. After Pertaub was in my tent, a prisoner, there was a large concourse of people. Some 30,000 between twelve o'clock and sunset. There were great crowds on the march with him to Hooghly. I heard no cry of "maro, maro," before the firing. The running shots followed the first two immediately. I believe this arose from a misconception of orders.

Re-examined by Mr. Clarke. There may have been a cry of "maro" after the firing. There was a caution given to the boats, not to move off. The crowd did not attempt to rescue, but they were rather insolent. The fighting men were of various castes. About thirty were body servants of the Rajah. They were under my charge about five days, and none of them denied belonging to Pertaub. I am not aware that any inquiry was instituted as to the breach of military discipline on the part of the sepoy in firing without orders. The firing was from mistake.

Muddoowoodun examined by Mr. Leith. I am a doctor. I went to Culna last May. I saw Terrachund Chuckerbutty; he had been shot in the left breast, and was in a very dangerous state. I saw him at the padre's school on the 4th of May. It was by the order of Dr. Cheek. He died on the 20th of May. He died in the hospital of Burdwan.

Cross-examined by Mr. Morton. There is a regular European surgeon attached to the hospital. His name is Dr. Cheek. My reports are regularly made to him. I made my reports to him in this case. I was not present at the moment that he died; nor was I present at the *post mortem* examination. The body was opened and examined by Dr. Cheek.

By the judge. I was not present when the body was opened by Dr. Cheek. The man told me, when he was in a dying state, that he was wounded at Culna. I do not think he had then any expectation of recovery.

Sir John Grant said that he thought Dr. Cheek must be called, as the best evidence procurable must be given by the prosecution of the death, and of all facts to be determined.

George Nicholas Cheek, called, examined by Mr. Clarke. I am the civil surgeon of Burdwan. Terrachund Chuckerbutty was in the hospital there 1st May. He died on the 20th instant of a gun-shot wound on the left side below the collar-bone, breaking the second rib, passing through the upper lungs, and going out at the back, breaking the blade-bone. I examined the body after death. I have not the slightest doubt of the cause of his death. He received the wound at Culna on the 2d of May. I saw him fifteen minutes afterwards.

Cross-examined by Mr. Prinsep. I accompanied Mr. Ogilvy officially from Burdwan. I was aware that no medical man was with Captain Little's party. It was in consequence of this circumstance that I was taken. At Byoonchee we fell in with Captain L. I heard Mr. O. say that there were 250 men at Culna, and he required Captain L.'s assistance in apprehending them. He said, "I think they will resist the police, but with the military there will be no resistance," or words to that effect. At Mr. Alexander's house we had a conversation, at which Mr. O. Captain L. and myself were present. I had written a letter to Mr. Alexander by the directions of Mr. Ogilvy. I received an answer to this, which answer was delivered to Mr. Ogilvy. This took place through me, because Mr. O. wished it to be kept secret from his darogah and nazir. (These letters were put in and proved.) When we went to Culna, we first went to the thanna. The nazir spoke to Mr. O. but I do not know what he said. About half an hour or more after we arrived, the detachment came up. This was about midnight. About day-break we went to the *choko*. Before that, Mr. Ogilvy said to Captain L., "I shall call upon the *soi disant* Rajah to surrender, and tell the men to lay down their arms; and I shall then send the darogah to apprehend them. That failing, I shall make the matter over to Captain Little." After the firing I saw the nazir. The darogah and some of the police were there. A few minutes after the troops were drawn in line along the top of the bank, I heard some persons bawling out. I was too far off to hear the words, or to see the persons. I was a con-

FOURTH DAY, THURSDAY, AUGUST 16.

THE DEFENCE.

The adjourned trial re-commenced at ten o'clock this morning.

Sir J. Grant asked the prisoner whether he had any thing to say in his defence as his counsel were not permitted to address the Court on his behalf except on points of law.

Mr. Ogilvy said, that he had written out an address, which he was afraid he was unable to undertake the exertion of reading, and he hoped the Court would allow a friend to act as his substitute.

Sir J. Grant said, that the Court would willingly allow the address to be read by any gentleman whom *Mr. Ogilvy* might choose to name.

A. E. Samuells, Esq. c. s. was then named by *Mr. Ogilvy* and read the following address :

My Lord, and gentlemen of the jury.

After all that has been said and published respecting this unhappy affair at Culna, singled out and pursued as I have been by every kind of charge, I yet owe to my prosecutors, whoever they be, my thanks for this opportunity of bringing the whole matter to a public judicial investigation. The result, I trust, will satisfy not only you, gentlemen of the jury, whom it is my first object to convince, but the Government and the public at large, that throughout the whole transaction, I did nothing but what my duty as a magistrate, and the official orders and reports on which I was bound to act, compelled me to; and that even the misapprehension of orders which Captain Little has deposed to and which led to all the mischief that ensued, is one for which I can in no sense be held responsible, either legally or morally.

I presume there are few of you, gentlemen, who are ignorant that the duties of a mofussil magistrate are far more varied and more anxious than those of an English justice of the peace; that his authority is to be exercised over a far greater space, his responsibility far more serious; and that his neglect of duty would probably induce not local inconvenience, but general danger and confusion; yet, even in England where all is well ordered under domestic tribunals, with a numerous magistracy always at hand, tumultuous, and still more, armed assemblages of people may be put down and dispersed by the magistrate in person without any formal warrant; and in case of disobedience, he may resort to force to disperse or arrest the refractory, and should death ensue, the magistrate would be liable to no charge, even of manslaughter. His lordship will tell you that such is the law of England, and will further inform you that a state of active riot or disturbance is not necessary to give the magistrate such authority, but that the existence of an assemblage of persons sufficient for the purposes of terror and intimidation is quite enough to authorize the magistrate to act. Such, too, is the law of all nations where civil policy prevails. In no place is such power more necessary to the magistrate than in provinces acquired and held by conquest; where every local affray may swell out into general tumult, and speedily assume the character of sedition or rebellion. Some of you, gentlemen, may, perhaps, recollect, as a case in point, the affair of the Moulvees in the neighbouring district of Baraset, and there are not wanting many similar instances.

You have it in evidence, that I was magistrate of the populous district of Burdwan, the residence of the most powerful zemindar under the Company's dominion, whose possessions extend far and wide over that and the adjoining zillahs. You have heard that the present zemindar is an infant, an adopted son of the late Rajah Tejhunder, still under the tutelage of his natural father.

siderable way to the left of the line; *Mr. Alexander* was with me. *Captain L.* and *Mr. O.* were on my left. I am speaking as I stood, facing the water. The magistrate was too far from me to hear what he said, I saw the darogah stepping from the bank into a boat. I heard one musket shot at the end of the line. Soon afterwards, two more shots, then a running fire down the line. After this I saw three or four men swimming, at whom some shots were fired. The bugle did not sound until the end of the firing. After the firing, *Mr. Ogilvy* said when I met him, "how very unfortunate the firing was! I never gave any order." It was not then known that any one had been hurt. *Mr. Ogilvy* had a double barrelled pistol belonging to *Mr. Barlow*, the judge of Burdwan. *Mr. Barlow* at his house gave one to *Mr. O.* just before we set out, and the other to me. I handed it to *Captain L.* with all the powder, caps, and balls. Both were loaded by *Mr. Barlow*. *Mr. Ogilvy's* pistol was not discharged to my knowledge. I have frequently heard *Mr. Ogilvy* express a disinclination to employ the military. In consequence of a note which I received on a slip of Bengalee paper from *Mr. Ogilvy*, I went to him, and found him and *Mr. Shaw* together, *Mr. O.* showed me a letter from *Captain Harrington*. Previous to this, I was not required by *Mr. O.* to attend him to Culna.

Re-examined by *Mr. Clarke*. I have heard that *Padie Alexander* was once in the artillery. I should have been surprised, however, to have seen him take a musket. I did not see the boat push off, which the darogah was getting into. *Captain Little* gave the order to load. We were then standing all together in the choke. I do not know whether any one was sent to summon the Rajah to surrender before the firing. I do not know whether *Mr. Ogilvy* examined any one upon oath. I saw no great crowd upon the boat before the firing, and no tumult or disturbance.

Mr. Clarke now proposed to read the following documentary evidence put in :

The memorial of *Pertaub Chund* to the Hon. *A. Ross*, deputy Governor of Bengal, for aid and safe escort to Burdwan. The minute upon this, refusing the prayer of the petition.

Mr. Halliday's official letter to *Mr. Ogilvy* forwarding a copy of the memorial, and preparing him for the possibility of disturbance.

The two letters written by *Pertaub Chund* to the nazir and darogah. These were objected to, on the ground, that it did not yet appear, that they had ever reached *Mr. Ogilvy* himself before the transaction, and that they could not therefore be identified with him, until some ground was laid for the presumption, that they had influenced this conduct. On the other hand, it was submitted, that these letters were admissible evidence at all events: that, in the first place, there was sufficient evidence to go to the jury of the fact of their receipt by *Mr. Ogilvy* before the transaction, and that, secondly, even without such presumptive proof, the letters were evidence to show, that *Pertaub* was not acting in disobedience to the orders of the magistrate. *Sir John Grant* thought, that as part of the case related to the question of the legality or illegality of *Pertaub's* acts and intentions, the letters were clearly admissible in reference to that matter.

The English letter written by *Mr. Shaw* to *Mr. Ogilvy*, was not tendered, and it was admitted not to have reached *Mr. Ogilvy* until after the Culna transaction.

This closed the case for the prosecution, and the Court then adjourned about eight o'clock P. M.

Prawn baboo, whose administration of these vast possessions has rendered the family unpopular in the extreme. You have heard that a pretender to the raj, started up as it were from the grave, under circumstances marvellous even to the absurdity, but not the less likely on that account to excite the passions and credulity of such a population. That he appeared in Bancoorah in 1835, in the character of a faukeer, and gathered a tumultuous rabble about him, with which he paraded the district, and, but for the decisive conduct of the magistrate, would have spread confusion throughout the whole country. That he was arrested, tried, and convicted. The record of conviction has been produced and will be read. You will find it to have been for the same offence of tumultuous assemblage and resistance to the constituted authorities for which he was arrested by me at Culna, and is now taking his trial. He underwent his sentence of six month's imprisonment, and was discharged on recognizance and sureties of the peace for twelve months more. That period had scarcely expired, when you find him at Culna, with a fleet of forty or fifty boats, and a retinue of people armed and unarmed, stated, by himself, in his letter to the nazir, to amount to 342, of whom no less than 170 confess themselves to be fighting men, and avowed his intended progress to Burdwan for the ostensible purpose of procuring evidence in his identity; but, as it would seem from intercepted letters to the neighbouring Rajahs and zemindars, with the real purpose of seating himself on the guddee of the raj, on which he invites them with their followers to see him reinstated.

Gentlemen, you will not suppose that the public authorities could sit idly by while such doings were in hand. You have already before you the minute of the deputy Governor of Bengal upon the pretender's application, with the orders of Government to myself thereon, a previous order had been received by me which will also be laid before you, as well as the letter of the superintendent of police, the perwannas or warrants issued by myself, the returns or reports, at first of the darogah, and, ultimately, of the darogah jointly with the nazir, whom I had been obliged to despatch to the spot. You will find that my orders in the first instance were to prevent the invasion of the district by this disorderly concourse, and, afterwards, to disperse them. Those orders being reported to have been set at naught, my last perwannas were to disperse them and arrest the pretender. One of these orders is that which has been served in the presence of Mr. Shaw; you will judge whether it has been truly represented.

The last report received by me was on the 30th of April, apprising me of the continued contumacy and resistance to both darogah and nazir, and that the arrest could not be made without bloodshed or even loss of life. This also you will have before you. I had scarcely received it when a communication reached me from Captata Harrington, assistant under Captain Wilkinson, the political agent for Maubhooin, which likewise shall be presented to you. Its alarming tenour determined my proceedings. After consulting with the other official gentlemen of the station, I wrote to Captain Little to halt his treasure party, joined them myself at Boinghee, and, having there received a communication from the only European gentleman resident at Culna, which confirmed the former reports, I proceeded to that place as you have heard deposed.

Before adverting to the evidence of the transaction itself, allow me to request your attention to a misstatement in the opening of the counsel for the prosecution, by no means unimportant. He told you that it was I who ordered the men to load with ball at the clocke, a statement wholly unwarranted either by the depositions at the police or by any you have heard in this court. You will, therefore, dismiss from your minds this gratuitous misrepresentation.

The evidence of the occurrence at Culna, with which the prosecutor would have closed his case, had he not been compelled, very reluctantly, to produce Captain Little and Dr. Cheek, must be too fresh in your memory to require much comment. It was that of persons under trial themselves, and implicated so deeply in the transaction, as to have the strongest possible motive for perverting the truth; or of sepoys in whom you cannot but have remarked a strong anxiety to rid themselves of the consequences of a misconception of orders, which had proved so disastrous, and threatened them with heavy responsibility. There is no other way of accounting for the labyrinth of contradictions in which their statements have involved the case. As to the evidence of Ensign Maclean, there is really nothing in it that can affect me. My plan of proceeding, which I openly and repeatedly expressed at Culna, was to take the offenders and transmit them to Hooghly and Burdwan for trial, to do so by means of the civil power if possible, but if that should fail, to hand the matter over to Captain Little and his detachment. The circumstances of the case fully warranted my calling out the military, but they were called in more to overawe resistance than for any active purpose. The expression deposed to by Ensign Maclean of taking the prisoners dead or alive, had reference only to the case of resistance which you have heard that we all anticipated, and which, as his lordship, I doubt not, will tell you, would have justified me in proceeding even to extremities. That my intention was to resort to military force only in the event of resistance, must be clear from the fact which you will already have inferred from Dr. Cheek's deposition, and which will be fully confirmed—that when the firing unfortunately commenced, the darogah was in the very act of stepping into a boat to summon the party to surrender. A few minutes later, and he would himself have been exposed to the fire of the troops. But what say the other English gentlemen, who were present on the occasion, and whose production as witnesses was extracted with so much difficulty. Their statements, I submit, entirely exonerate me from this charge. I will not detain you with commenting on their evidence, or on that of Mr. Alexander, which remains to be heard. I leave it to yourself to give it the weight it deserves. I am sensible that it may appear to you, gentlemen of the jury, that the object in view might have been effected without the employment of military; but I beg you to observe, that such is not the opinion of Captain Little; and it would have been highly culpable in me to expose my authority to the hazard of a repulse. But, in truth, the question is not whether the actual state of matters at Culna required the interference of the military, but whether the nature of my information was such as to warrant my resort to a measure so much against my inclination. That information will be fully before you. It will be for you to pronounce your judgment upon it. On that information I was bound to act by the laws and regulations which I was appointed to administer.

It is hardly necessary for me, after Captain Little and Dr. Cheek's evidence, to disclaim having myself either fired or ordered others to fire. The imputed cry of "maro," "maro," as proceeding from my lips, is equally destitute of reasonable or consistent testimony to support it. My conduct and expressions both before and after the transaction will, I should hope, convince you of the utter falsehood of the allegation. One word, and I have done. If anything in my conduct on this occasion or in any act of my previous life has led you, gentlemen of the jury, to believe for one moment, that I could be capable of anything so wanton, so reckless, and so un-English, as to have proceeded to the river side with a deliberate intent to direct a military fire upon a sleeping crowd, I am content to be delivered over to every penalty the law can inflict for such an outrage on humanity.

The record of conviction of Pertaub Chund was then put in and read; by which it appeared that in 1836 Aluck Shah *alais* Pertaub Chund, had been convicted of assembling men in arms and setting at defiance the constituted authorities, and sentenced to six months' imprisonment, and to find sureties to keep the peace for one year.

An order of Government in the form of a letter to Mr. Ogilvy in June 1837, approving his conduct towards Pertaub, and directing care to be taken that no disturbance should arise.

Luckeynarain Ghose, the Foujdarry sheristadar of Burdwan, was called to prove the purwannahs issued by the magistrate, Mr. Ogilvy, and the reports received at Burdwan from the darogah and nazir of Culna. The official seal of the thannah was appended to all the reports; unusual despatch had been employed in forwarding the purwannahs relating to Pertaub, expresses having been used instead of the regular dawk.

Captain John Colfield Harrington, examined by Mr. Morton. I am deputy political agent to the Governor General for the S. W. frontier, I have been in this district about three years. On the 26th of April last, I wrote a circular to the magistrates of Burdwan and Bancoorah and other adjoining districts, inclosing a copy of a letter written to Captain Wilkinson the Governor General's political agent (letters put in and proved.) This was in consequence of the apprehension of a man called Ram Bux Lewarry, who was carrying several letters from Pertaub Chund to the wealthy zemindars of the districts in question. I remember Pertaub Chund making his appearance in my district about three years since with a large assemblage of followers. He had been a faqueer and was known by some as Aluck Shah. This may mean "invisible king." He made himself known to me as the claimant of the Rajah of Burdwan. The whole district was in a considerable state of agitation and excitement. I think this has been very much the case since, and there would be much ground for alarm, if he made his appearance in those parts. It was shortly after his first appearance in my district that he was arrested for the disturbance at Bancoorah.

Robert Barlow, examined by Mr. Prinsep. I am judge of the zillah of Burdwan. I remember Mr. Ogilvy going from thence to Culna. I know he received two or three Persian reports before he started. I saw Captain Harrington's letter in Mr. O's hand then. We had a conversation at the time. He is my subordinate officer. I do not know that the conversation was official. Mr. Shaw, the assistant magistrate was there. I advised the military to be called in when we went. I gave him one of my pistols, and the other to Dr. Cheek. I think they are quite new pistols. I received the pistol back from Mr. Ogilvy, loaded. There was a strong feeling prevailing in the district concerning Pertaub, I have known Mr. Ogilvy since last February. I should certainly not say that he was reckless of human life!

Maryrick Arthur Goffin Shaw, examined by Mr. Morton. I was assistant magistrate at Burdwan last April and May. I have since been officiating magistrate. I remember seeing Captain Harrington's letter in Mr. Ogilvy's hands, on Monday the 30th of April. Dr. Cheek came in afterwards. I know that it was in consequence of this letter that Mr. Ogilvy determined upon going to Culna.

The letter of Captain Harrington to Mr. Ogilvy, with the inclosed communication from the former (a very strong letter) relating to the probable intentions of Pertaub Chund, derived chiefly from intercepted letters to zemindars and others, was put in and read. Captain H's opinion seemed to be that there was something like a widely extended plot in embryo, to support the claims

of Pertaub. Also a letter from Mr. F. C. Smith to Mr. Ogilvy, giving directions to the latter.

The purwannahs of the magistrate and the reports of the darogah were tendered. The latter were objected to. After some argument the learned judge overruled the objection, considering that the magistrate was justified in acting on the reports *prima facie*. The objection taken, was, that there was nothing to show that these were the reports of the darogah, and that, on the contrary, it was proved that he could neither read nor write. On the other hand, it was admitted, that these reports were not evidence of the real state of the country, or even of the darogah's belief on the subject; but that the magistrate was nevertheless justified *prima facie* in acting upon them, whether true or not, as a constable is justified in acting upon a forged warrant, if he acts *bona fide*. Mr. Clarke also objected to some of the purwannahs being read, and not the whole. He said that several were kept back, and that some three or four had been carefully picked out, to support an untrue presumption that resistance had been offered to the authorities. Mr. Prinsep said that this was the first time he had ever heard so extraordinary an objection, especially in the case of a prosecution for felony. Could it be pretended that the prisoner was not at liberty to select whatever portions he considered material to his case? Much expense had been incurred in getting the numerous documents which had been put in, translated, and if the prosecutors considered any others essential to their case, let them get them translated, and put them in themselves. Sir J. Grant said that he could not see any objection whatever to the counsel for the defence selecting such as they might deem material to their own case. These purwannahs did not constitute an entire record, but were separate documents. His lordship added, that in a prosecution for felony, he should not hesitate to direct any document to be translated, at the time, if it should happen to be necessary, by the interpreter in court.

These purwannahs were to disperse the assemblage, and if this was resisted, to arrest Pertaub. The reports set forth a history of the different events, and the last return informed the magistrate that the dispersion could not be effected without his presence, and that there was great danger of armed resistance and consequent affrays and bloodshed.

Assand Ally, nazir, examined by Mr. Morton. I am the Foujdarry nazir of Burdwan. On the 29th of April last, I was ordered by the magistrate, Mr. Ogilvy to proceed to Culna with a purwannah. The purwannah directed me to disperse the assembly, and to arrest Pertaub, and take him to Hooghly. I went accordingly. I went on board his budgerow one day about noon and shewed the purwannah. He did not disperse any of his men. I made a report accordingly to the magistrate. I received two Persian letters from Pertaub, one the same evening, and another the next morning. I did not send these to the magistrate until the 10th or 11th of May. My report was written and sent before these letters came to me. I thought it was a mere pretence, and that Pertaub did not really intend to obey the magistrate's orders. I afterwards sent the darogah on board, but I did not again go myself. I remained on the bank of the river, I saw the magistrate on the following night, about midnight at Culna. I went with him to Mr. Alexander's house. From that we went to the *choke*. There were some troops. I heard the captain give the order to load. They afterwards formed in lines on the bank of the river. I heard the captain give an order to fire a musket in the air. At that time I saw the darogah just stepping into a boat. The magistrate and others had called out to the boats in the river, but they did not obey. After the order to fire in the air, I heard no other order given. Immediately afterwards two guns were fired, and then there was a "bang pop, pop," all down the line. I was standing

about eighteen or twenty paces from Mr. Ogilvy. I was on a high bank, and could see him plainly, all the time. I was close to the captain. Mr. Ogilvy never cried out "maro." He did not fire off his pistol, nor did he give any order whatever to fire. When the bugle was sounded, the firing ceased.

Cross-examined by Mr. Clarke. I saw Pertaub once about the middle of the day. He had asked me to return in the evening. I came to the bank of the river. Pertaub's people objected to our going on board with our arms. I am the darogah's superior officer. Before I received the Persian letter, I knew that Pertaub had seen Mr. Shaw. The night after, when I saw the magistrate, I gave him a summary of the letters I had received, and he said that he should arrest him because he had often acted disobediently. No message was sent to Pertaub after the receipt of the letters until the firing, when the Rajah jumped into the river. Just before the firing, I heard every one cry out "They are running away." The magistrate may have joined in this. The Captain gave the order to fire in the air after this. I saw some men swimming before a gun was fired.

Alfred Alexander, examined by Mr. Prinsep. I have resided at Culna ten years. I am catechist to the church missionary Society. Pertaub came to Culna in April, and remained until the 2d of May. I was resident there during his stay. When he made his entry, there was a concourse of some 7,000 persons. The mission bungalow is on a high bank about 200 yards from the river. There was an unusual assemblage and still at the time of Pertaub's stay; people used to come daily and return daily from and to various parts. I heard an occasional firing, and beating of drums. There were arms among them, sticks, and shields, and swords on their shoulders. They were coming towards Culna from the direction of Santipore. I consider that there was much ground for alarm. I have communicated with Mr. Ogilvy on the subject. I have written to him (A letter shewn, and proved,) in the end of last March. I only knew him as a public servant, not personally. This was in answer to a note from him to me (note produced.) Before I wrote it, I saw a concourse of people above mentioned pass the mission-house; and, in consequence of this, I wrote. I received a letter from Dr. Cheek on the night of the 1st of May, and this I answered. This was partly from what I heard from the nazir, and partly from my own observation. On the night of the 1st of May, I saw Mr. Ogilvy at Culna, also Dr. Cheek, Captain Little, and Ensign Maclean. The darogah and nazir were at my house that night. I heard Mr. O. say that he would take Pertaub with his police, if he could, and if not, he would apply to Captain L. to take him by force. I accompanied them in the morning to the *cracks* at the instance of Dr. C. I went thence to the river side. Dr. C. and myself remained on the left away from the sepoys. After the drawing out in lines, we five were never all together, I could see the magistrate, with a pistol in his hand. He was beckoning to the boats, and I heard a shouting, but I could not distinguish what I saw a boat putting off, with the darogah. The boats in the river were twenty or thirty yards from the edge. I heard a single shot fired, and the ball dropped a head of a small boat instantly after two other shots, and then in a few seconds the fire ran down the line. I heard the bugle sound to the left of Dr. Cheek. I saw Mr. Ogilvy presently afterwards. He said "there had been firing, and he was very sorry that a shot had been fired. He had given no order." I think all the other Europeans were there, including Captain Little certainly. I saw a pistol in Mr. O's hand. I did not see him fire. At the mission-house the magistrate laid the pistol on my desk. It was a new double-barrelled pistol. I took it up and looked at it, with a view to put it in the desk out of harm's way. I took out the ramrod, and found both barrels loaded. I put my finger in both barrels and

found them perfectly clean. I admired the finish of the interior. I have once been a military man, in the artillery. I did not, nor did Dr. Cheek, take up a musket in that morning.

Cross-examined by Mr. Leith. It was about two hours after the firing that I saw the pistol on my desk. I cannot say that I saw him lay it down. The width of the river was perhaps 100 yards or more. Dr. Cheek may have seen or not the darogah in the boat. I am certain that when the first gun was fired, the darogah was in the boat, at least, ten yards from the shore. He may have been nearly half way. I am not speaking of exact measurement, he was on his way. Mine is the only European house at Culna gunge. There is another European house at old Culna, belonging to a Mr. Maclean, an indigo planter, who I believe is now at sea.

This closed the case for the defence, Sir J. P. Grant was about to sum up, but the jury were too exhausted to attend further that night, and an adjournment was found to be indispensable. The Court adjourned accordingly at half past seven o'clock, P. M.

FIFTH DAY, FRIDAY, AUGUST 17, 1838.

The Court met this morning at 10 o'clock.

Two letters were read, one from Mr. Alexander to Mr. Ogilvy, the other from Mr. Alexander to Dr. Cheek, describing the state of Culna, and the proceedings of Pertaub Chund, in parading about the place with numerous armed men. Some other documents were also read, which it was intended last night to have put into the hands of the jury, without reading them in Court, as the gentlemen of the jury appeared at that time so much exhausted, and it was desirable to close the case as quickly as possible; but this morning Sir J. Grant said, that the same reason could not now be given, and it was more regular to read all the documents that were to be put in.

Sir John Grant commenced summing up at half past ten o'clock. His lordship began by observing, that he was anxious to make his address, occupy as short a time as possible; but, considering the length to which his notes of the evidence extended (two manuscript books) he might possibly trespass upon their attention at greater length than he at present anticipated. His Lordship then proceeded to say, that he should first direct their attention to the most important portion of the case, the death and the cause of the death of the individual mentioned in the indictment to have been killed at Culna. Much of fititious and extraneous matter had been mixed up with the real case before the Court, arising on the one hand from a desire on the part of the prosecution to show, that a person calling himself Pertaub Chund, the claimant of the raj of Burdwan, had endeavoured in a peaceable and legal manner only to make good his claim, and a desire on the other side, to meet this case so set up, by evidence of his imposture and illegal intentions and conduct. In this case, the court and jury had really nothing to do with the rightful or wrongful claim of this person. The main question was, whether the death arose from the firing, and whether the firing took place by the orders of the prisoner. The former point is clear. (The learned judge then commented on the evidence of Bheek Sing, and Ensign Maclean.) It seemed to be immaterial, whether the words "lead of alive" were or were not coupled with the contingency of "attempting to escape"; because the order to kill, in the mere event of an offender (guilty of misdemeanor merely) running away and attempting to escape, would have been illegal, and if acted upon, it might have been murder. But, if the order was intended to be acted upon, only in the event of resistance, this would have been legal and justifiable. (His lordship then com-

mented upon the evidence of Dr. Cheek, with respect to the instructions given by Mr. Ogilvy to Captain Little, and this he said was important, as shewing Mr. Ogilvy's intention of first resorting to the civil force.) There was no doubt, that the military force was there by the order of the prisoner, and for the purpose of dispersing the concourse and arresting the person called Pertaub. Now, it might be altogether unimportant, whether that purpose was lawful or unlawful; because, even if it was unlawful, the prisoner would not be answerable for consequences not contemplated, and which he did not authorise. If the guns were fired without the express request or participation of the prisoner, he could not be answerable under any circumstances for a result not contemplated by him. (As to the lawfulness of a magistrate's acting on the reports of his police officers, his lordship referred to regulation IX of 1807, sec. 4, which expressly directs the magistrates to act thereon.) Considering the powers vested in the nazir and darogah, it was even immaterial to this point, whether their reports were true or false. If false, those officers would be amenable to severe punishment, but the warrant of the magistrate, acting *bona fide* upon the report, was nevertheless legal and good. His lordship then said, that he should confine the rest of his remarks and comments on evidences, to the question whether the prisoner was a participator in the offence, by actual firing, or ordering, aiding, abetting, or encouraging any one to fire. (The learned judge here took occasion to observe, that no doubt the grand jury had conscientiously performed their duty, but it appeared to him to have been done in a very extraordinary manner; for, if there had been any crime at all, he was at a loss to know how it could be any thing else than murder.) His lordship then commented at great length upon the evidence of the sepoys, reading the greater part in detail. As to the evidence of the man, called Baboo Tewarry, he observed, that the matters sworn to by him were of such a striking character, that if untrue, the misstatement could not possibly have been by mistake, but must have been gross and wilful perjury. In England and most other countries, if there appeared to be a wilful falsehood in a material part of a witness's testimony, the rest was considered tainted, and altogether unworthy of belief; but in this country, unfortunately, so lax were the notions of the natives concerning veracity and sincerity, that if this rule were acted upon, it would often be impossible to arrive at any conclusion whatever. It was, however, quite beyond all doubt, that the whole testimony of this witness was utterly absurd and incredible. His lordship then pointed out some discrepancies and contradictions in the evidence of each of the other sepoys and native non-commissioned officers, and also showed, that some parts were in direct opposition to their own statements respectively upon the examination at the police office. It was impossible to help suggesting an obvious reason, which might influence the evidence of the native soldiers, viz. their apprehension that their unwarranted conduct (if it were so) in firing without orders, might subject themselves to punishment for breach of military discipline. Sir J. Grant's own opinion was, that the first two guns ordered to be fired in the air, were the cause of the unfortunate result, and that this order (he was bound to say so) was most ill-judged and mistaken. If the jury were of this opinion, it was clear, that although some blame might attach, there was nothing whatever, to involve the prisoner in criminality; he was not even a party to the order which appeared to have been unfortunately misapprehended. The learned judge then commented on the evidence of Captain Little, which altogether supported the presumption, that the fatal firing was purely accidental, and he was sure, the jury would pause before they cast any imputation upon the statement or the conduct, or the motives of an English officer. (His lordship then offered to read over the evidence of the other Europeans, but the foreman of the jury,

Mr. Cameron, said, that it was unnecessary, as the jurors were agreed upon their verdict. This was at half past twelve o'clock.)

The jury then immediately returned a verdict of *not guilty*.

Mr. Clarke then rose and said, that as the verdict of acquittal had been pronounced on the merits of the case, and not from any flaw in the evidence, he should certainly not offer any evidence in support of the two other indictments for manslaughter.

Sir J. P. Grant said that the learned counsel therein exercised a sound discretion.

Mr. Ogilvy was then arraigned on the two other indictments, for the manslaughter of Serajee, manjee, and Govind Sing, at Culna, on the 2d of May, and a verdict of *not guilty* was recorded in each.

Sir J. P. Grant, then addressed Mr. Ogilvy to the following effect:

"Mr. Ogilvy, your conduct has been the subject of a very long and very careful investigation in this court. Your trial exhibits the instance of a gentleman of high station, arraigned for the imputed crime of unlawfully causing the death of a very humble individual, and I hope the fairness and justice of the administration of the laws will be thus made apparent to all the inhabitants of this country. In the mode of trial, and the measure of justice which you have received, no distinction has been made between you and the meanest of her Majesty's subjects. I fully concur in the sentiment contained in your own written defence, that, although the ordeal which you have gone through, is most painful, it is matter of congratulation that you have had an opportunity of subjecting your conduct to the scrutiny of this public investigation. You now stand quite free from all charge and imputation, and if there have been any little error of judgment, you are still most clearly proved to have had no participation whatever in the act itself, which resulted so fatally, and to have been actuated throughout by no feeling or motive, other than becomes a gentleman."

His lordship then thanked the gentlemen of the jury for their patient attention throughout this protracted investigation.

The verdict of acquittal, and the judicious and feeling address pronounced by his lordship, appeared to produce universal satisfaction throughout the crowded Court.—*Hurkaru, Augt. 18.*

CROWN CASE.

THE QUEEN ON THE PROSECUTION OF GOOROOCHURN DOSS AND HURRYCHURN DOSS *versus* RAMSUNKER MULLICK AND OTHERS.

The defendants in this case were indicted for assault and false imprisonment, and to which they severally pleaded *not guilty*. Nominal fines were levied on three of the defendants and the others were found not guilty. The particulars of the case being of no interest but to the parties immediately concerned, we took no notes of them.—*Hurkaru, August 21.*

August. 20, 1838.

George Cole King, was placed at the bar this morning to stand his trial for causing the death of one Ghannee Sheikh, a labourer in Mr. Watson's silk factory at Chelia, in the district of Moorshedabad. After the indictment had been read over to the prisoner by the clerk of the crown, he pleaded *not guilty*. The Advocate-General, with whom was Mr. Cochrane, opened

the case. He stated to the jury in a brief and explicit manner, the crime of which the prisoner then at the bar stood charged; after which Mr. King, the jailor of the Calcutta jail, was called upon to prove the prisoner being a British subject, which he did. A number of witnesses were afterwards examined, and cross-examined, by Mr L. Clarke, who was counsel for the prisoner. The evidence given by the native witnesses differed some little. Those who did differ, were those who stood at a distance, when the maltreatment took place. There was not, however, that wide difference between them all, that would at all diminish the crime of which the prisoner was charged. It appeared from the general evidence, that the deceased had, in some measure, brought on himself the melancholy fate he met with, by disobeying his superior's orders; as in the first instance, the prisoner desired the deceased to go for a basket to a village near the factory. He refused to go, under the plea that he could not get one if he went. The prisoner in reply told him, that he always made some frivolous excuse when he asked him to do any thing, and added, "I will keep you no longer in my service." On the prisoner's saying this, the deceased replied, "who are you, that I should wish to serve you." This sort of conversation passed between them for some time, which aggravated the prisoner so much that he struck the deceased, and the deceased returned the blow. It was, therefore evident to the Court, that a sort of fisticuff affair had taken place, between them. In the struggle the deceased seized the prisoner round his waist, and in that position they both fell. The deceased got up and ran away, and a man went after him, and, on his getting near him, the prisoner called out to him to bring him back, which he did, and the prisoner struck him again three blows about the shoulders. The deceased was then in a sitting posture, and the prisoner was standing. The deceased fell over, and never spoke afterwards.

George Gordon Macpherson, was examined on the matter. He is a surgeon in the Company's service, and civil surgeon of Moorshedabad. He stated that he had examined the body of the deceased, and that he saw no outward injury on the body. On his opening the cavity of the abdomen, he found a quantity of blood which appeared to him to have flowed from a rupture of the spleen. He did not think it could have ruptured of itself. It might have been caused by a blow or kick, and that it might have taken place without showing outwardly, considering the state in which deceased was, and, in his opinion, had been in for a long time. The natives, he observed, in that part of the country, were generally affected with disorders of the spleen, and but few in that part had healthy spleens. He further said that when persons were so affected, a very slight cause would cause rupture and death. He examined the body on the third day. It was then swollen in consequence of being carried so far in the heat of the sun, but the body had not swollen so much as to prevent his seeing whether there had been external injuries. The blows which he had heard from the

witnesses had been given, he said might have caused the death of the deceased. In his cross-examination by Mr. Clarke he said, the fall which took place, might have caused the rupture. He had been in the district seven years. He never heard that the prisoner was not a peaceable character.

Mr. R. Watson was next examined. He said that he was engaged extensively in the manufacture of silk and indigo, and the prisoner was his head assistant at his silk factory at Cheliah. The prisoner had been in his employ since the year 1834, and had always conducted himself with the greatest propriety, and he had never heard a charge of violence being brought against him before. This closed the evidence on both sides, and his lordship in summing up, recapitulated and commented in a very lengthy and able manner on the whole of the evidence which had been heard, and recommended the case to the careful consideration of the jury; who retired for a short time, and, on their return, gave their verdict of guilty; but in doing so they particularly recommended the prisoner to the mercy of the court.

His lordship replied, that their recommendation should receive due consideration from the court. Sentence was then passed on the prisoner, accompanied with some very appropriate remarks, by his lordship, on the precaution which ought to be taken in striking natives.

The sentence was one month's imprisonment and a fine of one rupee.

James Talbot was fined the usual fine for not answering to his name, when the jury were being impannelled.

The other cases which were set down for trial this sessions, have been traversed to the next.

August 21, 1838.

The following prisoners were brought up this morning to receive their sentences for the crimes of which they have been found guilty.

Juggomohun sircar, for having returned from transportation before the time for which he had been sentenced had expired. Sentence eleven years' transportation to the East Coast, of the Bay of Bengal, south of the Gulph of Martaban.

Gungagobind Bonerjee, for embezzling korahs. Sentence seven years' transportation to the same place as above.

Issenchunder Kur, for larceny. Sentence, six months' imprisonment in the house of correction.—*Hurkaru*, Aug. 22.

INSOLVENT COURT.

August 18, 1838.

Thomas Wilson, of Dhurrumollah, a paper manufacturer, was this-day reheard on his petition. Mr. Prinsep opposed him, under the impression that he had not given a true account of an estate, of which he was executor; but the insolvent having satisfactorily cleared every doubt that existed on the matter, Sir Edward was pleased to inform him, that he was happy the

inquiry had terminated so much to his credit, and that he was therefore entitled to the benefit of the act. The assets on his schedules exceed one-half the liabilities.

Moodeosoodun Addy applied for his discharge from jail, but he was opposed by Mr. Judge, on the grounds that he had not given a full detail of his estate in his schedule; he was therefore remanded to amend the same.

Bissonauth Holdar was heard on his petition, and their being no opposition, he obtained his discharge from confinement.

In the matter of Shaik Mohamed Massoom sircar.

The adjudication obtained in this matter was, after a number of witnesses had been examined, ordered to be revoked.—*Hurkaru*, August 21.

MISCELLANEOUS.

CALCUTTA.

ICE.—The stock of ice is expended; but two vessels loaded with this commodity, are daily expected.

EXEMPTIONS OF ICE SHIPS FROM PAYING PILOT DUES.—We understand that Government, in acceding to the presentations of the ice committee, gave them the choice of exempting American ships from paying pilot dues, or from mooring dues; but they recommended the mooring charges as the least troublesome. The committee consequently selected this portion of the harbour charges, from which the ice ships were to be exempted. Upon examination, however, it turns out that the charges for mooring do not in general amount to more than fifteen or seventeen rupees per ship, whereas the pilot charges amount to about four hundred rupees per ship, the fifteen rupees *bonus* would, of course, be of no value to the American ship-owner, but the four hundred rupees might be worth his consideration. For our own part, we think that Government ought to remit every description of duty, if it consult the health and comfort of its ice-consuming population.

THE NEW STEAMER ENTERPRISE.—The new steamer *Enterprise* is now taking in her boilers; she is getting ready as fast as she can, but it is feared she will not be able to make her first trip before February next.

GENERAL ALLARD.—From our letters from the up-country we learn, that it has transpired, that General Allard feels himself uneasy in his advanced position on the other side of the Indus, in the neighbourhood of Jellalabad, and has intimated that unless materially reinforced, he will find it necessary to put the Indus, between him and the enemy.

THE GOVERNOR-GENERAL AND RUNJEET SING.—It is said that the right honourable the Governor General, has appointed the meeting, between himself and Maharajah Runjeet Sing, to take place on the 1st of November next.

THE NAWAB OF MOORSHEDEBAD.—His Highness the Nawab of Moorshebad, is at present on a visit to Calcutta,

LOSS OF GUNPOWDER.—Three hundred barrels of gunpowder, the property of Government, have been lately lost by the sinking of the boats on which they were laden, in their passage up the river to the different stations in the upper provinces; and orders have been issued, in consequence of the frequency of accidents of a similar nature, that the persons whose duty it is to despatch all such articles, shall send them for the future in the iron-steam boats. Great preparations are accordingly being made and much activity prevails in the arsenal, for the purpose of putting this order into effect.

AMERICAN SHIP GASPER.—The American ship *Gasper*, with her stores, &c. &c. which was sold by Messrs. Jenkins, Low and Co. during the course of last month, realized the handsome amount total of a lac and forty-six thousand rupees.

SHIPWRECKS.—The *Raj Ranee* was lost on the 1st instant, on the Eastern Reef, and all on board of her, with the exception of Mr. Man and six men, who escaped in a boat, were lost. Mr. Gurr, the pilot, and Mr. E. Parbury, a passenger, were among the drowned.

On the 10th instant, the *Sir Herbert Taylor*, was totally lost off Middle Point; but, except a little boy, who was drowned, all on board escaped.

The *Africa*, Captain Skelton, was lost on the 19th ultimo, in Venloos' Bay. The captain, crew, and passengers were all saved.

THE NOUVELLE LOUISE.—The hull of the French ship *La Nouvelle Louise*, of five hundred tons, which was put up to sale by public auction on the 4th instant, fetched about six thousand rupees, and her stores upwards of five thousand, total eleven thousand.

ACCIDENT.—A large blur ran against the hull of the steamer *Enterprise*, and immediately swamped.

SERIOUS ACCIDENT.—Mr. Nisbett the second officer of the *Cowajee Family*, was drowned on the evening of the 9th instant. He fell overboard from a dingy that was conveying him on shore.

DUEL.—A letter from Upper India, under date the 21st ultimo, states, that an affair of honour had then recently taken place between a captain and a subaltern of the 16th lancers, and that the cause of the hostile meeting was understood to be the transfer by the lady of the latter of her person and affections to the superior officer.

INDIGO.—The out-turn of the Dacca and Jessore factors, is expected to be 12,505 maunds.

The last accounts from Jessore state, that a great part of that district had been laid nearly under water. The indigo crop of this season was expected to be very short, and probably below the lowest estimate hitherto formed of it.

SIR JASPER NICHOLLS.—It is said that official information has been received by Sir Henry Fane, that Sir Jasper Nicholls succeeds Sir Peregrine Maitland at Madras. In the event of an army taking the field in support of Runjeet's operations against Dost Mahomed, a large contingent of the force will be supplied from Bombay; Sir John Keane will command it.

CAPTAIN BUCHAN.—It is said that Captain Buchan, of the ship *Kallis Castle*, now lying in the port, has been

appointed Governor of Pathurst, New South Wales. He is requested by Government to return immediately to England, and has taken his passage on board of the *Upton Castle* for that purpose. The command of the *Kettle Castle*, will devolve on Mr. Johnstone, the chief officer.

DEPUTY AUDITOR GENERAL.—The Court of Directors have recently increased the salary of the deputy auditor general from 666-10-8 a month to Rs. 800, and that of the deputy quarter master general, which in cantonment was 599-5-4 and in the field 709-5-4 to an equal amount, to be uniformly drawn in all situations.

COUNCIL FOR PAUPERS.—The office held by Mr. Marshall, the late council for paupers, is abolished.

POLITICAL RESIDENCIES.—It is in the contemplation of Government to abolish the political residencies at Gwalior and Indore, and to substitute for them one general agency in Ajmere.

COMMITTEE FOR THE INVESTIGATION OF THE COOLIE QUESTION.—Government have appointed the following gentlemen J. P. Grant, Esq. c. s. ; T. Dickens, Esq. ; Rev. Mr. Charles ; W. Dawson, Esq. ; Major Archer, and Baboo Russomoy Dutt, a committee for the investigation of the coolie question, with reference to the circumstances lately elicited at this presidency, in connection with the exportation of coolies.

The feeling against the coolie trade seems to be daily increasing, and, in consequence of some petitions being presented at the police office, Messrs. Healy, Dowson and Bestel, large coolie traders, have cried out *peccavi*, and begged non-interference on the part of the magistrates. That the condition of the poor coolies, has, however, lately been much improved the following document tends to show :

Extract of a letter to Captain Birch:—" Isle of France. It will, I am sure, afford you satisfaction to know, that since your superintendance there has been a most sensible change in the appearance of the labourers on landing, and that few complaints have been made and those of a very trifling nature."

LIGHTNING.—During the thunder storm on the evening of the 7th instant, lightning fell on an upper-roomed house belonging to a Mr. Clarke, of the pilot service, materially injuring a part of the upper floor, and killing an adjutant which was sitting on the terrace patiently enduring the pelting of the rain. Another bolt fell on a brick-built house at Nabootolsh, adjacent to St. James's church, doing no other harm than making its surface bow a little.

HERAT.—The following are details of the force at Herat. The force consists of pieces of artillery, and 5,000 men with provisions for 8 months; the Persians have 20,000 men round the place, with a good many guns but all in bad state. Mr. McNeil came with the Queen of England's letter, against the Shah's wish, pitched his tent close to him, but was four days without delivering it. At last he got his audience, was most coolly received, and actually obliged to leave the camp after waiting six days for an answer. Lieut. Todd was in the city of Caubool, and Dost Mahomud knew it, and winked at it, from which it is inferred, we understand that this chief is not ill-disposed, as represented, towards British.

PERTAUB CHUND.—The *soi disant* Rajah of Burdwan, and some of his followers, were brought down on the 10th instant from Hooghly jail, in charge of the joint magistrate. Mr. Leycester, and some of the Hooghly police. The prisoners, have been lodged in the Allipore jail, whence they are to be brought up, when required, to give evidence on Mr. Ogilvy's trial.

THE HOUSE OF CORRECTION AND THE JAIL.—The house of correction and the great jail are completely crowded with prisoners, the poor debtors being the most numerous of those in the jail.

RUSTONJEE COWASJEE'S FAMILY.—The ladies of the family of Rustonjee Cowasjee, together with his kinsman Frommuse Sorabjee, have arrived in Calcutta.

RISE OF THE RIVER AT SOOK SAUGOR.—It is said that the river is making such encroachments on the land at Sook Saugor, great portions of which have already been washed away, that it is feared the splendid and capacious dwelling house, now in the occupation of Mr. Larulett and which cost the former owner a lac, and an half of rupees to build a many years back, will completely disappear within a month hence; indeed, so bad are appearances, that the present occupier is making preparations to remove himself and property from the house before it should fall about his ears.

CHAPLAIN'S MEMORIAL.—A memorial has been sent to Government by the Reverend Henry Fr. and the other presidency chaplains, against the reduction of the surplice fees, from eighty two to fifty rupees for interment in a pukka grave, in order to reimburse the Government for the outlay in the purchase of the new burial-ground.

EGYPT.—It is said, that the Pasha of Egypt has declared his determination to place himself in the rank of independent Sovereigns, and no longer to acknowledge himself as a tributary of the Sultan.

CASES OF MESSRS. BARLOW AND OGILVY.—The indictments against Mr. J. B. Ogilvy, for imprisonment, and assault and imprisonment, have been traversed to the next sessions, as well as the indictment against Mr. R. Barlow, for an assault on a prisoner a vakeel of Pertaub, Chund's confined, at the time, in the jail of Burdwan. The reason assigned for the traverses in Mr. Ogilvy's case, is the difficulty of getting the witnesses for the defence down to Calcutta; and that in the mean time, the court would be left without business.

A DAILY PAPER IN BENGALIEE.—A prospectus for establishing a daily newspaper in the Bengallee language and character, is now in circulation, to obtain subscribers. The charge is to be only at one rupee per month, and the paper will appear as soon as a sufficient number of subscribers have been secured. It is to be called "*Oroonodoy*."

THE NEPAULESE.—The subjoined extract of a letter from Goruckpore, dated the 16th instant, throws some further light upon the proceedings of the Goorkas. "We have yet had no inundation, but the rivers are full to the brim, and, whether they overflow or not, will depend entirely on the future weather. The Napalese are certainly assembling a large force at the pass of Butwel, and making there extensive magazines. Mr. ——— thinks that their object may be only defence against our suspected designs, but it has been remarked that in that case they would form their magazines in the interior and not at the entrance into the plains, and that they must intend offence. At any rate the fact of the assem-

hly of a large force of picked mountaineers is certain, and it is equally certain that we cannot muster 200 men in this district to oppose them, and, therefore if we are not supplied with troops before the end of the rains, we are in a state of very great danger; but of troops coming there is no intelligence nor does there appear to be any force within a reachable distance, sufficient to oppose the large numbers which are said to be assembling. There is a rumour of the King's 16th coming here from Cawnpore, but if the Nepalese are quick in their movements they will sack Goruckpore before they can arrive. Some eight or ten more regiments too will be necessary for the defence; where are they to come from? The prime minister of Nepal is said to have made a vow that he will not remove his turban from his head until he has said his prayers and made his oblations at Gorucknath, a celebrated shrine in this town."

THE AGRICULTURE BANK.—The Government have admitted the Agra bank to compound for the stamp duty on a certain description of promissory notes, payable ninety days after sight, which the latter propose to issue on its own responsibility, and this composition is to remain in force for the period of one year from this date.

TROOPS FOR CANDAHAR, CAUBUL, &c.—The following is a list of the troops which it is said are to constitute the force to be furnished by this presidency for the operations in Candahar, Caubul, &c. &c.

The European troops are to consist of four troops of horse artillery, making a force of	480	men.
Two companies of foot artillery.....	160	ditto
16th lancers.....	400	ditto
3d buffs.....	800	ditto
13th light infantry	300	ditto
A wing of the Company's European } regiment.....	500	ditto
The native troops are to consist of the } 3d and 4th light cavalry	800	ditto
The 2d, 5th, 16th, 27th, 28th, 31st, } 35th, 37th, 44th, 43d, 48th, and 53d } regiments of native infantry, making in } all.....	8,500	ditto

The total amount of force being con- } sequently,.....	12,440	men.

PREPARATION FOR WAR.—The subjoined extract of a letter from Agra of the 12th instant, indicates the commencement of "business."

"Matters begin to assume a business-like aspect. Cartwright received a despatch from head-quarters yesterday evening, enclosing sealed orders to the commanders of the European regiment and 37th native infantry, who are directed "to hold their corps in readiness for active service. I am told that the country in which operations will be carried on, is unfavourable to the transit of wheeled carriages. The officers are directed to pay the utmost attention to the accoutrements and arms of the men, who are prohibited from taking with them their wives or families, or encumbering themselves with any articles not absolutely necessary in the field. The European officers are urged to set the men an example of marching in the lightest possible order, and employ camels only for the transport of the requisite baggage. They are enjoined to make the regimental bazars as efficient as possible, and I am informed that a route will be furnished from the quartermaster general's department,

pursuing which the corps will reach the rendezvous at Karnaul on the 31st October. They are directed to pay particular attention to the men's shoes, and to see that each soldier shall be provided with two strong new pairs! (To get over the sand I suppose.) It is intimated in conclusion, "that all heavy baggage" (ladies and children of course included) "is to be left behind under a small guard." Thompson, of the European regiment, is appointed field surgeon to the force, and is informed, that "his charge will amount to about 12,000 men, and directed to put himself in communication with your old friend Playfair, who is named superintending surgeon of the grand army of Caubul."

MOFUSSIL.

DELHI.—THE KUMAON BATTALION.—It is said, that the Kumaon battalion will shortly be disbanded, and their place supplied by a corps of the line. Extra establishment of bukandauzes will be sanctioned for the civil duties of the province.

There have been several recruiting parties from different corps in the neighbourhood of Allyghar, Huttress, and Sarsnee, places well known of old to have the finest fighting men in India, but at present these men are very backward to enlist. Were it not for the distressed state of the country for the past two years, we should not, perhaps, get a man. This looks as if our services were not very popular at the present time, or at all events not popular in those quarters."

It is said, that Mr. Macnaghten, the chief personage in the late embassy to Runjeet Singh, had been impressing on the Maharajah the benefits likely to accrue from the policy proposed by us, and, in the course of conversation, mentioned, that in the projected interview by Lord Auckland, that nobleman would be attended by a considerable body of troops. After Mr. Macnaghten had left the "the presence," his highness expressed fear, that some duplicity was intended by Lord Auckland, adding, "however, I'll make arrangements to be accompanied by 10,000 horse; but what if the British should bring 20,000? (!!!)" General Ventura assured his highness that the utmost confidence might be placed in the British, and that he himself would become their pledge; when, after some desultory conversation, the Maharajah expressed himself as perfectly coinciding in the gallant general's opinion.

Mr. Macnaghten arrived at Loodeeanah and intended departing for Simla, immediately. With Captain Wade and Dr. Drummond, Mr. Macnaghten paid a visit to Shah Shoojah, and was introduced in all form by the prime minister.

It is said that Lord Aucland will leave Simla immediately after the rains.

Capt. Nickholson has been robbed of property worth one thousand rupees.

EARTHQUAKE.—A smart shock of an earthquake was felt at Delhi, at before 5 P. M. on the 14th ultimo.

ROHTAK.—Cholera is reported to be very prevalent in this zillah, and its virulence increased by the obstinate refusal of the natives to take European medicine, tendered by the surgeon attached to the division.

CHOLERA.—Cholera is very prevalent in Meerut, and several European females and children have fallen victims to it.

AGRA.—Government have at length come to the determination of placing Shah Soojah on the throne of Caubool, and an army for this purpose is forthwith to assemble. The force will be considerable, with an unusually large proportion of European troops. The corps of which it is to be composed are to move the 1st of October on Loodeeanah, where they concentrate. Meerut and Kurnaul will supply the main strength of the force; but troops it is said are not to proceed from Agra, or other station to the eastward. No foot artillery will accompany the army, but all the available horse artillery at Meerut and Kurnaul join it. The command will be taken by his Excellency the Commander-in-Chief in person. Runjeet Singh has consented, at earnest persuasion, to allow us a passage to Caubool through the Punjab, and will himself accompany us with a body of his own troops. The price he demanded for this concession and assistance, was the possession of Simla, to be conferred on him by the British, after they had reinstated Shah Soojah. He was, however, refused.

AUGUST 2D.—A council assembled at Simla on the 20th ultimo. There was a stormy discussion. The Governor General proposed furnishing Shah Soojah with British officers and money. Sir Henry violently opposed the measure; declared it would compromise our dignity, and acted altogether like a fine old conservative as he is, declining to adopt the half measures of your unhappy friends the whigs. The council met for several days consecutively, and your belauded whigs at last proposed to raise 8,000 men and offer them from the Company's service. Sir Henry objected to this, saying, if the measure was determined on, on the functions of the civil authorities were at an end; and it was for him alone to determine the amount of force necessary to carry it into effect. That to send new troops for that purpose would be an act of folly, (he might have added *whig folly*) and involve the probable sacrifice of our fighting fame. The lord then proposed sending 3,000 regular. The old chief appeared to agree cordially, but took the Shabby-ites a-back by asking with great simplicity, after a pause of some minutes, "Well, my lord, and with what force do you propose following up this *advanced guard of 3,000 men*." The Governor General looked aghast, and said he thought 3,000 men would answer all purposes. Sir Henry tucked up his gouty leg and coolly remarked: "I shall have nothing to do with your proceedings in that case." The Shabby-ites at last yielded to the conservative, and a force of 25,000 men, headed by our gallant chief, is, they say, to march to Caubool, *slick as Jonathan* says.

We have already had more rain here than has fallen in any one season at Agra within the memory of the oldest inhabitant. The maidsun between Shahguda Mundee and the parades was under water, and two pleasure boats were sailing about for some days in the very heart of canionets. Price of grain still keeps up. Mansell, our collector, is one of your speculative benevolent men. The buncahs tell him the rains have fallen too late, and he, good, easy soul, swallows their creed. He is just now in rather bad odour, having, it is supposed, prevented the buncah assaulted by Captain Wilson, lately of the European regiment, from compromising the matter. He told a friend of Wilson's, that he thought beneath the dignity of a magistrate, to allow a compromise between the assaulter and assailed!

ALLAHABAD.—The rains have been so abundant at this station, that it is likely as much injury will be done by them to the crops, as the want of rain will cause in other districts. There has been abundant falls every day for about three weeks, and there is yet no prospect of dry weather.

MUSSOORIE.—The cholera has appeared here. It committed great ravages at Deyrah, Sabarunpore, and Kurnaul.

The report of Mr. Macnaghten being made Lieutenant Governor of Agra, in reward as well of his general services, as especially for his conduct in the late embassy to Lahore, is revived.

SIMLA.—The following *on dits* are mentioned in a letter from Simla, dated 30th July 1838.—"The Caubool and Lahore missions, with Captains Wade and Mackeson, arrived here between the 18th and 22d instant. Mr. Macnaghten has, it is believed, effected every thing that was required of Runjeet, and the only subject which the hon of the Punjab would appear to be tender on and hostile to, is the permitting British troops to pass through his territory. Be this as it may, however, it is decided, that an army of reserve will hang in his rear on his entry into Caubool, either to divide the laurels of its conquest or to make sure work of thrashing the Affghans. Mr. Mackeson is off to pave the way on the Indus for the Bombay troops, which will be coming up to Shikorpore, which it is understood will be their place of rendezvous. Mr. Macnaghten, with Shah Soojah and twenty British officers, to discipline troops, will proceed with Runjeet's army, and, if unsuccessful, in placing the deposed king on the throne, will immediately have the aid of the *British auxiliaries*. Sir Henry, it is understood, desired to recall his resignation and march at the head of 15,000 men to the relief of Herat; but our policy is not to act as principals in the war but as auxiliaries, the plea of the British cabinet will be that the dominions of our *ancient and steady ally*, Runjeet, was threatened with an invasion by the Persians and Affghans, and that we had no other course open to us than the rendering him every assistance in our power to repel aggression!!

The Governor General, it is confidently asserted, has been authorized to act as he thinks fit by the court. Herat has not fallen, and the 20,000 half starved and despicably equipped Persians who surrounded it, have neither powder nor shot wherewith to make any impression. Lieutenant Todd, an officer in the Persian service, has brought this intelligence, and he imagines that if they do not raise the siege that Herat can still stand for six months. General Duncan, will, I believe command the British troops from our side. Four European regiments are talked of, a dozen native and a suitable number of guns, &c. Sir P. Maitland, it is supposed, will succeed Sir Henry in the event of his departure before the new chief's arrival, in that case his presence in these parts will be essential at the present crisis, although under ordinary circumstances, he would remain where he is. The weather has cleared up a little after 18 days' incessant rain. Councils of war, being daily held, Captain Burnes and Lieutenant Todd remain here for some time. It is thought, that both camps will be up here next year."

NATIVE STATES.

SOUDPORE.—Maharaja Mhan Singh sent for Dhau Singh, of Runtum Ghore, and informed him that his son

should be appointed killedar of the fort. At this moment a hurkaru presented a khureeta from Colonel Alves. The Maharaja ordered that it should not be opened until the Durbar had assembled. About evening all the thakoors being in attendance, the khureet was read. It was to the following effect: that twenty-three lacs of tribute was then due, and of which the payment of thirteen lacs had been promised on the 23d June. "The Maharaja must now furnish the amount forthwith; otherwise the British Government would take possession of Malwa, Kurwa, Deedwana, and purgunnah Buddera, belonging to the Joudpore state."

The Maharaja asked what should be done, to raise thirteen lacs of rupees: he knew not how that sum could be procured. The thakoors recommended that the amount should be levied from the *Jogeers* and paid to the British authority at *Ajnere*, after which, should any attempt be made to deprive their sovereign of his possessions, they would, one and all, fight for his rights; but until the tribute should be paid they would not interfere.

The principal *Jogeers* were then summoned, and after a long altercation, they consented to advance the amount, as also a sum for the payment of the sepoys' wages, who had lately mutinied for their arrears. *Jogee Ram Nauth* promised to deliver in the cash forthwith.

ULWAR.—The mookhtar or dewan, lately appointed by the Rajah of this district, has withdrawn himself to Delhi, from whence he has forwarded his resignation to his royal master. This step was taken in consequence of his not executing a simple order of the Rajah, to pay the army of Ulwar, out of an empty treasury.

YAREUND.—Forty-thousand victims are reported to have lately carried off in this province by cholera in its worst form. This mortality is the more extraordinary, as there are neither doctors nor medicines to be found, the vis medicatrix of nature being the only cure.

CAUBOOL.—Since the visit of Captain Burnes to this country, a rigid embargo on all news, correspondence, cattle, &c. has been established by Dost Muhamud. Two scribes disobeyed the order, and were appropriately punished by the loss of that member, without which, in these mountains at least, it is believed letters cannot be written,—to wit, the head.

LAULPORE.—Intelligence has been received that Mahomed Khan, the younger brother of Shaudut Khan, the ruler of Laulpore Dahka, was dissatisfied with him, and proceeded to a place called Mocheeny, situated on the banks of the river Gunda, about fifteen koss distant from Peshawur, and forwarded a message to Mr. Vintaila, the nazem of Peshawur, stating, that if a lac of rupees, cash, would be transmitted to him, he would procure the possession of Caubool to the arms of the ruler of Lahore, without the trouble of fighting for it. The nazem well acquainted with the character of the Afghans of Khybur, paid little or no attention to the promise thus held out.

HERAT.—Letters from Loodhiata give the following account of a sortie recently made by a party of the garrison on the besieging troops, which is perfectly well authenticated, and which, consequently, leads to the inference that so long as Prince Kamran has provisions, for so long the Persians may besiege Herat, with about as much chance of success as if they sat themselves down before the rock of Gibraltar.

Five hundred Afghans made a sortie from Herat, attacked a corps of 2,500 Persians, put them to flight and made good their retreat into the city, almost without loss, leaving 300 of the Persians dead in the trenches. By the same letters we learn, that the force in Herat is estimated at about 8,000 men, and that of the besieging army at something under 25,000, but in wretched condition, and with a park of artillery, which is in every way contemptible.

KANDHAR.—The chieftains of Kandhar lately sent a person named Poordel Khan with some valuable presents to the King of Iran, in consequence of the ruler of Caubool having broken through the treaty they had entered into, and offered to assist him, adding that they were making preparations for that purpose.

RUNJEET SING'S PRESENTS.—A great variety of articles, consisting of jewels, hoises, honorary dresses, inkstands, &c. were presented by the lion of the Punjab to the gentlemen composing the mission to that court, from Lord Auckland.

SHAH KUMRAN HUMBUGGED.—It appears that a native of Pushing, took a letter to Shah Kumran, purporting to have been written by the ruler of Caubool, in which the bearer was described to be a great man and the consequence was that the Shah gave him a very respectful reception, and made him a present of about Rs. 4,000 in money and goods. After the man took his leave, the letter was discovered to be a forgery. The fellow subsequently attempted to play a trick of the description with the ruler of Caubool; but he proved too knowing for the cheat.

ENGAGEMENT BETWEEN THE SIKHS AND IRANIES.—*On dit*, that a letter has been received at Calcutta from Iran, stating that an engagement was lately fought between the troops of the king of Persia and those of the lion of the Punjab, at a place called Oozeerabad, at which a great number of the latter fell, some were taken prisoners by the Persians, and the rest took to flight.

MADRAS.

CHANGE OF EDITOR.—The *Madras Herald* has undergone a change in its editorial department.

THE WHITE ELEPHANT.—The white elephant was nearly lost in the surf, on an attempt being made to ship it on board the *Tenueserin*.

CAVALRY REMOVAL.—Four regiments of Madras cavalry are to be sent to Bengal, and it is said that the Court of Directors have fixed upon their numbers, the 1st, 2d, 7th, and 8th.

SIR PEREGRINE MAITLAND.—Sir Peregrine Maitland awaits the next overland mail at Bangalore; and, should he receive advice that his successor will be sent out promptly, his Excellency will visit Madras by the end of this month. If delay, however, take place, then he will probably stay at Bangalore till the close of the year.

DEPUTY COLLECTOR OF CUSTOMS.—The deputy collector of customs has been appointed to the charge of the

marine police, during the absence of the master attendant.

CHARGES AGAINST G. GARROW, ESQ.—The committee appointed to investigate into the charges against G. Garrow, Esq., of the civil service, has decided against that gentleman.

REVENUE OF THE MADRAS PRESIDENCY.—The Court of Directors have ordered a commissioner to be appointed for the purpose of inquiring into the cause of the late decrease in the revenue of the Madras presidency, and Mr. Cotton, second member of the board of revenue, has been appointed to conduct the inquiry.

A GOOD SWIMMER.—One of the crew of the *Orrestes*, which vessel was lying at anchor about a mile and a half from the shore, jumped overboard, and despite sharks and the surf, landed in safety.

DESTRUCTIVE FIRE.—A fire took place near the Monegar Choultry, by which about two hundred and twenty houses were burnt to the ground. One of the huts, which was situated almost in the centre of the others, did not take fire, and two boys and a girl, who were in the hut, with some poultry, all escaped unharmed. No lives were lost, but the principal sufferers on this occasion are some of the rice merchants.

BOMBAY.

RUSTUMJEE COWASJEE'S LADY.—The lady of Rustumjee Cowasjee, Esquire, the distinguished and liberal-minded merchant in Calcutta, was about to sail from Bombay for Calcutta, in a few days, accompanied by the wife of her son, and a *cortège* of female attendants. To those who remember that but a few years ago no Parsee females of respectability would proceed even to the Deccan, the contemplated trip of these fair voyagers will afford much food for speculation upon the rapid change which the march of opinion has effected.

THE SEMIRAMIS.—The *Semiramis*, in consequence of not having a sufficient quantity of coal on board to enable her to steam to the Red Sea, returned to Bombay on the 26th of July. Her mails are to be despatched to the Red Sea, next September.

MR. DUNLOP.—On the 25th of July, Mr. Dunlop was sworn in a member of council.

APPOINTMENT OF A MINISTER TO THE COURT OF INDORE.—After so much confusion and mismanagement which have long since been prevailing at the court of Indore, through want of a good minister, the long contemplated arrangement for restoring peace and tranquility has been carried into effect by the appointment of Abba Saheb of Turana, a gentleman of a very respectable character, to the ministerial office of that court.

PERSIA.—The following interesting extract, is from a letter, dated Bushire 23d July. "No news have been received from Herat, but that the city still holds out, and is likely to do so. The besiegers are very much straitened both for money and provisions, six rupees being the sum total that each man has received since the troops sat down before the walls in November last. As to provisions, Providence is their only commissary; the King says, he will take the place or lay his bones before it. He had not then heard of our sending a force up to

Kurrack, which, no doubt, when reported of to him, will be greatly magnified. What will he say when he is informed of it, and the additional news that Timour Mirza had come from Bagdad to Bussorah in the little steamer? This latter, though an affair of pure accident, as the Persian princes had no intelligence of our arrival at the time Timour left the city of the Caliphs, will doubtless be magnified into an affair of wondrous importance, and nothing less will be conjured up than a coalition between the British Government and the unfortunate prince in question, who is known to be a very obstinate fellow, and not at all on an unlikely person to contend for a share of what he considers his patrimony. It is certain that with the aid of Timour and his brother backed by a few thousand sepoy, he would very soon deprive Mahomed Shah of all authority in the south of Persia. We learned the other day that the packet brought up by the *Semiramis* had been plundered between Bussorah and Bagdad, and very few of the letters reached the latter place. This it appears is owing to the Arabs, supposing the boxes to contain valuables. The bags they merely examined and returned them to the messengers. The people on Kurrack are very healthy. Captain Farly who came over this morning, says they have only six men sick out of 7,000. Provisions have risen in price but are not scarce. The people of the island complain of the economical habits of the present visitors, as compared with those of the days of other years.

Thus far we have had a very mild season, the thermometer rising seldom above 90 at Kurrack. In general it is even cooler. The *Chico* and *Tigris* are both, neither of which the resident is willing to spare. If things remain quiet, I am not certain, but as people say, the resident may visit the island after the *Hugh Lindsay* sails. The Governor of Bushire has issued a proclamation that none of the inhabitants are to write any news to Shiraz under penalty of 100 toumans.

WARLIKE PREPARATIONS.—Warlike preparations appear to be the order of the day. It is said that an order has been for some days in Bombay, to have all the steamers held in readiness at an hour's notice to start for Rangoon, to proceed thereafter up the river and blow Phraawaddy to the devil.

BURMAH.

DESERTION.—Three soldiers of H. M. 62d regt. have deserted from their colours and crossed over to Martaban.

COL. BENSON.—M. S. *Rattlesnake*, with Colonel Benson the British resident to the Burmese court, arrived off Rangoon on the forenoon of the 16th of July. Long before she anchored, the wharf was crowded with spectators, many of them, no doubt, feeling somewhat uncomfortable at the sight of a man-of-war sailing proudly up in the wake of the H. C. S. *George Swinton*, without the assistance of a pilot. After a short delay to allow some of the resident's suite to communicate with the authorities, and settle certain points of etiquette, &c. H. M. S. *Rattlesnake* saluted the Burmese flag with thirteen guns, which were returned by an equal number.

THE WHITE ELEPHANT.—The barque *Tenasserim* from Madras, has brought over the white elephant, which about two years ago was destined as a present from the British Government to the late King of Ava.

THE
CALCUTTA MONTHLY JOURNAL.

1838.

ICE.

Boston, April 12, 1838.

DEAR SIR,—I have dates from Calcutta unto December last, from Dr. Huffnagle and Mr. Ladd. I am advised by the latter, that nothing is done towards the enlargement of the ice house; although there were arrangements making for that purpose.

I am also without any letters from you as Chairman of the Ice Committee, relative to any proposition to them under date in February of last year.

The news which I get of the successive happy arrival and good delivery of several of the latter of the "ten experimental cargoes," renders it expedient and at once *needful*, I should take measures for the establishment of this undertaking on a permanent foundation. My success is incomplete, as I have often said, that there shall be no interruption whatever to the supplies, unless the commercial intercourse between this country, and India shall be interrupted.

I must bring to the recollection of the gentlemen of Calcutta, that before they can receive this letter, the thirty-third year, since I commenced this ice enterprise, will have expired; and taking human life as it is, but little time is left me if I would bring the undertaking to the desired perfection; I must now, therefore, hasten to the accomplishment, and should wish to carry with me the good will and the good wishes of all my most excellent friends in Calcutta. They must not, however, seek to place any, however slight, impediment in the way, which may impede the most free, vigorous and independent action. It is by this alone their wishes and mine can be accomplished.

Of the ten experimental shipments, the plans of the fitting of the first five ships, was not sufficiently good to admit of the ice being sold at the desirable rate of three annas the seer. The losses up to that time were quiet heavy. The four following ones began to sustain the undertaking, by the increased quantity which was delivered, and in part to pay up losses. The first Calcutta shipment was made in May 1833, and distinct success, may be said to have come, at the termination of the sale of the cargo by the ship *Republic* in January 1838.

The great difficulty has been in discovering a means of averting the altitudinal pressure of the heavy mass of vapours in a body of ice, on board ship and on shore. A course of experiments have been instituted, with a result highly satisfactory, and for which I have thought it advisable to secure the protection of the Government at Washington. This, on account of the remarkable disposition of my countrymen for going into every and all enterprizes which promise a profitable return. In this there have already been five ships dispatched to India in which I had no interest—three to Bombay and two to

Calcutta. They resulted in five failures; but these very failures have operated against the successful progress of the undertaking, by increasing the doubts of ship-owners as to the safety of their ships. I have endeavoured, therefore, to place some check upon such idle undertakings as would be injurious to the enterprise itself. It seems a pity doubts should still exist to prevent ship owners from taking ice on freight to your distant country; but such is still the case.

Considering it, however, now as a matter of certainty, that ice can be transported to the East Indies, can there be preserved a sufficient time, to admit it to be sold at a low price, so as to yield a profit on the cost and expenses of the business, I have now to go on to do what is needful to a continued supply.

As there is every reason to suppose the result of nearly five years' operations, and the shipment of ten cargoes, will have brought up all losses and lead with the following cargo to a decided commencement of a moderate and reasonable profit, I now wish to make return to the subscribers to the ice-house and replace in their hands the money which they have expended and risked in the foundation of this enterprise.

With the permission, therefore, of the committee, I propose to ask to know the sum which has been expended on the buildings, over and above what I have myself expended. I shall then instruct my agent to commence making deposit gradually in a safe place, of such monies as can be spared to form a sinking fund for the repayment of the cost of the building, which monies I shall more rapidly increase from my own funds here; when it is more distinctly apparent, they will not be lost by a future failure, either by the inhabitants neglecting to sustain the undertaking, or any new difficulty occurring to interrupt the regular pursuit of the enterprise. This risk I still wish the gentlemen of Calcutta to bear; at the same time that it is wholly repugnant to my feelings and wishes that I should be realizing a profit, while they remain with no remuneration, or any return whatever, for the important aid which they have rendered in the days of doubt and uncertainty, when all the world claimed for this undertaking a total failure, they will allow me to remind them they consented at my request to forgo any advantage in price or preference to themselves. This at the moment was a point of great value; had it not been accorded, the undertaking would have failed.

There now comes new questions, to insure continued success. They resolve themselves mainly into this. That the subscribers to the house must receive back the money which they have adventured and leave the further progress of the enterprise to the unaided efforts of a white-headed man, who intends always to bear in mind

the open-handed liberality with which they have sustained his enterprise in the hour of peril and the long days of disaster.

The proposition which I have to make I shall place with greater distinctness than was done in my letter, which I had the honour to write on the 24th Feb. 1837, but to which, I regret to say, no answer has yet reached me.

There seems to have been some misapprehension as to the aid which has been rendered to this undertaking, which it is proper I should place right. Aid was asked, tendered and accepted; not because my own means were insufficient to carry through this enterprise, but that I wished to ascertain the disposition of the gentlemen of Calcutta to have the undertaking succeed and to secure their active good will, by asking them to open their purses, as well as to give me their hearts and their voices in aid, while I contemplated and encountered the great dangers which I was in every direction to meet. This they did, and I accord them my most entire thanks. I now intend to make return to them of the monies which they have adventured. I further intend their object and mine shall be carried into effect, by the establishment of a perpetual supply, if possible, but if not possible, a perpetual low price when there are supplies.

I earnestly invite the subscribers to the ice house to review the advantages which have resulted to the enterprise, by their giving up all individual advantages, at my request, in the question of the equal price. I look upon it, as to that is mainly to be placed the spread of the demand. Had the invidious distinction of price been continued, I have no question the enterprise would have been a failure, for want of the wholesome and sustaining support of the community at large.

I have now to ask the subscribers to make another personal and individual sacrifice; that of being any longer patrons of the enterprise. To resolve themselves into friends merely, receive back the money they have paid for the ice house, and leave me free and independent of all control to manage this business as long familiarly with the subject shall dictate. I shall give a pledge by bond or any other way, in accordance with the letter and spirit which my intercourse with the Committee shall make apparent respecting price and supply. I will carry into effect to the utmost of my ability, all these engagements, in which I have always seen my own interest and their comfort essentially to rest.

I now distinctly propose, that the subscribers shall convey to me their rights in buildings used as an ice house in Calcutta; at the same time that they inform me what

has been the amount of the expenditures, beyond what I have myself contributed in the erection of them.

I shall send out by the opportunity which conveys this, a power of attorney to Mr. Ladd, to execute the necessary papers, which may be required in furtherance of these instructions also to admit and acknowledge me as indebted for the full amount of the costs of which I speak. His directions will be to commence depositing money from the sinking fund. An obligation respecting the price of the ice will also be given. Should it unfortunately happen, that any of the subscribers should feel or express an unwillingness to come into this arrangement and to give me this further proof of their confidence in the integrity of my intention, I must then make my own arrangements, send out materials such as the country does not afford, correct the errors in the construction of the present house, and build one for myself. I have one in Havannah built on Government land, but with my own means, capable of containing four to five cargoes, and in N. Orleans, the largest of the five permanent buildings I have there, cost me forty-three thousand dollars, and will contain twelve cargoes of ice.

The buildings are necessarily a subject of great cost; but I suppose by remitting to Calcutta fifty or sixty thousand rupees, I should be able to erect one of sufficient capacity to cover four or five ordinary sized cargoes.

To all of which I have now to request very respectfully the attention of the Committee, my fellow-labourers and powerful aiders in founding this enterprise. I trust them as too high minded men, to feel any offence, or misconstrue the position I now take. I shall most sincerely regret it, if they do so; but conceiving, as I do, that the most free and unconstrained action is necessary to me, to reach the last and highest point of success in this undertaking, I must proceed in carrying out my views and plans, leaving the future to determine the correctness of my cause in seeking freedom from control and offering to pay back, whether I do that which is just to the original patrons of the enterprise. I think such a course needful to secure a low price to the community of Calcutta and the use of ice from this continent for the present generation and for the generations of a long time to come, without regard to the founder of the undertaking, whether he shall long survive to see and feel its success, or at an early day go hence to be no more seen.

Being very respectfully and sincerely your servant,
and that of the patrons of the enterprise,

FREDERICK TUDOR.

Hurkuru, September 7.]

UNCOVENANTED SERVICE FUND.

Proceedings of a general meeting of subscribers of the Uncovenanted Service Family Pension Fund, held at the Town-hall, on Tuesday, the 28th August, 1838.

Mr. N. Campbell having been called to the chair, requested the secretary to read the report of the directors, upon which it was

Moved by Mr. C. Byrn, and seconded by Mr. R. J. Rose, and resolved unanimously.

I. That the report just read be adopted and printed for the information of subscribers.

Moved by Mr. Cockburn, and seconded by Mr. James Madge, and resolved unanimously.

II. That a copy of the report be forwarded to the right honourable the Governor-General of India, as patron of the fund.

This meeting being made special for the consideration of the new code of rules and regulations of the fund, the chairman proceeded to read the new rules as altered at the suggestions of a number of the subscribers, and each rule having been separately discussed, it was moved by Mr. H. Andrews, and seconded by Mr. James Madge, and resolved unanimously.

III. That the amended code of rules now read be adopted and published with the report.

The chairman then read a series of bye-laws enacted by the directors, and it was moved by Mr. Ryland, and seconded by Mr. B. J. Lee, and resolved.

IV. That the bye-laws passed by the directors just read, be approved of and published for the use of subscribers, and that the directors be at all times authorized to enact bye-laws for the settlement of cases arising out of the workings of the fund, not especially provided for by its fixed rules and regulations. Such bye-laws to be duly recorded and submitted at the annual general meetings for the information of subscribers.

Moved by Mr. Wale Byrn, and seconded by Mr. Aviet, and resolved.

V. That this meeting earnestly calls upon the unconvenanted servants at large to afford their aid to a fund which, from its present state, may reasonably be expected to realize every hope of success.

Moved by Mr. R. J. Rose, and seconded by Mr. H. Andrews, and resolved.

VI. That the following gentlemen be appointed directors for the ensuing year with power to fill up vacancies :

Messrs. N. Campbell, E. Wilkinson, R. Keer, James Madge, H. J. Lee, C. Kerr, W. Ryland ; Carr Smith, W. Byrn, C. Byrn,—Johnston, T. P. Oxborough, and H. Matindell.

Moved by Mr. H. Andrews, and seconded by Mr. Ryland, and resolved :

VII. That a copy of the report be forwarded to the President of the Council of India in Council for information, and that his Honour in Council be requested to forward a copy to the honourable Court of Directors, if deemed unobjectionable.

Moved by Mr. Wale Byrn, and seconded by Mr. R. J. Rose, and resolved :

VIII. That the thanks of this meeting be given to the chairman, for his kindness in presiding on this occasion, and his able conduct in the chair. Carried *unanimously*.

Hurkaru, Sept. 12.]

N. CAMPBELL, chairman.

LANDHOLDERS' SOCIETY:

Proceedings of a special meeting of the committee held at the Society's office, on Friday, the 7th instant.

PRESIDENT.

Committee.—Rajah Radacant Bahadour, Rajah Kallykissen Bahadour, Baboo Dwarkanauth Tagore, Baboo Prosonocoomar Tagore, Cowar Suttochurn Ghosaul, Baboo Raucomul Sen, Baboo Sumbhoohunder Mitter, Moonshoo Mahomed Aumeer, T. Dickens Esq., W. C. Hurry, Esq., W. Storm, Esq., G. A. Prinsep, Esq., and G. Vint, Esq.

Member.—Baboo Rammanauth Tagore.

Visitor.—Baboo Doorgaprosaud Roy.

The members proposed at the last meeting were unanimously elected.

Proposed by W. C. Hurry, Esq., and seconded by Baboo Prosonocoomar Tagore, and J. W. Cragg, Esq.

Proposed by Baboo Dwarkanauth Tagore, and seconded by Rajah Kallykissen Bahadour, and J. Freeman, Esq. of Boglepore.

Read the draft of an act forwarded by D. McFarlan, Esq., chief magistrate. Resolved that the opinion of the Society thereon be communicated to Mr. McFarlan.

The letter to accompany the resumption petition proposed by the sub-committee was read, and some alterations and additions, on various points of importance, were recommended to be made.

W. C. HURRY

P. TAGORE

Hurkaru Sept. 12.]

Hony. Secs.

THE COOLIES.

On Wednesday, Mr. David Hare and Mr. Longueville Clarke, waited on Mr. C. K. Robison at the police, and stated that a circumstance had come to the knowledge of Mr. Hare, yesterday evening, which, on consulting with Mr. Clarke, they both agreed ought to be immediately brought to the notice of the magistrate in whose district it had occurred. The following affidavit was then sworn to by Mr. Hare :

David Hare, of Hare-street, in the city of Calcutta, Esquire, maketh oath and saith, that he, this deponent, was passing through Tauntaunia-street, at about the hour of four o'clock yesterday afternoon, when he, this deponent, saw a large crowd assembled round a house, which was late in the occupation of one Prawnkissen Holdar, and on the top and inside of which, were a number of persons having the appearance of coolies. And this deponent further saith, that the said house was guarded by several chowkeedars attached to the Calcutta police ;

and that this deponent went into the house when he was immediately surrounded by great numbers of the said coolies, many of whom took hold of this deponent's feet, after the manner of natives when supplicating, and entreated this deponent to get them set at liberty. And this deponent further saith, that he, this deponent, was informed by several of the said coolies, that they had received an advance of eight rupees each, had been sent on board of a ship, without any knowledge that they were to proceed to the Mauritius, and that they had been beaten, and very much ill used on board the said ship, particularly by a person whom they called maullim saheb. And this deponent further saith, that the said coolies were unable to tell this deponent the name of the said ship, but stated that she had become leaky, and that they had been reloaded and ever since kept in confinement ; and that the said coolies further stated to this deponent, that they were unwilling to go to the Mauritius, not only because they never had intended to go

there, but also on account of the ill usage which they had received, and the manner in which they had been beaten. And this deponent lastly saith, that he, this deponent, verily believes, that the said coolies are confined against their will, and without any legal authority for their detention.

DAVID HARE.

Sworn, this 12th day of Sept. 1838. }
before me C. K. Robison. }

Mr. Robison, stated that the affidavit was very insufficient as it did not give the name of the street; for Tauntonia was a district containing many streets, nor did it mention the names of the parties detained, nor of the persons detaining them. Mr. Clarke urged that the affidavit was sufficiently full to authorize the magistrate to adopt some proceedings. There was a street of that name in the district, and it would be found in the map of Calcutta. The very house was particularly pointed out, as lately occupied by a well known character. The name of the parties could not be given as they had not then been discovered, but names had nothing to do with the offence; the commission of it was distinctly sworn to, and that was quite sufficient to enable the magistrate to act. Mr. Robison said that all he could do, was to send Mr. McCann to make inquiries and report to him. Had the names been sworn to, he would have issued summonses at once. Mr. Clarke stated, that if Mr. McCann was directed to set at liberty an persons whom he found confined against their will, or to bring them to the police to make their own complaints, it would be sufficient; but Mr. Robison declined, casting any responsibility on Mr. McCann. He could then make an order himself, on so defective an affidavit, but he would have it remedied by Mr. McCann's report, and then proceed in the case. Mr. Clarke and Mr. Hare expressed themselves perfectly satisfied, and on Mr. McCann appearing he stated, that he had been at the house yesterday, between three and four o'clock, and on the coolies telling him that they were unwilling to go to the Mauritius, he had ordered the chowkedars to withdraw. Mr. Hare said he had been told that Mr. McCann had been there and that he, Mr. Hare, had gone to the house some time after, and the chowkedars were still guarding the door. Mr. Robison asked who had sent the police there, and for what purpose? Mr. McCann replied that, he believed it was Capt. Birch's order. The coolies were to have embarked yesterday evening, and the chowkedars were sent to see them safe on board; but on finding that they would not go, Mr. McCann directed the chowkedars to leave. Mr. Robison said he believed, that there were a set of coolies belonging to Mr. Brown, and against some of whom a complaint had been made to him of violent conduct. Mr. Brown was before him on that occasion in support of the complaint, when he, Mr. Robison, had cautioned Mr. Brown against confining any person, and told him that if he did so, he would subject himself to punishment. Mr. McCann was then directed to call on Mr. Brown and likewise to go to the house and report the circumstances.

Mr. Clarke and Mr. Hare having waited some time to permit Mr. McCann to see Mr. Brown, proceeded to the house. On arriving there, they found the door

open and four powerful burkaundozes sitting at it, and several others in the street all armed with heavy lanties. They then called a chowkedar who was sitting on the opposite side of the road, and inquired for Mr. McCann, but found he had not arrived. They then determined to go into the house, and having asked for the coolies were told they were in the upper rooms. No objection was made and one of the burkendosses shewed them the way. The stairs were long and narrow and at the top there were two more burkendosses with lanties. This opened on a terrace, on which they no sooner appeared, then they were assailed with loud cries of dewai Company saheb, dewai, dewai. These cries proceeded from some rooms at the end of the terrace, the door of which was locked, and a burkaundoz sitting at it. On the gentlemen approaching, the burkaundoz opened the door, when a crowd of coolies and women rushed out, exclaiming for justice and protection, and declaring they would sooner have their throats cut than be sent on board of a ship again. After a little time silence was obtained, and Mr. Clarke wrote down the names of several coolies who asserted they were detained in the house against their will. He then bid them point out who detained them, and they fixed on two of the brejobausis, who they alleged had beaten them on their attempting to go down-stairs. Mr. Clarke then took the names of these men, but they denied that any of the coolies had been beaten, or prevented from leaving the house. Mr. Hare then explained to the coolies, that as the brejobausis denied that they detained them, those who liked to go away, might do so at once. This was received with a great shout, and in few minutes the whole of them, men and women, without one exception, gathered their bundles, and rushed down the stairs. Mr. Clarke and Mr. Hare followed, when they found the door from the street into the house locked outside, and four brejobassas guarding it. These men were ordered to open the door, but they would return no answer. The chowkedar was among the crowd and was spoken to, but the brejobausis threatened him on his approaching the door. He was then told if he did not do his duty his conduct would be reported, when, after some remonstrance, he succeeded in opening the door, when the brejobausis outside the house immediately ran off at full speed, but those in the house took no part whatever. Mr. Hare then explained to the coolies that if they wished to complain of their imprisonment, or of having been beaten, they ought to go to the police. Many declared that they were afraid to venture there, as they would be sent on board a ship; but others said they would go, and a number did attend and were seen getting petitions prepared in the compound. Mr. Clarke and Mr. Hare returned to Mr. Robison, and stated what had taken place. Mr. Robison said that at present he had nothing more to do, as the people were no longer in custody. He advised Mr. Clarke and Mr. Hare to take no further steps on behalf of the coolies, as he considered they were undeserving of any sympathy, as he believed they had broken the contracts which they had voluntarily made; this, however, did not justify any persons in depriving them of their liberty, much less in forcing them out of the country, and he was determined to punish to the utmost, any persons convicted before him of such conduct. Mr. McCann then returned and reported, that he had gone to the house with Mr. Brown and found it empty.—*Hurkur, September 15.*

BENGAL MILITARY FUND.

The directors beg to submit to the subscribers of the military fund, the case of Mrs. Mayer (late Mrs. Bagnold) claiming the pension she enjoyed from the fund, in right of her first husband the late Lieutenant T. N. Bagnold, 13th regiment native infantry.

This lady was a pensioner of the late Military Widows' Fund, the rules of which institution did not admit a widow on second widowhood, to the pension she might have enjoyed in right of her first husband, as already stated in the case of Mrs. Kelly

(late Mrs. Graham) which was circulated in February last.

Mrs. Mayer states in support of her claim, that in the year 1833, she became the wife of Mr. N. Mayer, of the medical profession, having previously heard from the brother of her second as well as from the brother of her first husband, that she was entitled to her pension from the fund, in case of her becoming a widow a second time each of the gentlemen above referred to having made inquiry at the office of the agents of the fund in London, and each having received the same reply, that but for this assurance she would not have married, Mr. Mayer, who died on the 3d November 1837, leaving her destitute. In consideration of these circumstances, which are more fully detailed in the annexed statement No. 1, she now solicits re-admission to the pension she enjoyed before her second marriage.

It will be seen by the solemn declaration made by Captain Thomas Maxwell Bagnold, of her Majesty's royal marines (vide No. 1), that he personally called at the office of the agents of the fund in London in 1832, and (without mentioning the name of Mrs. Bagnold in particular) asked whether a widow on the *Bengal Military Fund* remarrying would be restored to her pension in the event of a second widowhood, and received for answer, that a widow so circumstanced would be restored to her pension, and this was correct, as far as widows admitted since the establishment of the military fund (1st November 1824) are concerned. In the manner the question was put by Captain Bagnold to the agents, the reply was perfectly correct, but a majority of the directors are strongly of opinion, that it was the duty of the agents to have made Captain Bagnold acquainted with the rules of the *Military Widows' Fund* which apply to such circumstances, and therefore consider this a proper case for the decision of the subscribers.

TO THE COMMITTEE OF THE BENGAL MILITARY FUND.

GENTLEMEN,—Trusting in the kindness I ever experienced from Indian Society whilst I was a member of it, and finding myself reduced to poverty unless you take pity on my situation, I raise myself from the state of dejection into which recent affliction has thrown me, to beg your kind consideration to my case, and entreat you to grant my petition. I was formerly the wife of Lieutenant T. N. Bagnold, interpreter and quartermaster of the 13th Native Infantry, (most probably known to some of your committee) but from extreme exertion at Fort William, during an unusually hot-season, I was soon left a widow, and in addition to that misfortune, lost the property I had before I married, by the failure of Messrs. Palmer's house. In the year 1833, I became the wife of Mr. N. Mayer, of the medical profession, having previously heard from his brother Mr. T. E. Mayer, now surgeon on the *Madrâs* establishment, and from Captain Bagnold, brother to my former husband, whose statement accompanies this, that I was entitled to my pension again from your Fund, in case of my becoming a widow a second time, they each made the inquiry at Messrs. Cockerell and Trail's office, and each received the same reply. I could not doubt the truth of their report, as the remarks in the directory do not in any way refer to any distinction of widows who are or are not entitled to receive the pension again, and I most solemnly assure you, I should not have married Mr. Mayer but in the firm belief that what Messrs. Cockerell and Trail asserted must be correct. On the 3d of November last, my beloved husband had the misfortune to prick his hand whilst examining a body which died from poison at the Charing cross hospital, from the effects of which I lost him the following month, after much severe suffering respected and lamented by all who knew him. But merit does not procure wealth, and his medical

career being short, he left me dependant on your fund, with one child, the daughter of Lieutenant Bagnold, who has now just entered her 17th year, and will consequently soon be off the orphan fund, the donation from which, liberal as it is, has long been inadequate to procure her those accomplishments so necessary for her future welfare. When my friends applied to have my name placed on the list of widows again, they learnt, to my inexpressible grief, that your rules did not admit it, as Lieutenant Bagnold died before your present arrangements came into force. In pity then to my helpless situation, and in consideration of the *error* into which I have been led by those immediately employed by ourselves, gentlemen, I entreat you to make my case an exception and restore to me the pension. I humbly suggest, it could not injure others, as all widows under the former rule might be made acquainted with their position. Having intruded so long on your valuable time I will only detain you to say, if you deny my petition you reduce to poverty the widow of one of your own community, a man who was ever respected among you, and who ever did his best to support your institution.

In the deepest anxiety for a favourable reply, and in the firmest dependence on your liberality and kindness,

I remain, &c.

(Signed) MARY ANNE MAYER.

Putney Surry, 20th February, 1838.

Middlesex to Wit. I, Thomas Maxwell Bagnold, a Captain in her Majesty's Royal Marines, formerly of Knightsbridge, in the county of Middlesex, but now of Blackheath villa, near Saxmundham, in the county of Suffolk; - do hereby solemnly and sincerely declare, that I am the brother of John Henry Bagnold, who was Lieut. in the Bengal army, and died there in the month of June 1821, leaving a widow, who afterwards became the mother of a female infant now in her seventeen year. That in the year 1832, I did personally inquire at the office of Messrs. Cockerell and Trail, in London, whether a widow on the Bengal Military Fund, remarrying, would be restored to her pension in the event of a second widowhood; and that I then received for answer that a widow so circumstanced would be restored to her Military Fund pension but not to Lord Clive's annuity.

And I do further declare, that my informant at the said office, did not point out to me that there was any difference or classification of widows; that I was not then aware nor have I ever known since that time (until within this present month) that any such difference existed, but on the contrary fully believed, both from the verbal information I received at the office of Messrs. Cockerell and Trail, the agents of the Bengal Military Fund, and from the regulations published in the East India Directory, that the said regulation was general and without reservation or distinction.

And I furthermore declare it to be my firm and conscientious belief, from conversations I held with the parties, that the said widow of my late brother and her then intended husband, the late Henry Mayer, would have refrained from intermarrying if they had not been thus assured from a source of information they considered official, that the said widow in the event of his death would certainly return to her pension.

And I further declare it was to satisfy my family and the parties concerned that I made the inquiries, and that I fully know and believe the answer given influenced the determination of the said widow and said Henry Mayer to intermarry.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an act made and passed in the sixth year of his

late Majesty, King William the Fourth, entitled " an act to repeal an act of the present session of Parliament, entitled an act for the more effectual abolition of oaths and affirmations taken and made in various departments of the state and to substitute declarations in lieu thereof, and for the more entire suppression of voluntary and extrajudicial oaths and affidavits, and to make other provisions for the abolition of unnecessary oaths.

(Signed) T. M. BAGNOLD.

This declaration was made before me by the above named Thos. Maxwell Bagnold, this fiftenth day of February 1833.

(Signed) G. R. MARSHALL,

Magistrate to Bow-street, London.

(True Copies.)

(Signed) J. STUART, Lieut. Col.

Offg. Sec. to the Govt. of India Mil. Dep.

(No. 2.)

London, 20th Feb. 1838.

H. MARTINDELL, Esq.

Sec. to the Bengal Military Fund,

Calcutta.

SIR,—Annexed we beg to send copy of a declaration made by Captain T. M. Bagnold, relative to the re-admission of Mrs. M. Bagnold, formerly an incumbent upon the Fund, and to state that though we have no record or recollection of the circumstance, yet we have no doubt that, to an injury couched in such general terms as that of Captain Bagnold, viz. " whether a widow on the Bengal Military Fund re-marrying, would be restored to her pension in the event of a second widowhood," we should have given the answer set forth in the declaration.

We have &c.

(Signed) COCKERELL AND Co.

(True copies)

H. MARTINDELL, Sec. M. W. F.

[Huckn, Sept. 15.]

STEAM MEETING.

The Committee of the new Bengal steam fund, with reference to the 5th resolution of the half-yearly general meeting of subscribers to the fund and the petition, held on the 18th ultimo, have much pleasure in publishing for the information of the subscribers and the public, the following correspondence with the supreme Government:

TO THE HONOURABLE ALEXANDER ROSS, Esq.,
Vice President of the Council of India in Council

HONOURABLE SIR,—In accordance with the directions contained in the accompanying copy of a resolution, unanimously passed at a general meeting of the subscribers to the new Bengal steam fund, and to the petition to the House of Commons, we have the honour to submit the following statement.

2. In consequence of a notification from Bombay, that it was intended to despatch the honourable Company's steamer *Atalanta*, to the Persian Gulf, on the 30th July, the 15th of June was advertised by the post master general at Calcutta, as the latest safe date for the despatch of letters to be in time for the steamer, when 2,530 letters and newspapers from Calcutta and its neighbourhood, and 127 letters from the Mofussil, were forwarded to Bombay.

3. The *Semiramis*, however, arriving from the Persian Gulf on the day of the intended despatch of the *Atalanta* and the services of this latter vessel not appearing then to be required in the gulf, it was resolved to substitute the *Semiramis*, and to despatch her to Suez on the 12th of July; she did not, however, leave till the 15th of July, and being unable to proceed on her voyage, it is said from want of fuel, returned to Bombay on the 26th. It appears, however, that her mails have been considered too bulky to be forwarded on the *Atalanta*, which vessel left on the 1st instant for the gulf, and in consequence they have been detained at Bombay, and are to be sent on by a steamer via the Red Sea on the 8th proximo, or eighty-five days from the date of the Calcutta mail leaving this place.

4. We would respectfully submit to the consideration of your Honour in Council, the enormous inconvenience, disappointment, and useless expence occasioned by this occurrence—an occurrence the repetition of which cannot be effectually guarded against in similar future attempts to reach the Red Sea from Bombay in the S. W. monsoon, that is to say, for one third part of the year; while on the other hand it is, we believe now universally admitted, that no difficulty would occur in passing from Calcutta to Caps Guardafu, and Suez.

We need not occupy the time of your Honour in Council by entering into any detail of the course to be pursued from Calcutta in the S. W. monsoon; but we may say generally, that it would be such as to avoid entirely the strength of the monsoon in the Arabian Sea; and we are of opinion that either of the large steamers now at Bombay would not occupy in steaming from this port to Suez more than from 31 to 33 days, exclusive of the time it might be necessary to stop at Madras, Galle, and perhaps the Southern Maldives.

5. In conformity with the unanimous resolution of the general meeting of our constituents, we venture on their part, and on that of the public in general, respectfully to urge upon your Honour in Council the heavy disappointment both here and at home, the arraignment of commercial and individual plans, the discredit cast upon the scheme of Indian steam navigation, and the absolute loss incurred on this occasion, as strong additional reasons which press upon every class of the community, for urging on the home authorities the immediate establishment of an efficient steam communication with the principal ports of India, a communication the vast importance of which, in a political, commercial, and general point of view, was perhaps never more clearly demonstrated than at this period, when so signal a failure has attended its merely partial adoption. We are indeed unable to believe that, in the face of this failure, it can longer be overlooked, that a port, from which steaming direct to the Red Sea is for one-third of the year " impracticable," is not well adapted for a general starting point; or that it would not be incomparably more advantageous to extend to all the ports and presidencies of India, the incalculable benefit of steam communication.

We have, &c.

(Signed) J. H. JOHNSON, Actg. Chairman.

H. M. PARKER.

R. SCOTT THOMSON

ED. HARDING

J. ALLAN

J. PRINSEP

W. N. FORBES

DWARAKANATH TAGORE,

D. McFARLAN

R. J. H. BURCH

JAS. WILLIS

MOTHOORNAUTH MULLICK

C. B. GREENLAW.

W. H. MACNACHTEN }
Chairman. }

R. H. COCKERELL. * }

Calcutta, Town-hall, }
24th Aug. 1838 }

* Absent from Calcutta.

RESOLUTION.

of a public general meeting of the subscribers to the new Bengal Steam Fund, and to the petition to the House of Commons, held at the Town-hall on the 18th August 1838.

Resolved, that the Committee be instructed to address the supreme Government, urging the recent failure of the *Semiramis*, and the heavy disappointment and loss thereby inflicted upon the whole community as an additional strong reason for pressing earnestly upon the home authorities, the prompt and efficient establishment of the comprehensive plan.

(No. 68.)

TO THE COMMITTEE OF THE NEW BENGAL STEAM FUND.
Genl. Dept. Marine steam.

GENTLEMEN,—I am directed by the honourable the President in Council to acknowledge the receipt of your letter, dated the 24th ultimo, enclosing copy of a resolution

passed at a general meeting of the subscribers to the new Bengal steam fund and to the petition to the House of Commons on the recent failure of the *Semiramis*, to proceed on her voyage to Suez.

2. In reply, I am directed to state, that the inconvenience referred to, in this representation, was fully participated by the Government, and his Honour in Council will forward your representation on the subject with a strong expression of his own sentiments in support of the views and conclusions which this further disappointment is calculated to establish and confirm.

I have, &c.

(Signed) H. T. PRINSEP.

Sec. to the Govt. of India.

Council Chamber, Sept. 5, 1838.

(True copies.)

C. B. GRENLOW, Sec. C. N. B. S. F.

Calcutta, Town Hall, Sept. 13, 1838.

[Harkara, September 15, 1838.]

NEW CALCUTTA LAUDABLE SOCIETY. *

The following propositions are published, for general information,

By authority of the Directors, New Calcutta Laudable Society,

J. CULLEN, Secretary.

Proposition for the Application of the Surplus Fund of the New Calcutta Laudable Society at the end of the year 1839, and for other Modifications in its Constitution, with a view to render the Society Permanent; enhancing greatly Advantages of all concerned in it, combined with Unquestionable Security.

PROPOSITIONS.

First.—That, prior to any division of the surplus funds there be set apart one-third the amount of extraordinary risks arising from individuals holding more than ten shares on one life to meet such extraordinary risks.

Second.—That one per cent. on the outstanding risks to be denominated the 'premium fund,' be carried forward to the current premiums to meet unknown lapses.

Third.—That the remaining sum be held to be the individual property of the surviving policy holders at midnight of the 31st December 1839, in the ratio of the amount premium respectively paid, subject to retention to individual credit to the extent of ten per cent. on each individual's risk, for the purpose of forming a guarantee fund; any surplus which may remain to any individual's credit, after such ten per cent. has been thus set apart as his proportion of a guarantee fund, to be paid to him or applied in reduction of premium. Should the surplus of any individual at the close of the term not amount to ten per cent. on his individual risk, his future surplus to be added thereto until it does so amount to ten per cent. on his individual risk.

Fourth.—That a statement of the accounts be prepared on the 31st May and 30th November, in each year, for the purpose of ascertaining the then state of the funds; that in the event of there being a surplus over and above one per cent. on the amount of outstanding risks for the "premium fund," the excess, provided it amounts to five per cent., or more, on the amount premium received during the current half-year, be divided as above among the surviving policy holders at those dates respectively in the following manner, viz. that after ten per cent. on the premium paid during the half-year shall have been so divided, the remainder be carried to the premium fund, unless it shall amount to enough to allow of an additional one per cent. on the outstanding risks for the premium fund and five per cent. on the premium paid during the half-year, in which case the one per cent. shall be so carried to the premium fund and an additional five per cent. shall be divided as above! and in the event of there still being a further surplus admitting a third one per cent. being carried to the premium fund and an additional five per

REMARKS.

First.—These risks, when they fall, are very severely felt, and we must make some special provision for them. The way I have proposed appears to me to answer every purpose; each year as they lapse, or are withdrawn, the amount to be set apart will of course decrease, and eventually cease entirely.

Second.—This is not only necessary for the purpose indicated; but, carried on it is calculated to have a very beneficial effect by strengthening the current premium, and rendering any call on the guarantee fund even in extraordinary bad years less likely.

Third.—This seems to me the simplest course to obtain and maintain a security fund. Ten per cent. on individual risks would, at the commencement of the society under these rules, afford, I think, a guarantee fund of 9½ per cent. on the outstanding risks; but of course as the original policy holders, who, on establishing the Society on its new system thus make a direct subscription to the guarantee fund, fall off, this percentage on the outstanding risks will be reduced; but I do not think it will ever be below eight per cent. unless there should suddenly be a large accession of subscribers, which would of itself render the reduction harmless.

Fourth.—This half yearly adjustment of surplus is very important; it serves to keep down the premium as it is required to be paid to its lowest possible rate; it is necessary to ascertain the amount, if any, divisible prior to the date of payment of premium, in order that the amount of surplus due to each and deductible from his forthcoming premium, may be known.

I am induced to limit the return premium to twenty per cent. on the fixed rates, until a premium fund might be collected to the extent of five per cent. on the outstanding risks, in consequence of having, with a view to arrive at something like a practical result, applied my present propositions to the actuals of the past seven half-years of the present laudable Society, reducing, however, the premiums actually received by fifteen per cent., being about the difference between the present and the proposed rates; I then found that without taking into account interest on the funds, there would have been, after setting apart one per cent. on the outstanding risks, divisible surplus in each half year as follows:

cent. on the premium paid during the half-year, making in all twenty per cent. on the premium paid, a further division to that extent shall be made; but no division or return premium beyond twenty per cent. shall be made unless the premium fund shall amount to five per cent. on the outstanding risks; in which case the whole amount surplus shall be divided or returned as above; the amount belonging to each individual being either carried to his credit, or applied to the reduction of the premium, according as it may, or may not be required to maintain his portion of the guarantee fund at ten per cent. on his individual risk.

1st half year about 30 p. ct. on fixed rates of premium.		
2d do. 0	..... do. do.	
3d do. nearly 50	..... do. do.	
4th do. 25	..... do. do.	
5th do. 9	..... do. do.	
6th do. about 35	..... do. do.	
7th do. 39	..... do. do.	

7-188

Average 26 67

By dividing the surplus in the manner proposed, and restricting the return to 20 per cent. on the premium paid during the half-year, the result would have been as follows :

Half Year	Return on amount premium paid during half year.	Amount carried forward to premium fund.	Per centage of amount carried forward on outstanding risks.
1st.....	10 per cent.	Rs. 90,806	1 14
2d.....	5 "	76,060	1 2
3d.....	15 "	2,11,065	3 0
4th.....	20 "	1,24,257	1 9
5th.. ...	10 "	1,25,894	2 14
6th.....	13 "	1,50,128	2 65
7th.....	20 "	1,83,414	3 1

The effect of this arrangement would be to maintain the return premium at a more equitable rate, as well as to spread the good or ill success of one half year over several.

Fifth.—That in the event of the guarantee fund being at any time trencched upon, the amount withdrawn be made good at the commencement of the succeeding half-year out of the current subscriptions; so that every surviving subscriber at the time of the repayment to the guarantee fund shall have his full amount made up to him, as it stood at the time the fund was drawn upon; and in case of lapse, after the guarantee fund may have been so trencched upon, the full amount to the credit of the individual risk be paid as it stood at the commencement of the half-year, notwithstanding the temporary reduction in the total amount of the guarantee fund.

Fifth.—The object of taking the amount in the aggregate from the guarantee fund and replacing it also in the aggregate, out of the current premiums when collected, is to simplify the operation, by rendering it unnecessary to calculate the amount required from each individual; nor is there any actual difference in the effect on the security of the Society. It will, however, be necessary, if the Society adopt the present rules, that subsequently contingent rules be added, such as a provision that in the event of the sum required to make good the guarantee fund at any time exceeding a certain per centage on the current premium, the directors be required to demand increased premium, in a certain ratio. But this and other similar contingencies, had better be left for future consideration.

Sixth.—That the whole amount standing to individual credit be paid, in the event of lapse, at the same time as the amount assured; and that this payment be made immediately on due proof of lapse.

Sixth.—This also seems to me to be a very advisable course of proceeding. The length of time under the present system before which the amount assured is paid, is a great drawback on us.

Seventh.—That in the event of a party being desirous to cease to be a mutual assurer by withdrawing from the Society, the amount to his credit in the guarantee fund be paid to him, subject to a fine of twenty-five per cent. to be carried to the premium fund; and that a proportionate payment be made in the event of a party reducing the amount of his assurance, provided that in such case no payment shall be made unless the account at his credit shall equal ten per cent. on his reduced risk. Parties withdrawing at the close of the present term also to forego twenty-five per cent. of their surplus.

Seventh.—Objection may possibly be made to the latter part of this rule, but I think unfairly so. We united together as mutual assurers for mutual purposes of benefit. Those parties who withdraw could not have had assurance during the term, with power to continue without fresh certificate of health, and a right to this refund, without the joint operation of us all; and, therefore, if they elect to withdraw, for their own individual purposes, from such mutual assurance and reciprocation of benefit, and thereby prejudice those that remain, they ought to pay forfeit.

Eighth.—That instead of shares of 6,000 rupees assurance be taken on even hundreds, not under 500 Company's rupees, nor above 60,000 Co.'s rupees.

Eighth.—This will be more convenient on every account. There is nothing particularly desirable in having the shares.

Ninth.—That the accounts be converted from sicca into Company's rupees it being optional with existing insurers to have on value an equivalent in Company's rupees to the nearest hundred for his present insurance in siccas, or to hold the same number of Company's, as he now does siccas.

Ninth.—This of course is now quite necessary.

Tenth.—That the rates of premium be those of the oriental life insurance Company, as below; the existing military lives insured in the laudable paying only civil rates; but all military lives, insuring subsequent to the 31st December 1839, to pay the military rates.

Tenth.—The oriental rates have now stood the test of experience, short, indeed, but long enough to warrant our adoption of them. The returns which have been made by that Company, shew that we may fairly calculate on having at least annual surplus to refund, thereby in point of fact reducing the rates of premium to a minimum.

Table* of Rates of Yearly Premium of Insurance of 1,000 Rupees charged by the India and Mutual Assurance Society, payable Half Yearly.

ON CIVIL LIVES.						ON MILITARY AND NAVAL LIVES.									
Not exceeding at the time of Insurance.		Policy not renewable without fresh certificate of health.				Policy for life.	Not exceeding at the time of Insurance.		Policy not renewable without fresh certificate of health.				Policy for life.	Not exceeding at the time of Insurance.	
		Age.	For 1 year.	For 3 years.	For 5 years.				† For 7 years.	Age.	For 1 year.	For 3 years.				For 5 years.	† For 7 years.	Age.
18	27	27	28	29	37	18	30	30	31	34	44	18			
19	27	28	28	30	38	19	31	31	32	35	45	19			
20	28	28	29	30	38	20	31	32	33	35	45	20			
21	28	29	29	30	39	21	32	33	33	36	46	21			
22	29	29	30	30	39	22	33	33	34	36	46	22			
23	29	30	30	31	40	23	33	34	35	37	47	23			
24	30	30	30	31	40	24	34	34	35	37	48	24			
25	30	30	30	32	40	* 25	34	35	36	38	48	25			
26	30	30	31	33	41	26	35	36	37	39	49	26			
27	30	31	32	34	42	27	35	36	37	40	50	27			
28	31	32	33	35	43	28	36	37	38	41	51	28			
29	32	33	34	35	44	29	37	38	39	42	52	29			
30	33	34	35	36	45	30	38	38	40	43	53	30			
31	34	35	35	37	45	31	38	40	41	44	54	31			
32	35	36	36	38	46	32	39	41	42	45	55	32			
33	35	36	37	39	47	33	40	42	43	46	56	33			
34	36	37	38	40	48	34	41	43	44	47	57	34			
35	37	38	39	40	49	35	42	44	45	48	58	35			
36	38	39	40	41	50	36	43	44	45	49	59	36			
37	39	40	40	42	50	37	44	45	46	50	60	37			
38	40	40	41	43	51	38	45	46	47	51	61	38			
39	40	41	42	44	52	39	46	47	48	52	62	39			
40	41	42	43	45	53	40	47	48	49	53	63	40			
41	42	43	44	45	54	41	49	49	50	54	64	41			
42	43	44	45	46	55	42	50	50	52	55	65	42			
43	44	45	45	47	55	43	50	61	53	56	66	43			
44	45	45	46	48	56	44	51	53	54	57	67	44			
45	45	46	47	49	57	45	53	54	55	58	68	45			
46	46	47	48	50	58	46	54	55	56	60	69	46			
47	47	48	49	52	59	47	55	56	57	62	70	47			
48	48	49	50	54	60	48	56	57	58	64	72	48			
49	49	50	52	55	62	49	57	58	60	66	74	49			
50	50	52	54	57	64	50	58	60	62	68	76	50			
51	52	54	55	59	65	51	61	62	63	70	78	51			
52	54	55	57	60	67	52	62	64	66	72	80	52			
53	55	57	60	63	69	53	64	66	68	75	82	53			
54	57	59	60	65	71	54	66	68	70	78	84	54			
55	59	60	63	69	73	55	68	70	72	82	87	55			
56	60	63	65	72	75	56	70	72	75	86	90	56			
57	63	65	69	75	78	57	73	75	78	90	93	57			
58	65	69	72	79	80	58	76	78	82	94	96	58			
59	69	72	75	82	83	59	80	82	86	98	99	59			
60	72	75	79	85	86	60	84	86	90	102	103	60			
61	..	..	..	90	..	61	..	..	..	107	..	61
62	..	..	..	94	..	62	..	..	..	112	..	62
63	..	..	..	98	..	63	..	..	..	117	..	63
64	..	..	..	102	..	64	..	..	..	122	..	64
65	..	..	..	106	..	65	..	..	..	127	..	65
66	..	..	..	110	..	66	..	..	..	132	..	66
67	..	..	..	115	..	67	..	..	..	138	..	67
68	..	..	..	121	..	68	..	..	..	145	..	68
69	..	..	..	126	..	69	..	..	..	154	..	69
70	..	..	..	139	..	70	..	..	..	166	..	70

* Note—A Table of Rates for life increasing annually, to correspond with the fixed rates for life, is preparing by Mr. Curzon. It will, of course, be optional for parties to subscribe for life under either the one or the other.
 † Parties insured under Policies of seven years, may, by giving up their Policy at the expiration of six years, have a renewed Policy without fresh certificate of health, paying the rate of premium as nexted to their then age.

Eleventh.—That such other modifications be made in the existing rules as are necessary to bring them into correspondence with the above.

Twelfth.—That the Society be called the "India Laidable and Mutual Assurance Society."

Thirteenth.—That this paper be circulated by the secretary to every individual policy-holder with a request that he will either vote at a special general meeting to be called after six months' notice from the date of

120 circulation, or send proxy under the 32d rule in for or against these propositions, order that at least two-thirds of the Society may be represented.

Fourteenth.—That in the event of the propositions being carried, they, together with the existing rules, be placed in the hands of a professional gentleman for the purpose of a correct set of rules being prepared for general information.

Calcutta, July 26, 1838.—[Hurkaru, Sept. 25.]

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's apartment, 1st Sept. 1838.

A Morrison, Esq., Assistant-Surgeon, Bengal service, was proposed a member of the Society by Dr. O'Shaughnessy, seconded by Dr. Goodeve.

A letter was read from J. McCosh, Esq., requesting to withdraw from the list of members.

The report of the Committee of Enquiry into the present state of the Society read at the last meeting, was confirmed and the following resolutions, proposed in that report, were unanimously carried, viz.

1st.—That the subscription be reduced to one-half of for resident members 24 rs.; non-resident 12 rupees per annum.

2d.—That the establishment be reduced within 50 rupees per month.

3d.—That all members of the service be solicited by the President to join the Society in its remodelled form.

4th.—That all Assistant-Surgeons recently arrived from Europe, be invited to be present at the monthly meetings and subsequently to become members.

It was resolved also, that a monthly sheet of election from the European journals be circulated to the Member-at-Large members, in order that the latter might derive some benefit from the home periodicals received by the Society.

The Secretary stated, that three Union Bank shares had been purchased in the name of the Society at a very favourable rate of 1,094 per share. These shares will yield about 50 rupees per annum.

He also reported that the present establishment and monthly expenses had been reduced to 50 rupees per month (During Dr. Barlow's lifetime these charges averaged 120

rupees.) By the new arrangement for printing, it was believed that the Society, under the reduced rate of subscription, could well afford to publish annually from 200 to 300 pages of large type in the shape of the original matter contained in the transactions and journals, besides several pages of closely printed selections for the monthly meeting abovementioned.

Dr. O'Shaughnessy stated to the meeting, that Dr. Christison mentioned, in a late paper in the *Edinburgh Medical and Surgical Journal*, that scammony was generally found to be largely adulterated with chalk in England, but that he, upon examination of the scammony of the Indian bazaar, ascertained that the drug in question, is brought nearly pure to this country. The low price obtainable for the article in England, is the case of the adulteration. The scammony in the Company's dispensary, which was brought from Europe, contained the impurities mentioned by Dr. Christison.

The following communications were presented.

Cases with remarks to illustrate the similarity in the symptoms and morbid changes which occur in cholera, fever, coup de soleil, death from intemperance, and that these diseases chiefly present marks of congestion rather than of inflammation, by W. A. Green, Esq., Howrah.

This paper was subsequently read and discussed.

The following papers were similarly disposed of.

- 1 An account of an intestinal worm of rare of species—the distoma miltastense, by—Taylor, Esq., of Dacca.
2. Report of four successful cases of lithotomy, by the same gentleman.
3. Report on Cholera by Mr. Brown.

H. H. GOODEVE, M. D.

Hurkaru, September 11.

Sec. M. P. S.

AGRICULTURAL SOCIETY OF INDIA.

ON THE 12th SEPTEMBER, 1838.

Proceedings of a general meeting of this society was held at the town hall.

PRESENT.

The honorable SIR E. RYAN, President, in the chair.
Dr. Wallach, J. P. Yessie, C. K. Robinson, v. W. Cracroft, W. F. Fergusson, W. Storm, Colin Campbell, G. A. Prinsen, E. P. J. J. S. May, T. P. Morell, C. Trebeck, G. T. F. Speed; Dywan Ramchund Sen, Di. Strong, Capt. Spens, Messrs. W. Spier,

W. G. Roe, D. B. Syers, J. P. Marcus, Robert Waton, Robert Campbell, A. G. Harris, D. Hare, W. K. Ewart, and John Bell.

Visitors.—Dr. Helfer and Major Archer.

The proceeding of the last general meeting, and of the special meeting of the 29th August, were read and confirmed.

Members elected.—The following gentlemen, proposed at the August general meeting, were elected by ballot, as members of this Society:

E. MacIntosh, G. Gibbon, D. C. Low, G. H. Clarke, c. s., J. St. Pourcain, C. R. Richardson, Esquires,

Members proposed.—The following gentlemen were proposed as members, viz.

Baboo Sree Kissen Mullick, proposed by Capt. H. J. Wood, and seconded by the Secretary.

Edward Bathurst, Esq., of Mirzapore, proposed by the Secretary, and seconded by Mr. Storm.

James Mackenzie, Esq., of Howrah, proposed by the Secretary, and seconded by Mr. Storm.

James Stewart, of Furreedpore, proposed by W. Speir, Esq., and seconded by the Secretary.

W. Dunbar, M. D., proposed by the Secretary, and seconded by Dr. Wallich.

Henry Cope, Esq., of Meerut, proposed by W. F. Gibbon, and seconded by the Secretary.

G. Rogers, Esq., of Bowring, proposed by W. G. Rose, and seconded by W. Storm.

P. Rayson, Esq., of Cossipore Factory, proposed by W. G. Rose, and seconded by W. Storm.

W. Byrne, proposed by Mr. G. Rose, and seconded by Mr. Storm.

F. H. Souter, Esq., proposed by Mr. Storm, and seconded by E. Preston.

Baboo Koomar Lall Churn Ghosal, proposed by Ramcomul Sen, and seconded by the Secretary.

The President opened the business of the day, by reading the report of the last appointed Committee, on the subject of investigating the various documents laid before the Society, since the question was first agitated, with a view to determine the point in dispute between Mr. Prinsep and Mr. Bell.

The Committee, after a careful perusal of the papers submitted to them, state,

“ We have no reason to doubt that the insects in our possession, are derived from those imported from Cadiz to Bourbon, and are the *grana fina*.”

Proposed by Mr. C. A. Prinsep, seconded by Dr. Wallich, that this report be confirmed.

Mr. G. A. Prinsep, offered a few observations on the subject of the opinion formerly expressed by him, as to the insect brought from Bourbon, on the *Alceid*, not being the *grana fina*.

Mr. Prinsep adverted to certain papers, which he had made over to the Secretary within the last week, in which some points were noticed that had escaped his recollection, since he visited South America, and this circumstance, caused him to declare his alteration of opinion in favor of the insect being the true *grana fina* of *Onusca*. The points that had escaped Mr. Prinsep's recollection were the *chaux*, to which the insect was subject to, in one stage resembling in its downy coat, the *salvestre*, while in another it was covered with *white powder*; and the state in which the importation of the insects on which Mr. Prinsep's first opinion was based was affected, caused him to mistake them for and pronounced them to be the *silvestre*. He had since seen a more recent importation per *Therence*, at Mr. Bell's house, and was now prepared, as well from the evidence before the Society, as from his own personal inspection of the insects, to revoke his former opinion, and to concur with the Committee that the insect, now under Mr. Bell's care, is the true *grana fina*.

Mr. Prinsep, in conclusion, drew attention to a motion passed by the Society on the 13th September last, awarding the Society's gold medal to any captain or

other person who shall bring round a certain quantity of the living insect, male and female, in a healthy state &c. and proposed that the commander who brought round the last supply, which was in accordance with the condition of that resolution, should be entitled to the gold medal.

The President having stated to the meeting, that as the insect was now admitted to be the *grana fina*, as well by the concurrent reports of two Committees as by the important admission of Mr. Prinsep who now supported the report, it was for the Society to decide, whether the commander was entitled to the medal, and if so, whether the Secretary had any doubt as to the ship and commander. The latter doubt having been set at rest, by the Secretary, who stated that he had no doubt, and that he knew Captain Caillot, who had called beforehand and given an order for the delivery of the insect.

Proposed by Mr. G. A. Prinsep, seconded by Dr. Wallich, and resolved, that the gold medal be awarded to Captain Caillot, commanding the *Therence*.

The President proposed, and was seconded by Dr. Wallich, that the Society's special thanks be offered to Monsieur Bédier, for the great assistance he afforded in influencing the first supply of cochineal from Bourbon.

In connexion with this subject, the President submitted a memoir of a Monsieur Peiotet, translated by Mr. Bell, on the means of freeing the sylvester cochineal of its cottony envelope, in order to become a merchantable article.

Mr. Prinsep also submitted, a method of cultivating the cochineal in *Onusca*, in a letter from himself to Mr. H. F. Prinsep, dated London 1833.

No. 2.—Measures pursued by the Court of Directors, and the Governor of India, with a view to the introduction of the true cochineal insect.

No. 3.—A paper in Spanish, on the nature, habits, &c. of the cochineal, by Carasso.

No. 4.—Notes on No. 3, by ditto.

The President stated, that what had fallen from Mr. Prinsep was very satisfactory, and suggested that it would be more confirmatory of his views and present conclusions, if he would be so good as to favour the Society, with his sentiments in a written form, which Mr. Prinsep agreed to do.

NOTICE OF MOTIONS.

No. 1.—Proposed by Dr. Wallich, seconded by G. A. Prinsep, Esq., that a gold medal of the Society be presented to Monsieur Richard, of the Royal Botanic Garden, St. Denis, Bourbon, for the prompt and effectual manner in which he has met the wishes of the Society on the important occasion of introducing the true cochineal into this country, and for the success which has thus far attended the valuable exertions of that gentleman.”

No. 2.—“ Proposed by Mr. G. A. Prinsep, seconded by Dr. Wallich, that until the end of the year 1839, a silver medal of the Society be given to the commander of every ship in which a supply of the *grana fina* or fine cochineal shall be brought to Calcutta, in a healthy and fit state for propagating the insect, and that a silver medal of the Society be given to the commander of the vessel who brought the first supply of plants and insects in February last, though the insects perished soon after their arrival.

Read the Agricultural Committee's report of proceedings of 3d and 5th September 1838, in the last of which some extra expence is suggested with respect to the Nursery.

Resolved, that the expence being trivial and the occasion imminent, it is not necessary to give notice of motion, and that the expence be sanctioned.

MEDALS AND PREMIA FOR THE BEST SAMPLE OF STAPLE PRODUCTS.

The discussion in Mr. Balestier's letter having attracted particular attention to the existing condition under which premia are awardable,

Mr. D. Hare proposed, and was seconded by Mr. Storm, and it was resolved, that it be referred to the Committee of Medals and Premiums to revise the condition on which premia and medals shall be offered, in experiments in silk, cotton, sugar, and tobacco, during the year ending 30th April next, with liberty to suggest the addition of other articles, or the exclusion of any of those above named.

The original Committee, who framed the existing conditions, viz. Messrs Robinson, Prinsep, and Walters, being now reduced to two, by the absence of the latter, the President suggested that the old Committee be increased by the addition of three new members, viz. Messrs. W. F. Fergusson, W. Cracroft, and R. Watson, who agreed to act.

Cape Seeds.

With reference to a Resolution of last meeting, the time having expired which admitted of members claiming their quotas from all parts, it was resolved,

"That the details respecting the residue be left to the Secretary."

Flower seeds from Deyrah Dhoon. A very fine, though limited, collection has been received from Lieutenant Kirke, of Dayrah Dhoon, which will be ready for distribution agreeably to a public notification.

Communications.

Read the following communications.

From J. Thomason, Esq., officiating Secretary to the Governor-General, North West Provinces, dated 25th July, in reply to the Secretary's letter of the 4th July, respecting the permission of Government to indent on the Botanical garden at Saharanpore, for supplies of fruit-tree grafts, &c. Forwards copy of a letter addressed to Captain Cautley, requesting that gentleman to comply with the Society's requisition.

From Colonel Dunlop, dated Simla, 26th July, enclosing a note to his address from Colonel Tapp, respecting vine cuttings from Koonawur, who states that the small produce of the same description of vine at Simla, would scarcely warrant the despatch of a supply for the Society.

From Captain Cautley, Acting Superintendent of the Botanical Garden, Saharanpore, dated July 30th, intimating, with reference to Mr. Secretary Thomason's letter to his address of the 25th July, his readiness to transmit occasional supplies of trees and shrubs, when required by the Society.

From Captain J. Hullock, commanding the *Dona Pascal*, dated Port Louis, Mauritius, July 15th, advising despatch, to the care of Captain Richards, of the *Carnate*, of a bundle of Mauritius sugar-cane.

From J. Balestier, Esq., dated Singapore, July 11th, presenting two bundles of two varieties of sugar-cane, grown on his estate in the island, one called the "taboo-telôre" or "egg-cane," and No. 2, considered identical with the Otaheite cane.

Forwards, by the same opportunity, a small sample of Muscovado sugar made from the Otaheite cane; and enters into a detailed account of its manufacture.

Requesting to be informed, if he can enter the lists as a competitor for the premia offered by this Society to encourage the cultivation of Otaheite cane, and for the medals awardable to the producers of the best samples of

Muscovado sugar.

Resolved, that Mr. Balestier, is entitled to be a competitor for premia offered for the best samples of sugar, under existing conditions, but not for the cane cultivation, which is limited to Bengal.

From Major Sleeman, dated Jubbulpore, 18th August, giving cover to two papers, viz. one a letter addressed by him to the editor of the *Agri Ukhar*, in reply to observations lately made in that paper regarding the culture of the Otaheite cane, and the other containing translation of a report upon the number of persons living in the pergunnah of Dhanpore, in the sugar district, who lost the use of their limbs from eating the feora gram, when in a diseased state.

From Captain H. Kirke, to Dr. Wallich, dated Deyrah, 7th August, forwarding a small sample of Muscovado sugar, the produce of an acre of country cane grown in his garden. Promises to send next year for the use of the Society, a general assortment of seeds,

N. B. Two small boxes of flowers seeds have just been received and in excellent condition.

From N. Alexander, Esq., dated 24th August, presented in the name of Mr. William Bennett, (late of Demerara) a practical treatise on the management and drainage of lands, by which much soil may be successfully brought under sugar cultivation in Bengal, which is now unfit for such purpose, by means of the retentive nature of the soil, and the subsequent sudden evaporation, which causes the surface soil to cake and crack. Mr. Bennet's memoir is styled "*A practical treatise on the cultivation of the sugar-cane and manufacture of sugar, interspersed with remarks on the present system of the ryots in the lower districts of Bengal.*"

From Colonel Skinner, dated Hansi, 9th August, enclosing a statement showing the outlay and produce of American cotton (Upland Georgia) grown on his farm in 1836. Adds a small sample of the cotton to which his remarks refer.

From Major J. D. Syers, Secretary Agricultural Society of Cuttack, dated September 8th, forwarding another sample of cotton (Upland Georgia) for the Committee's opinion.

From A. Colvin, Esq., dated 8th September, enclosing copies of a letter and memorandum received from Claude Hamilton, Esq., respecting the introduction on a larger scale and by more direct efforts than heretofore pursued, of foreign cotton in the upper provinces and in central India,

From James Crooke, Esq., date September, in reply to the Secretary's letter, requesting his aid in influencing the despatch of a supply of Peruvian cotton seed, states that he has already written to a friend on the subject.

Mr. Crooke notices a circumstance worthy of record. The Secretary, advertising to the supply of Peruvian cotton seed, presented to the Society by that gentleman, stated, that with one or two exceptions, the seed had failed; but that the little which had vegetated, was highly thought of. To these observations Mr. Crooke remarks.

"When I sent the seed to you, I retained about two seers for my own purpose, intending to sow a beegah or two with it. I placed about 40 seeds in my compound in Clive-street, as soon as the seed was landed (June) and they all thrive wonderfully, some being fully 15 feet high in 12 months. The rest of my retained seed I delayed sowing till the rains were over, and then not one would vegetate. I have now about a beegah of plant at Ishera, raised from seeds from the trees grown in my compound, and about 30 or 40 very thriving plants from seed from the second descent."

From Dr. A. Campbell, of Nepal, dated 27th August, requesting that the amount (200 rupees) allotted to

him with reference to motion No. 1, of a general meeting of the Society on the 11th April, may be paid to Messrs. Presgrave and Co. on his account.

Presents a cannister of yellow turnip seed from Cape seed furnished by this Society.

Dr. Campbell writes: "the largest turnip measured 28 inches round. They are not good for the table but a prime article for cattle."

From J. B. Spencer, Esq., dated Blackheath, June, 5th, acknowledging receipt of Secretary's letter of the 12th January last, and in reply expresses his willingness to be of service to the Society, and to influence the speedy despatch of the trial consignment of seeds ordered from Messrs. Noble and Sons, of Fleet-street.

Dr. Huffnagle, informed the Secretary, that the seeds he had ordered from America through that gentleman's agency, were on board a vessel that had sailed from Boston, some time before the departure of the ship *United States*, and might be hourly expected.

From his highness Nawab Tuhower Jung, dated Benares, 29th August, presenting four pears grown there, and offering his services to procure for the Society, grafts of this pear-tree, and of other fruits, obtainable in that part of the country.

From Colonel Rehling, Governor of Tranquebar, dated 16th July, acknowledging receipt of the several varieties of seeds, forwarded to him by this Society, which have been distributed amongst Europeans and natives in the vicinity.

Gives a most favourable account of the Egyptian, Bourbon, and Seychelles cotton-seeds, particularly the former, which had vegetated freely.

From Lieutenant Munro, secretary to the Mysore Agricultural Society, dated Bangalore, 15th August. Promises, in reply to the Secretary's letter of the 2d April last, to give some information on the subject of cattle and on the improvement of wool, together with a report of proceedings up to this time. Asks for guinea-grass seed and roots of the Jamaica ginger.

From Captain W. McFarquhar, dated Tavoy, 23d June, advising despatch of four plants of a shrub common to the coast, which bears a very beautiful flower, also some seeds of the "theeste," the tree which produces a beautiful black varnish.

States that the specimen of cotton forwarded by him on a former occasion, was the "South Sea Island."

Memo.—The Secretary, in sending for the plants, was informed by Captain Ovenstone that they were all dead, and the seeds of varnish shrub on being opened, were found to be mere husks and mould.

From Dr. W. Dunbar, dated Porunda, 20th August, promising to give some information on the state of agriculture in Chota Nagpore. Alludes to a disease termed "mhata," which is even more fatal to horned cattle than the "Goorgoora," treated of in his previous communication.

From Dr. Wallich, dated 20th August, forwarding six nutmegs lately received from Mr. W. Huxham, and annexes extract of a letter to his address from that gentleman, dated Puttaraveram plantations, Quilon, giving some information regarding the culture, &c. of this production.

From Jeffrey Finch, dated Tirhoot, 11th August, promising to send a few grafts of apple-trees, for the Society's fruit tree nursery.

From W. G. Dowson, Esq., dated 7th September, requesting that his name may be registered as an applicant for sugar-cane, sufficient to plant 300 beegahs, intended for his plantation at Ceylon.

Resolved, that Mr. Dowson's application cannot be registered, the object of the Society being to encourage the growth of Oithete cane in Bengal.

From Dr. Helfer, dated 10th September, giving the Secretary the result of his examination of certain parasitical animals found on the fleshy lobes of the Cactus, on which the cochineal insect has perished; and referring to a paper which Dr. H. proposed to read to the meeting.

Dr. Helfer, who was present, addressed the meeting on the subject of his views in respect to the coasts of Tenasserim, which he described as endowed with the richest resources, which required only labour and capital to develop them. Dr. H. seemed to rest his hope of amelioration of these provinces, on the efforts and assistance of this Society, and expressed the anxiety of Mr. Blundell and other residents, to co-operate at any measures that might be adopted, in furtherance of his object.

The President was quite willing to admit that much good might be done hereafter by the Society, and as far as the supply of seeds and plants could assist, he thought the Society would do their utmost, and that with right good will; but people were required in the first place to cultivate those seeds, and in this the Society could be of service. If, as Dr. Helfer intimated, our experimental nursery should be organized with or without the aid of Government in any of the provinces, he might reckon upon the zealous co-operation of the Society, in promoting the object in view; but until these preliminaries were entered upon, nothing could be done.

Mr. Cracroft suggested, and it seemed to be the opinion of the meeting, that Mr. Blundell might get up a small branch Society, even though the members were scattered far apart, so as to be a medium of correspondence with this body, and lead to arrangements that might eventually prove useful to a country represented by Dr. Helfer as full of hope.

Mr. Cracroft presented 13th volumes of London's *Gardener's Magazine* from the year 1826, up to 1837, some of the Nos. wanting.

Proposed by Dr. Wallich, seconded by Mr. Storm, that the best thanks of the Society be offered to Mr. Cracroft, for this valuable addition to its library.

From W. R. Ewart, a parcel of standard mulberry-tree, seed.

From the Secretary, a further supply of guinea-grass seed.

From J. M. Mackie, a sample of very fine country wheat.

From W. Storm, dated 15th August, forwarding extracts from Hoare, on the culture of the vine, which Mr. Storm recommends to be transferred to the transactions now publishing.

Referred to the Committee of Papers.

The thanks of the meeting were ordered to be offered for all these communications and presentations.

JOHN BEIL, Secy.
Calcutta, Tawn-hall, Sept. 12, 1838.

CORONER'S INQUEST—ILLEGAL PROCEEDINGS.

To the Editor of the Bengal Hurkaru.

Sir, — Under the supposition that you will, according to your usual practice, furnish a report of the inquest he held last Thursday evening, and continued, by adjournment, to this-day, consequent to the death of a native named Mudodeen, and conceiving that a summary detail of circumstance which were brought to light in the course of the investigation, would not be unacceptable to your readers and the public, I trust you will allow me to occupy a small space in your columns for that purpose.

It appears, that in consequence of an affray which took place last Saturday, two men who were severely assaulted and maltreated on the occasion by a party of lallas or cloth merchants from the Chandoev-bazar, applied to Jaun-bazar thannah for protection, and subsequent apprehension of the assailants, which was afforded, and both complainants and defendants were taken to the police, from whence they were afterwards sent to Captain Birch, who directed that those parties who had been injured, or hurt, should be removed to the native hospital, and the others to be released on bail. On the following Monday morning, the entire party, consisting of seven persons, two complainants and five defendants, were ushered into the presence of the sitting magistrate, who, upon the oral and "ex parte" statement of the latter, without a single deposition, or one title of sworn evidence, forthwith committed the two former to comfortable lodging in the town-guard, where they continued for four successive days, when the demise of the wounded man in the hospital brought the matter to the cognizance of the coroner, and the subsequent investigation of a jury.

After the empannelment of the jury, and on opening the case, the coroner discovered, by a few preliminary inquires, that the two men, charged with the commission of a most serious crime, had been incarcerated for a succession of days, without a Magistrate's warrant, or any documentary testimony in the slightest degree to inculpate them.

The Coroner made some appropriate remarks on the character of the proceedings which took place at the police, and expressed some surprize at the undue exercise of magisterial authority discoverable on the occasion.

The jury, fully coinciding in the sentiments and opinion of the Coroner, conceived it a matter of paramount public duty, to address him officially on the subject, and an address was accordingly presented to him at the close of the proceedings.

I beg to hand you a copy of that letter for publicity, or otherwise, as you may think proper, and in doing so, I beg to assure you, that I am not influenced by any inducive motives or from any desire to cast a reproachful implication on the conduct of the magistracy.

The rights of the subjects, which had been unjustly invaded, and the proper ends of justice, imperatively demanded a public notice of the matter.

Your obedient servant,

Sept. 1, 1838.

ONE OF THE JURY.

To C. B. GREENLAW, Esq.

Coroner of Calcutta.

Sir, — In giving in our verdict on the investigation instituted, consequent to the death of Mudodeen, we cannot refrain from expressing our extreme surprize and regret, that in a matter of such importance, as involving

the death of a subject, that two men should have been imprisoned for a succession of days, upon the *ex parte* statement and unsworn testimony of parties, who have been discovered to have been principally instrumental in causing the affray, and who, under circumstances which were developed, appeared to have made themselves obnoxious to some severe punishment. We lament to observe the extraordinary laxity which characterizes the proceedings which took place at the police on the occasion, and feeling that both life and property are and would be endangered by the countenance of the lax system, which has justly merited your censure and our confirmatory disapprobation, we trust you will be so good as to adopt measures to prevent the recurrence of similar proceedings on the part of the police authorities, which impose much trouble upon you and unnecessarily tax the patience of the jury. We conceive that no man, be he ever so humble or poor, should be incarcerated for a succession of days without a single deposition, or title of sworn evidence.

We have, &c.

(Signed) H. B. GARDNER,

Calcutta, Sept. 1, 1838 Foreman, for self and Jury.

THE INQUEST.

On Thursday last, the 30th of August last, a jury was impannelled by the the coroner for the purpose of holding an inquest on the body of a native named Maulooddeen, who was admitted to Chandoev hospital at about six o'clock, on the evening of the twenty-fifth of August, instant, when he was in a state of insensibility from the concussion of the brain. He had a contusion and slight abrasion of the skin on the top of the forehead, his eyelids were swollen and black; he expired about midnight on the 29th of August. Dr. Bain, the police surgeon, who made a post mortem examination of the body of the deceased, saw a pair of black eyes and a bruise on the forehead. On removing the scalp there appeared a considerable extravasation of blood found on the left side of the head. The frontal, left parietal, and left temporal bones were fractured. There was a thick layer of coagulated blood lying between the skull and the membrane covering the brain on the left side. There was another large conglomeration of blood found at the base of the brain. The vessels of the brain were all gorged with dark blood. The doctor was of opinion, that the deceased died from concussion and compression of the brain, which might have been produced by the same blow that caused the fractures.

Goburdhun, a cloth merchant, knew the deceased. He did not know where he lived, nor had he been very intimate with him. About six days ago, at about four in the afternoon, witness was sitting in his shop; there was also a man of the name of Shumboo there, a milkman, who lived opposite witness's shop. At this time a Dacca dandy came to witness's shop, asking if he had any good nyansook for sale. The answer being in the negative, the dandy went away. Sumbao asked witness why he did not shew the cloth to him. Witness replied, that the dandy was not likely to buy the cloth; for he would offer two annas for what was worth four. Sumbao said, your are up to the ways of the Baungals, meaning

natives of the eastern part of Bengal. The deceased, who was sitting in the next shop, abused Sumboo for making use of these words. Sumboo said, "I did not allude to you, I spoke to Gobardhun, why do you abuse me." The deceased got angry and said, "you did make use of such improper language to me. I am a Bramin." The deceased then came to witness's shop and struck Sumboo with a shoe. Sumboo got up and said, "thackoor, why did you beat me, I did not say any thing to you?" The deceased then called Lallajee, in whose shop he had been sitting, to come and seize Sumboo. Lallajee came and did so, and Madoodun struck him again. Gorachand, the brother of Sumboo, came at this time and remonstrated with Sumboo for his having offended the Bramin. The deceased went up to Sumboo and struck him again with a shoe. On this Gorachand gave the deceased a push. The deceased fell. A man whose name witness did not know, came from Sumboo's shop and struck the deceased with his open hand and gave him a kick. The deceased got up and ran to Chandney Choke-bazar, and returned with ten or twelve men, his countrymen, armed with sticks and commenced beating Gorachand and Tarachand, also a brother of Sumboo's. There then was a great confusion, and witness could not tell what was going on. Mahdooden's friends had sticks but he had none. They were beating Gorachand and Tarachand. Witness supposed that Mahdooden must have said something to them. Witness did not see Tarachand and Gorachand beat them in return. They had no sticks in their hand. When the crowd dispersed, witness saw Mahdooden lying on the ground. Tarachand and Gorachand were lying in the street, bleeding about their head. The deceased was an up country man, and what Sumboo said could not in any way apply to him. Witness could not tell what induced him to rake the matter up. When witness saw Mahdooden lying on the ground, there was a little blood on his head.

Omed, Tarachand, Gorachand, and others deposed, and their respective evidences were, with slight differences, much to the effect as that of Gobardhun. In deed, as they appeared to us not calculated to throw additional light on the subject, we have thought proper to omit them; but Omed positively said that he saw nobody beat the deceased. Dr. Bain being called, a second time expressed his opinion, that a fall would occasion the symptoms that led to the death of the deceased.

The jury returned their verdict of "ACCIDENTAL DEATH," and broke up about one o'clock on the afternoon of Saturday the 1st instant.—*Hurkaru*, September 3, 1838.

SEPTEMBER 18, 1834.

A jury was impannelled by the Coroner yesterday evening, for the purpose of holding an inquest on the body of one Caroline Isaac, who lived at Mullungah, within the Chunam-gully division. The jury met at 5 o'clock; and proceeded to the police hospital, to inspect the body of the deceased. Dr. Bain was the only witness examined that evening, and deposed to the following effect. He was the police surgeon. The body of the deceased was brought to the police hospital the evening before. He examined it, and found several severe wounds upon the body. Two of them were more severe than the rest. One of the two on the back, which was on the right side of the spinal column, measured five inches and a half, and penetrated into the chest, by dividing the last false rib on the same side, but did no injury to any of the internal organs; and the other was

under the left armpit, and measured two inches in length and four in depth, proceeding under the integument, for some distance downwards, and penetrating the chest between the seventh and eighth ribs. The lower lobe of the left lung had a wound in it, which measured two inches in length, two inches and a half in depth, and one inch in breadth. There was a considerable quantity of coagulated blood found in the left cavity of the chest. The doctor was of opinion that the deceased met her death from the above mentioned wounds, and especially the one which penetrated the chest and inflicted a deep and mortal wound upon the left lung. The doctor described also the rest of the wounds minutely. The inquest was then adjourned till 10 o'clock this morning, when, the jury having assembled, several witnesses were called, and the sum total of their evidence was as follows:

The deceased was an unmarried woman and had been in the keeping of a seafaring man of the name of Joseph Rigby, and had a child by him which is living. Rigby left Calcutra in January last, and went on board the *Ruby*, bound for China, which has since been wrecked, but no intelligence has been received about him. The deceased had ever since that time been residing with her mother and grandmother. The deceased was cousin to the prisoner, Charles D'Cruz, who annoyed her for not complying with some improper desires which he entertained for some time past; so much so that she and her relations, in order to avoid him, removed to the house where this affair took place. Prisoner often came here also, but was never received as a welcome visitor. On Sunday morning he came the last time, when the deceased addressed him thus;—"Why do you come to annoy me? You have once destroyed my things which obliged me to complain against you before the authorities, and I was compelled to quit my house on your account, and yet you will not cease to tease me." The mother of the deceased desired him to go away, and he did so. The mother and the grandmother then went out, leaving the deceased and her child at home. About one o'clock in the afternoon, the landlady, who lived in the same compound, and another of the tenants, heard the deceased cry out, "landlady, landlady, call my mother; Charles has wounded me, and is gone away."

The landlady saw the prisoner near the gate with a large knife (produced in Court) in his hand. She went up to him and seized him by the arm, and said she would not let him go away after murdering the woman; when he threatened to strike her with the knife if she did not leave him, and giving her a push, he ran away. The landlady then proceeded to inform the thanadar of the occurrence. The thanadar of the division came, and found the deceased bleeding profusely, and that she was unable to speak; he then procured a palanquin and took her to Ghandy hospital, when the doctor poured some liquid medicine into her mouth, which all fell out, and she instantly after was convulsed a little and expired in the palanquin. The deceased was then removed to the police hospital. The thanadar next proceeded in search of the prisoner, and found him at Puddoopookur, walking along. On seeing him he said, "thanadar, why do you seize me. I have wounded the woman; is she dead or alive?" He said he had thrown the knife into a tank, and pointed the same out to the thanadar, and the knife was found in it the next morning. Prisoner admitted the charge.

The jury, after a short consideration, returned a verdict of "wilful murder" against the prisoner, who was then committed to take his trial at the next session.—*Hurkaru*, September 19, 1838.

BOMBAY SUPREME COURT.

This being the day appointed for shewing cause upon the rule nisi for information, lately obtained against Mr. McCallum, the editor of the *Gazette*; for certain alleged libels on Sir Charles Malcolm, the late superintendent, the Court had more than the usual number of visitors, although there did not appear to be a demonstration of that keen interest which we had anticipated. Upon Mr. Howard applying to make the rule absolute, a discussion ensued on the propriety or necessity of a postponement, in consequence of the Government having intimated only late on Thursday evening, that the defendant might avail himself of the services of Mr. Campbell, the acting Advocate-General, for the permission to do which application had been some time since made. After a discussion of about half an hour, the Advocate-General elected to shew cause immediately, rather than that any postponement should take place. The proceedings commenced with reading an affidavit of Mr. McCallum, in which he stated that one of the papers on which the information was sought to be grounded, had been surreptitiously obtained from him, and by a breach of faith committed by a gentleman of the name of Bone, to whom he had entrusted the letter for perusal only. The affidavit of Mr. McCallum stated in effect, that Mr. Bone came to dine with him at his house, who mentioned to the former that he had heard that a letter was in the possession of Mr. McCallum which related to Sir Charles Malcolm, and Mr. Bone requested to be permitted to inspect the letter and pledged himself solemnly not to shew it to any person. Mr. McCallum stated that previously to acceding to such request he consulted a friend who was present, as to the safety of trusting Mr. Bone with the perusal, and that placing a reliance on Mr. Bone's pledge, he afterwards sent him the letter under seal. As to this part of the case, Mr. McCallum further swore, that he never intended to publish the letter in question. After some days, the defendant stated, he learnt that the letter had got into the possession of Walter Roberts, Esquire, the son-in-law of Sir Charles Malcolm, who had shewn it to the latter. The affidavit went on to say, that the defendant questioned Mr. Bone on the subject, who admitted that he had inadvertently forfeited his pledge. The letter of the defendant to Bone and the reply of the latter were proved as exhibits. In the reply of Bone this person said, that the defendant had permitted him, Bone, to shew it to Mr. Roberts. The affidavit then disclaimed all improper motives, urged that the defendant in publishing the writings in question considered he was exercising a fair right of criticism on the acts of a public functionary, and that the letter having been sent to him, he did not consider himself justified in refusing the publication. The affidavit reiterated that the letter was given to Bone under a solemn pledge not to divulge its contents, and most distinctly denied the intention to aspersion or vilify Sir Charles Malcolm, or to injure him in the opinion of his friends. The above we believe to be the substance of the defendant's affidavit, which was of considerable length.

Mr. Campbell, on the part of the defendant, said he appeared to shew cause against the rule why a criminal information for what he was at a stand to comprehend, should not be directed against the editor his client, but as far as he could collect, it was upon the ground of a

letter which had been confidentially entrusted to Bone. This is not an application, said the learned counsel to the ordinary but to the extraordinary jurisdiction of the Court, and this consideration would doubtless weigh with the Court in deciding whether the rules should or not be made absolute; that the court had been led to believe that the letter in question had come to the possession of Sir Charles Malcolm in the ordinary manner, and by a breach of confidence; that the defendant, instead of being the malignant libeller as he was represented, had exhibited himself as the cautious and prudent editor; that the defendant had placed too much confidence in a person who was enjoying his hospitality. The learned counsel then argued, that there was a suppression of facts, in the affidavits on which the rule nisi was granted, which should induce the judges to refuse to make it absolute. He then cited a case in 3rd Burrows, as establishing that when there has been *suppressio veri* the Court would not interfere, and he commented particularly on the affidavit of Sir Charles Malcolm for making no mention of the mode in which the letter had been obtained, although the circumstances must, it was argued, have been within his knowledge. The learned counsel asked, moreover, why the application for an information was not confined to the letter of of censor, which, though severe, he described as within the bounds of justifiable criticism. The learned counsel then cited various passages which had been altered from the manuscript, so as to render them less severe. Mr. Howard in reply, referred to the letter of Bone, set forth in the defendant's affidavit, as establishing that the letter was not surreptitiously obtained, and stated that there was an absence of denial that the paper in question was circulated and of the fact stated by Bone. Sir John Awdly pronounced the judgment of the Court as follows.

"I will not anticipate the trial by observing on the general merits. If there be ill faith, the prosecutor is no party to it; and when he found that aspersions on him were in circulation, he was not to be deprived of his remedy, merely because some one else, through whom they may have reached his knowledge, may have behaved ill. But I do not know that Bone has behaved ill. He asserts in his letter annexed to defendant's affidavit, that he had permission to shew it to Roberts, and when such extraordinary anxiety not to give the other side an opportunity of contradicting defendant is shown, I think I must take Bone's statement to be true. The case in Campbell does not come up to this. There a witness saw it, at his own request, in the possession of one who is not shewn to have had any thing to do with it besides possessing a copy and shewing it. Here, no request of Bone, whose affidavit, of belief that it had been printed and published and was to be procured of defendant, and that therefore he asked for it, is wholly uncontradicted, can prevent the giving it to him to be taken away (if we did not believe him as to Roberts) from being a publication against the prosecutor. And there is much weight in the observation, that it would not have been printed, if it was to be seen only by the editor himself, for the purpose of revision. We therefore think the rule must be absolute generally.—*Rule absolute.*—*Bombay Courier, Sept. 8.*

ZILLAH HOOGHLY COURT,—FOUZDARY.

SEPT. MBER 1, 1832.

TRIAL OF THE SOU-DISANT P. P. TAB CHUND—RESPECTING HIS IDENTITY.

(Before E. A. Samuells, Esq., Officiating Magistrate of the Zillah.

A mookternamah was put in, appointing Messrs. Leith and Morton to act as Counsel for Pertab Chund.

Mr. Samuells, addressing the prisoner, said, that he was arraigned because he, having another name, had falsely, deceitfully, and wickedly, caused himself to be called by the name of the former zeminder of Burdwan, the Maharajah Dheraj Pertab Chund, Bahadoor.

Mr. Leith begged to enquire whether there was any prosecutor? Mr. Samuells replied, Government—I mean as a matter of form, in the same way as in England whenever no private prosecutor chooses to come forward.

Mr. C. Trower, 1st witness, examined by Mr. Samuells.—I was for many years acquainted with Pertab. I went to Burdwan in 1808, as Collector, and remained there until about 1817. Some years I used to see him as often as three or four times a week. It is now 18 years since I saw him, and I have been acquainted with some Europeans whom I certainly did not recognize after 20 years' absence. There were certain peculiarities about Pertab, which might enable me to recognize him. I have seen the picture in the adjoining room. It reminds me very much of him. I think it is rather stouter. (Pertab here went up, at Mr. Trower's request, near to where that gentleman stood) I do not know this man. There is nothing in his countenance that reminds me of Pertab. He had met him any where, I certainly should not have mistaken him for Pertab. To the best of my recollection and belief I should say he is not Pertab. I can only swear that I do not think he is. It is a difficult thing to swear that any body is not the man he professes to be. I once met this man at Mr. Prinsep's office, when Messrs. Prinsep, Hutchinson and Pattle and Col Becher were present. This was at Mr. Shaw's request. This person wore a beard at that time. A conversation took place regarding what had happened several years before at Burdwan. Mr. Shaw asked if he could point out Mr. Prinsep, and the prisoner immediately pointed out Mr. Pattle instead. He was also asked whether Mr. Hutchinson was in the room. Mr. Hutchinson was present but the prisoner said that he was not. He said that he recollected me, but this was after he was made acquainted with the persons of the other gentlemen present. I did then express my opinion that, to the best of my recollection, he was not Pertab Chund.

Cross examined by Mr. Leith.—I met a European, a Mr. Valpy, the other day, whom I had not seen for about 18 years, and I had no recollection of him; but I was not so intimate with him as with Pertab Chund. I think I could recollect European features more readily than native. I mean only that native countenances change sooner. I am not very near-sighted. Age prevents my seeing as well as I did a few years ago; but it is only in reading that I use spectacles. Pertab led a very dissipated life. I must say, however, that the features and shape of the face, especially the eyes of the prisoner, are totally different. I left Burdwan about 18 months before Pertab's alleged death, but I think I saw him afterwards in Calcutta. I do not recollect the year,

it might have been 1819 or January 1821. I do not know of my own knowledge where he died. At the interview of which I spoke, the prisoner told me he recollected me, and that I used to play backgammon with him, but I said that this was not the case, but that I used to play chess with him. He mentioned that he recollected Moonshy Ramlochan, a celebrated chess player, who used to be employed by Pertab. The expression (gootes) used for backgammon, signifies "dice." I never played games with dice with Pertab. I have a distinct recollection that I denied at the time having played backgammon, from which I infer that he must have used the term "gootes," and not "sutrung" (chess) or any general word far "to play" or "game." This is the only reason why I think the word must have been "gootes." I think I myself mentioned the name of the Moonshy Ramlochan, when I asked the prisoner about chess. The eyes of the picture in the adjoining room are, I think, very like Pertab's and unlike the prisoner's. As well as I recollect, Pertab's were hazel, and the prisoner's are black. I do not know when the picture was painted and I have no recollection of having ever seen it before. I heard that Chinnery painted a picture of Pertab, but I do not know whether this is that picture. Dr. Halliday was the family Surgeon, and attended him in a dangerous illness. He operated on a large boil on his thigh. Doctor Halliday told me this, and said that this (man the prisoner) was Pertab. Dr. H. is now at Benares. He is a Superintending-Surgeon in the Company's Bengal Medical service. I did not hear of any reports of Pertab being still alive, for some years after the alleged death. I think the first time was during Lord W. Bentinck's administration, when it was said that a person then represented himself to be Pertab. I cannot swear positively to the fact that he is not the man; I can only speak to my own impression that he is not the man. I have had no intercourse with him except during the interview of which I spoke. On that occasion we were in the room about three-quarters of an hour. Mr. Prinsep came on the chief conversation with him. Applications have often been made to me to permit interviews, but I always declined, because I thought that in such a case my character might suffer.

Adjourned at two o'clock, waiting the arrival of the steamer *Irrawaddy* with the other gentlemen of the Civil Service, subpoenaed as witnesses.

Resumed the proceedings at half past three o'clock.

H. T. Prinsep, Esq., Secretary to Government.—Mr. Prinsep—I am Secretary to the Government of India. I did know Rajah Pertab Chunder. I knew him originally about the years 1817 and 1818. I met him again as an old acquaintance in the hot weather of 1819, when I went on a special duty to Burdwan to enquire into the tenures of estates there. I remained three weeks or a month in Burdwan and I saw the Rajah several times. I went a second time and do not recollect whether I saw him again. I certainly have such a recollection of him in my mind as one usually has of a person whom one has not seen for about 19 years or more. I recollect sufficiently to be able to describe his figure. He was a short, small man, with remarkably neat figure, well rounded, with small limbs. I cannot speak to the color of his eyes. I have seen the picture in the adjoining room. I recollect seeing it at Mr. Chinnery's. I thought it then rather like. I cannot say upon seeing it now I should at once have said it was the picture of the Rajah. It gives him a swaggering air which I do not consider natural. He was a man of very good manners. I have

no knowledge of the prisoner at the bar, except what I have recently obtained upon his calling on me. I should say that he was not Pertab Chunder. He appears much taller than Pertab Chund. No, I cannot positively speak, but from the recollection I have after so many years. I see he does not answer to that recollection. I cannot say in what month I had an interview with the prisoner at my office, June or July, but it was in 1837. Certainly several things occurred, which made me believe that the prisoner was not the true man. In the first place I asked him myself if he knew Mr. Prinsep; he answered "certainly," and mentioned the occasion on which I went down to Burdwan. I told him that Mr. Prinsep was present, and asked him to point him out. There were also present at the time, Mr. Pattle, Mr. Hutchinson, Colonel Becker and Mr. Trower; however, amongst these gentlemen, he pointed to Mr. Pattle as the Mr. Prinsep who had gone to Burdwan in 1819. I did not correct his error, but turned the conversation to some other thing, and took occasion to ask him if he knew Mr. Hutchinson. He said "of course; he was judge of the district." I said "he too is present," and asked him to point him out. He declined to do so after looking round for some time. I then talked to him of the interview I had with him in 1819, and found that he was wholly at fault, in every circumstance to which I alluded; for instance, I asked him of the interview that I had with him at first, and he mentioned the names of the unlah of the Rajah, at the time, as having taken part in the discussion, whereas in fact there was no body present but Rajah Tej Chund, Rajah Pertab Chund, Mr. Elliott, the Collector, and myself; and I particularly recollect the circumstance from having noticed the care with which the Rajah Tej Chund, then a very old man, went round the room to see if any one was prying or listening.

The interview lasted many hours, in which every part of the Rajah's system of *putnee* management was discussed with much keenness by the old Rajah, and Pertab Chund frequently interfered and took a part. It seemed strange to me, therefore, that all the circumstances of that meeting should have escaped the recollection of the person representing himself as Rajah Pertab Chund, were he the real Rajah. These are the principal circumstances that tended to convince me that he was an impostor. I do not recollect whether Pertab died in 1820 or 1821. In 1821 I was Secretary to Government in the Persian department. I do not recollect whether Tej Chund reported the death of his son to Government or not; if he did so a letter of condolence would have been sent.

[Witness was here shown, No. 2 English and No. 4 Persian Documents.] I cannot swear to No. 2, as that is only an office copy; but a letter similar to that was sent by me. The Persian letter No. 4 is an original under my signature.

[Witness is shown No. 3.] The signature on this (No. 3) is Lord Haasing's signature and the endorsement is mine. Government were then fully satisfied of the fact of the Rajah Pertab Chund's death. I never heard the death of Rajah Pertab Chund questioned, until the appearance of this man. During the Burmese war in 1824, I went to England, and remained two years.

Cross-examined by Mr. Morton. It is not merely from inference that I consider this is not the man. My recollection is distinct that the Rajah was a short man and this is a tall man.

I think that picture to be that of a small man. I do not see any resemblance between the picture and the prisoner; but at that time the picture was like Pertab Chund. I have not a sufficient recollection of his features to say whether he had an aquiline nose or not. I

recollect he let his hair grow over his shoulders. I received two notes on the subject from Mr. Shaw, requesting an interview with the prisoner. I was seated at that interview as also the rest who were with me. The Rajah was on the left. He volunteered to say that was Mr. Trower coming in to the room when that gentleman entered. He came in with a swaggering air, and was in no ways confused, but like other natives. I heard that he led a gay life. He certainly paid attention to the business on which I came, but not like his father. I have no recollection of the particular word for the game used. The prisoner requested another interview to be given him when he was at the first. I have no direct knowledge of Dr. Halliday's having said any thing of him.

Re-examined by Mr. Samuells.—I have no recollection of having told the prisoner the names of the other gentlemen at all.

Third Witness, Mr. James Pattle, examined by Mr. Samuells.—Mr. Pattle I am senior Member of the Board of Revenue. I have had opportunities of being acquainted with Rajah Pertab Chunder. I came in the year 1813 to Calcutta, and he often paid me visits of ceremony. I can't recollect how many. I have seen the portrait in the room adjoining, and if that be like the Rajah I do not recollect him. To the best of my recollection I never saw it until to-day. The prisoner is the very man I saw at Mr. Prinsep's, but he is very much altered. I have no recollection of ever having seen him before. I have already said that the picture does not resemble the idea which I had formed of Pertab Chunder, and that the prisoner at the bar is much altered from the time when I saw him at Mr. Prinsep's. It is evident, therefore, that my recollection of Pertab Chund is incorrect. I did think at Mr. Prinsep's that the prisoner was not the man who visited me. There is no resemblance between the picture and prisoner. At the interview at Mr. Prinsep's he was asked to point out Mr. Prinsep, and he pointed out me. He could not point out Mr. Hutchinson. Mr. Prinsep also questioned him regarding what passed with him at Burdwan, and Mr. Hutchinson did the same. As far as my recollection goes, the answers did not indicate the knowledge which he ought to have had, had he been Pertab Chunder. I have already said that I have no recollection of his stature, whether he was a tall man or a small man. It is so very long ago, however, since I last saw Pertab himself, that I cannot speak positively. I see no resemblance between the features of the prisoner and the features of the portrait.

Cross-examined by Mr. Leith.—As well as I recollect, the prisoner failed to point out Mr. Hutchinson; but I am not certain. I think when Mr. Trower came in, the prisoner recognized him. I do not recollect what turn the conversation then took. The fact is, that after he mistook me for Mr. Prinsep, we laughed a good deal, not attending much to what passed afterwards. I cannot say whether the real Pertab had an aquiline nose. I thought he had a Grecian nose, but I find the picture gives him an aquiline one.

Fourth Witness, Mr. Hutchinson, examined by the Magistrate, Mr. Samuells.—Mr. Hutchinson—I am a Judge of the Sudder Dewanny Adawlut, and formerly was Judge and Magistrate of Burdwan. I was appointed Judge and Magistrate from August 1821 until January 1826. I had previously acted, for I was formerly 18 months as Additional Registrar and also a Judge and Magistrate.

I have seen the picture in the adjoining room. I have an indistinct recollection of having seen it, previously to the death of Pertab Chunder, in the Rajbarri at Burdwan. I do not know if it was considered a

good likeness. My recollection of Pertab Chunder is such, that if I were to see him again, I think I could recognize him. I have seen many old Burdwan friends and others whom I have been estranged from for as long a time, and I have had no difficulty in recognizing them. I do not know the prisoner at the bar. To the best of my recollection and belief he is not Pertab Chunder. He appears to be considerably taller and altogether a larger man. I cannot state exactly where the features differ. This appears to me to be altogether a different person. I recollect nearing the death of Pertab Chunder in December 1820 or January 1821. I was then in tents at Cutwa. I presume I did report the death of Pertab Chunder to Government. [No. 1. copy of his report is here shown to and proved by witness] I presume the Persian letters of condolence were forwarded by me. I believe a khelaut was presented to Rajah Tej Chunder by Government. A suit of heirship between the widows of the Rajah Pertab Chunder and the Ranees Comul Coomaree was decided by me in favour of the widows. I had no doubt of the death of Pertab Chunder nor, so far as I am aware, had any body else. From that time up to the appearance of this man, I had never heard any such doubt expressed. Subsequent to the death of Pertab Chunder, I had frequent interviews with the Rajah Tej Chunder. He never expressed any doubt regarding the death of his son. I had an interview with the prisoner at Mr. Prinsep's office in June last year. Questions were then put to him which, had he been the real man, I think he could not have failed to answer. The result of that interview satisfied me that he was not the man he represented himself to be.

Cross-examined by Mr. Morton.—I do not know of my own knowledge that Pertaub Chund died. I did not see him die. My letter of condolence was not founded merely on hearsay, but also on my belief of his death. There was no investigation regarding his death. He died at Calna. I did not consider the announcement of his death sudden. I had heard before of his illness, and though I received the news with regret, yet certainly without astonishment. Cutwa is about 40 or 45 miles from Burdwan. He was taken ill at Burdwan. He was afterwards removed to Calna on the Ganges, as is the custom with Hindoos when very ill. I had probably not seen him for a month before his death. I did not see him during his illness. Doctor John Coulter was his physician. I have known no similar case to this from my own experience. I think that Pertaub could not have forgotten the circumstances which we questioned the prisoner upon. I myself have forgot many things; but nothing so prominent. The prisoner appears darker and more haggard and not in such good health as when I saw him at Mr. Prinsep's. I think Pertaub had an aquiline nose—it was prominent and, I think, slightly aquiline. I do not think the features of this picture like him. The figure from the chest upwards is like but altogether the expression is too effeminate. I see no resemblance between this picture and the prisoner. I think the height of the picture about that of Pertaub Chund. He was about 5 feet 5 or 5 feet 6. It is the custom of our courts in a case of heirship for the heirs of the parties who have suits in court to file petitions to be allowed to carry on the suits. The death is not disputed, the only question is which is the heir. There were applications from both parties, the widows and the Ranees. I do not know what parties in Burdwan are most likely to be able to speak to the identity of Pertaub Chund. I should think that Poraua Baboo must have a knowledge of the real Pertaub's identity. I have no knowledge of the present Burdwan family. I have had applications in behalf of Pertaub, from Mr. Shaw and Mr. Graham, to allow an interview, but I did not answer Mr. Shaw's note. I had an interview with Mr. Graham, when the subject was discussed. I believe the interview at Mr. Prinsep's was voluntary on the part of the prisoner. I certainly did not invite him.

Re-examined by Mr. Samuells.—Doctor Coulter is dead. I do not know from whom I heard of Pertaub's illness. I asked Doctor Coulter as a friend to visit him. I recollect Doctor C. stating during the illness, that he was very ill, but that if left to his sole charge, he might be able to recover him. He said his disease was fever. He seemed to consider him in danger, chiefly from the want of proper medical treatment. I saw doctor Coulter at Burdwan before going to Cutwa.

Adjourned at 7 o'clock in the evening. Mr. Samuells intimated that the proceedings should be resumed on Monday.—*Hurk, Sept. 5.*

MONDAY, SEPT. 3, 1838.

Mr. Daniel Antonio Overbeck, sworn by the Magistrate.—I am now a resident at Chinsurah. I was formerly a resident or Governor under the Dutch Government from the years 1817 to 1826. [The witness here begged to inquire whether this was a Civil or Criminal court of justice, and who was the party against whom his evidence was required. Mr. Samuells said, that he must be aware this was a criminal court, and that the accused would be presently pointed out to him.] I was acquainted with a person of the name of Pertaub Chunder, who came occasionally to see me at Chinsurah. I don't know that I could recognize Pertaub, it is so very long ago, about 20 years, since I have seen the man, and the people of this country generally alter very much in a few years. How can I tell who the prisoner is? I don't know him. About 18 months ago, I saw him in the Hooghly Jail, where I met other gentlemen, since that time he has very much altered. I cannot swear, but to the best of my recollection he is not the man who visited me, and I cannot recognize this man as Pertaub Chund. I cannot swear positively one way or the other. I thought that he was not the man at the interview in the Hooghly jail. He looked like a mendicant on whom a new piece of cloth had been put. But I thought too, that he was a little taller, about an inch or an inch and half, and his colour darker. You will please to remember that when I saw the young Rajah he was about 22 years of age, and that man shown me is, I understand, about 40 or more. That makes a great difference. Yes, I did ask him some questions at the interview regarding our former acquaintance. He seemed not to know me, and did not recollect my name. I really do not know if he recollected any former circumstances; I believe not [Mr. Overbeck was now, at his own request, taken to see the portrait in the adjoining room] I have seen the picture in the adjoining room. I believe the likeness to be that of Pertaub Chunder the young Rajah. I never saw the picture when it was finished. I cannot say whether it is like, as it is now 20 years ago. Considering the difference of age, or the picture, there is, I think, an evident likeness between the prisoner and the portrait. The shape of the nose, the eyes, and most of the outlines are alike. I do think the colour of the eyes of the picture and this man at the bar are the same brownish black.

Cross-examined by Mr. Leith.—Of course I am considerably altered myself during these 20 years since I saw Pertaub

I believe I am about 73 years of age. I have been some 53 years in this country. I have seen a great many of the natives, and am familiar with their countenances. The colour of the natives varies very much according to their age, if they are much exposed.

man who assumes the habit of a faquer and exposure must very much alter in colour. I think the prisoner is considerably altered since 18 months ago when I saw him in jail. There is not much alteration in his colour since I last saw him in jail. The chief residence of the Rajah was at Burdwan. I was not very familiar with the Rajah. I have admonished him however, for his gaities and lax habits of life. Natives do sometimes leave their families for ever; sometimes for a short period, and again return to their families. Sometimes out of disgust—sometimes out of principle they leave their families. I have no knowledge of Pertaub's intimate friends among the zemindars about Chinsurah. I am not acquainted with the family of the Rajah. I do not know whether Taj Chunder married in Prawn Baboo's family before Pertaub's disappearance, of my own knowledge, but from common reports; nor whether Pertaub was on bad terms with Prawn Baboo.

[The witness here inquired whether their would be any objection to his communicating with the prisoner, in order to form a judgment respecting his identity. Mr. Samuella said their would be no objection if the witness thought that any thing could be elicited which would enable him to speak more positively concerning the identity of the prisoner. The answers of the prisoner would not be themselves evidence. Mr. Leith said that there was no objection made by the prisoner. The witness, however, seemed to think that nothing important was likely to result, and Mr. Samuella and Mr. Leith agreed that in that case any thing further would be needless.]

Second witness, Mr. Gregory Herklots, sworn by the Magistrate.—I was lately Sudder Aumeen of this district. From 1789 to 1795, I was a writer on the Dutch establishment. In 1807, I entered the British service, and shortly after became assistant to the Commissioner. In 1881 I applied for a Sudder Aumeenship, and the fiscalship of Chinsurah, which I have since held. When the settlement in 1825, was ceded to the British, I continued in office. During my residence at Chinsurah, I have had opportunities of being acquainted with Rajah Pertaub Chunder. I was introduced to him by Mr Forbes, Commissioner, in 1816 Pertaub in 1817 requested me to introduce him to the Dutch Commissioner. Mr. Von Bruan, and I went with him to the Rajbarree. I recollect also attending a nautch given by him at the Rajbarree. I recollect no other times when I met him. Nothing passed except the introduction in state to the Dutch Commissioner.

From these interviews I should suppose, that I would recollect the features and figure of Rajah Pertaub Chunder. I cannot recollect the prisoner. I saw him in the jail. No, he is not Pertaub Chunder. But it is not possible to recollect precisely after 18 or 19 years. The difference is first in complexion, and I think Pertaub was not so tall. In 1836, I saw him in the jail of Hooghly. I did put questions to him, and he did not answer satisfactorily. My impression was that he was not the man. I questioned him about the Rajbarree, and he could give me no information.

Cross-examined by Mr. Morton. In 1871, I last saw Pertaub Chund. In 1816 I saw him for the first time; afterwards in 1817, I accompanied him to the Dutch Commissioner at Chinsurah. On the second time I had two hours' interview with him, being the longest one, but perhaps two hours also the third time.

I cannot swear positively as to the identity of the Rajah. It is between twenty-two and twenty-five years since I first saw him. I have no precise recollection of his features. I recollect him to have been of fair complexion—very fair. Yes, I should suppose that in one who wanders like a faquer for 18 years, the complexion

might become darker. That may account for the difference of complexion. I do not judge of the colour of the eyes of the features, or any other peculiarities.

Rajah Buddenauth Roy, sworn.—I should prefer being examined in Hindoostanee. I have been 48 years resident in Calcutta. I know Pertaub Chund. I have been acquainted with him. I have seen him twice. My first acquaintance with him was at Mr. John Monckton's office at Calcutta. When the khelats were given, I went along with the Rajah to the Government House in a carriage, four in hand, and I think hired. I was with him about half an hour at Mr. Monckton's, and about 2 or 3 hours at Government House. About 2 o'clock they left the Government House. I returned in my carriage, and he in his own. At a wedding I met him the second time, where he had gone to see the *tamasha* privately. I never met Rajah Pertaub Chund in my own house. I saw the man who states him-self to be Pertaub Chund in the Hooghly jail, when he was in confinement in 1836. I come to see him. I recollect the face and features of Rajah Pertaub Chund. I might be able to tell if I see him again. By this man's features I cannot recollect him. There is a great difference between the features of this man and the Pertaub Chund whom I knew. I cannot positively swear as to the identity of this man. I have seen him before only in the Hooghly jail about two years ago, in 1836. I think I did question him about the khelat, when I saw him in jail. His answer was; it is so long ago, that I can't recollect about it. I also asked him regarding Colonel Doyle, Military Secretary to the Marquess of Hastings, Captain Alsop, Colonel Gilbert, Captain Fitzelarence and Captain Hulswaite, who were present at the Government House on that occasion, and he could not tell me any thing about them. I also asked him about one Sujoo Dican Khan whom Pertaub's father used to employ at festivals, which he did not know. Through Cassinauth Mullick, Pertaub sent him two drums. I questioned him respecting a hoondee, he could not answer. From these circumstances I was led to conclude that he was not the Rajah. Respecting the four in hand carriage, I asked him if the horses were black, bay or white. He said red. I said what, scarlet? He said, no horses are of scarlet colour. He also said he received only one elephant from the Government House, as part of his khelat I asked him how many horses? He said I do not recollect, but I received some horses. He said that he received a *jellour*, as part of his khelat, which people of his rank did not receive at that time. I asked him whether it was a male or female elephant? He could not answer that.

Cross-examined by Mr. Leith.—I certainly have met you, Mr. Leith, in the Supreme Court. I was a witness in a case of Ranees Seeboo Soondery against Joy Munnee Dossy. The question at issue was, which of the widows had received directions from the Rajah at his decease to adopt a son. The Rajah Sibchunder was my brother. I was a defendant in that case. I entered an answer upon oath. I do not know if I entered every thing in that answer. I swore that the Rajah had given permission to the widow Seeboo Soondery to adopt a son. I gave my evidence verbally upon the issue. I believe I stated the same there as in my answer. My evidence was in favour of Seeboo Soondery. I do not know if the Court did not believe me upon my oath. I know so much that the other party succeeded in her case. The decision of the Court was, that Joy Munnee should adopt Loknauth Mullik's son. I did not file a bill myself to have my own son adopted. No one filed such a bill. I filed a cross bill at the request of Seeboo Soondery. It might have been a strange thing to file such a bill at the request of the other party, but I acted by the advice of my lawyers. The bill was dismissed and I had to pay all the costs.

I was in the Hooghly jail about two Bengallee hours (about 40 minutes) with the prisoner, Rada Kissen

Bysack was present (and also W. H. Tydd, and some others whose names I do not recollect. This was in July or August 1896.

Question. You expect the prisoner at the bar to tell you about the colour of the horses 18 years ago, when you can't tell the month only 18 months ago?

Answer. When a man has to speak of any occasion upon which he received honourable distinction, he of course recollects all the circumstances very well. Since that interview in the jail, I have been satisfied that the prisoner is not the man. After the interview at the jail, I met with Mr. Shaw on the Coosipore road. I did not tell Mr. Shaw that this man was the real Pertaub Chund. I did not mention any circumstance relating to the prisoner. The name of the Rajah might have been mentioned, but I did not speak about his rights. I may have said that from his appearance and answers I suspected that he was not the Rajah. I said to Mr. Shaw, there was a great difference between them. I do not recollect that I told Mr. Shaw that he was the real Rajah, but I said that he was a little taller. I did not say that he was the real Rajah. I recollect having had a conversation with Mr. Shaw about the Rajah. One morning, when I went to see Dr. Jackson, I met Mr. Shaw, and again, in my garden house near the gateway. From the difference of the features of the prisoner and the wrong answers to my questions, I said I suspected that he was not the real Rajah. I did not say that the picture resembled the prisoner. I did not say to Mr. Becher that the picture resembled the prisoner. I said there was a great difference in appearance, and that Rajah Pertaub Chund was a strong, large, built man—he had a strong wrist.

[At this time Mr. Becher and Mr. Graham went to measure the height of the picture in order to compare it with the prisoner's, and it fully accorded.]

Fourth Witness, John Becher, Esq., sworn by the Magistrate, deposed.—I am a Merchant residing in Calcutta. I came to India in 1805, retired to England in 1809, and returned again in 1833. I became acquainted during my former residence in India with Rajah Pertaub Chund. I cannot say in what year Mr. Pattle was on circuit in this district. I think he resided at Chinsurah. I should say that I had seen the Rajah very frequently at Mr. Pattle's. He once gave a very large party somewhere hereabouts. I also saw the Rajah several times when he came to Calcutta. Once or twice I went to his house some where about two miles from Hooghly. I should say I have forgotten him. I must explain this by saying, that when I was told that the picture was a correct resemblance, it did not recal his appearance to my memory. [Looking at the prisoner]. No; I do not know him. I saw him at the Supreme Court when, on Mr. Ogilvie's trial, I could not take upon myself to say whether he was the real Pertaub Chund or not. To the best of my recollection I should say that he was a taller man than Pertaub Chund. I do not recollect the colour of Pertaub Chund's eyes. I believe natives' eyes are generally black. The complexion may have been a little fairer or very much like the prisoner. The manners of Pertaub Chund were very gentlemanly, mild and quite.

Cross-examined by Mr. Morton.—The picture in the other room bears a very strong resemblance to the prisoner. Mr. Graham coming into the room and asking me to hold a cord to measure the height of the picture, I did it.

I do find the height of the picture correspond with that of the prisoner.

I saw Rajah Buddinath in the adjoining room. When the Rajah Buddinath and I were discussing about the

picture, I said there was a strong resemblance, but he said that there was only a likeness. I do not know of my own knowledge that Pertaub was a gay man. I have heard Pertaub was of a wild disposition. I do not recollect when I last saw Rajah Pertaub Chund.

Re-examined by the Magistrate.—I do not know whether it is usual to hang full length portraits at some distance from the floor. I never saw such a large portrait as this upon the ground. I do not know whether painters and sculptors do or do not increase the height of a figure according to the distance at which it is intended to be suspended from the ground. A figure at a distance from the eye would look smaller than it really is. I cannot say whether, if it is the intention of a painter to suspend his picture at some distance from the ground, it would be necessary for him to paint the figure larger than the natural size, in order to make it appear natural. It is really a very difficult question. I know nothing of painting. If I wished myself to make a figure at a distance from the eye appear of the natural size, I should say that I would make it larger than nature; but I really am at a loss to say, as I know nothing about it.

By the Magistrate at the request of Mr. Morton.—I should say that the effect of distance would be the same upon a natural figure as upon a painted object.

Mr. Samuells here remarked, that there was the same necessity for adjourning the Court as on Saturday, the steamer not having made its appearance with Dwarkanath Tagore and Dr. Strong. The learned Magistrate also remarked, that it now appeared to him, that it was not very material whether those two witnesses were examined at all, as the evidence would probably be of the same inconclusive character as that which had hitherto been given in the case. He wished, therefore, to proceed at once to positive and direct proof of the death of the Rajah Pertaub Chund. This will, we understand be commenced on Thursday, the Court having been adjourned to that day in consequence of a request to that effect from the prisoner's Counsel.

4TH SEPTEMBER, 1838.

We went to the Cutcherry this-morning, as usual, expecting to see Baboo Dwarkanath Tagore and Dr. Strong come up in the steamer; but we were told, that all of a sudden Dwarkanath Tagore had been taken seriously ill with spasms while on his way up the river, the trial will, therefore, not come on before Thursday next.

There was a rumour in the Cutcherry, that Rajah Buddinath Roy, would soon be indicted for gross perjury and prevarication of truth, in the deposition given at the Magistrate's Court yesterday, and of which he had been convicted by the counterstatement of Mr. John Becher, which went to nullify the evidence given by Rajah Buddinath as wholly corrupt and discreditable.—*Hurkaru*, September 6.

6TH SEPTEMBER, 1838.

Radhamohun sircar, sworn on the Ganges water.—I knew Pertaub Chund. I know the circumstances of his illness and death.

Q. State the circumstances of his illness and death.

A. The Maharanees Joy Kumarree employed me as mookhtar at the time of Pertaub's death. On the 20th of Pous 1227, in the early part of the night, the Maharanees sent for Shamechand Baboo and myself and said, "the Maharaja Pertaub Chund is very ill at

Assaga, take this letter, go directly and deliver it to Tej Chunder. If the young Rajah is better, one of you will remain and send me daily information of what passes, and one will return to me here." We took the letter and started that night for Culna, where we arrived on the evening of the 1st Pooa. We gave the letter to the Raja Tej Chunder, and asked how the young Rajah was. He lamented his fate and said, "Why do you ask me, go into that room and judge for yourselves." We went in and saw that the young Rajah was very ill indeed. We then went out and provided a lodging for ourselves in the house below. That night, when about 3, 4 or 5 ghurrees of the night had passed, there was a cry in the Rajabarree that the Rajah Pertaub Chund was going to perform the *Gunga Jatra*. I got up and saw that Pertaub Chund was in his palkee in front of the Rajabarree, and that there were nearly a thousand people assembled about him. Some were weeping, some were lamenting aloud. They took him to the banks of the Ganges and I followed. When we got there it was very cold, and he was removed into a tent which had previously been pitched. Bimanund Gosain there began to read a part of the parva of *Sreemut Bhagabud*, and at that time Pertaub Chund indicated by signs the gifts he wished to make in charity, of elephants, horses, grain, &c. About 1 or 10 of the Bengalee night, Bimanund Gosain and Juggut Kobraj said, "there must be no mere delay, let us perform the *nuturjallee*.* The crowd then began to cry, "hurree bol, hurree bol," and the *nuturjallee* having been performed, the Rajah Pertaub Chund almost at that instant expired. They then laid the corpse down on the sand and spread a cloth over it. Busunt Loll Baboo, Ghaseeram Purbit, and some one else, whom I do not recollect, went to the Rajabarree to inform the old Rajah Tej Chunder. After a little they returned, and the people of the Ketri caste, brought the things, which, according to their custom, were necessary for the cremation of the corpse. They also prepared a *ruthee* (a species of hurdle) and laid the corpse upon it, and Ghaseeram Purbit placed a *pindee*, (an offering of flour, ghee, &c.) near the body. The corpse was then lifted up and carried about 10 or 15 cubits, where, according to custom, it was laid down, and another *pindee* was placed beside it. It was then carried 15 or 20 cubits further to the place where the pile had been prepared. The corpse was then laid upon the pile. Another *pindee* was placed opposite to the face, and Ghaseeram Purbit applied fire to the mouth of the corpse. Ghee and other combustibles were then flung upon the pile, and it was lighted and burnt till morning, by which time the corpse had turned to ashes. At dawn of day Ghaseeram threw water on the embers to extinguish them, and Juggomohun Doobey, Mohun Baboo, and many others, also brought water and did the same. Juggomohun Doobey then picked out some of the bones of the deceased and placed them in an earthen pot, and took them to the Jumobarree of the Ranees Bisben Kumaree, for the purpose of depositing them there. After sunrise I and the others bathed, and I departed for Burdwan. This is what I know. It was about the 5th or 7th Pooa 1227, that the young Rajah got a fever and became ill. On the 10th or 11th he started in the night time for Culna; and on the 21st Pooa about 10 or 11 of the Bengalee night, he died. I saw him myself when he was ill at Burdwan. No European Doctor came while I was present. The Hakeem A-gur Alec and the Kohrajes Bimanund Gosain, Juggut Kobraj and Chunder Seekur Kobraj, attended him at Culna. Bimanund Gosain and Juggut Kobraj are dead. What became of the other two, I do not know. I was present from the moment of the death until the corpse was consumed. Every thing passed before my eyes. A white

cloth was flung over the corpse after death, and above that was a white shawl. People of the Ketri caste raised him on the pile, but who they were I do not now recollect. The corpse was visible to every one. There was no cheat or box made use of, there is no such custom. There were about 25 Ketris round the pile, about 100 or 150 servants of the Rajabarree and from 5 to 6,000 spectators from Culna. At the moment of his death there were present Bant Lall Baboo, Mundoo Baboo, Byjoo Baboo, Gokool Baboo, Sanichund Baboo, Mohun Baboo, Numneelall Baboo, Juggomohun Doobey, Bimanund Gosain, Juggut Kobraj, Chunder Seekur Kobraj, Ramcoomar Nye Bloosum, Jubha Pandit, and many others. There were then also about 3,000 spectators. There were great lamentations among the people at the time of his death, and the news immediately spread among them. The night was very dark and there were in consequence 10 or 12 torches placed round the corpse as it lay. When it was raised upon the pile, the torches were removed to some little distance. I saw the corpse well and I suppose that others could also see it. I do not know by whose order the tent was erected. I found it there when I reached the bank. It was on the top of the bank about twenty cubits from the water. The young Rajah was quite unable to move during the time when I saw him. I heard no report at the time that the Rajah was not dead. I never heard such a report until this defendant made his appearance in 1835. When this false person was seized at Bancourah, I heard that an imposter had assumed the name of the deceased Rajah Pertaub Chund, and I was much astonished. I have frequently been in the Suntajbarree since Pertaub's death, with the Ranees Kummul Kumaree. In front of the Ranees Kishen Kumaree's jumej (or tomb) is that of the Rajah Pertaub Chund. It is in the shape of a small house with a mound of earth in the centre, covered with a white cloth. Under this mound, the bones are supposed to rest. I was not present when they were deposited. The ceremony of *bhug* (an offering of fruits and flowers) is performed there daily. Among the Ketris it is the custom ten days after death to perform the *keour*; (a shaving ceremony) on the 13th day the *Shraddh* is performed; on the 17th the *dhuimo justee* or final ceremony. Goopeeram Purohit and a *peadha*, whose name I don't know, performed the young Rajah's *shraddh*. It took place in Burdwan; not in the Rajabarree, but in the Koteebarree. It is the custom of the Ketris, after the first *Shraddh*, not to perform the second for four years, and then to go on regularly every year. I have in general been present at the yearly *shraddhs* of Pertaub Chund. (*Witness is directed by the Court to look at the defendant*) I do not know who this defendant is; but he is an imposter if he says he is Pertaub Chund. He is not Pertaub Chunder. The Rajah died before my own eyes, and this man who assumes his name is an imposter.

Cross-examined by Mr. Leith.—I was in the service of Rajah Tej Chunder from 1228 to 1239. Since that time I have been in the service of the present Rajah Madab Chund. In 1223, and 1224 I was in the service of Rajah Pertaub Chund, but became ill and left it. In the year 1225-26 and 27, I was in the service of the Ranees Joy Kumaree. Previous to 1228 I was not in service. I was then about 20 or 21 years of age. I was employed by Pertaub Chunder as *Tankunwees* (or account-keeper of the pay) of the nugees and *epoys*. I was then employed as Mookhtar by the Ranees Joy Kumaree. She had several causes pending in the zillah court of Burdwan. I had a mooktarnama in all these suits. My mooktarnamas are not filed in the court because it was not the practice at that time to do so. The Judge certified the mooktarnama and returned it. Of course there is mention of my mooktarnamas in the records of all cases in which I was concerned, and many papers, with my signature attached, are held in

* This consists in laying the body on the sand with the feet pressed down in the water, and repeating the name of God in the ear, in order that the soul may escape through the feet into the sacred river.

the civil court. The Judge at that time, in 1227, was, I think, Mr. Hutchinson; but Mr. Martin came first and Mr. Hutchinson afterwards. All numbered cases were conducted through a vukeel; miscellaneous petitions, &c. were presented by himself. The Ranees Joy Kumaree had no particular vukeel; when she had case in court she appointed one for the purpose of conducting it. Kistomohun As, Mounshe Kamurudeen, Oomachurn Mitter and others were the vukeels of the Rajah Tej Chunder during the years 1223-26 and 27. From 1228 to 1230 I was employed as Mohurrir in the Rajbaree. In Magh of the latter year I was appointed Mookhtar for the Devutter Mehals. I have continued in that situation every since. The widows of Pertaub had a suit with the Raja Tej Chunder before Mr. Oakley. I did not give evidence in that case. I have never at any time given evidence in the Hooghly civil court. I did not give evidence before Mr. Hutchinson at Burdwan in a similar case while here. I reside in the Chinsura Rajbarree, my house is at Jumulpore in Burdwan. God or your honour may know how the young Rajah became ill, I do not. I saw him two days after he had been taken ill. He was then lying in bed. His musahib companions, Nundo Baboo, Gokool Baboo, and a great many others, were with him. The Kobrajes whom I before mentioned, were with him. They attended him both in Burdwan and Culna. They were with him when he went to Culna. I do not recollect who accompanied the Rajah to Culna. I did not see his progress to Culna. If I had known that an imposter would start up and that this case would come on, I would have made a note of all these things. How can I recollect their now. I saw the Rajah leave Burdwan in a palkee. About three or four ghurries of the night had then passed. I was not at that time Pertaub's servant, but the Ranees's servant. I cannot recollect who accompanied him. I recollect well what occurred at Culna. I have described it all above. No one accompanied me to Culna except my bearers and servants, and Shamchand Baboo. Shamchand is not one of Puraun Baboo's sons, that is another Shamchand. The one I mean is the brother of the Ranees Joy Kumaree. He is still alive. I have heard that he is coming to Hooghly to give evidence, but where he is now I do not know. I was not always with Shamchand Baboo, at Culna. He is a Ketri, I am a Kayoth. Shamchand was with me at the interview with the old Rajah. There were a great many people present, but who they were I cannot now say. I think Juggur Kobraj and Brimanund Gosain, were present, but I cannot speak positively. I did not see Puraun Baboo at Culna. I did not see him during the time that I was there. I do not know whether he was there or not. Rajah Tej Chunder went to Culna on the same day as Pertaub Chund. I have heard that he accompanied him. On entering Pertaub Chund's room at Culna, I saw a great many servants, but who were there and who were not, I cannot now recollect. I do not recollect any one except the Kobrajes. Nundo Baboo was in Umbooa (Culna), but whether he was in the room or not I can't say, I can't say whether Gocool Baboo was there, nor do I recollect if Gopal Baboo was present. I did not see the latter at the death or at the pile. Of Pertaub's near relations Busunt Baboo and Munnellal Baboo were present at his death. Busunt Lall's brother married the Rajah Tej Chunder's sister. Tej Chunder had one son and a sister. I have mentioned what became of both. I do not know what remote relations he may have, I have not examined his genealogy; had I known this case would have come on, I should have consulted it. Rajah Pertaub Chund had two wives, Peearree Kumaree and Anund Kumaree. I do not know if he had a maternal aunt. His paternal aunt, Toia Kumaree, is alive. She did not accompany him to Culna. Munnellal is a Ketri and lives in Burdwan. He is a merchant and also has

service in the Rajbarree. He was in Tej Chund's service, but took the part of the Bahaduree (Pertaub's widow) and was dismissed. He was afterwards restored and now holds the Dewanny of the Bissumpore Estate.

I do not recollect the names of any respectable people beyond those I have mentioned. I do not know the respectable people of Culna. I am not a resident of that town and was only there a single day. It is the custom in the Burdwan family that the heir when he has not attained to the possession of the estates and the dignity of the Raj, shall apply the fire to the face of the corpse himself; but when he has become possessor of the Raj, the Pandit (or family priest) performs that office. (The witness did not express himself here very clearly, and there was some confusion in translating the sentence which afterwards led to irrelevant questions being put.) At the time of his death, Pertaub Chund was in possession of the zemindary, every thing was done in his name, and the estate was entered in his name on the collector's books. After the death of Pertaub Chund, one or two Bengalee ghurries had elapsed before the fire was applied to his face. I was 7 or 8 cubits from the spot when Pertaub Chund died. Juggomohun Doobey had hold of his legs, but who supported him I do not recollect. I cannot recollect whether one or more lifted him up. Busunt Baboo, Nundo Baboo, Gokool Baboo, Mohun Baboo and Juggomohun Doobey, were there, when he was carried out from the tent, but what part each took I do not recollect. When the *unturjeltee* was to be performed, he was lifted up, cot and all, and carried down to the river's bank. When the ceremony was performed he was lying on the cot, but at the moment of his death he was lifted off. His old clothes were taken off and new clothes were put on after his death. These were not again removed. I don't know who bought the clothes nor the sandal wood, probably some of the servants. I do not now recollect whether the Ketri, the *Purhoit*,* or Juggomohun Doobey put the cloth on. When the cloth was put on, or a little after, the corpse was lifted on the pile, water was sprinkled, the *pindees* placed above the face, and fire applied. When on the pile the cloth was only up to the shoulders of the corpse, the head and neck were exposed. The face was covered while they were taking it towards the pile. I don't know myself but I have heard the pile was composed of Babool, *Santal* and other woods. I left Burdwan nine days after Pertaub Chund. There is the greatest difference between this defendant and the Maha Rajah Pertaub Chunder. The Rajah was like King *Vicramaditya*, this man like *Beekar Harree*†. This man's eyes are smaller, his stature taller, his colour darker, his feet much larger, his arms longer, and the eyes do not correspond. Altogether there is not the least resemblance. I have seen the picture, it is like the Rajah. I do not recollect any servant of the name of Aja Abbas. When I left Culna I heard that the Rajah would follow immediately. I know nothing about a will of Pertaub Chunder's. Pertaub was in his senses when he went to Culna.

Re-examined by the Magistrate.

I was only a few minutes in Pertaub's room at Culna. I was employed in looking at him and not in learning the names of the people present at the death and at the pile. I was attending to what was going on, and I did not employ myself in observing who were present or who were absent. (At the close of the proceedings, the Magistrate intimated that the court would sit next day at nine o'clock.) — *Hurkurru*, Sept 10.

* *Purhoit* — family priest.

† *Beekar Harree* a generic term designating a lawless caste. An expression of supreme contempt for the person to whom it is applied.

7TH SEPT. 1838.

BHAGNUT LALL BABOO, signs the usual hulqama. I am 65 years old.

Q.—Did you know Rajah Pertaub Chund?

A.—Yes I did. I am acquainted with the circumstances relating to his death. In 1227 B. S. 11th Poose, when he went away to Ambooa (Culna) I was in Calcutta. A hurkatu came and informed me that the Rajah had been taken ill on the 11th, and had gone to Culna, and that his father had gone with him. On the 14th, I arrived at Chinsurah. On the 15th, I went to Ambooa and saw that Pertaub Chund was very ill at that time. I had no conversation with him; he was laid up in the hall. I went to his father, who was in another house near at hand. I observed that Pertaub was very ill and asked what he was doing for his relief. He replied that Asgur Ah, hukim, Brimanund Gossain, and Juggut Kobraj, were attending him.

I then went to my lodgings and bathed. I went and saw Pertaub every morning. I asked him and he told me that he had a fever, and I saw that he was daily getting worse. I asked the doctors who told me that they did not observe any favourable symptoms. On the 21st Poose in the morning, the hukims said that there were no hopes of his recovery. On hearing this I informed his father of it, when he began to weep, and said that they had better remove him to the river side. I then made preparations for taking him down. In making these preparations four or five ghurries of the night had passed. The bed on which he was lying could not be brought down on account of the winding nature of the stairs, and he was therefore carried down upon the mattress and put into the palankeen. He had only sufficient strength to call on the name of his takoor. We brought him down to the banks of the river; the bed was then brought and he was placed upon it. He began to shiver from the cold and was consequently taken up and placed in a tent. The tent was pitched twenty or twenty five cubits from the water. Tej Chunder had ordered the tent to be pitched, and Brimannun Gossain then went to the tent and began to read the shasters. About a quarter of an hour after he was again taken to the river side, for the purpose of performing the *unturjallee*. They lifted him up, lying on the bed as he was, and took him down on the bed to the water, where the priest performed the last ceremony. When the *unturjallee* was being performed, he was lying on the mattress, which had been lifted off the bed. About three quarters of an hour after the performance of the *unturjallee* he died, repeating the name of his God, according to custom. Juggomohun Doobey and Mohun Baboo were placed near the corpse with their hands resting upon it.

After Pertaub's death I took Ghassyram Purhoit with me and went to Rajah Tej Chunder and asked him how the ceremony was to be performed. Tej Chunder ordered Ghassyram to perform all the necessary rites. I accordingly returned with Ghassyram Purhoit to the place where the corpse was lying, and ordered Sahib Ram Burjal and Bhankeesee Podar, to get sandal wood, &c. and sent a man to call all the Kettes in the neighbourhood. I ordered the servants also to procure two bamboos and ropes, one ghurrta, and one piece of cloth, and other materials required, which were all brought along with the sandal-wood and bablah-wood, which latter only can be got at Culna for burning corpses. The Kettes then prepared a *ruthee*; the corpse was bathed, a piece of cloth was given to the Purhoit, a piece wrapt round the loins of the corpse, and another spread over the *ruthee*. The corpse was then laid out at full length upon the top of his *ruthee*, a sheet was then hung over

the corpse, and Ghassyram Purhoit prepared *pindee* of flour and placed it beside his head. Four people lifted up the *ruthee* and carried it about fifteen paces, when it was put down according to custom. A *kulsee* of water was then poured upon the corpse by Ghassyram; the body was then washed in the river and placed on the pile called *chetah*; when another *pindee* was made and the face of the corpse being uncovered it was laid beside it. A roll of grass was made up, Ghassyram placed fire within it, applied it to the mouth of the corpse, and then set fire to the pile on all four sides, and it then began to blaze, and by day-break the whole was burned to ashes. Ghassyram then put out the fire, Juggomohun Doobey chose some bones from amongst those on the pile, and placing them in an earthen pot, took them the Sumajbaries for the purpose of depositing them there.

After placing the ashes in the pot, I and the other Kettes bathed in the river, and I went to the Rajbarry; and on arriving there, I took my things and went down to Calcutta. I heard that Rajah Tej Chunder had returned to Burdwan that night at about twelve o'clock. I was present during the whole time of the death and funeral ceremony, except when I went to give his father the intimation of his death. At the time of his death the night was dark, but there were musals placed immediately around the corpse.

About the time of his death, there were a great many people present, perhaps 3,000.

Q.—There may have been present about ten or twenty Kettes and about forty or fifty servants of the Rajbarree. When the corpse was upon the pile and the face uncovered, every one present could plainly see the features of the deceased from the light of the torches around. The pile was below upon the sand, about six or seven cubits from the water, and the spectators were some below and others on the bank above. In the Burdwan family, if the heir is in possession of the states of the Raj, he does not apply the fire, but the family priest, the *Purhoit*. In the end of 1225, two years before his death, Pertaub took possession of the Rajahship and the collectory tahoods were all signed by him from that period. His father made over the estates to Pertaub, and I supposed may have informed Government of the same. I have never been in the *Sumajbarree* where Pertaub's bones are. I have been in the new *Sumajbarree* of Rajah Tej Chunder once. I do not know, therefore, of my own knowledge, what became of the bones after they entered the *Sumajbarree*. I have not been present at any *shruddh* of Pertaub's since his death. I know nothing of my own knowledge about the illness of the Rajah of Burdwan or of the journey to Culna. My elder brother married Rajah Tej Chunder's sister, and Pertaub was my brother's nephew. This is my connexion with him. About Pertaub's death I never heard a doubt expressed. I don't know who this defendant is. I once saw him at Dankoorah in the Magistrate's Court, but he then wore a beard. This defendant is not my brother's nephew, Rajah Pertaub Chund. How can it be when I saw Pertaub dead and buried?

Cross-examined by Mr. Norton.—My house is now in Burdwan. I live in my own house, but have business at the Rajbarry and go there frequently. When Mehals become khass under Regulation VIII., the papers of these mehals remain with me. Poraun Baboo makes the arrangements for letting the mehals, but papers in all these cases remain with me and are attested by me. This is my business in the Rajbarry. Whenever I am ordered to do any other business connected with the estates, I do it. I am not Poraun Baboo's servant. I receive no salary from the Rajah. I am paid by the Maharanea. My grand daughter has married Poraun's

son, Tarrachund Baboo, and his son has married Poraun Baboo's daughter, since deceased. She has left one son and two daughters. During my whole life time I have lived at Burdwan. I came to Chinsurah by water, hired bearers, and then proceeded to Culna in a palkee.

Pertaub was lying on a bed when I saw him. Whether that was a regular bed-room I can't say. I know Radamohun sirdar, he was at Ambooa when the prisoner was arrested there. He is a mookier. I cannot recollect whether I saw Radamohun in Pertaub Chunder's sick room, but I recollect seeing him on the bank of the river. I do not know whether the Hakeem is dead or not, but the Cobetajes are all dead.

Pertaub I heard left Burdwan on the night of the 11th, and I know that he died on the 21st Pouse. He died on the 4th day, after my arrival at Culna.

There was no will left by Pertaub Chund, at least I know of none. Rajah Tej Chunder left a will. There was a near relationship existing between Tej Chunder and Poraun Baboo. There was no quarrel between Pertaub Chund and Poraun Baboo. After the death of Pertaub Chunder there was a quarrel between Poraun Baboo and the Ranees; but now there is amity existing in the family. In the life time of Tej Chunder the quarrel was made up, by some mutual agreement between the Ranees and Tej Chunder. I was present at the time when the body was taken to the water, and assisted with others in administering the unturgollee. His feet were at the time, of his death, in the water.

Juggamohun Doobey and Mohun Baboo had their hands on the corpse from the moment of death to the dressing of the body, six or seven Bengalee ghurries.

The face was covered until the *pindee* was placed beside it. It was also uncovered on the pile. Between the death and burning about a *phur* and nine *gurries* might have elapsed. Ghassy *Purhoit* is dead. Ghassy was the principal person. The pile was formed by propping up small banks of earth, placing logs across, and heaping on the wood above. The height was about a cubit and a half from the ground. I have never seen a *suttee* performed, and I never heard of a widow escaping from a *suttee* pile.

Q.—Could not the *Purhoit* have assisted Pertaub in escaping from the pile?

A.—If the *Purhoit* could raise dead men from the pile why did he not begin with his own father. It was impossible for the *Purhoit* to have smuggled him off, had he been alive. I was present at the death of Rajah Tej Chunder. His adopted son Madob Chunder put the fire to his mouth. Madob Chunder was not in possession of any portion of the estates at the time of Tej Chunder's death.

Q.—Who was Pertaub Chunder's heir.

A.—His father inherited the property.

Q.—Have not the widows of Pertaub a better claim to the property left by him?

A.—Whether the widows have a prior right to the father, is laid down in the *shastras*; but I do not know the law.

Q.—Why did not the Ranees apply the fire?

A.—The Ranees of Pertaub were at Burdwan and he at Culna, how could they apply fire? Sometimes the wives of Hindoos go, and some time they do not, when the husband is taken to the Ganges. I cannot say if Poraun Baboo went.

Q.—It is the custom of the Keries, that if the wife be present she must apply the fire, but what the custom of the Burdwan family is, I do not know.

The funeral pile was burnt from two ghurries after midnight until day-break. I was present all the time. I assisted in putting out the fire and I came away. I had no sleep all night. I went to Calcutta next morning. It was dark and not moon-light. I know Gooroo Doss Mookerjee; he was a Dewan of Pertaub's. I heard that he is dead. He was not present at the death of Pertaub. I know the names of several of Pertaub's servants. Muni Lull Baboo, Mundho Lall Baboo, Rada Soroop Chalah, Annoop Sing Jemadar, and Mohun Baboo. I do not know Aga Abass as his servant. I have never heard of his name. Nitto Baboo was my elder brother and was a servant of Pertaub Chunder's. He is dead.

I do not know whether Surajeen, sirdar bearer, was Pertaub's servant or not. Dhun Kist Podar was a servant but he also is dead.

Bhugabut khansamah was a servant, and is dead. I do not know if Meclamee coachman, was a servant or not, nor do I recollect of Koonjoomohun Ghose. I came to Calcutta to receive some money from Cassy Mullick, interests due on Company's paper. I had been in Calcutta, 14 or 15 days when I heard of Pertaub's illness; he was not ill when I left Burdwan.

I have seen the portrait of the Rajah Pertaub Chund: it is like him. There was, and sandalwood in the pile as I stated before. At about 4 or 5 ghurries of the night, the body was removed from the Rajbarree to the river.

Besides the names given by me already, I do not know of any others as his aid-de-camps.

I do not know any friend of his of the name of Praun Kisto Holder, neither do I remember Ramdhone Bounerjee. He has a house at Burdwan which he rents to gentlemen.

2d. Witness. Sworn by the *Lookree-theenamah*.—I am Chand Baboo. I knew the Rajah Pertaub Chund, son of Maharajah Tej Chund. I am acquainted with the circumstances of his sickness and death. In the year 1227, on the 5th of Pouse, he was taken ill with a fever and ague about the 10th or 11th of that month; he went from Burdwan to Ambooa, for the purpose of performing the *Gunga Juttra*. After his departure my younger brother, Gocool Chunder Baboo, followed him to Ambooa. Every day information of his illness was sent to Joy Kommarree. On the 20th Pouse the Rance Joy Kommarree sent for me and Radamohun, sirdar, and said that she had received bad accounts of Pertaub's illness, and desired us to go to Ambooa. We left Burdwan when two guries of the day remained, and arrived at Ambooa in the evening of the next day. On our arrival I gave the letter to Radamohun, sirdar, to deliver to Maharajah Tej Chunder, and I went along with him. I asked the Maharajah how the young Rajah was, on which Tej Chunder beat his forehead and said, you may go and judge for yourselves. I and Radamohun then went and saw Pertaub lying on a coach sick. After a short while we went to our respective lodgings. About two guntas of the night, there was a cry heard that the Maharajah was very ill and was being carried to the river side. Hearing this, without eating went out and saw that the palankeen of the Rajah Pertaub had come out upon the road, and that there was a great concourse of people. We went and the palkee was put down near a tank at the ghaut, called the *Supka* ghaut. He was lifted out of the palkee and placed upon a cot; and as he appeared to feel cold he was taken up and put into a tent. There, being unable to speak, he indicated by signs, what elephants, horses and grain he wished to give away in charity. Bunanun Gossain began to read the *Puran* of Sreemut Bhagabut. When night had far advanced, the Rajah became more unwell; on which all of us took hold of the bed and took him to the river

side for the purpose of performing the *unterjallee*. In his last moments he was lifted from the cot and placed upon a matras upon the ground, and then we administered the *unterjallee*, Juggomohun Doobey having hold of his feet. When about ten dundas of the night had passed, life left him.

After this Bussant Lall Baboo and somebody, whom I don't recollect, went to inform the Rajah Tej Chunder, and shortly after returned to the corpse. Bussant Lall Baboo then told Ghassyram *Purhoit* to perform the ceremonies of the dead. As is usual with the Ketties the wood and other articles were brought. Cloth, shawl, wood, &c. Ghassyram *Purhoit* took a piece of cloth to cover the corpse. Another piece was spread in the *ruthee* as is customary with the Ketties; what remained of the cloth was torn up in order to dress the corpse. After this Ghassyram *Purhoit* brought a *kulsee* of water and washed the corpse of the Maharajah.

After this the corpse was dressed in the cloth which had been torn for that purpose, and then laid upon the *ruthee*. Then Ghassyram *Purhoit* made a *pudee* and spread a shawl and covered the corpse. The *ruthee* was then lifted up, and carried some little distance, about 10 or 12 cubits, where it was laid down, and another *pudee* was prepared. Then the *ruthee* was again taken up and, according to custom, it was, with the corpse upon, it laid in the river and bathed.

All the ropes which fastened the corpse to the *ruthee* were untied, and the corpse was placed on the pile on which sandal-wood was then heaped.

The shawl was taken away, and the rest of the clothes remained on the corpse. Ghassyram *Purhoit* then placed another *pudee* on the pile and put the *pudee* upon the face and then applied fire to the mouth and set fire to the pile. The corpse began to burn. We all sat near lamenting, and the corpse continued to burn till morning. Ghassyram *Purhoit* then brought a *kulsee* of water and poured it on the fire, Juggomohun Doobey and others also brought water and threw it on the embers. Juggomohun Doobey took some of the bones and ashes in a pot, and took them to the *Sumajbarree* near Bissen Kimatee's *Sumaj*. Then we bathed and I went to our lodgings. On the 22d Pounce, about three or four dundas of the day, I and Radamohun returned to Burdwan—Radamohun preceded and I followed. I was about two or three minutes in the room of Pertaub. Bemanun Goossain and my brother Gocool Baboo, Annuadah Baboo and several of the Rajah's servants and a Mussulman were in the room when I was there. When Bussant Baboo went to give information to the Rajah Tej Chunder of his son's death, Mohun Baboo and Juggomohun Doobey remained with their hands upon the corpse. This is the custom of all Hindoos and particularly of the Ketties. Mohun Baboo and Juggomohun Doobey placed their hands on the corpse, and I and others remained sitting about five or six cubits off.

The Ketties prepared the *ruthee*. Juggomohun Doobey, Gocool Baboo, Bhyrub Baboo and Mohun Baboo took up the corpse and laid it on the *ruthee*. I did not then touch the corpse. When the corpse was carried away, I assisted in carrying it. We all assisted in placing the corpse on the pile. When placed upon the *ruthee*, the face of the corpse was covered, but when it was placed on the pile, the face was uncovered.

When the pile was fired the face of the corpse uncovered. The night was dark, but *musals* were placed all round the body. About three or 4,000 persons were present, both above and below the banks of the river. The pile of fire was erected below, on the sand, about three or four cubits from the water's edge and about 25 or 30 cubits from the bank.

When the pile was fired all present could plainly see the corpse. I continued to see the corpse until it was entirely consumed. I could see the corpse the whole of the time. The crowd on the bank above could also see it.

When the pile was first fired, I was near, but afterwards I went to a distance of about fifteen cubits.

On the north side of the pile, the river was situated and there torch-bearers were standing in the water. On the south, east and west the crowd were standing.

I did not go with Juggomohun Doobey to the *Sumajbarree*.

When I go to Ambooa I see the *Sumajbarree*, but I have never been inside of it. I did not see with my own eyes the bones separated in the *Sumajbarree*. The custom of the Rajbarree of Burdwan is, that until the heir attains the Rajship he may put fire upon the mouth of the deceased; but as soon as he inherits the Rajship he cannot apply fire to the mouth of the dead, but the *Purhoit* or priest applies it. Rajah Pertaub Chund, when he died, was in possession of the *Guddee* of Burdwan. The adopted son of Tej Chunder applied fire to his mouth at his death.

Madab Chunder, the present Rajah, did not attain to the Rajship at the death of Tej Chunder.

Some discussion here arose about the exact meaning of the witness. It was finally explained to be this: that if the heir of the deceased is not at the time of the funeral ceremonies in possession of the Raj, then it his province to apply the fire; but if the heir does obtain possession of the Raj by the demise of the deceased, then it is applied by the *Purhoit* or family priest.

If Pertaub Chund had at the time of Tej Chund's funeral ceremonies been put in possession of the estate, then a *Purhoit* would have performed the ceremonies. I do not know this defendant. I have seen him once in the Jungle Mehals, but never elsewhere. He then wore a beard. This is not the Pertaub Chund whose corpse I burned. This is an impostor.

Cross examined by Mr. Morton.—My son married Porain Baboo's daughter. His name is Ross Behary and he has no children. I live at Burdwan. My house is there. I am now living in the house of a *Muhunt* at Chinsuah. I do go to the Rajbarree at Chinsuah. I am a darogah of the Takoorbarree of the small *Deewry*. I do not receive any salary from Porain Baboo, but I get one from the Rajah. I have seen Radamohun sircar at Chinsuah. I did not consult with Radamohun sircar what deposition to give. What I have seen about the ceremonies of the dead that I have told. Three *pudees* in the whole were offered. I made no memorandum of any of these circumstances at the time. It was the funeral of a man of great distinction, therefore I recollect all the circumstances of it.

There was mention made about Pertaub's death in the case of the Ranees. There was an evidence taken regarding the particulars of Pertaub's death. I never heard any doubt of Pertaub's death. The Maharajah Tej Chunder would often make allusion to Pertaub's death, and therefore I recollect dates and other circumstances.

The Maharajah never wrote down anything of the ceremonies at Pertaub's death, but these I saw and remember well. I also was present at the death of Tej Chunder, and can relate all the circumstances of his death. I cannot recollect the year, month, or date of his death.

I have been present at the funeral of other Ketrises. I cannot recollect how many. I recollect some circumstances relating to the ceremonies of some of the Ketrises.

Every thing which took place at Pertaub's funeral was according to the custom of the Ketrises. There was nothing unusual at Pertaub's funeral. Why should there be? Ranees Bissen Kunnimaree was not present. I was a child when she died. I was very young. I am now about 53 years old. There was no sign made by Pertaub Chund when he was placed in the tent. Bumarun Gosain and Mahun Baboo placed his hands on the furniture of the horses and elephants before they were given away. Rajah Pertaub Chund died while every one was performing the *unturjalee* I was with him. He shivered and made signs that he was feeling cold.

The cloth was over the body for about 6 or 7 ghurries. There were 9 or 10 ghurries between the death and burning. In the neighbourhood of the pile the bank was sloped down. The pile was about two cubits high. Tej Chunder did not see the dead body of Rajah Pertaub. The pile was kept burning ten or eleven ghurries, until morning. Radanul un Sucar was with me all the while at Ambooa (Culna). Juggomohun Doobee is a Brahmin. The Brahmins are not defiled by touching the corpse of a Ketrise. It is usual for the Brahmins to touch the body above the knee. Gynajn Padma was the *Purhoit's* deputy—he is dead. Ghaseram was the deputy of Numeloll *Purhoit*. Munnoo Lal was old and weak, and did not come at the death of Pertaub Chund. There was no blood relation present. The old Maharajah was the only near relation who accompanied him. When Maharajah Tej Chunder went to Ombekah, Rankunt Ghose, Sahid Ram Buttal and a number of servants and others accompanied him. I do not know whether the Maharajah was accompanied by any one returning to Budwan. If the Raj was not possessed by Tej Chund, the fire would still have been put into his mouth by the *Purhoit*. I had two brothers and they have all died but myself. I had a brother named Kistno Chunder; he was employed on the Khas-Mehals; he is now dead. Kistno Chunder and I had a quarrel, and I do not know what became of him or where he went. A short time ago, I heard that he had been with the prisoner at Hooghly and that he was dead. I never heard Kistno Chunder say that the prisoner was the real Pertaub. I had no correspondence with Kistno Chunder. I met the prisoner at Bankomah, but had no conversation with him. My other brother's name is Gocool Chund. I do not recollect whether Aga Abas was a servant of Pertaub. I see the Aga. I do not know him.

[Witness is here shown a sumud purporting to be a discharge from the service of Pertaub Chunder, bearing date May 1227, with an illegible seal and no signature.]

There is a great difference between Pertaub Chunder and the prisoner. There is a difference in every thing, in the eyes, in the colour, the stature, and the teeth. Pertaub's nose was large and long. It was not like the prisoner's, it was a handsome nose. The picture in the next room is very like the Rajah Pertaub Chund. In Budwan every body was the Rajah's servant; what he had in other places I do not know. Those estates which Poraun Baboo had at the death of the Maha Raja, he still has. He obtained none since.

Mr. Morton mentioned that it might perhaps tend to shorten the case, if he was allowed to inform the Magistrate that it was no part of the case for the defence to attempt to disprove the particular circumstances and

ceremonies which took place before and after the alleged death, and that the only questions in fact were, whether Pertaub Chund actually died and whether it was his body (if any body at all) that was burnt.

Mr. Samuells said, that he should proceed in examining the other witnesses, and should confine himself to three points, of the actual illness, death and burning.

The Magistrate ordered that the nazir should be fined 20 rupees on account of the absence of all the witnesses, who, it appears, had left the court at about 4 o'clock, P. M. this-day, thinking they would not be called.

The Magistrate cautioned the nazir, stating that if he did not upon the next occasion produce the witnesses when they were called, he would most surely dismiss him, as there appeared to be a wanton neglect on his part.

Mr. Morton was understood to ask the Magistrate whether he had any objection to inform him what name the prisoner was alleged to have, as the charge stated him to have another name.

The Magistrate said, that he must decline doing so, at present, until the witnesses to the prisoner's identity were actually present.—*Hurk. Sept. 12*

8TH SEPTEMBER 1838.

Mahun Lull Baboo, sworn.—I am darogah of the elephant establishment. I knew the Rajah Pertaub Chund. I was his servant. I was always with him. I know of his illness in 1227. He was taken ill with fever on the 5th Pooos, at times extremely cold, at others so hot that it leaves of the castor oil tree, when applied to the body, became dry. The fever and ague continued, and Asgur Ali, Bimanun Gosain and Juggut Kobraj, who attended him, felt his pulse and said, on the 11th, that there was no more hope of life and that he must perform the *Gunga Jatra*. I was present during his illness. I do swear before God, the magistrate, and all present, that I am quite sure that the Maharajah was exceedingly ill and that there was no deception in his illness. He was not able to walk without assistance, and when he got up for a necessary purpose, two men were obliged to support him. When he was lying in the hall called *burahdwara*, the English Doctor of the station visited him and said that leeches must be applied to his temples and the back of his head. The Maharajah Tej Chunder made objections to apply the leeches, as he considered the young Rajah too weak. I went to Ambooa with the Maharajah Pertaub Chund, and was present with him during the whole time of his sickness. His illness daily increased at Ambooa. He was taken to perform the *Gunga Jatra* on the 21st Pooos 1227. His speech was quite incoherent, and he was exceedingly weak. I was present at the performance of the *unturjalee*, and held him myself on one side. When the *unturjalee*, was being administered, he was alive, and shortly afterwards expired, repeating the name of his God, the people shouting *horae bole*. I held him by the great toes and kept him in the water touching the ground during the performance of the *unturjalee*. I am quite certain that he died, and there was no deception in the matter. After the death we threw a cloth over the corpse, and Juggomohun Doobee kept his hands on the corpse for 5 or 6 *dundas* (about 20 minutes). The body of the corpse became quite cold while our hands rested upon it. After this we burnt the corpse. When the corpse was on the burning pile, there was no cloth upon the face. According to custom the *Purhoit* applied fire to the mouth. I stood from the corpse about 8 or 10 cubits distance. The face of the corpse was plainly visible

when the *Purhoit* applied the fire, and I saw it distinctly. When the *Purhoit* applied the fire, the skin of the corpse was burnt by the application. The *Purhoit* applied the fire three times in the face and went round the corpse three times, and at the third time the pile was fired. I continued to see the corpse until it was entirely consumed. I was one of those who, along with Juggomohun Doobe, and two or three Keries, (out of the 20 or 25 present) who raised the body on the funeral pile. He was lifted off the *ruthee* and put upon the pile. I have lifted a great many corpses upon piles. The body of a dead man when lifted up is like a log of wood, but that of a living man is quite different, for his joints and limbs move, and are supple. I must always be perfectly aware of the difference between a corpse and a living man and no deception could be practised upon me in that matter. The pile was raised from the ground about two cubits and a quarter. It had wood on all four sides of the pile; between that wood and the ground the space was not more than a span. It was quite impossible that any person should make his escape from below the pile. The pile was about five or seven cubits from the water. No person was standing between the pile and the water when the corpse was burning. On the other three sides there were Keries and relatives, and above, an innumerable assemblage of people. When the pile was lighted, every one could see the corpse, for about 20 or 25 cubits. The light of the pile was cast to a great distance on the water. The people above on the banks, could also have a full view of the water in the river. If any one had attempted to fly from the pile towards the river or elsewhere, we and the people on the banks must certainly have seen it. I don't know the prisoner now shown to me. I have never at any time before seen him. If Rajah Pertaub Chund were to come now before me, I could easily recognize him. His image is imprinted on my heart and in my eyes. The prisoner is not the Rajah.

The witness here made use of a very strong oath.

The difference between this man and Rajah Pertaub Chund, is like that between a slave and an emperor, I can see no resemblance between them in the eyes, nose or any other features.

Cross-examined by Mr. Morton.—I was the darogah of the Rajah Pertaub Chund's cook house. I received ten rupees wages. It was my duty to see weighed out all the ingredients for the *pollow*, *kulleah*, &c. &c. The Brahmins cooked, and I caused any dishes that were called for to be brought before the Rajah. I have been darogah of the elephant establishment about seven years. Before this I was a darogah of the temple called the *Suo-mundear* or hundred temples at Burdwan. I now receive ten rupees a month from the Rajah's treasury. I and my ancestors have been always called Baboo. I remained with the Rajah Pertaub Chund day and night during his sickness. When he wanted rice or water I supplied him. I never felt his pulse. I sometimes applied the leaves of the castor-oil tree to his body and often times some other servant did it. I have never learnt the business of a hakim. I knew Bahadur Sing; he was a companion of Pertaub Chund's. I do not know where he is now.

I know that on the 5th Poose, Pertaub Chund was taken sick, and died on the 21st of the same month. I will ever remember it. I recollect his marriages, even the first marriage; but I do not recollect the date, month, or year. I do not recollect even the year it was so very long ago.

I recollect the death of Rajah Tej Chunder. I did not accompany him to Calna; but in the year 1239, in the month of Srabun, on the 30th of that month, he left Burdwan, and I heard that he died on the 2nd Bhadur,

when about two ghurries of the day remained. Sam Chand Baboo (the witness of yesterday) is a child compared to me; why should I learn that or any thing else from him?

The whole of the doctors have died. Bumanun Gossin gave evidence in this matter at Bankoora, and he is since dead.

I do not know the name of the English Doctor, who attended on Rajah Pertaub Chund at Burdwan. Pertaub never had any such sickness as the sweating sickness; that is an invention of the prisoner with which he imposes upon you, gentlemen.

I do not know Dr. Halliday. I know only of one Doctor at Burdwan I went along with the Rajah Pertaub Chund to Calcutta, but not always. When the Rajah first went to Calcutta and was living at Short's Bazar, then I was with him; and when I did not go, Nundho Baboo went as darogah of the cook-room.

Whoever was the darogah of the cook-room went to Calcutta, First Conroy Lall was darogah then I was darogah, and then Nundho Lall. Conroy Lall was in Calcutta, and I don't know where he now is, I have not heard of him for 12 or 13 years.

On the 9th the *Kobrajes* said the Rajah had what they called a *teridnahee* fever, that is a complicated fever attended with heat, cold and bile. On the 11th they said there was no hope, and he could then only speak with great difficulty. On the 21st you could only hear him by bending over him immediately. Before his death, his lips moved and when you bent over him you might distinguish the name of God.

Juggomohun Dobe had his hand on the Rajah's thigh at the moment of his death. I was on the west side of the pile. The weight of a dead man is greater than a living man, because there is no air in the body of the dead man. You could tell at once that it was a deception if a man simulated death.

It was one Bengallee ghurree after midnight when the pile was set on fire, and the burning continued till the morning.

After the fire had been burning for a while, I could see the body for some time on the pile.

About 5 or 6 Bengallee ghurrees elapsed between the death and burning. The wood is put on the corpse when it is burning. There were many spectators from Burdwan but more from Ambora. There were many people there not connected with the Rajbarie. I know Aga Abass, who was Rajah Pertaub's servant. He was a Mogul jemadar, but was with him a very short time. I know him, but whether others in the Rajbarie know him or not I can't say. He was not much near Pertaub. He kept watch, as was his duty. He never slept in the room with Pertaub. He was no Rajah's servant. Whether he went along with him to Calcutta to Short's Bazar, I cannot say. This is the man; he was a servant for a very short time. I never went along with the rajah to Moorsheadabad. The Rajah went to Moorsheadabad about 20 years ago, about one or two years before his death.

Re-examined by the Magistrate.—This Aga Abass was not one of the respectable servants of Pertaub Chunder. He was in the service of Pertaub Chunder until his death, and was after that event continued in the service by the Rajah Tej Chunder, who dismissed him, with a number of others, in consequences of their quarrels.

2d. Witness, Money Lait Baboo, sworn on huthf-namah.—I am a zemindar and merchant and of the

Ketrie caste. I am 48 years old and live at Burdwan. I knew Maha Rajah Pertaub Chunder, son of Rajah Tej Chunder.

In the month of Poose, 1227, I was with the old rajah in whose service I was then employed.

I am acquainted with the circumstances attending the illness of the Rajah Pertaub. About the 5th or 7th he was attacked with an aguish fever, and on the 11th he went to Ambooa during the night. I was the old Rajah's servant. I used to go backwards and forwards to see the young Rajah during his illness.

It appeared to me that his illness was of that nature, that he would not live.

The English Doctor on the 11th, advised Gooroolass Baboo to put about 100 leeches on Pertaub Chund, but he did not do so. The native doctors were Brimanand, Gossain, Juggut Koberaj and Asgur Ally Hakim. These doctors are all dead. I had no conversation with them at Burdwan.

I followed the young Rajah on the 12th instant to Ambooa, and arrived that evening. The patient was daily getting worse, it being necessary to lift him up in a chair whenever he wanted to go any where.

I was always present with Pertyub Chunder day and night, as also was the old Rajah. I am quite certain that he was very ill. There was no possibility of deception. He was my brother-in-law. On the 21st instant he was extremely weak and Juggote Coberaj and Brimanand Gossain told us that we must take the young Rajah to the river side.

I saw the young Rajah at that time with my own eyes—he had then no power of moving. I am perfectly certain of this. He was taken to the river side. He gave gifts by touching the different articles and then the naturjalee was performed at about 10 ghurnes of the night.

When he died I was in the tent. When the ruthee was being prepared, I went to the body. It is customary with us to take off the old clothes from the corpse and put on new ones, and to give part of these clothes to the Purhoit.

When the new clothes were being put on, I saw the corpse. I did not particularly observe the color of the face of the corpse, but it was that of a dead man. There were torches and I think lanterns also burning. By that light I could plainly see the corpse. I am quite sure that it was a corpse and not a living man which I saw, and I am positive that no deception could have been practised upon me. There was a pile prepared after death.

The corpse of the young Rajah was placed on the pile.

I did not lift up the corpse myself. Juggmohun Doobee and other Ketrie lifted it. The face of the corpse was uncovered when on the pile. About 2,000 or 2,500 people were present.

Bussunt Baboo, Nundho Baboo, Mohur Baboo, Bhyjoo Baboo and Gocol Baboo, and a great many others were present. I saw the corpse placed on the pile. The Purhoit put a *pindee* near the mouth of the corpse, and put also fire 3 times on the face, passing round between the intervals.

I saw the corpse plainly in the flames. My recollection is, that as long as the corpse was burning I continued to see it. I pushed it with a stick when in the fire.

I am perfectly certain that it was Pertaub Chund's corpse which was burnt to ashes.

How could there have been any deception in the matter, when I saw it with my eyes? It was quite

impossible for any one to have escaped from the pile when the fire was burning. There were about 25 maunds of wood over the corpse. (Here the witness was asked if he could see as he appeared to be nearly blind, and on his saying that he could see very badly, the prisoner was taken close to him. Witness passed his hands over the prisoner's person carefully, and peered into his face.) This is not the Rajah Pertaub Chund. It is quite impossible that the Rajah should now be alive. This is some impostor.

Cross examined by Mr. Norton—At the time of Pertaub's death my eyes were particularly good, it is only of late years that I have been afflicted with defect of sight. I am told it is from cold. I live at Burdwan, and my house is outside of the Rajbarree. I was one of the old Maha Rajah's *mosahibs* (companions), and *darogah* of the *chokedaree*. I am now *dewan* of the Bishenpore, estate.

Since I have been in Chinsurah, I have been living in the Rajbarree. I was a *mosahib* of the old Rajah. The old Rajah went to see his son and I went along with him. The old Rajah was there and the young man being ill, was it not my duty to attend? I have already said, that he felt sick on the 5th or 7th and went to Culna on the 11th. I do not recollect the names of any English Doctors who attended Pertaub Chund. I had been about 15 or 16 years Tej Chunder's servant, before the death of Pertaub. I recollect a lame European Doctor, who used to come; but his name I don't know. No European Doctors went to see the Rajah during his illness, but only the native ones. I do not know why the English Doctor did not attend. I rather think Gooroolass went to Ambooa, but I am not sure. [The witness here corrected himself and said that *ooktaram* went but Gooroolass did not.] The Rajah Pertaub could only speak with difficulty. I heard that there was no hope of his life when he left Burdwan. At the time of his coming from Burdwan I did not hear that any of the Ranees were asked to accompany him. I do not know if the Ranees were informed of his danger, as that is a matter pertaining to the *zenannah*. Sometimes the widows or a man accompany him, and sometimes not. I did not go with Tej Chunder when he died, but I knew that his Ranees accompanied him. I had no privilege of entering the Rajbarree *zenannah*. Such a thing is forbidden after a male is 5 years of age. There was a cloth at first on the face of the corpse, which was removed when the *pindee* was placed there. It is the custom that when the body is burning to stir the corpse with a stick. There was wood over the body and on the face when it was on the pile. At the time of burning, first I saw the features; when the *pindee* was placed there I saw them, and then wood was heaped on, and I saw only the form. When the body was stired I saw more clearly. I was about 5 or 10 cubits distant from the pile when it grew hot. The pile was about 2 or 4 cubits from the water. The bank there was sloping. The rajah Tej Chunder left Culna for Burdwan, while the corpse was burning. He did not go to see the dead body of Pertaub Chund. I never had any quarrel with Pertaub Chund. I never had any employment at Ambooa under the Rajah Pertaub Chund, nor under the old rajah. I never told him, but he knew very well that his son drank wine.

(*Re-examined by the Magistrate*).—The reason why rajah Tej Chunder did not go to see his son's body was, that he was overcome with grief and wished to console the Ranees at Burdwan, I was at the ghaut, and I do not know who accompanied Tej Chunder to Burdwan. When the quarrel arose with the Bohoranees, I left Tej Chunder's service 6 or 7 months after Pertaub's death. Rajah Tej Chunder never had the slightest doubt of his son's death during the 6 or 7 months I was with him. I never heard any such doubt until this man (the prisoner) appeared. I was present at the

shradah of Rajah Pertaub Chund. The old rajah Tej Chunder was not, but he gave orders to the *purhoit* for burning the corpse and also of the shradah.

Bhyrubnauth Baboo signs the usual hulefnameh.—I am Cas-math Baboo's son, my house is at Ambooa, I am a Zemindar and also in service. I knew Pertab, and am acquainted with the circumstances of his illness and death. He is dead. I don't recollect the date of his illness; but he was taken ill in the month of Pous 1227 B. S. I was at Culna. I do not know how long he was ill at Burdwan, as I was at Ambooa, which is the place of my residence. He arrived there on the 11th or 12th Pous. I went once to see him during his illness. I was about half a ghurree in the room of the sick Maharaj, who then appeared to be very ill and weak. He died on the 21st Pous. I was not present when he died, but after his death a person came and said, the Rajah is dead, you must do all things according to custom. I was summoned, because I was a Ketric, and my ancestors and his were relations. When I went according to this summons, I saw the corpse of the deceased Maharajah Pertaub Chund. When I went, there was cloth on the corpse, and afterwards the cloth was taken off, according to custom, and then I saw the corpse of Pertaub Chund and stood close to it. I had no doubt that the Rajah was then dead. There were torches placed all round. I have seen a few corpses during my life time, and attended funerals. I can tell the difference between the countenance of a dead man and that of a living. Of course, if any man attempted to deceive me by assuming the appearance of a corpse I would find out. I, Saum Baboo, Bussunt Baboo, and Mohun Baboo and others, lifted up the corpse. At the time of raising the body I knew it to be that of a *moordah* (dead man). When the corpse was on the pile the face was uncovered. The *pindee* was placed, and the Pundit applied fire to the face, and the *purhoit* applied the fire to the mouth three times. I saw with my own eyes that the fire was applied to the skin. I could see the features of the face perfectly. At the moment there was plenty light, and I was perfectly satisfied that it was Rajah Pertab Chund's face to which the fire was being applied. There were 3 or 4 logs of wood flung on the corpse after the pile was fired. When the wood was above the body, we still continued to see it until it was reduced to ashes.

The corpse was stirred up with bamboos, but who stirred it up I do not know. It was impossible for any one to escape from that pile without our being aware of it.

I had seen the Rajah Pertab Chund previously two or three times. I have a perfect recollection of his features, and if it were possible for the Rajah to return, I could recognize him. [At this time the prisoner was shown to the witness.] There is no resemblance between the prisoner and the Rajah Pertab. He would at this day be about the age of 49 to 50. The age of the prisoner, I think, is 36 or 37 years. Since I buried the Rajah Pertab, it is impossible that he should now be alive.

Cross examined by Mr. Morton.—When the Rajah Pertaub died, I was 22 or 23 years old. I think the prisoner is younger than I am. I never saw the prisoner before. When I was asked the prisoner's age, I think I looked at him for about two minutes. When I burned the Rajah Pertaub Chund's body he appeared to be 29 or 30 years. I had seen him also before, and had an opportunity of forming a judgment of his age. About one or two years before his death I saw him.

I had seen him at Burdwan, when I went upon my business there. I only saw him two or three times during my whole life. I have never been with him about half a ghurree at a time. I only went to present my *taxzer*.

I was not a child when I knew the Rajah. He was my lord. If I saw a person only once, I should recollect

him again. I received a heritable pension from the present Rajah, as well as from the former. I do not live in the Chinsurah Rajbarree. I live in Baboo Gunge while here. Since I have been in Chinsurah, I have been at the Rajbarree; but I have not been there to day.

4th Witness. Juggomohun Doobee, sworn on the Ganges water.—I am residing at Burdwan. I am 64 years old. I am now serving at the Rajbarree.

I knew the Rajah Pertab Chund, son of Tej Chund. In the month of Poose 1227, I was the Rajah's servant and employed at Ambooa.

I recollect the Rajah Pertaub Chund coming to Ambooa in that month. He was weak and ill with fever. I saw him three or four times during his illness before coming to Ambooa. I had seen him five, seven or ten times. He was weaker then when I saw him before he last came to Ambooa. I had opportunities of seeing, that the Rajah was really ill and that there was no deception.

The Rajah Pertab Chund died at Ambooa. I was present when he died.

I am perfectly certain that I saw Pertaub Chund die, and there could have been no deception. I and Mohun Baboo remained with our hands on the corpse after his death. He died at 11 o'clock at night.

We had our hands three or four ghurries on the body, and during that time the corpse became cold.

Bhyrub Baboo, Mohun Baboo, Ghasayram Purhoit and myself put the corpse on the chetah.

I can tell the difference on raising a corpse and a living man. I am sure it was a corpse which I placed on the pile.

When the *pindee* was placed there, the face was uncovered. I then saw it was the face of Rajah Pertaub Chund.

Ghasayram Purhoit applied fire to the face. I saw it myself. Wood was heaped on the body after the pile was fired. The corpse was visible after the wood was on it. Ghasayram stirred up the corpse with a stick, and afterwards the Keties did the same. All along I saw the corpse until its final consumption.

Towards the morning the body was turned to ashes. I am perfectly satisfied that it was Rajah Pertaub Chund's corpse that was burnt on this occasion, and that there was no deception.

No one could escape from the pile after it was lit up. I could well recognize the Rajah if I were again to see him. (The prisoner was shown to the witness.) This is not Rajah Pertaub Chunder.

Cross examined by Mr. Morton.—I had not seen the Rajah for five years, when I saw him at Culna. I was the jemadar of the Rajbarree at Ambooa, and am now jemadar of the *Doerree* at Burdwan, in the Rungmehal.

I get seven rupees per month as wages. I have held this situation since 1233. The Rajah died on the edge of the river, near the Toppaghaut, near the edge of the river. He was half way in the water when he died. He was not seated on a chair, he was on a matras which had been lifted off the bed. He was about 29 when he died. The *unturjallee* was performed. One of my hands was upon the shoulder of the corpse and another on the cap of the knee. Ghee was applied to his face at the time of his death. Rajah Tej Chunder did not go to see the corpse of his son Pertaub Chund. When the corpse was raised on the pile, I held one hand my other hand was not on the foot but on the leg above the foot. I have told what I saw, why should I speak from what is customary. The ceremonies were performed according to

the usual custom, I recollect it well. The pile was about seventeen or eighteen cubits from the Toppahghaut. There were no dinghees or boats at that time near the ghaut. Dinghees or boats do not remain at that ghaut. There were 8 mussels burning. It was not too dark for one to see. I could see about forty or fifty cubits, as far as the light in the torches reached. The place where the pile was made, is about 2 arrow-flights from Culna. Boats usually lie below the Culna gunge, at a place where ferry boats start from. The *untjaller* was performed at the Toppahghaut, which is situated on the west of Culna. There is a tank between the Putramehalghat and the Toppahghat and there may be 100 cubits between them. There were then no trees on the bank of the river at that spot. Poraun Baboo was not present at the young Rajah's death. I do not recollect whether Pota Kumares Bebee was there or not. The old Rajah returned to Burdwan, on the night of his son's death. The prisoner's age appears to be below 40.

5th. Witness, *Nundolatt Baboo signs the usual Hulfnumah*—I am 45 years old, of the Ketrie caste, and servant of the Buidwan Rajbarree. I knew Rajah Pertaub Chunder as being one of his *mosahibs* (companions) and was constantly with him. I was present during his illness at Burdwan. He became ill at Burdwan in 1227. I was there. He had an ague and fever on the 5th Poose. I was with him in constant attendance day and night, during his illness. His illness increased day by day. An English Doctor came to see him during his illness for about a quarter of an hour. The Doctor ordered him to apply leeches to his temple or to be bled; but he refused to do either. Brimanund Gosain, Juggut Kobraj and Asgur Ali were the native Doctors who attended him. About the 11th of the month, when the fever had increased, he went to Ambooa at his own desire. The Kobrajes at that time said that his illness was very severe. I have since learned the profession of a doctor. I cannot tell when a man is sick myself. When a man falls down in shivering fever, becoming senseless, then I can. An ague is not such a complaint as a man could tolerate for fifteen or twenty days. I followed the Rajah Pertaub Chunder to Ambooa on an elephant. When he started for Ambooa he had not the power of getting up. I was always in the habit of seeing him at Ambooa. His fever there increased. I am not a physician, but observed that his strength daily became less, and that he became senseless when the fever attacked him. The Rajah died before my eyes at Ambooa. I was present at the time of his death. He was extremely weak at that time and had not the power of moving. I was close to him, when he died. I am sure he died, as I burnt the corpse. How could there be any deception? I saw the corpse when it was on the pile; his face and neck were exposed to view. A *pindee* was placed there and fire was applied to the face. Ghee was also put upon the face. I am perfectly sure that the face I saw touched with fire, was that of the Rajah Pertaub Chunder. When the pile was fired, logs of wood were thrown upon the body; the corpse was perfectly visible after this. The corpse was entirely consumed by fire and turned to ashes. I am certain that it was the Rajah's corpse that was consumed before my eyes. It was impossible that any one should escape from that fire. The fire was blazing all round, and how should a corpse fly. If the Rajah could come again before me I should recognize him. I do not know the defendant. I once saw him at Bankorah at a great distance. He is not the Rajah Pertaub Chunder; there is no resemblance between them. The Rajah Pertaub Chunder was about twenty-nine or thirty when he died. This defendant appears about thirty-four or thirty-five.

Cross examined by Mr. Morton.—I say with some certainty about the Rajah Pertaub Chunder's age. The

Rajah was three years older than me. I am 45 years old now myself. I have only guessed the prisoner's age. I should guess the age of the sheristadar to be about forty or fifty. Mr. Morton's age I think to be about 35 years. I am related to Prawn Baboo. He was at Buidwan when I left it. I have service in the Rajbarree. I was formerly a Bucksey or Pay master of the troops and am now a Darogah of the Bussorah gardens attached to the Sudler kutcherry. Bussant Lall Baboo is my uncle; my house is without the Rajbarree at some little distance. I am living at present at the Chiosurah Rajbarree. The European Doctor came on the 11th for a short time I do not know his name. The Kobrajes gave the Rajah physic, but what was the name of it I am not aware. The Rajah never allowed them to bleed him at any time. The Kobrajes did not wish to apply leeches, or to bleed him; that was the European Doctor. I do not recollect the name of the persons who attended Pertaub. I recollect the name of one European as present at the station, and that is Mr. Hutchison. I never visited the Rajah during his illness that I am aware of. The Rajah Pertaub Chunder never had any sweating sickness whatever. He was addicted to drinking. I have no recollection of there being any trees in the vicinity of the pile. No dingy or boat was near the place at the time of the death. The place where the pile was erected, is about one hundred cubits from Culnagunge. I went with Pertaub Chunder to Moorshehabad about two or three months previous to his death. He did not attend much to his zemindari business, his father chiefly attended to that. I was his companion and used to live as he did. The *Tchumpara* zemindar used to come and see him occasionally; but there was no friendship between them. He used to go to European gentlemen, but I know none with whom he had any friendship. I never saw Prawn Ki son Holdar there. Siconauth Baboo used sometimes to come.

The Court adjourned at half past 5 p. m.

[Hurkaru, September 13.

10th SEPTEMBER, 1838.

Peary Mohun Roy, signs the *hulfnumah*. I knew Rajah Pertaub Chunder, son of Tej Chunder. When he was ill I was in my own house at Jamalpore. I am not acquainted with any thing relating to his illness; but when he was dead I then saw him. In 1227 B. S. 21st Poose he died. I saw the body of the Maha Rajah extended on a pile on the Toppahghat at Culna. After one ghurree after midnight I arrived there. I stood about 2 or 3 cubits from the pile. His face was uncovered, but the rest of the body was covered with cloth. I had before seen the Rajah Pertaub Chunder very frequently. I was well acquainted with his features. I am quite certain that that was the corpse of Rajah Pertaub Chunder, and not of any other persons. Ghassy Ram Purhoit put the fire on the face of the corpse. He touched the face with fire three several times.

The pile was set fire to by several people of the Ketrie caste then present. Logs of wood were placed above and below the corpse. I continued to see the corpse after the pile was burning. The fire burned the corpse and blazed very high. I was there until three puras of the night had passed. I went away before the fire was extinguished. The pile was about one cubit or one of a cubit or one of a cubit from the ground. It was impossible for any

one to escape from beneath the pile. About two or three thousand people were present. On all the four sides there were torch bearers and on three sides there were spectators. On the side of the river there were three or four mussalchees, and one or two servants. There were no spectators on that side. It was impossible for any one to have escaped from the pile without our knowledge. There were many people from Ambooa present, Binloo Baboo, Rajoo Baboo and Bhyrub Baboo, and several others. There were a great many people present, but I do not recollect the names of any who were not connected with the Rajbarree.

The most respectable people present were Gocool Baboo, Nundhoo Baboo, Rajoo Baboo, Busunt Baboo and some others. All these respectable people who were present are connected with the Rajbarree. (Here the prisoner was shown to witness.) I do not know the prisoner. He is not Maharajah Pertaub Chund. I know that he is not the Rajah, because there is no resemblance between his feature and those of Maharajah Pertaub Chund, and because the Rajah Pertaub Chund was burnt before my eyes.

(Cross examined by Mr. Morton). I am Dewan of the Ambooa Catcherry. I live at Cunalpore, which is 8 coss from Culna.

I am Dewan in the service of the Rajah Madab Chunder. I have been Dewan from 1234 B. S. I receive ninety rupees a month from the Treasury of the Maha Rajah. I was in no situation then. When Pertaub Chund died I was about thirty or thirty-one years old. I am now about forty-even or forty-eight years old.

On the 20th I went from Jumalpore to Burdwan; on the 21st from Burdwan to Ambooa.

My father was in the employ of the Maharajah Pertaub Chund, and being ill himself ordered me to go and see how the young Rajah was, as we eat the salt of the family. I went there at twelve o'clock and waited there about one hour. There were about two or three thousand people present. The most respectable were the Rajbarree people. There were several people from Ambooa, but I do not know any thing of their respectability. I do not know whether there were any Armenians or Portuguese at Culna, who knew Pertaub. I don't know any Indigo Planters there. I was constantly in the habit of seeing him.

Pertaub Chund used to converse in English with Europeans and write letters to them in the same language. He was an excellent rider, or horseman. I used to ride with him often. I never was present when he bathed and do not know whether he ever swam or not. He never had a bite from a horse in my presence. I never saw the mark of a horse's bite on his body. I never heard him say that he was bitten by a horse. He kept Bihelaty Khanum for a short time: I do not know the names of his other mistresses. He was a great man and these things were not spoken about. Ramlochan Moonshy used to collect his letters when he began to write English, but afterwards they were wholly composed by himself. Ramlochan Moonshy first taught him the English language. There were no European masters employed to teach him the English language. He was acquainted with Mr. Hutchinson, Mr. Trower, and with others who were at different times Judges, Magistrates and Collectors of Burdwan. I cannot recollect whether the Rajah was acquainted with any English Clerk of Mr. Trower's. I do not recollect any meeting taking place at Burdwan between the Rajah and any Europeans. I don't know the name of Peter Blamer or of John Ridley.

2d Witness—Gopeenath Dutt, son of Ram Connyr, sworn on the Ganges water. I lived at Susnoe Mantasa, and am now forty eight years of age, and Dewan of the Buxshydufter at Burdwan. I am of the Kayit caste.

I knew the Rajah Pertaub Chund. He was taken sick in the month of Poose in 1227 B. S. I saw him frequently during his illness. He had angui-h fever. I never placed my hands on the Rajah's body. The Maharajah said that he was very ill with fever. I do not know what the Cobrajes ordered him to eat from one day to another. I did not see any European doctor there. The Cobrajes were Brimanund Gosain, Juggote Cobiaj and Asgur Ali Hakim. The Kobrajes frequently told me that he was very ill and that there were no hopes of his recovery.

I am sure he was ill, and there was no pretence. I recollect his having gone to Umbeka. He was extremely weak when he left Burdwan, he could not move of himself. I followed the Rajah on the 16th Poose, but did not go along with him to Ambooa. I saw the Rajah on the 21st Poose, he was then extremely weak. He spoke very slow, his voice could not be distinctly heard, and he died at Ambooa on the 21st Poose 1227 B. S. I was present when he died. I stood about five or six cubits distance when he died. I am sure that there was no deception I saw it with my own eyes.

About twenty or thirty Keries were about the corpse. There were no doubts entertained about his death. His corpse was burnt after death. I was present. A cloth covered the body up to the neck. The face remained uncovered. About two or three thousand people were present on that occasion. The Koties were standing near, and the rest of the people above or the Tappaghat. The people were standing on the south, east and west, and on the north was the river.

No one was on the side of the river. The pile was about one cubit or one cubit and a quarter from the ground. It was quite impossible that any one should escape from the pile either above or below and that we should not see it. I could see the corpse plainly in the middle of the flames, and numbers could see it. I am sure that it was the corpse of the Rajah which was burning in the midst of the fire. There could have been no deception. I was there from first to last, until the corpse was consumed to ashes. It was the corpse of the Rajah Pertaub Chund. I was constantly in the habit of seeing the Rajah every day. I recollect his features very well. I do not know this prisoner. He is not Rajah Pertaub Chund. I know this is not the Rajah. He does not resemble him at all; eyes, nose, stature, age, every thing is different.

Cross-examined by Mr. Morton.—I am employed in the Rajbarree I have been employed there ever since I can recollect. My salary is now twenty-five rupees per month. At the time of the death of the Rajah Pertaub Chund, I was Theesildar of Cossipore Kutcherry. I was also Karkoor of the Kharijee dufter kutchery. I had every day, as Theesildar, to go to him, and make my salaam. I was an Amlah of the Rajah. I was not a pimp to the Rajah, nor did I ever pimp for him.

I went to Culna to see my master the Rajah, as he was sick. There was no hope of recovery when the Rajah left Burdwan. He was taken ill on the 5th and removed to Ambooa on the 11th. I am a Kayith. I did not touch the corpse.

The name of the priest was Ghassae Ram. There was wood placed on the body, about five or seven, or ten maunds, over the whole body, face and all. About three or four ghurries elapsed in preparing the pile. The feet were to the east, the head to the west, the river on the

north, about five or seven cubits distance. At this distance of time I cannot recollect on which side the Pur-hoot stood. There were no Brahmin women assisting in any part of the ceremonies. Juggomolun Doobie, Mohun Baboo, and Bussant Baboo, bathed the corpse. There was no Brahmin employed to register the name of the corpse. If the Maha Rajah Pertaub Chund were now living, he would be about forty-eight years old. I do not recollect exactly in what year he obtained the Rajahship, but it was about the year 1225 or 1226 B. S. I got no new appointment from Pertaub Chund. On his entering in possession, I held the same appointment as before. It is not the custom to give sund and for such appointments as mine. We receive the paun on being appointed. I went on the 12th Choite last, (21 May 1838) to Ambooa. I was at the Rajbarree at Culna when the prisoner was taken. I was not on the river side on that occasion. I gave no assistance in binding the prisoner that day. The Maharanee sent me to Culna to take charge of her property, she having a great deal of property there. I am servant of the Rajah and the Maharanee is his guardian.

3rd. witness, Gnoop Sing, Naib hukaru, son of Mohan Sing, resident of Buitwan, aged 42 years, of the Rajpoot cast.

I knew the Maharajah Pertaub Chund, son of Tej Chunder, Baboooor. I was present with Pertaub Chund, in the month of Poose, both at Burdwan and Ambooa. He was attacked with an agueish fever at Burdwan when he was taken ill. I saw him frequently during his illness. He appeared to be exceedingly ill. He had not strength to move about. The Kotiajes said "he is exceedingly ill, let us see what will come of it." I am sure that he was ill for he grew weak. There was no feigning on his part. I saw him at Ambooa, he was then also very ill.

He died on the night of the 21st Poose 1227 B. S. On that day he was neither able to speak a word nor to move. I was present at his death standing about 4 or 5 paces off. I am certain that he died, and it was impossible there could have been any deception. The corpse was burnt, and I was present at the burning. The face of the corpse was uncovered on the pile. The night was dark, but there were five or seven torches all around. About three or four thousand people might have been present. Every one could clearly see the face of the corpse when it was laid on the pile. There was no empty space below the pile. There was wood all below. The pile was about 1 1/2 cubit high. There was wood thrown on the body when the pile began to burn. After putting fire to the mouth, the pile was lighted on all sides.

There was no possibility of escape from the pile. The corpse was seen by all when burning on the pile.

I remained there until morning, when the corpse was consumed to ashes. I am quite certain it was the corpse of Pertaub Chund and there was no deception.

If the Rajah had come to life again I would recognize him. I don't know this man (the prisoner.) I saw him at Bankoorah when he had a beard. He is not Pertaub Chund. I know he is not the Rajah because his features are quite different. The prisoner is clearly an imposter.

(Cross-examined by Mr. Morton.)—I am now in the service of Rajah Madah Chund. I have been now about 30 or 31 years in service. I receive 7 rupees salary. I remain generally in the Rajbarree, but my house is not there. When the Rajah Pertaub Chund was taken ill, I was Naib Jemadar of the hukaru. I was then a servant of the Rajah Tej Chunder.

The Doctors saw Pertaub, and I also saw him and new that he was very ill. I accompanied the Rajah Pertaub to Ambooa. Rajah Tej Chunder followed a little while

after. I went with Pertaub Chund and do not know who might have gone with Tej Chunder. A new piece of cloth was torn up and placed on the corpse. There was also a shawl before the *pindee* was placed.

The face was covered and afterwards uncovered. When the corpse was laid on the pile, the head was to the south, and the feet towards the river. Wood was thrown over the face, as well as the other parts of the body, when the pile began to burn.

4th Witness.—Rameoomar Naybosen Battaeharge, takes the *hulifnamah*.—I am aged 66 years, a pundit of the Rajbarree. I know Rajah Pertaub Chund. I was at Ambooa in the month of Poose in 1227 B. S. I saw the Maharajah at Culna in the verandah of an upper-roomed house. He was then extremely weak. I did not see him rise from his bed myself, and his speech was very incoherent. The Maharajah died at Culna. When they were performing the *untajulee*, I was standing near repeating to him the name of the Almighty. I was about 10 or 12 cubits distance from the body when he died. I am quite certain that he died before me, and that there was no deception. After death his body was burnt. The face was bare when the corpse was on the pile.

There were a great many people present when the pile was lighted. When the fire was applied I could see the corpse. When the pile burned up I left the place and went away home. The head was placed to the south, the feet to the north. No one could have escaped from the pile without our knowledge.

Some were standing 2 or 3 cubits from the pile when I went home, others further off. I could then see well, but now I see with great difficulty. I was Subha Pundit and was always with the Rajah, and have been with him to Chinsurah, Calcutta, and Moorshedabed. It is impossible for him to come to life again. If any one were shown me I could tell if he were the Rajah. This man, (the prisoner) is not Pertaub Chund. If he were he would be 48 years of age, but this man appears to be under 40.

Cross-examined by Mr. Morton.—I was Subha Pundit at the time of the death of the Rajah Pertaub Chund. I have remained in the same situation ever since. When the Rajah went to Ambooa I went there frequently. No Brahmin women were present at the funeral of the Rajah assisting to perform the ceremonies. I know not of such a custom as Brahmin women assisting at these rites. I do not know whether there were any shops above the ghat or no.

I was present at the death of Rajah Tej Chunder, which took place at the Ombekah ghat. He came on the 1st and died on the 21st of the month of Bhadron 1239 B. S. The Rajah Tej Chunder was on the Rajbarree when his son Pertaub Chund died. The Ranees were at Ambooa in the Rajbarree when Rajah Tej Chunder died. The young Rajah knew English well. I do not know the name of coachman belonging to him. I do not know the names of any of that description of servants. I do not know of any mark of the bite of a horse on Rajah Pertaub Chund's body. He left two widows and they are yet living. He was first married, when he was quite a child, to Peary Kumaree, and he married Annund Kumaree long after, about 7 or 8 years before his death. He was always on good terms with his Ranees. How can I say whether the Ranees could or could not recognize Pertaub Chund if they saw him again? I go to the Rajbarree on my duty.

Re-examined by the Magistrate.—I can't say exactly, but when Pertaub married Annund Kumaree, she was about 11 or 12 years of age. I do not recollect Gobind Chunder Mullick.

5th. Witness Radachund Baboo, takes the *hulifnamah*. I am the son of Gobinehunder, live at Ambooa, and am aged about 42 or 44 years. I am in service, but have talooks, I am of the Kotiaje caste.

I know Rajah Pertaub Chund, son of Tej Chunder. In 1227, in the month of Pouse, I was at Ambooa. During that month he became ill at Ambooa. He had an ague and fever. I saw him since only during his illness. When I saw him he was shivering with fever, and could not speak. He died at Ambooa. I was not present at the moment he died, but came afterwards. When I arrived there was a cloth on the body, and Juggomohun Doobee and Mohun Baboo had their hands upon the corpse.

When the corpse was bathed the cloth was taken off. I saw the face of the corpse at that time and knew it was that of Pertaub Chund. I am quite certain that it was a corpse which I saw, and not a living man. On seeing a corpse I can tell it from a living man. The hands and limbs become stiff and the mouth was open. The Ketties prepared a pile on which the corpse was placed. I and others placed the corpse on the pile. When I lifted the body on the pile, I knew it to be a corpse and not a living man. The face was uncovered upon the pile. There were present 20 or 25 Ketties of Ambooa, and about one or two thousand persons of that place. There were lights of torches burning all round.

When on the pile, by the light of the torches I and others there could easily see the corpse. I lifted up the corpse on the pile and knew it to be the very corpse of Pertaub Chund. The pile was lighted. The wood was placed both below and above the corpse. There might have been about 6 maunds of wood flung on the corpse. We continued to see the corpse after wood was flung on the pile and the pile was lighted. The corpse was burnt. I remained until the burning was finished. The corpse was turned to ashes. The head was to the south, the feet to the river side, and the pile about one and half cubit from the ground. It was impossible any one could have escaped from that pile. The Ketties were about five or seven cubits from the pile while it was burning. There was a great deal of light caused by the torches. We could see about 50 cubits distance. Before seeing the Rajah at Culna, I had seen him twice or four times in Burdwar, when I went to present nuzzurs. He was a great man; in my district, there was no greater.

If I could see him I should know him well.

He was a man whom if you had seen once you would decollect well. I saw him three or four times, and recollect him and his face well. I don't know this person (the prisoner). He is not the man—he is not Rajah Pertaub Chund. There is a great difference between the countenance of this man and Pertaub Chund. Pertaub's eyes were larger, his nose was handsomer, and his countenance altogether that of a handsome man.

Cross-examined by Mr. Morton.—I had not seen Pertaub for two or three months before I saw him at Culna. I have sat with him in 1821, for a whole *pahur*. It is impossible to say exactly what there was in his appearance which makes me recollect him. I have before said that he was a great man, such as one recollects long after.

I had a single interview with him.

I have not seen the portrait in the next room.

When Rajah Pertaub died he was about 29 or 30 years old.

I was then 25 or 26 years of age. My ancestors were related to Rajah Pertaub, but I myself was not related to him.

I married a female cousin of Praun Baboo's. I have some business in their Rajbarree. I am darogah in Juggurnauth T'koorbarree, at Ambooa.

When Pertaub died I was not a servant.

I have been in the service of this Raj since 1234 Bysack.

I always live at Ambooa. Rajah Tej Chunder died at Ambooa on the 2d Bhadhur 1239 B. S. He came there on the suncrant and died there on the following day.

There were many shops near the Culna ghaut when this Rajah died, but I do not know the names of the shopkeepers who were there at that time. I do not know if there were any Brahmias there at that time.

They keep shops and sell wood.

All the shopkeepers sell wood and other articles.

I do not know from whom the wood was purchased; but I recollect hearing that the sandal wood was purchased of one Issur Chunder Paul, Chowdry. I do not know whether Rajah Pertaub Chund was intimate with any Indigo Planter near Culna. I do not know the names of any Indigo Planters who were there then. I do not know any Armenian or Portuguese who was intimate with Pertaub at the time of his death.

There were a great many people present, but except where the torches were, it was dark, and who went or who did not go, I can't say.

Sixth witness, Hurisichunder Roy, takes the hully-nannah. I am the son of Issur Raju Chund. I live at Ammalpore, and am aged about 50 years. I am in service at the Rajbarree at Ambooa. I knew Pertaub Chund in 1227. In the month of Pous, I was at Ambooa. I was a servant in the T'koorbarree at Ambooa, which was the reason of my being there. I saw Pertaub Chund at Ambooa in that month. He was ill from the effects of fever called (*compu-jare*) an aguish fever. I am sure he was ill and not feigning. I saw that his countenance had become very thin. The Kobrajee were administering medicine to him. The Rajah died at Ambooa.

I was at that time on the banks of the Ganges close to him. I am certain that he really died and that there was no deception. I know there was no deception, because he died, and was burnt before my eyes.

There was a pile made on which the corpse was placed. When the body was placed on the pile, the face was not covered. His appearance was that of a dead man. There was a great deal of wood below and little above the corpse on the top of the pile. I could see the corpse after the wood was laid on. Ghassyaan Purohit fired the pile.

I saw with my own eyes that the corpse was burnt, and that it was that of Maharajah Pertaub Chund, Bahoodoor. It was impossible that any one should escape from that pile, and we not be aware of it. [Here the prisoner was shown to the witness.]

That is not the Rajah Pertaub Chund. I am sure he is not the Rajah. That is not his countenance.

Cross-examined by Mr. Morton.—I was deputy of the darogah of the Rajbarree at that time. I got ten rupees salary and two rupees for chatah, and the same is continued to me.

I get my salary from the Maharajah's treasury. I assisted at the funeral. I did not touch the dead, but assisted in purchasing different articles which would be required. I purchased the sandal wood from Ram-mohun Kerr, a druggist at Ambooa, not from any one else. When the corpse was burnt I was about ten cubits off to the west. Its head was to the south, the feet to the north.

I do not know if any Armenians or Portuguese or Indigo Planters were resident at Culna at that time.

I do not know whether Praun Baboo was at that time in treaty for an indigo factory there or not.

The Court, which opened at 10 A. M. closed at half past four o'clock. M. and is to re-open to-morrow, at 10 A. M.

At the rising of the Court Mr. Morton moved, that permission might be given to a mooktahar whom he named, and who is now in the Hooghly jail, to sit with the prisoner to assist his memory, which was granted by the Magistrate.—*Hurkaru*, Sept. 15.

11TH SEPTEMBER, 1838,

The Court sat at about ten o'clock, when the Nazir mentioned that a witness, Rajkissore Odikarry, was taken sick. Gungapersaud Tewarree was examined in his stead.

Gungapersaud Tewarree, of Jessore, of the Bhraminical caste, takes the *hullufnamah*.—I knew Rajah Perntaub Chunder. He is dead; at least I have heard so. I know Kisto Lal Pauru, a resident of the village of Gwarree, in the district of Kishnaghur. He is my female cousin's son. The name of the defendant is Kisto Lal Pauru, son of Sham'al Pauru, whose title is Brahmacharce. I have not seen him for the last 5 or 6 years. He was then an omedwar in the Courts of Kishnaghur and Burdwan. I heard that he had obtained a perwaannah to act as darogah at Santipore. When at Burdwan he lived in the house of one Ranchund Mitter of the Burdwan Collectorate. I heard from Kisto Lal's father that he left his home, but where he went I have no idea. Sham'al Pauru died about a year and a half ago. He had no lauds at Nuddea, but only a small house which now belongs to a Pongjee Brahmin. Kisto Lal had two brothers, Gour Lal and Roop Lal, and both are dead. I heard that Gour Lal was called the *Chota Huzoor*. His mother died a year ago. He had his maternal uncle, Seehpersaud Jemaitree, is still alive in Jessore, and his younger brother Modon Tewarree is also alive, as are also Fakeerchund Tewarree and Soroop Tewarree. He has no other uncles alive. His mother's name was Munnah. I do not know with whom the prisoner was acquainted at Nuddea.

Cross examined by Mr. Morton.—I have not seen him for about 5 or 6 years. I have seen him here, in his present character, coming out of jail to the Court House. The prisoner was ten or twelve years resident in my own village. Mooktadar and his father then came to Gwarree, Kishnaghur, and set up a temple, and he afterwards went to Burdwan and lived in the house of Ranchund Mitter in Sham Sago, where I also resided; and on Ramdheer Bicheet, Jumadar, also went backwards and forwards to the house and knows the defendant. From all these circumstances I know him. When I last saw Kisto Lal he was about 25 or 26. His age will now be about 30 or 32 years. He was a Kuuage Brahmin. His father Sham'lall had an image of Kalee in his house, to which people used to resort, and he also used to be employed by people to repeat mantras in their ears. Kisto Lal's two brothers had no profession. What need had they, when they accompanied a man who called himself the Burdwan Rajah. I do not know when they first accompanied the prisoner on his expedition. I saw them at Bankoorah with the prisoner. I saw the prisoner also there, about two years ago. I have had no communication with him for the last 5 or 6 years. I knew him when I saw him at Bankoorah to be Kisto Lal Pauru. I was not acquainted with any body at Bankoorah, and did not there mention that he was Kisto Lal Pauru. He was then in jail at Bankoorah. I saw him in the end of 1243. When he came backwards and forwards to and from the kutcherry I was an omedwar in the Magistrate's Court at Bankoorah. Mr. Elliot was then Magistrate. It may have been in Bysack or Joistee

that I saw him. It was in the mangoe season that I went to the Magistrate. I had nothing to do with the Umlah of his Court. I did not mention this matter to the Magistrate. No one asked me. I do not recollect seeing Mr. Shaw at Bankoorah. I did not know that the Magistrate was endeavouring to ascertain who the prisoner was. He used to speak Bengallee to me, but also knew the Hindoo and Persian. I do not know who taught him the Hindoo and Persian languages. I was not educated along with him. He could write Persian and Bengallee. I have heard that he knew English but I never heard him read it. He used to read and write from his childhood. He studied with a view to service. Perhaps he looked out for a darogaship, a nazirship, or even a sberistadarship, for all that I know. How should I know what masters he had? We did not learn in one school. We are the only respectable family in the Mooktadar village at Kishnaghur, and there was a school in our house. Sham-lal Pauru had no house in our village. Kisto Lal resided in his maternal grandfather's house. His grandfather's name was Ramrutten Tewarree. He was alive when Kisto Lal was there. He is my uncle. I know Bengallee and Hindoo. I do not know Persian or English. I can only write Bengallee. I do not know whether Kisto Lal ever went to Lahore. I heard that when he was released from jail he went to Calcutta. I do not recollect in what year he left Mookhadhur village. There are no such things as mundules in the village. There are no other respectable people in the village except our own two or three families. From Mooktadar the prisoner went to Gwarree, Kishnaghur. I do not recollect how long he remained. I do not recollect in what year he went to Gwarree Kishnaghur. If I had dreamt of his getting up this deceit, I would have made a note of it. He was 10 or 12 years of age when he came to Gwarree. I sometimes went there and remained 4 or 5 days, about 16 or 17 miles from Mooktadar. I heard that he left Gwarree when he disappeared. His house was in the village of Gwarree on the banks of the Kburie Nudhee. Gwarree is $\frac{1}{2}$ a coss or $\frac{3}{4}$ from the kutcherry at Kishnaghur. Whether his father made any search for him after he went away or not I do not know. I do not know who is in possession now. I do not know whether any search was made for him after the death of his brothers. I do not know whether the property was sold for want of heirs. I have not seen his father or any of his relations for the last 5 or 6 years, and how could I have told them. I saw his brother Gour Lal Baboo at Bankoorah imprisoned with him there. Why should I speak of the matter to him? I go about as an omedwar and have not seen his uncle for four or five years. I am now resident at Ambooa, and have been there for a year and a half or one year. I was an omedwar with Kishen Chund Baboo, the Dewan of the Salt Mehals, at a place called Kasserjora in the Midnapore district. I was two years with him. I was with him before I went to Bankoorah. Since I left that place I have been principally at Culna. I was once at Moorshedabad. I am in no one's service at present. I am not a beggar's son. I had some property of my father's after his death and by which means I am supported. I was but for 2 or 2 $\frac{1}{2}$ years as Gomasta of Mr. Ewart's factory. The name of the factory is Muzza, situated on the banks of the Baowur river at Jessore. I was a writer at one time also under the Dewan Kishen Chund. After the death of Mr. Ewart the factory was sold. The agents were Chunder Coomar Tagore and Callee Coomar Tagore. When the gentleman died, these people, through their Deputy, thoguban Holdar, attached the property, and from this we supposed that they had a share in it. I have heard that Kishen Chunder Baboo is dead. I used to go to Burdwan for employment. I was never employed at the Rajbarree. On my return from Bankoorah, I passed through Burdwan, but I have never been there since. I have had no conversation with Porann Baboo and the young Rajah, I never mentioned this

matter to them. I never mentioned it to any body. I have been subpoenaed to attend this Court, and therefore I am come to give my evidence. Until I came to Hooghly, I never mentioned this matter to any body. I am now living in the Government Mosaffikhana on the top of the Bales Ghaut, Kisto Lal spoke the current Bengallee. I know a respectable individual called Judge Pundit at Culna. I do not know any respectable merchants at Culna. I have no occasion to know them; but I know Bissonath the tax mohurrer at Culna, and I live in a house of his. The thannah is the Ambooa thannah. Bissonath sircar is alive at his own house. I have quarters in the Chotah Decree at Ambooa. On the right of my house there is one Bissonath sircar the tax mohurrer of Culna. Some women live near me also, and a painter. I have no employment at present and am still an omedwar.

The Reverend W. J. Deer, sworn.—[The witness and the prisoner were sent to the adjoining room in order to afford Mr. Deer an opportunity of inspecting his features, and remained a short time there together, accompanied by Mr. Graham.] I am [a Missionary of the Church Missionary Society, resident at Kishenaghur. I removed to Kishenaghur in 1832.

Q. Were you at any time acquainted with a man named Kisto Lal Pauru?

A. Yes. His father, Shamlal, came to see me and asked me to allow his two sons to be introduced to me. Kisto Lal, the eldest of the two sons, made his visits very frequently and asked me for a recommendation for a darogaship. I gave him one to Mr. Battye, then Acting Magistrate in Kishnaghur, but the Magistrate in his reply said, the man whom you recommend for the darogaship is an unfit person for the situation. My Umlahs have told me that he has been suspected of having been the ringleader of a gang of robbers. Kisto Lal repeated his visits afterwards until I told him to come to me no more.

Q. How long is it since you last saw Kisto Lal?

A. I have not seen him since 1832 for I left this for England in 1833.

Q. Have you any means of knowing what became of Kisto Lal?

A. No, I have none. I returned from England in 1835. In 1836, when the prisoner was brought to Hooghly, two men came to me who said Poraun Baboo had sent them to me and that he was very anxious I should go to Hooghly and identify the prisoner. He begged this favour of me because I was a friend of his before. He offered me travelling expences; but I told him I was unwilling to meddle in so unpleasant an affair. I neither wished to have money in such a case nor to go to the Court of my own account; but as a friend of theirs, I promised to give them information, and consequently I sent one of my people to Shamlal, Kisto Lal's father, and said I would like to see his son again. His father said he was very glad and he would send his son, but that he was then absent, he had gone up the river to get some money from his disciples. Shamlal said that his son would return in about ten or twelve days. After 15 days were past, I sent again to the father, he then replied, "The Padree wishes to see my son; let him seek him himself."

Q. From your former acquaintance with Kisto Lal, do you think you should be able to recognize him if you see him again?

A. I recollect Kisto Lal very well.

Q. You have examined the prisoner and do you know who he is?

A. No.

Q. Is that Kisto Lal or is it not?

A. According to my recollection he is not. Kisto Lal was much fairer than he is. It is now six years since I have seen him and he may have altered, but I cannot recognize him.

Q. How used Kisto Lal to dress when you knew him?

A. His dress was the same as that of the Umlahs. The prisoner is exactly the size of Kisto Lal but his features I cannot recollect.

Q. Did Kisto Lal wear his hair long or short?

A. He wore it plaited like a woman's and back from the forehead. He had a high forehead.

Q. Were you acquainted with Mr. Krukenberg, I Missionary in Kishenaghur?

A. I was.

Q. Where is he now?

A. He is in one of the Eastern Islands.

Q. Do you recollect any journey of his to Hooghly in 1836?

A. Yes, I was then in Kishenaghur.

Q. Do you recollect the purpose of his visit?

A. His wife was ill and on her account he came to Hooghly.

Q. Did you see him after his return?

A. I did.

Q. Had you any conversation with him regarding his visit to Hooghly?

Mr. Morton objected to this being evidence. Mr. Samuells said:—I have shown that Mr. Krukenberg is out of the country and that his evidence is not procurable. I therefore give you the next best evidence which can be produced. Mr. Morton asked if Mr. Krukenberg had been judicially examined upon oath when he saw the prisoner. The Magistrate said:—"No!" but that every thing that passed at the interview had occurred in the presence of the Commissioner and himself (the Magistrate). Mr. Morton then asked whether a commission could not be issued to the Eastern Islands for the purpose of examining Mr. Krukenberg. The Magistrate replied, that such a proceeding would take up a great deal of time and was perfectly out of the question, and reminded Mr. Morton at the same time, that this was merely a preliminary investigation, and that such a proposition might with more propriety be made to the Judge. Mr. Morton then asked the Magistrate to make a note of his objection, and the Magistrate replied that this not being a Judge's Court, it was not usual to take notes of objections, and that the usual course was for the defendant's counsel to embody any objections which they might have, in a petition, which would be duly filed amongst the records of the case.

(Mr. Deer's evidence resumed).—Mr. Krukenberg said, that he had been called to see the prisoner, who called himself the Rajah Pertaub Chund. He said he had spoken to him and was convinced he was the very man he had seen in the house of Shamlal at Gwarree Kishenaghur, and that he was willing to go and give evidence of it.

Q. Did he mention what man he meant he had seen at Shamlal's?

A. He said the person who used to be there as a fakcer.

Q. Did he mention his name?

A. Not that I recollect.

Q. Do you know what character Kistolal assumed when he was with his father?

A. No, I do not.

Q. To whom did you understand Mr. Krukenberg to refer?

A. To Kisto Lal.

Q. Are you quite certain that this is not the Kisto Lal you knew?

A. It is a mere impression. It is six years since I have seen him.

Q. Could you swear positively that this is not Kisto Lal?

A. I could not. The size is alike, and the features are very near; but they are altered according to the image which I had formed of Kisto Lal.

Q. You went to England, I think you said, after your acquaintance with Kisto Lal?

A. Yes, the next year, in 1833, and remained two years.

Q. During these two years did Kisto Lal frequently recur to your memory?

A. Yes, I remembered him often.

Q. Were you much occupied at home?

A. Yes, I was occupied in settling my family affairs.

Q. Do you consider that absence and hurry of business are apt to weaken impressions or to strengthen them?

A. It is natural that they should weaken them.

Q. How often did you see Kisto Lal?

A. I can't say. He used to come daily for several weeks until I ordered him away.

Q. Do many other natives visit you?

A. A great number.

(Cross-examined by Mr. Montan.)—Q. Have you been many years in India?

A. Yes; I came out in 1819.

Q. I suppose you have had a good deal of experience in native physiognomy?

A. No; I have not studied it much, but I have had some experience.

Q. Before seeing the prisoner at the house had you any doubts of your being able to recognize him?

A. Yes, I had, because I knew that Kisto Lal was fair, and I had read in the papers that the prisoner was darker than the Rajah of Burdwan, whom I also knew to be fair; on that ground I formed doubts.

Q. Putting aside the fairness, had you any doubt?

A. Yes, I had a doubt, as it is now six years since I have seen him.

Q. Is your recollection of persons in general pretty good?

A. Not very; I frequently make mistakes.

Q. Do you judge from the features and complexion only?

A. Kisto Lal was very thin when I knew him, thinner than this man.

Q. Do you know of your own knowledge whether Mr. Krukenberg had any opportunities of knowing Kisto Lal?

A. Yes; from what I heard from him he had opportunities of knowing Kisto Lal.

(Re-examined by the Magistrate.)—Q. You say that he was thinner. Do you think that living upon the fat of the land tends to make a man fatter or thinner?

A. I can't say. Medical men might tell better than I, but I should say stouter.

Q. Did Kisto Lal live like a Rajah, or in what style?

A. In a middling style. They were neither rich nor poor people.

Q. Would a native or a European recognize a native countenance best?

A. The natives know each other much better than we do.

At this stage of the business of the day Mr. Morton inquired if the native witnesses who had given evidence were detained and whether they were compelled to give security. The Magistrate replied, that several belonged to the Kishenaghur Kutcherry and must therefore be returned there; but that all gave security to appear before the Sessions Judge if called upon. The Court adjourned at about 2 o'clock for half an hour.

Ramehunder Biswas was called and said, that he felt himself very unwell, and that he could not give his depositions to day. Paul Christian, the next witness, was therefore called.

Paul Christian, son of Gour Mohun Chuckerbuty, lives at present a Gwar, Kishenaghur, zillah Nuddea, aged 28, profession a Catechist of the Church Missionary Society, sworn.—I have been living at Kishenaghur since the year 1833. Before 1833, I once went to Kishenaghur. I do not know Kisto Pauru, but I know one Kisto Lal Bramacharee, his father's name is Shamlal, alias Summanund Bramacharee. I do not know what profession he used to follow; but he had Kalee Thakoor in his house, and the people who came to worship used to give him something: the boats also which came to the Gunge used to give him a per centage or their goods and that was the way in which he lived. I knew Kisto Lal when he used to associate with Mr. Krukenberg and Mohes Chunder Pandit. His father took Mr. Krukenberg, Mohes Chunder and me into a room to the west of the place, where the image of Kalee was, and told us to sit there and argue with his son and that he should be well pleased. We did argue with the son, Kisto Lal, for about two Bengallee ghurries. When we went home the Padree said, that he had not discovered the religious principles of this man sufficiently, and that, therefore, we would go again next day. Next day we three went again, and on the following day we went again, and on the four succeeding days I myself went alone; and shortly after that Kisto Lal was not seen at Kishenaghur. After the death of Shamlal there was a proclamation, calling upon his heir to appear, and stating, that if he did not appear within 10 or 15 days, the property would be sold. From these seven interviews I have a recollection of Kisto Lal. The prisoner appears like Kisto Lal, and I saw him once in the Jail, but since then his face has grown much stouter; and when I saw him at Kishenaghur and in the Hooghly Jail, he had a beard, and his hair was turned up like that of a woman. Mohes, Pandit, and several gentlemen were with me when I went to Hooghly. I said at that interview, that the face was like that of Kisto Lal. On that occasion I told the Commissioner that this man was like Kisto Lal, but I could ascertain and that to a certainty, in the course of ten days. Mohes, Pandit, had asked him in Kishenaghur if he had not seen him once before at Telmarowe, in Burdwan. He laughed and replied, that must have been when I was in some former state of existence. I reminded him of this when I saw him in the jail. He did not reply, but his face got grave as though from fear. When the Commissioner first introduced me to Kisto at the jail, he then also showed signs of fear, and when told by the Commissioner to tie up his hair he would not do so. He is now much stouter and his colour darker, and the wrinkle in his face is deeper, otherwise he is precisely the same Kisto Lal, whom Shamlal Bramacharee pointed out to me as his own son. I do not know what his family name may be. I have heard in Kishenaghur

What Shamlal was called Shamlal Pauru, Padheca, Bramacharee. Bramacharee is his religious title. I saw him in Kishenaghur in the end of 1833 or beginning of 1834, but I cannot say in what month of 1836 I saw him in Hooghly Jail. I had not seen him for two years when I saw him in the Jail. I could recollect a man after two years. There is a little difference in my recollection, but I do not forget in that time.

Cross-examined by Mr. Morton. Kisto Lal's face was darker in 1836 than when I saw him at Kishenaghur, and now he is stouter, and has wrinkles, which then he had not. Yes, I can swear that this is Kisto Lal, whom I saw in 1833. I have seen him in 1836 while the change which I have spoken of was taking place. He is not much changed, only a little.

I understand English, but I prefer giving evidence in Bengallee. I do not know whether the prisoner knew English; but when Padree Krukenberg spoke English, the man laughed, as if he understood what was being said. Padree Krukenberg and I generally spoke in Bengallee, but when he could not understand anything I explained it to him in English. Mohes Chunder Pundit, was present 3 times with me, but not the 4 times that I went alone. I do not know if he is alive, 3 months ago I received a letter stating that he was at Burdwan. I am quite sure that Mohes, Pundit, did not die 5 or 6 years ago. A Mohes pundit at Kishenaghur did die, but the one I speak of is an inhabitant of Burdwan. I did tell the Commissioner that the prisoner was exactly like Kisto Lal.

Q. Did you tell the Commissioner he was actually Kisto Lal?

A.—There were no questions asked me and I merely remarked that he was like Kisto Lal. After the interview, I considered the matter in my mind, and was satisfied, and I now swear positively that this is Kisto Lal. If I did not at the interview at the jail think this man was Kisto Lal, why should I say to the Commissioner that he was like Kisto Lal? Amongst the natives I have never yet seen two Bengalees perfectly like each other. There is always a difference. I did not ask him his age in 1833, but from his appearance at Kishenaghur he was about 32 or 33 years. His face changed from fear at the jail on my questioning him. I never saw him after the seven interviews. He disappeared in 1834. I do not know if any inquiry was made after his disappearance about 5 months ago. The proclamation was made desiring the heirs of Shamlal to appear. I never mentioned to any Bengallee that the Rajah was a false man. I had no occasion to do so. I was at Burdwan a catechist before I went to Kishenaghur. I resided at Konejenathsal. I had a house of my own. I was with Mr. Deerr and Mr. Whitebreck, the partners. I left Burdwan in January 1833, and went to Kishenaghur. I went to Calcutta in 1837 to learn Greek. I went in 1833, two or three times to Calcutta. I do not know what respectable people are at Kishenaghur that know Kisto Lal Pauru. I told the Commissioner that I would inform him after 10 days, but as he did not write to me, I did not go. In what month I saw him in the jail I do not know. I did not know whether his trial had taken place or not. After I had left the Jail I heard from the people that sentence of six months' imprisonment had been passed on the Rajah.

I was present at the Jail, with Mohes, Pundit, the Commissioner, the Magistrate and Dr. Wise. The Commissioner sent for me to look at the prisoner. He did not tell me why I was to look at him. Kisto Lal lived to the west of his father's Thakoorbarree at Gwarree. The cutcherry is about half a mile distance from the place. How can I tell whether he is well known to the Police people or not. I don't know how long he had been there, but he was there when I first went to Kishenaghur.

We went to argue with him on religious points. We do so constantly to all. We argue in houses, in streets and in bazars. Of course I recollect a man with whom I had talked seven times very particularly on religious subjects, and in whose house I had been so often. I spoke to Mr. Krukenberg, who said that he had seen the prisoner and that he was of opinion that he was Kisto Lal. I said that was my opinion also.—*Hurkaru, Sept. 17.*

12TH SEPTEMBER 1838.

On the opening of the Court this-day, Mr. Morton applied for a list of the names of the remaining witnesses, which the Magistrate ordered to be supplied. Mr. Morton also inquired whether evidence would be received for the defence in this Court; to which the Magistrate replied, that that would rest with the prisoner's counsel, who might either bring forward their defence now or reserve it for the Sessions' Court.

Ramchunder Bissows sworn.—I have lived in the village of Goornee near Gwarree all my life. I know Kisto Lal Brammacharee, he lived in Gwarree. There were three brothers, Kisto Lal Gour Lal and Roop Lal; their father's name was Shamlal. I have known Kisto Lal since I was 12 years old, and we read Bengallee together in the same school. The school was in the village of Gwarree, in Hamcummul and Ramtunoo Badooree's house. We were about 4 or 5 years together in that school. We left the school in 1225 or 26. We were there when we were about 16 or 17 years of age. After that Kisto Lal studied the shasters under Huroo Battachajee and Bhyrup Battachargee. These men are both dead. Kisto Lal remained there about four years; after that he read Persian with an old moonshie who lived at Gwarree near a house of Kasheenuath Baboo's. The Collectory Nazir and Hurrachunder Hoero, a wakeel of the Civil Court at Kishenaghur. Tomechurn Ghose a wakeel of the Civil Court, Shamachurn Bonnerjee, mooktar, Joychunder sircar, mooktar, and I, were all fellow students of Kisto Lal's. Kisto Lal remained with this old moonshie 3 or 4 years; after that he went to the cutcherry and employed himself as an omedwar. I can't recollect how many years he continued to be an omedwar; but I know that he was an omedwar when Mr. Macfarlan was Magistrate and Shamlal Bose Sheristadar. After that, not procuring employment in the zillah, he went away to Burdwan and other places and used to return after two or three years. He had a concubine of the name of Sheebie Kusbee, a daughter of Dassee Kusbee's. At that time he took to drinking very much, and we all abandoned his society. I have not seen him since for about five years. Shamlal was a Brammacharee and had an image of Kalee in his house. He used to get a percentage on the goods which the boats brought. When Kisto Lal was at home he lived in a room to the north and west of the Thakoorbarree. He was also an omedwar when Mr. Batey was Magistrate. Mr. Halkett has been a great many years in Kishenaghur. I don't know whether he was there then. I am perfectly well acquainted with Kisto Lal's features and appearance. His brother Gour Lal is alive and along with Kisto Lal. I can't say whether he is alive now of my own knowledge, but I hear that he goes about with Kisto Lal. If I saw Kisto Lal again I could recognize him. [The prisoner is then pointed out to the witness.] When the prisoner yesterday saw me his face grew dry through fear. He knows me well. He is Kisto Lal. He has now grown stouter. Kisto Lal's hair was shorter than this man's. He wore it short, not tied. It was as it is now, only that now it is long. I recollect that Kisto Lal had a mark upon his back. He got a fall from a horse and cut his back against a piece of kunkur in falling. Kisto Lal was then about 16 or 17 years old. To the north of Gwarree there is a jheet, and it was in that neighbourhood that he fell.

A Brahmin servant of Kisto Lal's came and told us, who were playing in the road, and we run and saw him. The horse was his father's. His father had a horse and a mare. Kisto Lal afterwards learned English. He studied all the sacred books, Christian, Mussulman and Hindoo; but from whom he learnt, I do not know. He used to sit in his own room and read English. He was also acquainted with astronomy. I did not know any of his uncles. I do not recollect whether he was convicted or not, but an uncle of his was a notorious dacoit. From his bad reputation his nephew Kisto Lal could not get employment. Shamlal Bhowe had written a perwana of appointment, but it was again taken away.

Cross-examined by Mr. Morton.—I saw the wound on Kisto Lal's back and a great many people in Gwaree have also seen it. I do not now recollect on what part of the back it is, whether to the right or left, above or below. It was not considered a dangerous wound. I don't know how long he was ill. I went to Calcutta immediately after the accident. He was not insensible from the fall. The Brahmin who was with him, led him home. I have not seen that mark since. I can't say whether he has now any mark from that wound. It is now 18 or 19 years since the accident happened. I do not know whether the mark of the wound remained a month or whether there was any mark. I do not know English, but I can tell an English book when I see it. Shamlal was not a wealthy man, he was neither rich nor poor. The horses were small ones (tatoes) and fed on the common. When he went to visit his disciples, he was obliged to have a horse to carry him about the country. Kisto Lal used to ride now and then. There was a marriage procession; the horse started at the noise and threw him. He frequently went to Calcutta and lived in our house in the Chor Bagan. This horse I have since sold to Sonatun Mullick. I don't know whether Kisto Lal ever went to Hurromohun Takoor, in Calcutta, or to Cosinauth Bose's. I don't know how he went to Calcutta. When he came to us, he used to be in a *teeka palkee*. Shamlal was frequently in Calcutta. Shamlal was a Brahmacharee. I don't know where he lived in Calcutta. Formerly I used to go once a year to Calcutta; since 1238 I have sold my house and not gone. I have been in Calcutta twice since then; but have not been in the same house. In one of my visits I lived in Gurranhatta with one Radhamohun Bannerjee, and the other time I transacted my business and returned the same day. Radhamohun has a son. For one year I have been out of employ. I was a trader but in 1236 my *golah* and office were burnt down. I read Persian in 1227 or 28, under the old Moonshee. When Kisto Lal was in the Foujdarry Balakhana I heard that he sometimes tied his hair in a knot; when I knew him he did not tie his hair in a knot. The prisoner and my-elf are of the same age, 35 or 36. I know Kisto Lal very well and all the people in Gwaree know him well too. We used to read and write together, and we were so intimate that when he went to visit his concubine I went too. His colour was clearer when I knew him, and there were not so many wrinkles on his face. His hair was longer and he was shorter.

Ramtunnoo Bhadooree, sworn.—I have lived all my life in Gwaree. I know Kisto Lal. I have known him from a year or two after Mr. Elliott left the district until 1240. My house was about four or five *russees* from his. The public road ran in front of his Thakoorbarree and I frequently saw him. I have not seen him for four or five years, but I recollect his face as it then was. I should be able to recognize him. The prisoner shown to witness. Kisto Lal was like this man, the prisoner, but the colour of this man is not so clear as Kisto Lal's. I cannot say precisely whether this is Kisto Lal or not, the colour of the face is so different

Isser Chunder Chatterjee, sworn.—I have lived in Gwaree all my life. I know Bistololl Krahmacharee of Gwaree. I have known him since he came to Gwaree about 25 years since. I knew him at school. We did not learn writing at the same school. My house also is near his and I used to see him passing frequently. I could recognize him were I to see him again. [The prisoner is here pointed out to the witness.] The name of this prisoner is Kisto Lal. He is the son of Shamlal Brahmacharee. I know him well.

Cross-examined by Mr. Morton.—We were very intimate. I used to call Shamlal brother, and Kisto Lal used to call me uncle. I have not seen Kisto Lal for five or six years until this day. He has grown stouter during the last five years. Kisto Lal is eight or nine years younger than I. He knew Bengalee well, and he read the shastres and also Persian. We used to go occasionally to the kranee at the English school, but whether he could read or not I don't know. I am not aware whether he could read English or not. When gentlemen visited the Thakoorbaree he used to go out and speak to them in English—at least I supposed that it was English. He was a respectable man. He had a mild temper. I do not know whether he used to drink wine or not. He had a mark on his back by falling from a horse. I have not seen it for 20 or 22 years. The mark was on the back, but I don't recollect whether it was on the right or left. I have not seen it for many years, but I believe it was above. The mark remained for 16 or 17 years. The wound was about one month in healing. A Kobraj attended him. He spoke to me when I went into the house. I don't recollect whether he had any other mark on his body. I rather think he had six toes on one of his feet.

Gunga Gobind Bannerjee, sworn.—I am aged 35 or 36. I have lived all my life in Gwaree. I know Kisto Lal of Gwaree; his house was about 10 or 12 *russees* from mine. I was acquainted with him. We used to write together in the village of Gwaree. About 100 of us used to write together at Thakoordoos Sircar's. We used to read the shastres together at Hurree and Bhyrup Buttacharjee's. We used to read Persian together at an old Moonshee's in Gwaree. After this Kisto Lal began to frequent the cutcherry. I have not seen him for about six years. I could recognize him were I to see him again. [The prisoner is here pointed out to witness.] His (the prisoner's) name is Kisto Lal Brahmacharee. He is the same Kisto Lal with whom I was at school. I am quite sure that he is the son of Shamlal.

Cross-examined by Mr. Morton.—I am now a trader. I have always been a trader. The bazars of Gwaree are about a quarter of a kos apart. Kisto Lal was not born in Gwaree. When I first knew him, he was about 11 or 12 years old; and he may then have been in Gwaree six months or a year. I knew his father. There were one or two people like Sunyassees who used to live with him. I continued to know Kisto Lal after leaving school. I was above him in rank. He studied in the hopes of obtaining a darogahship. I was not able to study as he did, having the affairs of my family to manage. My education is not so good as his. My acquaintance with him was continued up to within the last 5 or 6 years. I always remained at home in Gwaree. Kisto Lal was at one time away for 8 or 10 years. I did not see him during those 8 or 10 years. Where he went I do not know, but he did not come to Gwaree during that period. It is about 16 years since he went away. After his return, his brother Roop Lal died, and then, after six months, he went away for the last time. It may be about seven years since Roop Lal died. He (the prisoner) is a little stouter than he used to be. I know the last witness Isser Chatterjee. His house is about 10 or 12 *russees* from the prisoner's. He (the prisoner) used to be fond of wine and bang. He was not a Brahmin such as we. When

we used to write together, then he had no such vices. He was not rich. He had two or three horses, but no carriage. When his brother died, he used to keep his hair in a roll on the top of his head. Before this he used to wear it short and on his neck. Gour Lal and Kisto Lal left their home altogether after the death of their brother.

Muddun Chuckerbutty, sworn.—I have lived in Gwaree during my whole life. I know Kisto Lal Brahmacharee. I have known him since I was eleven or 12 years old. I have not seen him for five or six years. We used to learn to read and write together. I could recognize him where I to see him again. I see him in Court. That is he (*pointing to the prisoner.*) I am quite certain that is he.

Cross-examined by Mr. Morton.—I arrived at Hooghly yesterday. I saw the prisoner yesterday come to cutcherry. My house is at Gwaree. Before those five or six years he used to be absent frequently for a year or six months and so on. There was astonishment and people asked where he had gone to. They didn't know where he had gone to. They didn't know that he was dead. The property since Shamlal's death has been attached by the Civil Court for want of heirs. I don't know whether there has been any proclamation. I has been attached for five or six months. When Shamlal died, no one could say where he (the prisoner) had gone or what had become of him. I was not in Gwaree when the prisoner was at Bancorah. I don't know whether any report had reached the village then, of the prisoner being Kisto Lal. I do not know whether the people there then knew that Kisto Lal and the *Isharee* (pretended) Rajah were the same. I heard of it on my return last year. I had a disciple at Nattore, and went to attend him. I was about five or seven months at Nattore. I perform the business of a Purohit. I know the brothers. One died in Gwaree, and I have heard that the other is also dead. There are none of his relations alive in that part of the country. What there may be in other parts I don't know.

Premchand Banarjee, Nazir of the Magistrate's Court in Kishenaghur. I came to Kishenaghur in 1823 with Mr. Macfarlan and was employed in 1825 as a daroga. About 7 years ago. I was promoted to the office of Nazir by Mr. Peplow Smith. The Government kutcherry is, as it were, in the village of Gwaree. I know the respectable inhabitants of Gwaree. I have seen one Kisto Lal Brahmacharee, son of Shamlal Brahmacharee. When I first went with Mr. Macfarlan to Kishenaghur, Kisto Lal used then to attend the cutcherry as an omedwar. After this I was at one time for about two years employed as kutwal of the station, and at another time for one year, and I then used to see him very frequently, sometimes in the cutcherry sometimes in a *Kaleeharee*. There were some gentlemen, East Indians I believe, who had pitched a tent near his house, and who created a disturbance there. A man of his informed me, and as I was then kutwal I went there and apprehended three gentlemen with their servants, and brought them before Mr. Macfarlan. Mr. Macfarlan ordered me to keep an eye upon the gentlemen in the tent, and during the few days that I was so employed, Kisto Lal and Gour Lal were constantly coming to me. Afterwards I was promoted to the Nazirship, and about one year or two years after my promotion, he left off attending as an omedwar for a darogaship and became a Brahmacharee, planting some trees behind his house in imitation of a forest. He then turned a Sunyasee and we heard that he sometimes sat upon dead bodies, and that he lived upon half a chatack of honey per day. The collectory Sheristadar, Weelrutten Haider, used sometimes to receive his visits and I heard of him from him. In Mr. Macfarlan's time he was once appointed darogah of Santipore. I am not sure whether he was one day in the thanna or whether he was recalled on the road; but Shamlal Bose, who was then Sheristadar, informed the Magistrate that he

was a bad man that he drank wine, and frequented houses of bad character, and he was dismissed. I saw him when he returned on that occasion. I did not see him as an omedwar in Mr. Halkett's time; but I heard that in Mr. Battye's time his father had once taken him to Mr. Battye's. I have not seen him for 4½, 5 or 5½ years. I cannot speak with precision. I could tell him were I to see him. [*The prisoner is here shown to the witness.*] The appearance of this man is that of Kisto Lal and I believe this man to be Kisto Lal.

Cross-examined by Mr. Morton.—It is about 13 years since Mr. Macfarlan saw this prisoner. I cannot say whether he could recognize him now. He appeared to be 30 or 31 when I last saw him. In every thing he resembles Kisto Lal, his walk his hair, every thing are the same. I believe him to be Kisto Lal; but how can I swear positively? I have no doubt in my own mind that he is Kisto Lal; but when he has put forth such a serious claim, how can I swear positively? The prisoner is stouter since I last saw him. Kisto Lal knew Persian. He knew Bengallee also, and when he returned from Santipore I heard that he began to learn English. Kishenaghur is six coss from Santipore. There has been a proclamation and the property of Shamlal is new in my charge. It came into my charge about three or four months ago. I heard of no enquiry as to Kisto Lal being alive or dead. When this proclamation was issued, the Santipore darogah was either Pazeeruddeen or Kisubdeb Mukerjee or Rankisen Misra, I don't know which. I heard that the defendant, as Izaree Rajah, had come to Santipore and that there were many people with him, and that the Magistrate had apprehended him. I can't say whether any people went from Nuddia or not to see him. When I went to Calcutta last year, I went about ½ past 6 or seven in the morning to a place called Anetola, for the purpose of bathing. When I came upon the platform of the ghaut, I saw about 100 people accompanying a man in a tonjoha with a *sirpeeh* on his head, and the women were all securing out as they do at a marriage. Thinking that some great man was coming, I stood there. When he came near, his appearance from the chest upwards struck me as being like Kisto Lal's. He fixed his gaze on me and I did the same on him, until he had past. A chobdar came running from the tonjoha towards me, apparently for the purpose of calling me, but another chobdar came and called him back, and when I got back to Kishenaghur I told the present Magistrate, Mr. Steer, of the circumstance. This was in the month of Kartik last. The defendant is the man whom I saw in the tonjoha. I told the Magistrate when I saw him, that I had seen Kisto Lal as the *Isharee Rajah* at Calcutta. I believed that it was Kisto Lal from his countenance and his looking so long at me. I am a servant, I informed the Magistrate of the circumstance of Kisto Lal's being alive, what further steps could I take?

Ramchunder Roy, sworn.—I am Tus-eeldar of the Khas Mehals. I have been in Government service for 18 or 19 years in the Zilla of Nuddia. I have at times seen Kisto Lal Brahmacharee. I used to go to the house in the evening, to worship an image of Kalee, which was there, and I used to see him there. When he attended as an omedwar, I used frequently to see him upon the road, but I was not then employed under the Magistrate, but under the Law Officer of the assistant. I recollect his face and features, but I have not seen him for six or seven years. Without seeing him I can't say whether I could recognize him or not. [*The prisoner is here shown to the witness.*] His, the prisoner's, features are those of the Brahmacharee, but his colour is now darker and he is fatter. This is like the man; but I can't speak with precision; the reason is that I have not seen him for six or seven years; that his colour is darker, and that he is stouter. I suspect this to be Kisto Lal. I was not in the Magistrate's Court at Nuddia when the man came there as an omedwar.

Brajmohun Majejee, sworn.—I am Peshkar of the Magistrate's Court at Nuddia. I have been in the service of Government in the Nuddia Zilla for 23 or 24 years. During that time I have known a person of the name of Kisto Lal Brahmacharree. I sometimes met him in cutcherry sometimes in his house. I can't say exactly how often I saw him; but very frequently. I recollect his appearance and his features. I could recognize him were I to see him again. (*Looks at the prisoner.*) His name is Kisto Lal son of Shamlal Brahmacharree. I could not swear positively that this is Kisto Lal, but these are his features, and that is his appearance. I can't say precisely now, because the colour of the face is changed, and he is a little stouter, and it is five or six years since I saw him. I have seen him at cutcherry in clothes such as we wear and in a dhotee or chudder. I never saw him at Nuddia in such clothes as those he now wears.

Neelcomul Bose, sworn.—I am a Sheristadar of the Magistrate's Court at Nuddea, and have been in the service of Government in the Nuddea Zilla for 29 or 30 years, but during this time I was two or three years Sheristadar at Burrisal. I have seen one Kisto Lal Brahmacharree of Gwaree, a son of Shamlal. Kisto Lal was the son of a Sanyassee and not fit to sit in our society, but I have sometimes seen him in the Cutcherree, sometimes at the Magistrate's house, sometimes in the road and sometimes in his father's Thakurbarri. I was two or three years at Burrisal and shortly after my return he went away, and I have not since seen him, that is now five or six years ago. When I see him I shall be able to say whether I can recognize him. (*Prisoner is here shown to witness.*) As I saw Shamlal's son Kisto Lal, in features and appearance, this man seems like him. The prisoner is the same with the image of Kisto Lal which is impressed upon my recollection. When he went about at Kishenagour he was like the generality of people, there was nothing about him resembling a Rajah. He never there called himself either a Rajah, or a Nabob, or a King.

Cross-Examined by Mr. Morton.—Kisto Lal sometimes spoke to me in cutcherry or on the road, and asked me to do something for him. Before I went to Burrisal I was not Sheristadar. There were the same number of ones downwards as there generally are, viz. 10 or 12. I went to Burrisal I think in 1826. After my return I saw Kisto Lal several times, but not so often as before. Sham Lal Bose may be in Calcutta in all probability. I can't say whether he could recognize the prisoner or not.

Buddinauth Buzsee, sworn.—I am Meer Munshes of the Magistrate's Court at Nuddea. I have been in the Government service in Nuddea since 1823. I have sometimes seen Kisto Lal the son of Shamlal, when he came as an omedwar to the Court or to the Magistrate's house; but my own house is about a mile or a mile and a half from Gwaree. I could not say how often I have seen the prisoner. I have not seen him frequently. I recollect so much that he was tall of stature and rather thin, and his colour was fair. I have not such a recollection of him as to be able to recognize him again. The stature was the same as the prisoner, but the man is stouter than the other and the colour different. —*Hurkaru, Sept. 18.*

SEPTEMBER 14, 1838.

[The Court did not sit yesterday (Thursday) owing to the prisoner's counsel and attorney having gone to Calcutta.]

Tarry Churn Nye Ruttun, Pandit and Sudder Ameen, in Zillah Burdwan, sworn.—I reside in Ambooa (Culna). In the month of Poos 1217, I was in Culna in my own house. In that month the Bajah Pertaub Chund died there, and the *unterjullas* was performed. I saw it with my own eyes. At the time of death, I was

standing near the body. There was no deception in his death. He had become powerless from fever and died from the effects of it. A pile was afterwards prepared. When the corpse was on the pile, I saw it. Being of a different caste we do not go near the pile, and I stood about 15 or 16 yards off. The face was uncovered when on the pile. After the body had been laid down, fire was applied and the whole burnt. When the corpse was laid upon the pile, wood was heaped upon the body and the features were no longer visible. When the corpse was being carried away, then I saw it; when it was taken to be placed on the pile, then I saw it; but when it was on the pile I was at some distance and could not see it. There were a great many people about the pile. Who fired it or who burnt the body I do not recollect. The fire was applied, the pile lighted and we came away; we did not remain to the end. The pile was no height from the ground. I did not measure it, and I will not guess what the height may have been, lest I should tell a falsehood. It was not of course in the power of a dead man to fly from the pile; neither was it possible for a living man to escape from that pile without our being aware of it. There was no deception in the incrimination of the Rajah's corpse. He who is dead cannot deceive. I have no connexion with the Burdwan Rajbarree. On the contrary, the Rajah and I are at enmity on several points, and we have several suits against each other. I have frequently seen the Rajah Pertaub Chund during his life time, both in the Rajbarree and on the road; he was constantly passing my lodging at Burdwan. I recollect his features distinctly. I do not know who this defendant is; there is no resemblance between him and the Rajah Pertaub Chund. He who has once died, can never come to life again.

Cross examined by Mr. Morton.—I went to the Rajbarree at various times in Pertaub's life time, to see religious festivals and *tamashas* of all sorts and to attend the parties which used to be given; now I do not go to the nautches. I am a Government servant. I have not been in the Rajbarree at all for two or three months, and I have never attended a nautch since I was in the Government service. I sometimes go now for a religious festival or an interview. I go to see the Rajah and also Poraun Baboo. I have never been employed as a Pandit in the Rajbarree. I have been there with other Pandits to assist in religious ceremonies. I have never been in the service of the Rajah at Ambooa for a single day. I have never been in any service except that of Government. I have been a Sudder Ameen since July 1822. I have no quarrel with the present Rajah. My quarrel was with Tej Chunder and Pertaub Chund. I have had one suit with the Ranees of Pertaub, for the revenue of some lauds, in which I got 1,800 rupees by arbitration from the present Rajah. I have no suit now pending. I have a quarrel with Poraun Baboo and the present Rajah about a garden and there will be a suit about it. I have no friendship with the Rajah and Poraun Baboo, but, on the contrary, there is a quarrel. Our quarrel is about land and there is no chance of my being disgraced, and therefore I still go there. There is no friendship between Poraun Baboo and I; but the quarrel is between the Rajah and myself. Poraun Baboo is merely the Rajah's agent. I know the name of Duckinund Babo; but I have no intercourse with him. I have never met Duckinund Baboo. I have never met Russick Lal Mullick, and never conversed with him. I never myself said to Poraun Baboo or to any one, that I would come to give evidence; and I never heard of any one doing so. I live in Hooghly with Rajkissen Kobraj. I have never gone to the Rajbarree at Chasurah. The Judge (of Burdwan) sent me to give evidence at the request of the Magistrate of Hooghly. I made a petition on being subpoenaed, to be excused; but the Judge insisted on my going. My house is at Culna. I had no employment when the Rajah died. I was

living at home. There was a noise—people began to weep. I went out at the time when the Rajah's swarrie was proceeding to the banks of the river. I cannot now recollect how many ghurrees, this was before the death. I am a Brahmin, he was a Ketric, it was not therefore proper for me to stand nearer than 14 or 15 *haths* after the death. I have already said that he did actually die and I swear that he died before my own eyes. I cannot now recollect whether there was a moon that night or not, nor exactly the hour at which he died. It must have been about one *puhur*. I cannot recollect at this distance of time whether it was light or dark. There were *mussals* and lanterns around, by their light I could see. When the pile was burning I could see by the light of that. I do not understand a word of English. I have never seen the Rajah's *munim puthes*, but at the time of his death, he appeared to be under 30. I saw his features at the time of his death and also when they were carrying him to the pile. He died on the edge of the river opposite the Culna *maidan*. He was carried to the pile some time after his death. He died near the ghaat, below the Rajah's great tank. The ghaat has no name that I know of. A *tap* or *vati* is on the side of the tank. I have never heard the name of the ghaat. I do not know whether it is called the *Tuppa ghaat* or not. I and my ancestors have always resided in Culna. The ghaat is to the west of the Gunga. There were no large trees near the ghaat. Whether there were any others or not I cannot recollect. Rajah Tej Chunder was in his own house, but he did not come to the bank on his son's death. I was at the time full of grief for the Rajah's death. Who went with him or who did not, I cannot tell. There were a great number of people who went with me, but I did not recollect their names. My house is in Neebparra in Culna. I have not measured the distance from Neebparra to the ghaat, but it may be about two or three *strow* *fights*, perhaps more. There is only one Neebparra in Culna. It was near enough to enable one to hear the noise when they took the Rajah out. Neebparra is about half a mile from the Rajbarree. The Rajbarree is not between Neebparra and the ghaat. The ghaat is nearer to Neebparra than to the Rajbarree. I know Kazeo Russool Buksh. I have not seen his intimacy with Pertaub myself, but his house is in Burdwan and he probably knew him.

Kaleo Doss Sheib Bhoom, sworn.—I am the son of Ram Siddha Bhattacharjee, and reside at Ambooa, (Culna). I was in Ambooa in the month of Pooos 1227. The Rajah Pertaub Chund had been taken ill in Burdwan and came to Ambooa. He died in Ambooa. When the *unterjullees* was being performed, I was near to him. When he was lying ill in the Rajbarree I went to perform the *sutum*, and saw him. He was then very ill and had no strength. When the *unterjullees* was being performed his appearance was that of a man at the point of death (*shish*). I saw him die with my own eyes. I was 2 or 4 cubits off when he died. I could see the face of the corpse at the time of death. He really died; there was no deception. When the corpse was being washed accordidgly to custom, I then saw the face also. The face which I then saw was that of a dead man. When the corpse was burning, I was at some distance: when the corpse was placed upon the pile, I was 10 or 12 cubits off. There was then no cloth on the face of the corpse. I was sitting in a house on the top of the bank when the pile was burning. There might have been more than 5 or 700 spectators there. I can't exactly say how high the pile was. It might have been one cubit. I think it may have been a cubit. It was quite impossible that any body should escape from below the pile. I don't recollect what people said at the time of his death. Some low people said he was not dead. I did not here this direct from any one but through report. I had no such suspicion, as he died

before my own eyes. I had frequently met Rajah Pertaub Chund before his death. I recollect his features. I do not know the defendant. No, he is not the Rajah Pertaub Chund.

Cross-examined by Mr. Morton.—The last witness was my nephew. We were out together at the time of the funeral. The house I said I was sitting in was 20 cubits from the pile. It was the house of our Lochun Dutt. He is still alive. We could not see the pile from the house. We could see the flame. The house was a little back from the edge of the bank. I went into that house, a little after the performance of the ceremony of the *unterjullees*. Besides at the period of death, I saw the corpse when it had been removed a little distance. The corpse was brought nearer the house than the pile. I did not see the corpse for about six ghurrees before the burning. It is not proper for me to stand near the corpse of a man of different caste. I am a Bengallee, he was a Khotta Ketric.

Bishnauth sircar, sworn.—I am the son of Nassy Ram, sircar, and live at Ambooa. I am tax-mohurrer. I was at Ambooa in Pooos 1227. I saw the Rajah Pertaub Chund during that month in Ambooa, when he came from Burdwan. I saw him during his illness. He was then very weak. There was no deception. He was really ill. The Rajah died. Hearing that the Rajah had gone to the Ganges, I and Budden Bonneyjee went down to the river at about ten ghurries, and saw that they were performing the *unterjullees*; when he died I was about 15 cubits off. The night was dark and there were torches. I could see the face of the dead. The face was that of a dead man and his whole frame. I am quite certain that he died and that there was no deception. I was not present at the burning of the corpse. Seeing him dead, I went away. I saw the young Rajah, in Mr. Martin's time, about 10 or 15 times. I recollect his form and features. I do not know the defendant Rajah Pertaub Chund died before me, how can this be?

Cross-examined by Mr. Morton.—I went away immediately after his death. I did not come nearer than 15 cubits.

Pramnath Mookerjee, So-istadar of the Civil Court at Kishenaghur, sworn.—I have served the Government in Nuddia altogether 28 years, during that time I was six years at other stations, viz 2 years at Moorshedabad, 3 years in Jessore, and one year in the Calcutta Court. During my service in Nuddia I was acquainted with a man named Kisto Lal Brahmacharree. I have seen him in the bazar, on the roads, in the kutcherry and at his father's *Thakoorbarree*. His father's name was Shamlal Brahmacharree. I have not seen him for 6 or 7 years. Before this I was frequently in the habit of seeing him. His father used to get a rupee from each of us in the year, and used to live by his *Thakoorbarree*, and his son Kisto Lal used to be a *omedwar* in the Criminal Court. I recollect the features of Kisto Lal. Were I to see him again I could say whether I am able to recognize him or not. (*The prisoner is here shown to witness*). Yes, I firmly believe this man to be Kisto Lal, and this person is also extremely like the father of Kisto Lal, Shamlal, who died this year. He is not so fair and his face is younger, but features are very like. His (the prisoner's) face is stouter and his whole form is stouter since I saw him last, and his colour is more dirty than it was then. The reason why I do not swear positively, is that he has changed as I have mentioned, and that I have not seen him for a long time, I could not say that he was not Kisto Lal. I do not know what became of him during the 5 or 6 years that I have not seen him.

Cross-examined by Mr. Morton.—I have seen him to-day about 9 o'clock in the jail, and until then I have not seen him again. No, I have no reason to be unwilling to mention this. I have seen him before in plain clothes and wished to see him again in the jail to the same. How should I know whether I was to be shown the same defendant in the Court as I saw at the jail. I said I should tell when I saw him. I went with the Sheristadar and the jail officers. I knew that in all probability, it would be the same as I had seen in jail, but when asked if I could recognize him, he was sitting down and I could not see him. There was some conversation between the Sheristadar and me, he asking if I should recognize the face. I asked what the Sheristadar, Nazir and Peshkars, who had been before, had said; and he answered that they said what they knew. I had no necessity for asking more; it was merely a remark in the midst of conversation.

Re-examined by the Magistrate.—The Magistrate ordered the Sheristadar and me to go to the jail. I was near the catcherry and the Sheristadar told the Magistrate that I wanted to see the prisoner before I gave my evidence, and the Magistrate then ordered the Sheristadar to take me.

Hurchander Hava, Vakeel, sworn.—I have been 20 years in Nuddea. I have seen Kisto Lal Brahmacharee in Nudda during these 20 years. I have not seen him for I think about 7 or 8 years. Before that I have seen him in Gwatee. I met him in his house at Gwatee. I cannot say exactly how many times. I saw him frequently. I used to converse with him when I went there. Before the last time of his going, he once before went away for about 2 or 3 years. Before that departure of his, we used to converse frequently, but after he returned he had become much more reserved and used to sit in a chair in his own room. We used to see him in our way back from the Catcherry. I can tell his face when I see him. [Witness looks at the prisoner.] The face of this person appears to me to be like his; but it is somewhat changed. The face has become blacker, it used to be more yellow. I believe this to be Kisto Lal. I have seen him to-day before, in the jail. I had then the same opinion. I do not know where he has been during the last seven or eight years.

Cross-examined by Mr. Morton.—He was at home about one year and a half before he went away finally. Previous to that, he had gone about two years. That was 10 or 11 years ago. I had no conversation with the prisoner in jail. I have not conversed with him for about 8 or 9 years.

Tarknes Pershad Ghoose, vakeel, sworn.—I have resided in Nuddea since the year 1227. I have seen Kisto Lal Brahmacharee, the son of Shamlal, in Nuddea from the year 1228 to 1238, or perhaps 1239. I associated with him. I recollect his appearance well. I went this morning with the Foujdary Sheristadar into the jail for the purpose of seeing the prisoner. I cannot say with certainty who the prisoner was that was pointed out to me. The prisoner at the bar, is the person I saw in the jail. I have heard that this case is to prove whether the prisoner is Pertaub Chand or Kisto Lal. The face of the prisoner is stouter than that of Kisto Lal. I do not see any other difference. I have not seen Kisto Lal for about 6 or 7 years.

Joychund, sircar, Mooktar of the Nuddea Court, sworn.—My house is in Nuddea, and I have always resided in that zillah. My house is in Gwatee. When Kisto Lal was there I was acquainted with him. He frequently came to the catcherry as an omedwar and we also frequently met. His house and mine are about a quarter of a mile apart. I recollect his appearance, and features. I have not seen him for seven or eight years. I

went to the jail this-morning to see a prisoner. I cannot say with certainty that I know the prisoner. When I last saw him, Kisto Lal might be about 30 or 32 and his colour was clear and he was thinner than this man. The prisoner at the bar is the person I saw in the jail this-morning. I cannot say clearly who this is. The stature is the same as Kisto Lal's; but in colour and stoutness they differ. I cannot say that this is not Kisto Lal as I have not seen him for 8 years.

15TH SEPTEMBER, 1838.

This-morning the Court assembled; but there were no witnesses in attendance, and the Magistrate stated that he did not expect them to be in attendance until Monday next. Some conversation then ensued relative to the subpoenaing of witnesses for the defence. A list of witnesses had, it appeared, already been entered by Mr. Graham, and the Magistrate stated that the subpoenas were ready, and would be issued whenever the prisoner's Counsel wished. Mr. Morton, however, requested leave to withdraw the list of witnesses for the present, and desired time until Wednesday next, to determine upon the line of defence to be adopted. There were also several questions put by the Counsel relative to the practice of the Mofussil Courts in taking the defence of a prisoner. The Magistrate informed Mr. Morton, that it rested with himself to enter upon the defence before this Court or before that of the Session Judge, and assured him that he was at liberty to subpoena witnesses at any stage of the proceedings after the defence commenced, either in this Court or in that of the Judge. It was finally agreed that the Court should not meet again until Wednesday morning, when some witnesses for the prosecution are expected from Calcutta.—*Hurkaru, September 19.*

19TH SEPTEMBER, 1838.

Biboo Ramgopaul Mookerjee, sworn.—I have resided 20 years in Nuddea. I have seen Kisto Lal in Nuddea. When Kisto Lal was at school, I was there with him. We used to read together at an old Moonashee's in Gwatee. We used also frequently to see Shamlal at the Thakoorbarce. I have also seen Kisto Lal when he was an omedwar in the time of Mr. Turnbull and Mr. Macfarlan. After this I did not see him for some time, but about five or six years ago, he was at home for several months and I then saw him. I recollect the appearance of Kisto Lal Brahmacharee. That is the countenance I know him to be Kisto Lal. After his leaving Nuddea, I saw Kisto Lal twice in Calcutta. Once when I saw him in Calcutta, Mr. Graham was present, and Dr. Fuller and some other people, whose names I don't recollect. I told Mr. Graham that before hearing him speak I suspected him to be Kisto Lal, but after hearing him the little doubt which I had, fled. I have met Shamlal during the last five or six years, his house is close to mine. After seeing Kisto Lal the first time in Calcutta, when he had been unable to speak to me, his father Shamlal told me not to be angry at this, that he would speak to me at some other time, and that he would soon be a Rajah. After this Shamlal died. Shamlal previous to this used to say to other people, that his son would be a Rajah. A Brahmin lived in the house with me who was a great friend of Shamlal's and he told me that strong measures were being taken to insure Kisto Lal's becoming a Rajah, and that if I would join in the scheme I should profit much by it. The Brahmin told me that if Kisto Lal got the Burdwan Rajah I should be his dewan. Kisto Lal had two brothers, Gour Lal and Roop Lal. Roop Lal died about the English year 1832 or 1833. Gour

Lal also went up with Kisto Lal when he left the house. Kisto Lal when he came back for five or six months, used to remain in the Thakoarbaree and eat nothing except a little ghee and honey. He at that time used only to go out in the evening, but when his brother Roop Lal died, I went into his house to see him, his mother being full of grief; and I asked him why he had left off being an omedwar in the Courts, and he said, that he had got nothing and would now see what he could get by worshipping Kalee; but I did not then hear from his mouth that he was after this business. I used for some time to allow his mother two rupees per month in Calcutta. Keylass Deb Roy and Sreenath Baboo were there. Kisto Lal was then in another house. They sent information to him to say that two Baboos from Mihrpoor had come to see him, and Keylass Deb Roy took me into a room and began to question me about Kisto Lal. I said that there was no use speaking of this to him. When Keylass Deb Roy and were together in the room, Kisto Lal came out of the other house and sat down in a large house which was there. I went and sat upon a chair in that large house to the left of him. The moment he saw me he whispered something to a person who was to the right of him and rose up and went out by another way. I went after him when he rose, and said, are we then to have our rookshut, and he merely said *chuls apne* (go yourself) and went on. A little while after Sreenath Baboo or Keylass Deb Roy, I don't exactly recollect which, came to me and said, "listen to something we have to say." I said no, we have no necessity for speaking with you—and went away to our own homes. Having great suspicion from this circumstance, I mentioned it to Dr. Fuller at Kishenaghur, and when Dr. Fuller went to Calcutta, he lived with Mr. Graham and told him this; in consequence of which Dr. Fuller sent for me to Mr. Graham's house, from whence I was taken to this place.

Cross-examined by Mr. Morton.—I am a Sudder farmer under the Court of Wards, and pay revenue to the amount of a lack and a half of rupees. My house is in Beernuggur, I was once darogah of the toll ghant at Gwaree. It was a Government employment. In 1833 when there was a mad gentleman. Mr. Lane Magniac, in the office, the river became dry and the revenue fell short, and he suspended me in order to inquire into it. The darogahship of these tolls was abolished and it was placed under the Superintendent. I was fully acquitted on trial, and an order was passed that I should get any future employment that might be vacant. Mr. Martin gave that order. That case was pending a long time and was only finished in May 1837; since that I have not had employment as there has been no vacancy. I presented a petition and the Collector directed that I should have the first vacant employment. After being suspended I took the form of Koonwur Hurinath, which is under the Court of Wards with a sudder jumma of 89,000 odd hundred rupees, and I also took the farm of Rajah Jupuboonan Deb Roy, under the Court of Wards, with a sudder jumma of 69,595 rupees. Bamun Dutt Mookerjee and others are my securities for one, and Muthooranath Mookerjee for the other. The profits are my own according to the agreement which I have made. I do not hold these benames. In Plassy I have 4,206, and in Jessore 2,200 rupees. This is all my own clear profit. When we were at school together then we often met. We had not many interviews when he returned for 5 or 6 months. We met seldom. He is not equal to us in rank, but when we were at school together we were friends. I cannot say whether Shamlal ever saw Kisto Lal in the character of Pertaub. When I returned from Calcutta Shamlal spoke to me of his son being quickly Rajah. No, he never said that his son had assumed the character of Pertaub Chund. He said he would quickly be Rajah. It was not merely to me that Shamlal said this; I have heard that he mentioned it to others; but when he did he used to call

them into the house and say it privately to them. There was no one there when he said this to me. I have already said that he mentioned it to an old Brahmin named Ramdhun Bidobaj's who is since dead. I have heard that he also told it to others. He was a weak old man and whom ever he thought his friends to them he used to mention it. The first time he remarked that I must not be angry, and it was out of this remark that the other arose. When I returned to Kishenaghur I mentioned that I had seen Kisto Lal and that he had not spoken to me, and hearing this Shamlal sent for me. The Kishenaghur people all say that he is Kisto Lal but those who go to see him say so with certainty. Formerly a few people used to talk of this in Kishenaghur, now, since the Umiah have returned from giving evidence at Hooghly, it has become notorious. All did not know it two years ago, but those to whom Shamlal mentioned it of course heard it. The Brahmin was a servant of my own. He was an old man. Shamlal was an old man and they were constantly together. He said that Shamlal had told him if I would assist I should be Dewan, I thought the offer that of a fool. I knew that it could never be, therefore I did not agree. Shamlal died two or three months after I last saw him. Shamlal died about October or December of last year. I arrived in Kishenaghur a day or two before Shamlal's death and left it a few days after. There has been a proclamation and the property is now in charge of the Civil Court. I mentioned all about Kisto Lal when the proclamation was made. I mentioned the circumstance at Mr. Graham's. I can't exactly say whether I mentioned it to any person about the Courts or not. I told all my friends of it in private conversation. When I first saw Kisto Lal, I did not hear his voice; on the second occasion I heard this voice yourself and then my doubts vanished. When he said to me "go," the sound of his voice was very slight. When Kisto Lal went inside, I thought he might wish to see me inside of his house. I had scarcely had a glimpse of him and with hopes that I might be called in, I said, "then are we to have rookshut?" At that time I was in a state of astonishment and he entered as a Rajah. Two persons might be alike, therefore I wished to converse with him before I made up my mind. Not only his voice but his appearance convinces me that he is Kisto Lal. I did not speak with certainty until I conversed with him, because two might be alike. I cannot say whether two voices might be alike or not, but from conversing with a man our doubts are generally removed. I told him that the Brahmacharee was dead and that there was a proclamation. When I mentioned to the gentlemen that this was Kisto Lal, the prisoner said, how is this possible; and I said if a dead man can come to life there is surely nothing impossible in this. I know him to be Kisto Lal not only by his voice, but from his appearance and what his father said at Kishenaghur. I was acquainted with Shamlal. There is no relation of Kisto Lal's there now. Another Brahmacharee has come and takes care of the image.

Rodhakissen Bysack, sworn.—I am a tantee by caste. I know the defendant Raja Pertaub Chund. He has told me that he is the Raja Pertaub Chund. After making inquiries I have given him money. I gave it to him because I believed him to be Raja Pertaub Chund. I got a bond from him for 16,000 rupees three years ago. I have given more but I have not made up my accounts. I have given about 3, 4 or 5,000 rupees over the 16,000. This is for his private expenses. I have not made up my accounts of what I have spent in his case. I have given acknowledgments to the amount of 2,500 in his case. I have never given more. I have not got bonds above 16,000. There is no bond in my son's name. I have never received bonds at any time either in my son's name or my own for larger sums.

Mr. Morton here said, that he believed the other bonds alluded to were unexecuted.

Mr. Samuells said he did not know how that might be, but he had had bonds in his possession to the amount of very nearly 22 lacs of rupees, of which the greater part was in favour of Radhakissen.

Evidence continued.—I do not know that any other bonds were ever written. I now enter the bond for 16,000 which I spoke of Maharaja Pertaub Chund to Radhakissen Bysack and Edward Hilder, for 16,000 rupees.

Cross-examined by Mr. Morton.—I believe this man to be the Rajah from what others told me, not from his own statement. I did not advance the money upon his representations. I gave him the money as a loan. If I can't get it it is no matter. I have formerly made loans to gentlemen. I have had great hopes of being paid, and have as much chance of getting this money back as I have had in other cases. All the money I have lent to this man is secured by the bonds and hand notes. I made many inquiries before I lent this money. When Dr. Halliday told me that this man, was the Rajah then I lent him the money. I have seen General Allard. He is now in Lahore. I placed great confidence in what General Allard said. General Allard said that he saw this man in Lahore, and he told me that he was the Burdwan Zemindar's son, and told me to take care of him. General Allard said that he had seen him in Lahore two years before he went to Europe. I don't recollect what year he mentioned. I saw General Allard in 1836. He didn't tell me how long before was. He went home in 1834. Rajah Gopemohun Deb knew; Pertaub he is dead. I formed my belief from what he said also. Gopemohun Deb did not say any thing of having seen him himself. He mentioned what a servant of his had said. My brother went away and came back about 12 years after. He was in Bindrabund. When he went, he told me he was going to Bindrabund. Many people leave their houses, and no one knows where they have gone. When Rajah Pertaub went away, I heard nothing of it. When he came back I made great enquiries. I thought the prisoner's story extraordinary at first. People go away and return to their houses in conformity with the precepts of the Shastres. Men do this for pilgrime and penance.

Re-examined.—It is not the custom of my country for dead men to roam about the country. If the prisoner had told me, that he was Kisto Lal, the Brahmacharee's son, I never would have lent him 16,000 rupees. If this prisoner cannot obtain the Burdwan estate, then my money will go. I will have great profit if I can prove him to be the Raja. My name will be very great.

Moresh, Pundit, sworn. I have lived in Kishnaghur altogether nine years, at two different times. I do not recollect exactly what year I was there. I was under Mr. Deerr, and taught the Missionary schools at Kishnaghur, and instructed Mr. Krukenberg, and I also taught Mr. Beresford, when he was at Kishnaghur. I have seen Kisto Lal Brahmacharee in Kishnaghur. One day Mr. Krukenberg went to argue with him concerning the scriptures, and when he came back, he told me I must go with him next day. I asked why? I said I was a Hindoo, why should I go to argue. Mr. Krukenberg said, that he had met with a Brahmacharee, who wished to argue with him in Sanscrit, and that I must go with him and explain any thing which the Brahmacharee said in Sanscrit. Next day Mr. Krukenberg, Paul Christian, and I went to the Brahmacharee Shamlal's. Mr. Krukenberg told Shamlal, that he had brought his Pundit who understood Sanscrit, and that he might now speak in Sanscrit, if he liked. Shamlal, I suspect, did not understand much Sanscrit and seeing that a Pundit had come, he was afraid to argue, and told us, that his son was in the next room and would argue with us. When we three, went in and saw him, I recollected that I had seen the same person before at Seal Maree, in

Burdwan. I said to him I have met you before in Burdwan. He replied, it could not have been in this world, it must have been in some other state of existence. When I saw him in Burdwan he wore plain clothes and Brahmical thread. When I saw him in the house, he was dressed like a Brahmacharee in coloured clothes, and his hair tied up. I saw him in this way three or four days along with Mr. Krukenberg. Afterwards, we went three or four days, and when he was in the jail in Hooghly, Paul Christian and I, and Mr. Walters and Dr. Wise, and a Captain and the Magistrate, saw him, and I saw him again yesterday in the jail. The name of the Brahmacharee's son is Kisto Lal. I see him in chutcherry—that is him.

Cross-examined by Mr. Morton. I saw him in Kishnaghur seven or eight times. It is about four or five years since I saw him in Kishnaghur. I can swear positively that this is he; but in Kishnaghur he was thinner, and his hair was different, but the eyes, the nose, the mouth, are features which do not change. It is four days since I left Burdwan. I never sent any petition to the prisoner. I have never seen him in Calcutta, or the Foujdary, Bahkhanna, or elsewhere. He did not speak any Sanscrit to me. He said something out of the Beljuntur Shastras, but whether he knew Sanscrit or not I do not know. I am not a resident of Neddea. My house is in Rayan in Burdwan. We have lived there for seven or eight generations. I have lived in the district of Burdwan since last Assar. I am not now in service. I formerly taught Mr. Barlow to read. I have no connexion with the Rajbarree and no service there. I don't go there now. Long ago, when religious ceremonies were performed, then I used to go.

Ramchuna Mitter, sworn. I am a Colletary Moharreeer. My lodging is in Seal Maree, in Burdwan. I have lived there for a very long time. I have seen one Kisto Lal Brahmacharee in my house in Seal Maree. He first came to my house about 1237 or 1238, and remained about two or two and a half months. He had quarrelled with his father and therefore he had come. Seven, or eight days after he came, his brother Gour Lal also came. Before the Poojah in 1241, he came again as a Sunyasseo and remained fifteen or sixteen days. A Brahmin was with him at that time. We knew him to be Shamlal's son and tread him with the same consideration as we would Shamlal. I saw him again 1242 before the Durgah Pooja. He was then as a Brahmacharee with a beard on the Kishnaghur road. There were about 6,000 people round him in Kishnaghur, when I went to see him. There was a rumour amongst those people that this was the Chota Rajah who had come. That is he standing there. His name is Kisto Lal Brahmacharee.

Cross-examined by Mr. Morton.—I never saw him before the two months in which he resided with me. His father used constantly to come to my house, therefore the son came also. When I saw him in 1841, it was very shortly before the Doorga Pooja. It is about three years since I saw him in Kishnaghur. When I then saw him, he concealed that he was Kisto Lal. He did not then say himself that he was Rajah Pertaub Chund. How can I say what his motives were for concealing his name? I met with him, and he asked me, what was the report. I said the report is, that the young Rajah has come and I then advised him not to try such tricks with Mr. Forbes, as he was a very severe Magistrate. Kisto Lal made no reply, but went away next day. I knew that Kisto Lal and the *jaul* Rajah were the same. He did not tell me to keep the matter secret. There was no report that Kisto Lal and the *jaul* Rajah were the same. I advised him not to carry on this business because I did not wish him harm. I have mentioned to several that I

know the *jaul* Rajah to be Kisto Lal; amongst others to my own eldest brother, Juggut Naram Mitter. When his brother was going to Mr. Taylor's, he had an interview with the prisoner either at Culna or Santipore. I don't know whether he ever remained four or five weeks at a time with him. My brother was never a servant of the real Pertaub Chund's. My brother saw Kisto Lal when he was in my house in 1238 and in 1241. My brother writes Bengallee.

Dwarkanauth Tagore, Esq., swore upon the *Ikrarnamah*, and examined by Mr. Samuells.—I was very intimate with the late Pertaub Chunder. When he first came to Calcutta, he resided in a house situated in a lane which was next to the street in which I lived. The house was called Canto Baboo's House. I was then introduced to him. It was at the time of the peace which followed the battle of Waterloo. He went about to see the illuminations at Government House and other places, and I accompanied him. He came to Calcutta on several other occasions. I always saw him whenever he was there. I believe that the only native houses he ever went to, were Rajah Gopemohun's and my friend Rammohun Roy's. His rank would not permit him to visit weavers or bankers. From my frequent interviews with him, I have a very correct idea of his features. I do not know who the prisoner is, but this I know perfectly, that he is not Pertaub Chund. I say so from seeing his face now. Although twenty years had elapsed, I should not forget a man with whom I had been so intimate, and I should at least expect to see something like the person; but I might just as well take Mr. Morton or Mr. Shaw for Pertaub, as the prisoner. Pertaub had no fear whatever of Poraun Baboo, he looked on him as he would on any of his slaves. I knew Gooroodoss dewan; at my recommendation he was appointed dewan to the Rajah. During Pertaub's last illness I heard daily or almost every day from Gooroodoss, and I was about to proceed to Ambooa myself, but the death of my aunt prevented me. Gooroodoss wrote to me that Pertaub was very ill, and that the old Rajah would not allow the English doctors to attend him, and treat him in the English way; at last I heard he had been poisoned by one Gossain Kobraj, who had ministered to him the *biss gallee*, or poisoned pill. Gooroodoss mentioned that Pertaub had a bilious fever. I had not seen him for a year before his death. I knew Pertaub's disposition well; he was not superstitiously inclined, nor religious, nor did he ever appear to feel any remorse for the course of life he pursued. He was not all likely to go on a pilgrimage from fear of Poraun Baboo or from any religious motive. The Rajah Tej Chunder was a pensioner of his. The first time I ever heard of his being alive, was when this impostor made his appearance. I do not know Poraun Baboo at all, nor am I a friend of the present Rajah's. There is a case pending between Poraun Baboo and the Ranees Bussunt Coomaree, and my house are acting as her attorneys. I know that Poraun Baboo is my enemy; he has presented a petition to the authorities of Burdwan and insinuated every sort of thing against me. I should wish to see Poraun Baboo turned out of the management, and another person put in his place—so much for my friendly feelings towards him. I assisted Pertaub Chunder's widows in their suit against the old Rajah Tej Chunder. I do not know any thing which would make me more happy than to see that man, my old friend Pertaub Chunder, again. When Mr. Turton first told me of this pretender and wanted me to go and see him in the Hooghly jail, I told him that it was quite impossible that Pertaub Chunder could be alive and I gave Mr. Turton a few questions to put to the prisoner in order to try him; and I said that if the prisoner could answer these questions it might probably induce me to go and see him. Mr. Turton told me afterwards, that he could get no answer, for the prisoner did not recollect any thing of these matters. From this circumstance, and

what I saw of the prisoner in the Supreme Court, when he was examined in Mr. Ogilvy's case, and what I see of him here, I am quite convinced that he is not the man he pretends to be. I heard his voice in the Supreme Court and observed his manner; it was not Pertaub's, who never spoke in that way.

Cross-examined by Mr. Morton.—I was sitting next to you in the Supreme Court during Pertaub's examination. I heard the answer which he gave you. It is quite true that I would not consent to go and see him. I had made up my mind that he was not the man before I was him in the Supreme Court, and when I saw him there, it only strengthened the opinion which I had formed. It is quite true than he did on that occasion point me out as Dwarkanauth Tagore; but what of that? I could not point him out as Pertaub Chund, the question as to whether he could point me out was put by you to hunt at my suggestion. I knew that I had never seen the man before, and I thought it not unlikely that he had never seen me; if he had seen me, how could I help it? it was only one way to try him. There are at this moment many people in this room who know me by sight but whom I do not know. It was my confidence that I did not know him, that made me suggest the question to try if he knew me. My features may be a good deal altered since the battle of Waterloo, but those who knew me intimately then, would recollect me now.

My intimacy with Pertaub subsisted for 4 or 5 years, I only saw him when he came to Calcutta, and when he came I saw him. I was on most confidential and intimate terms with him, so much so, that he appointed the Dewan of all his affairs at my recommendation. He used to laugh at all superstitious affairs. He may have had a good many sins to report of. When he first came to Calcutta, which was after the battle of Waterloo, he remained, I think, about a twelve month. He then came a second time, and staid four months, came several times after that, and staid a week a fortnight, or more. He used to say at Short's Bazar. I have known instances of Natives leaving their families for a number of years and returning, but never after they were burned (great laughter.) The estate of Kissenchund Sing is in my hands, I have the management of it. I know the family well. I never heard of his mysterious disappearance. Lalah Baboo went to Bindaban and turned a religious, withdrawing from business. His son was a minor, and the whole state according to custom in such cases was taken by the Court of Wards. I farm it from the Court. A great many of the principal acquaintances of Pertaub were in my own service. Mr. Stewart, the member of Council, was a great friend of his. I have seen their correspondence. Pertaub once went to Rajah Gopemohun's house; it was beneath his rank to go to weavers, or bankers. He also knew Sreenauth Baboo, and Ramdhons Bonerjee. I knew very little of Prawnkissen Holdar at that time. The father of Sreenauth was one time in the service of Pertaub's family. He looked on Sreenauth as his servant, Sreenauth would therefore have been obliged to give Pertaub Nuzzurs, which the Calcutta people do not like doing. I have advanced money to support many suits. I advanced money to these very young Ranees, Pertaub's widows, in their suit against the old Rajah Tej Chunder. I always know the persons to whom I advance money, and their cases, and I always take very good care to secure myself. I never bargained to receive a large sum of money back, except in one case, and that was Baradacaunt Roy's, where I undertook at my own risk all the costs of the suit, both here and in England. For doing this I was authorized by the Board to receive one-third of all I should recover. Radakissen Bysack, Joynarain Chunder, and Govind Chunder Day all came to me about this case of the impostor. I told them it was a *jaul* case. If I knew that he was the real Rajah, I would gladly give five lacks of rupees out of my own pocket to support him. Was he not my friend?

[The cross-examination was here closed.]

Dwarkanauth Tagore.—Mr. Morton; something has passed in the newspapers about a letter received by me from Mr. Samuella, I have come here on purpose to answer any questions you may like to put to me on that subject.

Mr. Morton. I have no questions to put to you on that point.

The Magistrate. In that case I shall put some questions to you.

Dwarkanauth Tagore. I hope the gentlemen reporters whom I see here, will take a true statement of what passes, and not publish a false account, as they did about me the other day, stating that I did not attend because I had been taken ill with spasms. I was not taken ill.

A Reporter. We published that, because we were told you had been taken ill. We could not know it ourselves, as you were not here.

Dwarkanauth Tagore. Whoever told you so, told a lie.

The Magistrate. State what you know about that letter.

Mr. Morton. Surely this forms no part of the present investigation.

The Magistrate. I have before said that this is only a preliminary investigation to ascertain if the prisoner should be put on his trial, I shall therefore inquire into any matter whatever connected with the case or these proceedings.

Dwarkanauth Tagore.—On the same day or day after that I received your subpoena, Govind Day, Mr. Graham's writer, brought me a letter from his employer. I was certainly surprised, as it contained a request that I would call at Mr. Graham's office, although I know little of him and am not on visiting terms with him. Govind told me that it was connected with this inquiry. Luckily Mr. Judge, my attorney, was then in the office, so I sent for him, not wishing to speak to my old friend Govind, but in his presence (*Govindo's not very comfortable looking face did not beam more pleasantly, at the time and manner in which this bit of evidence was given*). When Mr. Judge came into the room, I said to Govind, I tell you before Mr. Judge that I will not see Mr. Graham on this matter, and I will have nothing to do with his *jaal* case. Govind smiled and said, I thought this would be your answer. As my old friend Govind is standing there, I should wish him to be examined on this point. I received a letter from you (the Magistrate) regarding the evidence in this case. I will state the circumstances which led to your writing to me. As I have already mentioned, I had been subpoenaed to attend on Monday, I therefore wrote to you to say, that as the overland was in, and my partner, Mr. Pinsep, absent, and we had to answer our correspondents on that very day, I hoped you would excuse me. I also told you, that I could point out better evidence than mine, and I trusted that you would dispense with me altogether. I had mentioned this subject to you in the Supreme Court during Mr. Ogilvy's trial, and told you the names of several persons who knew who the prisoner really was. You probably forgot these people's names, for in consequence of my letter, you wrote to me for the names of these persons, and stating also, that you thought you would not require my evidence. I have since found out, that a copy of this letter of yours to me, has been obtained out of my office. There is nothing wrong in the letter, and I do not care who sees it; but as a copy has been obtained in this manner. I am doing all I can, to find out who stole it. Joynarain Chunder, Mr. Shaw's

head writer, was for a very long time at my office on the very day or next, that I received this letter of yours.

Mr. Shaw.—This ought not to go on. It has nothing to do with the question, and it is a charge against me.

Dwarkanauth Tagore.—I am making no charge against you, Mr. Shaw, and do not say that you stole the letter. I never saw you that day.

Mr. Shaw.—It is a charge against my writer.

The Magistrate.—Mr. Shaw I cannot listen to you. The prisoner's counsel is here, and I will only permit him to take objections.

Mr. Shaw. All this about the letter, and Joynarain Chunder and Dwarkenauth's office, has nothing to do with the charge against the prisoner. I protest.

The Magistrate.—I will not permit you, Sir, to interrupt the proceedings while your counsel is present. I order you to desist.

Mr. Morton not interfering Dwarkenauth continued his evidence.—When Joynarain Chunder came in, I had your letter [Mr. Samuella's] in my hand, or on my desk. Joynarain began talking about how Rajah Buddinanth had been interrupted, and used on his going to Hooghly. Pisonocoonar was present. I said to him I have no time to listen to all this idle story. I take Joynarain Chunder into your room. When I left, he was still in the office, and I do not know how long he continued there. I never have advanced money in a case similar to this. I told Radakissen Bysack, that this man was an impostor, and that he would lose his money. When Mr. Clarke had an interview with Mr. Ross, I mentioned to him the names of the persons who know the prisoner. He reported this, I believe, to Mr. Ross.

Mr. Clarke, who had accompanied Dwarkenauth to Hooghly and was sitting next to him, seemed to dissent from this. Dwarkenauth spoke to Mr. Clarke, who said, as the Magistrate has taken down what you have stated, you had better sign your deposition first. This having been done, Dwarkenauth then spoke to Mr. Clarke and added, I now remember, I had called on Mr. Clarke and found that he was out. He immediately afterwards came in and he told me he had been at Mr. Ross's. In speaking of the Gulna affair, I mentioned to him the names of the persons who knew the prisoner. This was in May last. Mr. Clarke tells me he made no report of it to Mr. Ross. **Mr. Clarke.**—In fact I have not seen him since.—*Hurkaru September 22.*

20TH SEPTEMBER, 1838.

At about half past 10 a. m. the Magistrate entered the Court this morning, when there appeared no more witnesses for the prosecution. The deposition of one Bromannu Gosayn (since deceased) taken at Bankoorah was put in and read by the Sheristadar of the Court in the Persian language.

Mr. Morton asked the Magistrate, whether the charge in that case was the same as the charge in the present case; because if it was not, he submitted that this could not be received as evidence.

Mr. Samuella said, that their was then no charge, but that the investigation at Bankoorah was, like the present, merely preliminary and the evidence related to the question of identity or non-identity.

The deposition was then read, in the Persian and Bengallee languages, and the Magistrate interpreted it into English. This witness was a Kobraj, who tended Pertaub Chund during his illness and swore to his illness and death. The other document was then put in, upon the same ground, viz. that the present was a preliminary proceeding. Mr. Morton

made his objection; but the Magistrate said, that it ought to be received for the Judge's Court, and he added, that this was an official document, and, according to the Mofussil practice, and, he thought, according to the practice in the Supreme Court, good evidence, as the official seal of the Sheriff or Nazir proved itself.

Mr. Morton said, that he did not question the genuineness of the document, but that his objection went to its admissibility as affecting the prisoner.

The document referred to was then put in. It was a statement by Munnee Lal Purohit, officially addressed to the Collector of Burdwan and filed in a suit called "Kurreech Dakel," in which Munnee Lal states, that another priest had told him that he was present at Rajah Pertaub Chund's death.

Mr. Morton could not help remarking, that this was a mere statement of a statement of another individual.

Mr. Samuells said, that in fact it was not put in as evidence of the death of Pertaub, but merely to show for what reason Ghassiyam was the officiating priest on that occasion, and not Munnee Lal, the family priest.

The Magistrate said, that he should now commit the prisoner at the bar, and with him others now in the Hooghly jail, to take their trial before the Sessions Judge, and the day of trial (which however might be altered by the Judge himself (he should at present fix for the 1st day of November next ensuing. The holidays would not terminate until the 24th October. He intended to commit 18 others to take their trial with the *soi disant* Rajah; the rest would be more leniently dealt with, and would receive sentence from the Magistrate himself. A regular indictment would be prepared some days before the trial came on, and a copy of this might be furnished (upon application being made) to the prisoner, and those who conducted his defence.

Mr. Morton enquired, whether the substance of the intended charge could be given by the Magistrate now for their guidance and their consideration in making future arrangements.

Mr. Samuells said, that the prisoner might gather the substance from the evidence, which had been heard. The

indictment would be for assuming a false name, and to this would be added the charge of resisting the local authorities, and probably that of obtaining money by his false representations. Mr. Morton further enquired whether in the present proceedings any evidence whatever had been gone into relative to any alleged disturbance of the peace or resistance to the civil authorities.

Mr. Samuells replied, that he considered all the proceedings, past and present, as one and the same, and much evidence had been given upon this matter before the case was commenced, which had reference to the prisoner's false assumption of the name of Pertaub Chund.

The charge of the breach of the peace would probably form the second count of the indictment.

Mr. Morton also enquired whether, after committal, the prisoner would be entirely transferred to the jurisdiction of the Sessions Judge, and whether applications to receive bail, ought thereafter to be made to him in the first instance.

Mr. Samuells said, that applications to receive bail, must now be made to the Judge of the Sessions Court alone.

Mr. Morton then put in a petition on behalf of his client, containing the names of three European witnesses intended to be examined at the trial, residing at a great distance, and requested permission to reserve the remainder for some future occasions. These subpoenas were granted, and leave given to reserve the rest to be named before the trial came on before the Sessions Judge.

The prisoner was then informed in Hindoostanee and Bengalee, that he was committed over to the Session Court to take his trial before the Judge of that Court, upon matters on which evidence had been given before the Magistrate on the part of the prosecution. Eighteen other witnesses were then brought up from the Hooghly Jail, who answered to their names (but denied being at Bankoorah) were committed upon a charge of disturbance and breach of the peace. One of the prisoner, who had been bailed before, was ordered to renew his bail to the amount of 500 rupees, and we understood him to be the mookteer of the *soi disant* Rajah.

Mr. Morton thanked Mr. Samuells for the courtesy and kindness which had been extended to him throughout the investigation.

The court adjourned about one o'clock.—*Hurharu*, September 24.

MISCELLANEOUS.

CALCUTTA.

PERTAUB CHUND.—It has been bruited during the month that about thirty armed men broke into the Hooghly jail on the night of the 25th instant, with intent to murder the *soi disant* Rajah Pertaub Chunder, who, on the first noise, climbed up a tree in the jail compound and escaped the fury of these marauders; but six burkundauzes who were on guard at the ward where Pertaub Chunder was confined, were all massacred by these desperadoes, who, on assistance arriving to the aid of the party attacked, fled, leaving behind some swords and shields, and the implements with which they had broken the jail wall and effected an entrance into it; and also that none of the ruffians had been apprehended, though an investigation was held regarding this transaction by the magistrate of Hooghly. The whole story is, however, a fabrication, no doubt invented by some of the pretender's followers, with a view to interest the public in his master's favour.

Mr. H. T. Prinsep, Mr. J. Ross Hutchinson, and other gentlemen of high standing in the civil service,

proceeded to Hooghly, in order to give their evidence before the magistrate in the proceedings against Pertaub Chund, the *soi disant* Rajah of Burdwan. The charge of sedition and riot, which was at first preferred against him was dropped, and the charge on which he now arraigned was "false personation, and the obtaining of various sums of money by fraudulent pretences and imposture." The magistrate who acted in this case, is Mr. E. A. Samuells, and Pertaub is to take his trial before Mr. Curtis, the sessions judge, and, in all probability, the case will be brought before the Sudder Nizamut.

Dr. Halliday has been subpoenaed down from his station to identify the pretended Rajah Pertaub Chund, as to his being real the son of the late holder of the Burdwan gудdee, Maharaja DeRaj Tej Chunder Roy, Bahadoor.

The proceedings held at Hooghly, on the 1st, 2d, 3d, 4th, and 6th instants, in the trial to prove the identity, or otherwise of the prisoner have proved unfavorable to the pretender, though nothing very decisive was elicited. The mob of natives which

collected round the court, was very great and decidedly determined to favor the pretender; as the native witnesses who deposed against him, were subjected to their sibilations and hootings, and, but for the precautionary arrangements of the magistrate, would probably have experienced worse treatment.

The evidence for the prosecution, as far as it related to the actual death of the Rajah Pertaub Chund in the year 1821, has been concluded, and on Tuesday evidence was gone into for the purpose of shewing *who and what* the assuming Rajah Pertaub Chund actually is. It is now attempted to be shewn, that he is one *Kisto Lal Pauru* or *Bramacharree*, a native of the district of Kishenagur; that he actually resided there for several years, and suddenly disappeared in the year 1834. His father is said to have been one *Shamlall Bramacharree*, now deceased; the two alleged brothers of the person in question are also dead, and, indeed, all his relations except four maternal uncles, till resident in Kishenagur.

DISCOVERY—On the night of the 24th ult., the dwelling house of Chand khansamah, at Gondulparah, near Chandernagore, was stormed by a gang of about thirty or forty dacoits. The outer door was broken open, and the chowkeydar of the house, on attempting to prevent their getting in, was severely wounded, which rendered him quite incapable of offering further resistance. They broke open all the chests that they found, and carried off their contents. A daughter of Chand khansamah being frightened at the sight of the ruffians, became quite desperate, and with a view to put herself out of their reach, jumped down from the terrace of the house; and she was considerably hurt in consequence. Both she and the chowkeydar are deemed to be still in much danger.

During the last week the warehouse of a *saff* merchant, at the gunge of Baboo Geool Kisto Ghose, near Muga, zillah Hooghly, was stormed by a gang of dacoits, who carried off therefrom property to no small amount. One of the inmates of the warehouse and a chowkeydar, having attempted to obstruct the ruffians, the former was wounded, and the latter killed by them.

MURDER.—A Portuguese woman was murdered on the afternoon of the 16th of September in Chuam-gully, by a man named D'Cruiz, her cousin, who, after committing the deed, fled to the suburbs. The police, however, succeeded in finding out his place of concealment and apprehended him; and he has confessed the perpetration of the crime, and been committed to the session to take his trial.

A dreadful murder took place near Dum-Dum on the 27th instant, and the following are the particulars: At a gentleman's garden residence at Seitalce, the durwan of the house quarrelled with the khansamah regarding some *dustoury* a few days since; and took an opportunity, about three o'clock on the morning of the 27th instant, while the khansamah, bearer, and mether were asleep, in the back verandah of the house, to attempt the murder of the *whole* of them, he, however; only succeeded in killing one of the party, the khansamah, and very severely wounding another; the bearer, the mether fortunately made his escape, and immediately gave the alarm to the police, who quickly came and secured the murderer before he had time to leave the premises. He was subsequently sent to to the Allipore jail.

CAPTURE OF A GANG OF THIEVES—The thanadar of Tokullah, with the aid of Rohmomollah, Aukloo, and Khoosau, spies, succeeded in arresting Beenud spy, the head of a gang of thieves residing in Entally and its neighbourhood, after whose arrest they succeeded in apprehending Lallchund, Monteeollan, Nabobdee, and Matubjee for being accomplices of Beenud spy. These men, it would appear, by the statement of Rohmomollah and his companions, have been concerned in

many thefts and robberies committed in and about Calcutta. Amongst the rest of their gang was the person who had, about fifteen days ago, hired himself to a sircar of a house of agency to carry 1,700 rupees in cash and 500 rupees in notes to the agency house, who but gave the sircar the slip in the road and walked away with the cash.

AGGRESSION BY THE MALAYS.—The following has been sent to the press by C. M. Crisp, master of the bark *Colonel Burney*, complaining of aggressions committed on him by the Malays on the Pedier coast.

"On the 22d August, having occasion to go on shore about some beutenut, which was promised to have been ready at a some village called Bouwoon, myself and chief mate (Mr. Thompson) in a boat, on our way down the river, going off to the vessel, were stopped by six Malays, with drawn knives, who threatened our lives if we showed any resistance. When we inquired from them what they meant by stopping the boat, they told us that the Rajah of Le Silva, a small village, situated on the borders of the Boorong river, wished to see the captain, and that we must immediately return. In consequence we went back with the people to the village, when the Rajah, and several other persons, about forty or fifty in number, were present. I asked why his people stopped the boat in this manner. He said that before he would allow us to go to the vessel, I should have to pay a sum of money to him. After remonstrating for some length of time, about the unjustness of extorting money in this manner, I was obliged to promise that I would send it to him, provided he would allow us to go on board. This he would not do, but said that one of us must stop on shore until the money was brought to him, and permitted me only to go off to the vessel, and kept my officer in confinement, until the money he demanded was sent to release him.

Considering such treatment very unjustifiable, and that should the Rajahs of the villages be allowed to extort money in this clandestine sort of manner from commanders of vessels, something of a more serious nature will be the consequence, I would suggest, that a man of war should every now and then touch on this part of the Pedier Coast, which would be the means of protecting the ships that trade to the coast against the perfidy of these people.

THE HEREFORDSHIRE AND THE KELLIE CASTLE—On the 25th August, at about half past eleven in the morning, the frigate tugging very strong, much more so than usual, the large ship *Kellie Castle*, just about to quit Calcutta for Singapore and China, broke away from her head moorings at Kidderpore, and swung round on her stern moorings. The *Herefordshire*, another large vessel of nearly as great a burden, immediately after followed the example of the *Kellie Castle*, broke away from her moorings and shot out into the strength of the stream, which of course rapidly carried her down the reach with the mooring buoys attached to her. She got aground on a bed of mud opposite the second house in Garlen-reach, where she lay till flood tide made, when the *Forbes steamer* ran down to her assistance, succeeded in towing her off and brought her up to Calcutta. She dropt down again during yesterday morning and was last night safely removed near her old berth, without having received any damage. On the 28th ultimo, the *Sufferen* got aground on the same bank, but floated again and proceeded on her voyage, undamaged by the accident.

THE BOLTON'S ACCIDENT.—During the progress of the *Bolton*, on her voyage between this port and Singapore, one of the officers descended into the spirit-room with a lighted candle; by some means two casks of spirits became suddenly ignited; in this dilemma the officer, with great presence of mind, rushed on deck with one of the burning casks in his arms and called out lustily for help, Captain Young, who happened to be at hand,

immediately descended with a hand or two, and happily succeeded in extinguishing the flames in the other cask. The powder magazine was in dangerous vicinity to this spirit room.

HULL OF THE SIR HERBERT TAYLOR.—The hull of the *Sir Herbert Taylor*, lying off the Silver Tree Pagoda, was disposed of by auction for the sum of one thousand and ten rupees.

THE STEAMER THAMES.—A letter dated the 21st August, from Lutripore Factory, district of Bhaugulpore, states the following fact, which will give some idea of the rise of the river in that district, "the steamer *Thames* with 22 lakhs of rupees on board, got ashore here yesterday morning at 7 A. M. in one of our highest indigo fields, and up to this moment, 5 P. M. has not got off. I got some boats, and 150 ryuts to assist, but all to no purpose." The vessel has since been got off.

THE MEGNA.—The H. C. iron-steamer *Megna*, reported to be on a sand bank between Chupra Revelgunge, was got afloat on the 10th instant, through the ingenuity of Mr Superintending Engineer Tytler, and the unremitting exertions of her commander, Mr. Sparling, assisted by the commander of the *Flat*, Mr. Steel, and the officers and crew of both vessels.

THE MEDEA.—A new armed steamer for the Honourable Company, on the exact model of the *Medea* steam frigate, may be expected shortly. The *Medea* has proved herself the best steamer in the British navy.

INUNDATION.—All that part of Jessore to the north-east of the Bhyrub river is completely inundated by the waters from the Ganges; the rice crops, which were nearly ripe, are entirely destroyed, and the waters, according to the last accounts, were still increasing. It is greatly to be feared that the districts of Backergunge and Furreedpoore, have suffered to a much greater extent from their proximity to the mighty stream, which is carrying every thing before it. The Bhyrub river is said to be completely choked up by the influx of water from the eastward; to such an extent, indeed, that the reports state the current to be running from the south-east, contrary to the usual course of the stream. The inundation all over Bengal has been very great.

STATE OF THE RIVER.—A native, arrived from Bhaugulpore the other day, states, that the houses on every one of the churs, from that place downwards, which have stood for years, have been washed away, the river having risen unusually high. The banks of the river at Rajmahal are very high, and yet they have been overflowed. There was about knee-deep water in the bazar. Such a scene has not occurred for several years.

BANGY-BOX REWARD.—The reward of one thousand rupees, offered by the Hon'ble President in Council, some weeks ago, with the view of procuring the most effectual means of rendering bangy conveyances water-proof, against the worst of weather, has not been awarded to any of the competitors, all of them having fallen short in the fulfilment of some item or other in the stipulated terms.

COURT OF REQUESTS.—It is said, that Mr. Millet is taking evidence regarding all matters connected with this court. The changes which are expected to take place in it are the appointment of a barrister at 2,000 rupees per mensem, as the head commissioner, the extension of the jurisdiction to 1,000 rupees, and for one mile further all round its present jurisdiction, and some improvement as to the practice of the court, so as to render it a court of Records. The fees of the court and the practice of not awarding any compensation to the mooktars, are likewise to be modified.

The Court Requests will close for the Durgah Poojah holidays, from Monday the 24th Sept. 1838, until Monday the 15th October next. By a new order

in this Court, creditors seizing the property of their debtors in a seal warrant, after a decree being passed in their favour, must prove the property to be that of their debtors, in case of its being claimed, and have it publicly sold within two weeks of the date of its seizure, or show some sufficient grounds for the delay in the sale, otherwise it will be released by the order of the Court. By another regulation in this Court, when a person is arrested and taken to jail on a decree warrant, every detaining creditor pays six pice a day for the diet money of the prisoner; but if six or seven persons be the detaining creditors, the prisoner gets only six pice a day altogether, and not the six pice a day for each detaining creditor.

THE PUMBAN PASSAGE.—The second cut has been made at Pumban through the bank, but it is only sixteen feet wide though it is nearly eight feet deep. The soil is now of firm clay of which bricks have been made. The bank will prove far the least obstacle of the two operations; the next dredge will give twenty-four feet broad and eight feet deep; this may be cut to any extent, and as yet show no indication of filling up; on the contrary the current has taken a fixed direction and assist in the work.

ILLEGAL IMPRISONMENT.—The Police Magistrates, during the month, illegally committed two men, without trial, to imprisonment in the Town Guard, because they were, with several others, concerned in a riot in which a man was accidentally killed. The Coroner and Jury who sat on an inquest held on the body of the deceased, severely commented on the proceedings of the Magistrates, in thus violating the rights of the subject.

THE FOUNDERING OF THE RUBY.—The following is Captain Randle's statement ament the *Ruby*.—

"Appeared before me, Arthur Wilson, Acting Government Agent at Seychelles, this twenty-ninth day of June, in the year of our Lord one thousand eight hundred and thirty-eight, James Randle, Master of the barque "*Ruby*," burthen 441 tons, Mr. Thomas Chas. Beale, of Bombay, owner, who deposes, that he sailed, in command of the aforesaid barque, from Macao Roads, China, on the 27th of April last, bound to Bombay; that he touched at Anjier on the 3d instant, for war, from whence he sailed on the day following; and that nothing further occurred before the 19th, when the carpenter reported that the ship had six feet water in the well.

That the hands were instantly turned to the pumps which were kept constantly going; but finding that the water had increased at 6 P. M. to eight feet six inches, deponent ordered part of the cargo to be thrown overboard for the safety of the ship—latitude 7° 15' South and longitude 67° 30' East.

Deponent states, that on the 21st, although the hands were kept constantly working at the pumps, and drawing water out of the afterhold with buckets, the leak had gained upon them so such that the water was above the lower deck, the vessel being at the time nearly on her beam ends, but still standing on her course for Seychelles; one of which I deponent was in hopes of bringing her to, even in her sinking state, provided the lower deck did not give way.

At 4 P. M. deponent deemed it indispensably necessary to get out the boats, for the safety of the crew, which was effected with considerable difficulty, the pumps having become totally inserviceable, but all hands still continued to bail water out of the afterhold and lower deck.

On the 22d, seeing that the vessel was settling fast, and that the lower deck had broken up at 9 A. M., all hands got into the boats. Mr. Green, the chief officer, took charge of the gig, with nine of the crew, including the gunner and a seaman who was working for his passage. Mr. Conry took charge of the long boat, with thirty-six of the crew; and deponent, after ascertaining that every person had left the vessel, got into the cutter, with nine men and the carpenter.

The three boats sailed in company from the vessel at 10 A. M., and thirty minutes afterwards the vessel went down in latitude 5° 43' South, longitude 64° 40' East.

Deponent further states, that at 5 P. M. he sailed close up to the long boat, and while speaking to Mr. Conry, the officer in charge, that individual fell over board, but after being about three minutes in the water, was fortunately taken up by deponent into the cutter. As Mr. Conry felt very unwell from the accident, deponent was therefore under the necessity of putting the carpenter in charge of the long boat, with instructions to keep close to him during the night, being then within a few days sail of Seychelles, and that he, deponent, carried a light in the cutter to guide the other boats during the whole night.

Deponent adds, that on the 25th at 6 A. M. the long boat was seen ahead nearly hull down, bearing W. by N $\frac{1}{2}$ North, and at 9 A. M. they entirely lost sight of her. Latitude at noon 5° 16' South, longitude 59° 20' East.

During the 26th and 27th, deponent steered various courses, in search of the long boat, but being unable to discover her, directed his course for Seychells, where he arrived this morning at 7 o'clock, with the cutter and gig.

Deponent states, that every thing belonging to the crew, officers and himself, were lost, with the exception of the watches and charts which were necessary to guide them to this port; but it is with pleasure that he (deponent) can say, that the crew and every person on board laboured hard night and day to save the ship, without a murmur.

Deponent further states, that the *Ruby* had on board treasure to the value of about six lakhs of dollars, in silver and about another lakhs in gold; the remainder of the cargo consisted of sugar-candy, coarse raw silk, piece goods, glass beads, bangles, caseta, kittysauls, camphor, cochineal, preserves, tea, and various other articles. That he succeeded in saving (58) fifty-six packages of the gold, which he brought with him in the cutter, and as the remainder was packed up in a box at China, he had it put into the long boat — total (121) one hundred and twenty one packages of gold, (signed) J. RANDLE.

Sworn before me at Mahé, one of the Seychelles Islands, a dependency of Mauritius, the day and year first above-mentioned.

(Signed) A. WILSON,

Acting Government Agent at Seychelles."

FLOODING OF THE RIVERS AT BENARES, &c.—Letters received from Benares state, that the rivers in that quarter are higher than perhaps never been known, and nearly the whole country is under water. The Soane, too, has overflowed and inundated the whole of the adjacent country. The station of Allah has been nearly swept away; that of Dinapore likewise has suffered very much.

Thirty-five breaches have been made on the Dummoord embankments, towards the east of Burdwan; by the encroachment of that river; several villages have been inundated, and the fine crops of paddy have been all destroyed. That part of the river, which runs immediately below Burdwan, is expected daily to overflow its embankments; if it should happen, Burdwan will be at least knee-deep in water; and the wretchedness, which such an event will occasion can be better imagined than described! It is, however, expected, that the embankments will be raised several feet higher, as soon as the rains will in some degree abate, to secure against future encroachments of the river! The inundations extend even as far as Sooksaugor, and then the whole country round about has been rendered a complete marsh, and it is anticipated many of the strongest-buildings will not be able to stand out the water's ravages. The banks of the river also are being cut away in a most unusually rapid way, and this with the inundations will cause an immense loss of property in that station this year.

The following are extracts of letters, dated Benares 25th August, and Allahabad 23d August:—

"We have had twelve hours of the heaviest rain I almost ever witnessed, and I have just returned from an unsuccessful attempt to reach my office, the Ganges having risen to such a height that for half a mile the road is flooded to the depth of five feet, a thing never heard of before; and the houses in the city are falling by hundreds! Should this rain continue for a few days more, our indigo operations in this quarter will be at an end for the season. All communications between the different parts of the country is stopped, and I have no letters for some days, excepting from Allahabad."

"We arrived here the day before yesterday, most providentially, for yesterday there was a tremendous gale from the westward, such that we were obliged to strike our topmast; and last night, the Jumna burst the Ghaut,—many of the Civilians' houses are surrounded by water, as well as the town of Allahabad, and two villages are quite destroyed.

DEPUTY REGISTRAR.—It is said that an arrangement was in the contemplation of Government, for abolishing the office of Deputy Registrar to the Court of Sudder Adawlut at the Presidency, and of dividing the amount of the salary of that office between two translators and an Uncovenanted Assistant; the translators to be attached to the Legislative Department for the purpose of rendering its Acts into the vernacular tongue, and the Uncovenanted Assistant, it was proposed, should be appointed to the Sudder Court for carrying on the miscellaneous duties of the Deputy Registrar, who, be it remarked, besides other duties, has also the charge of the Translation Department. It is not likely, however, that the arrangement will be carried into effect, the opinions of the Governor-General being against the expediency of it.

HERAT.—It is rumoured that the Government is in possession of intelligence which confirms the arrival of a Russian army at Khiva, in progress via Bhokara and Balk to Cabul, with the good will of the respective chiefs of these countries. Other *on dits* report an amicable arrangement between the Shah of Persia and Kaumraun of Herat.

HIGH TIDES.—The tides have been unusually high this season, and several parts of Calcutta and Howrah have been inundated more than knee-deep.

MR. PRINSEP.—Mr. Prinsep, our Assay master, has extracted some gold from a large quantity of silver belonging to the firm of Messrs. Lyall, Matheson and Co.

BILLIOUS FEVER.—Billious fever is at present raging in several parts of Calcutta and several natives, from want of proper medical treatment, have fallen victims to this dreadful disorder. The native quacks are very busy and are killing an immense number daily.

NEW LINE OF ROAD.—The new line of road from Mithapore to Sumbulpoor, lately reconnoitred by Mr. Kittoe, and suggested by him in his report, has been approved by Government, and that gentleman has been instructed to survey it in the ensuing season.

CONVEYANCE OF TREASURE.—THE GOORKHAS.—A quantity of treasure, which was being conveyed to Bareilly, has been detained at Budaon, from apprehensions for its safety during its further progress, and a party from the 61st regiment had been ordered to proceed forthwith to Budaon to escort the treasure to Coel. The civil authorities who made the requisition for the escort, apologised for demanding the services of troops on such duty at this season, but stated that their presence was indispensable. This looks as if apprehensions were entertained of some attack from the Hills. Twenty regiments of Goorkhas are at this moment close upon one of our posts at Kumaon, which is protected by no more than twenty men; and Government have been apprized of the circumstance.

MR. LAURETTA'S HOUSE.—The splendid mansion of Mr. Lauretta, at Suktanagor, has been totally destroyed by the overflowing of the river.

PROSECUTION FOR LIBEL.—Captain R. A. McNaughten, of the 61st N. I., has commenced a frivolous prosecution against the *Courier*, as well as the *Hurkaru*, for libelling him, as he says.

THE DORJELING STEAMER.—The steamer for Dorjeling did not start as intended; but the Secretary and some of the members of the Committee will proceed to the station, and lay the foundations of the hotel and of their own private residences. Messrs. Hepper and Marten had arrived at Dorjeling and commenced operations, and Mr. David Wilson, was daily expected there.

SHIP LAUNCH.—On the 21st instant, a new clipper was launched from the Kidderpore docks and named the *Sirene*.

TIPPOO'S GRAND CHILDREN.—It said that Government have granted the sum of six hundred rupees per mensem for the education of the grand children of Tipoo Sultan, now residing at Russapaglia. Major On-eley, the Superintendent, intends, therefore, to employ a European teacher, a moulvee, a moonshee and a pundit. Operations commence on the 1st of October.

EXTRAORDINARY FALL OF FISH.—The following is an account of an extraordinary fall of fish in the Sunderbuns:—

“ About 3 o'clock P. M. of Thursday the 20th instant, we had a very smart shower of rain, and with it there descended a quantity of *live fish* about three inches in length, and all of one kind only. It is very strange that they fell in a straight line on the road from my house to the tank, which is about forty or fifty yards distant. Those which fell on the hard ground were as a matter of course, killed from the greatness of the fall; but those which fell, fortunately for them, on the spots where there was grass growing, sustained no injury, and I picked up a large quantity of them alive and kicking and let them go into my tank. Some people suppose that phenomena of this nature take place through the agency of water-spouts, which draw up the fish, &c. from rivers and tanks, and afterwards return them to the earth again in showers of rain; and there appears to me no other way of accounting for the occurrence of the phenomena, or that the fish should be found so far out of their element. If it were possible for them to get out of tanks themselves, they could, it would naturally be supposed, as easily retrace their steps and jump in again; but such was not the cause in the present instance. The most strange thing, however, that struck me in connexion with this event, was that the fish did not fall *helter skelter* every where or ‘here and there’, as the ‘reasons’ in the old woman’s pudding; but they fell in a *straight line* not more than a cubit in breadth. I have heard of such things happening before; but never on the spot where this happened. The natives living in and about the place, gave to the fish the name of *ulka*, but whether this be the right word or not, I cannot tell from my own knowledge.

THE MOORSHEADABAD NEWS.—A copy of a new weekly journal, under the title of the *Moorsheadabad News*, has reached Calcutta during the week. It purports to apply its columns mainly to the development of all matters connected with the judicial, financial, educational, agricultural, and commercial condition and prospects of the district in which it is published, and to adapt itself as much as possible to the instruction and enlightenment of its native supporters.

RAJAH GRESH CHUNDER ROY, BAHADOOR.—Rajah Gresh Chunder Roy, Bahadoor, the present holder of the Krishnagur Raj, requested the Bengal Government to take into its serious deliberation the subject of

resuming lands in his Zemindaree, in consideration of the very valuable service which is great-grandfather, Maha Rajah Kisto Chunder Koy Bahadoor, had done to the British Government. The liberal minded Deputy Governor has paid that attention to the subject which it merits.

ABOLITION OF THE SALT ESTABLISHMENT.—Mr. G. Prinsep has made an application, for the abolition of the existing establishment for the manufacture of salt, and expressed his desire of supplying the necessary quantity to Government. The application is now under the consideration of the Salt Board.

COLONEL LOW.—Colonel Low, the Resident at Lucknow, is about to proceed to the Cape of Good Hope on furlough.

THE INFLUENZA.—A species of influenza is very prevalent among the European Inhabitants of Calcutta and its suburbs at the present time; it consists of slight cold and fever. No instance of a serious nature or fatal termination have as yet happened, and no apprehensions of any such happening from this cause, should for a moment be entertained by residents.

RIVER POLICE BOATS.—Nine eight-oared boats, for the river police, were launched on the 27th ultimo, from the building-yard of Messrs. Beauchamp and Co. They are thirty-three feet in length, and have cost seven hundred and fifty rupees each. It is to be hoped that no further complaints will now be made of the river Police, and that the river constables, who have the command of these boats, will be enabled to keep a greater check on river thieves and smugglers.

DR. R. ST LEGER.—It is stated, that the Vicar Apostolic of Bengal, Dr. R. St Leger, B. C., has been recalled at his own request; and he is to be succeeded by a Bishop. The reason assigned for his so doing, is disgust at the continual dissensions which are taking place among the different sects of Portuguese in Calcutta. This resolution of the Vicar Apostolic is much to be regretted, for he is universally esteemed in Calcutta, and his departure will be looked upon with regret by every one among the European inhabitants of Calcutta.

MR. AMOS.—It is said that it has been decided, so far as the Supreme Government are concerned, that Mr. Amos shall not be appointed President of the Law Commission. The junction of the two offices of President of that body and of Fourth Ordinary Member of Council, has been deemed objectionable in principle, and expedient, at a time when the business of legislation is onerous enough to occupy the whole attention of the Legislative Member. The subject has been referred home for the orders of the Court of Directors, pending whose instructions the union has been dissolved.

LOTTERY PRIZES.—The number 3746, which brought up a prize of a *lakh* of rupees, was purchased by a person of the name of P. Mack, who disposed of it to Mr. William Ainslie, of the firm of Messrs. Colvin, Ainslie, Corrie and Co. The number 871, which came out a trump of fifty thousand rupees, was one belonging to Bulraam Mullick and sons, and sold in shares by them.

PROSPECTUS OF A NEW BANK.—It is said that the prospectus of a new Bank is in private circulation. Mr. John Bagshaw, Member for Sudbury, is to be the Managing Director in London, and it is said that 5,000 shares have already been subscribed for there. Mr. Bagshaw, of the firm of Bagshaw and Co, in the city, is the managing man here, and we are told that two thousand five hundred shares have already been subscribed for. The shares are a thousand rupees each, to be paid by instalments. According to this statement, it appears, that names are subscribed to the amount of 65,000,000. This Bank is

to be a Bank of discount and deposit, and is quite distinct from the Bank of India.

TESTIMONIAL TO SIR CHARLES METCALFE.—The amount of the subscriptions to the testimonial to Sir Charles Metcalfe at Allahabad, was, on the 18th ultimo, eight thousand five hundred rupees only.

MR. WILLIAM PRINGLE.—The Court of Directors have visited Mr. William Pringle with some more tangible marks of their displeasure than a few angry words. He is to be suspended from the service for two years.

OPIMUM QUESTION.—A dispatch from the Court of Directors has been received by Government by the June Mail, conveying the intimation of the entire approbation of the Court of the measures adopted by this Government last year on the opium question.

CEYLON CINNAMON GARDENS.—The Ceylon Government have published a notice respecting the sale of the cinnamon gardens to commence in January 1839. The Government intend to sell one of the four gardens in each year. They are to be divided into lots of 10 acres each. The conditions of sale will be published hereafter. This will constitute a notice of much interest to capitalists.

KALLEE NUGGUR CANAL.—*On dit*, that a canal is to be excavated from Kallee Nuggur, a place close to Hidgelee, and extended to the Ooloobarah canal. While it affords a safer communication from Hidgelee to Ooloobarah, it will be a source of no small revenue to Government, as the boats having less danger, to meet with, will, of course, prefer this route to that hitherto adopted.

SCHOOL AT CHUPRAH.—The General Committee of Public Instruction, intend to establish a school at Chuprah in December next, from the munificent donation of 50,000 rupees granted by Rajah Bijoy Gavind Singh, Behavoor.

GOLAHS AT HIDGELEE.—It is stated, that the vast number of golahs, which are at present in Hidgelee, are to be reduced to ten large golahs, to be built at Kallee Nuggur, and left under the superintendence of the daroghas at 250 rupees per mensem, and ten karkoons at 50 rupees each. The daroghas will be obliged to deposit about 10,000 rupees at the Salt Agent's office. The karkoon and kyals will be required to produce double securities.

MR. MACNAGHTEN.—It is stated that it is now definitively settled, that Mr. Macnaghten is to accompany the army into Caubul, as Civil Commissioner, with a salary of 5,000 rupees a month, in addition to his 55,000 per annum as a Secretary to Government.

STATUE OF BISHOP HEBER.—The statue of Bishop Heber has arrived in this country in the ship *Asia*, Captain Gilies.

MR. SAMUELS.—An act of tardy justice has at length been done to Mr. Samuels, by his appointment to the office of Magistrate of Hooghly, in which he has now been officiating for two years and nine months on the paltry allowance of seven hundred rupees per mensem.

INSOLVENT COURT, 15TH SEPTEMBER.—There was much business in the Insolvent Court this day, in consequence of an application made on behalf of Mr. Thomas Holtroyd, and Mr. E. Macnaghten, to be allowed to retire from the assignee-ship of three states of Colvin and Co., Cruttenden and Co., Ferguson and Co., Mackintosh and Co., and Alexander and Co. Orders nisi were made, with leave to creditors to

shew cause on the 4th of December next. An adjudication of insolvency was issued in the matter of W. W. Robinson, on the application of Messrs. Henderson and Marshall, Attorneys for Mr. J. D. Smith.

SEPT. 22, 1838.—There was a special Court held this day at 3 o'clock, on the application Mr. W. W. Robinson, to set aside an order of adjudication of insolvency obtained against him on the 15th instant, at the instance of John Davison Smith, the grounds of which were, that the adjudication had been illegally and fraudulently obtained, when the Commissioner was pleased to order a rule to shew cause after the 29th October next.

MOFUSSIL.

DELHI.—The news of the total defeat of the Persian army at Herat, has been confirmed by accounts received from Mr. McNeil, who states that a Russian officer, attached to the Russian Embassy, was killed at one of the gates of the fort! Mr. McNeil is off for England, as fast as he can travel. He had reached *Mushed*, from whence his present letters are dated; and it is now believed, that nothing can possibly prevent a war with Russia.

It appears that some of the Candaharee Chiefs have not only declared in favour of the Francees, but that one of them with nearly a thousand camel loads of provisions, actually joined the Persians before the late attack upon Herat. The Shah summoned Shah Kamran to surrender, but to so little purpose, that the latter said, the aid afforded by the Candaharee traitors to the invaders, did not affect him, and that he would settle the dispute with the sword! This bold answer of the Herattee Chief led to the attack on the 26th of June, repelling which, the Herattees are reported to have exhibited a courage and perseverance quite unlooked for. Since the repulse of the Persians, the Shah is said to have made some overtures to Shah Kamran, with the view of saving his own character and effecting peace: which were indignantly and in very unconciliatory language rejected by him of Herat.

Government are causing pier heads to be constructed at Ferozepore, and it is concluded, therefore, that they intend sending down most of the military stores and supplies to Shieckarpore, by water.

The crops throughout this district, and the upper provinces generally, are said to be in a very flourishing state.

Captain Wade, Political Agent, returned to *Loodiana* in the 23d instand from *Lahore*, where he had settled every thing to his satisfaction with *Ranjeet Sing*, respecting the operations of the approaching campaign.

A gang of Thugs, forty-three in number, who had been seized within the *Uwar* state, by the guard of Lieutensnt Mills, Assistant to the General Superintendent, passed through *Delhi* during the past week, in progress to Meerut. Among them were several noted characters, for whose apprehension Government had offered large rewards. They are part of a gang, who, during the last cold season, committed several murders within the *Dethi* territory, and Zillah of Meerut, some of whom have recently been convicted and sentenced by the Nizamut Adawlut for the murder of eight persons at *Kotana*, within the latter jurisdiction, about seven months ago. The greatest praise is due to Mr. Mills for the manner in which the present gang have been arrested; so admirable were the arrangements, that but few escaped. The party had just returned from an expedition, and upon their persons were found proof sufficient to substantiate their professions, independent of which several have confessed to their being Thugs.

HUSSINGABAD—The following is a letter from Hussingabad, dated 13th August:—

"I heard from a native lately arrived from Nepal, that the Raja had sent an elchee to China, to say that the English were going to attack him, and asking assistance, reminding the Emperor that in the last war he had not assisted them although he received the tribute readily enough, and that if the Emperor did not assist him, if required, the Raja would transfer his allegiance and tribute money to the English,—so you see he concluded with a clincher. Now this may be humbug, arising from the native's own desire to have it in his power to give news, and yet, as he had only just arrived with elephants from Nepal, he might "be right."

LOODKANAH.—Orders for 10,500 maunds of flour 9,000 of chuna, 3,200 of rice, 1,500 of dhall, 810 of ghee 970 of oil, 1,800 of ghoor, 450 of fine sugar, and 650 of coarse, 690 of salt, 120 of spices, and of firewood 3,000 have been issued to be ready at this station by the 15th of October. These supplies are, it is said, for the consumption of the Governor-General's camp, looks as if an interview with Runjeet was still in contemplation.

AGRA.—Captain Bean, of the 23d Regiment Native Infantry, lately appointed to the New Contingent, has been ordered to remain at Agra, for the purpose of raising a regiment for Shah Soojah.

The utmost bustle prevails in the Commissariat and Medical departments here, in preparing supplies for the approaching campaign.

Government have discontinued giving employment to Paupers, and the working gangs were broken up on the 31st ult.

The price of grain is rising. Wheat is selling at the enormous rate of four and a half rupees per maund, a degree of dearth attributable solely to an absolute deficiency of the grain, and not to the old, comprehensive cause, the avariciousness of the corn dealers.

Major Ross, it is said, is appointed Resident at Jeypoor.

CORI.—The mortality from cholera in this town is most extensive. Among others who have died from it, was a native gentleman of rank and large fortune, Hoosun Khan, of Detonlie, in this district, a son of the late Abdul Rehman Khan.

CAWNPUR.—An affair of honour lately came off at this station between a gallant son of Mars, and an equally gallant son of Esculapius, Lieut E——e and Dr. M——y. The Esculapian received a wound in his thigh, which terminated the matter to the satisfaction of the parties.

CHOPRAH.—The following is an extract of a letter from Chuprah, dated the 18th of September:—

"We have lately been thrown into great consternation by the unprecedented rising of the river. The whole of the east and north of my boundary wall, to the extent of 2,000 feet, has been thrown down, and the fine row of trees to the east of the house, all destroyed, which is a sad disfigurement to the place. One of the lac houses, and a large saltpetre building, have also fallen down. The night that the flood came in the whole of the factory was under water, and we had some fear for the dwelling house. The constant falling of houses and crash of large buildings around us, was awful, and had the water risen one foot higher, most of my large buildings would have been destroyed. Whole villages have been washed away, and the distress occasioned must have been considerable.

The Governor-General and Commander-in-Chief have it is said, come to an open rupture, in regard to the appointment of a gallant officer in the Royal Army, known to possess great influence with his Excellency and to be but very lightly valued by the Governor-General, either in or out of Council.

A rupture with the Sikh, it is also whispered at Simlah, is not improbable, as the old Rajah has been detected in playing a double game.

The Ganges has risen to the unrecorded height of 43 feet after fluctuating for many days from 30 to 36, and at midnight of the 21st, it affected a complete breach through that part of the bund called the Buzee bund. The air was at the time perfectly calm, and there was neither current nor wave acting against the bund nor could any reasonable fear exist as to its strength, for it could have borne a rise of nearly five feet more in height. It burst at the same spot where it breached 37 years ago. The chowkedars who has been there since its erection, observed it rushing through the bund on the inner side, and on going to the outer, saw a funnel about 5 feet under the water. This accident was most probably occasioned by the powerful pressure of a large body of water against some trifling fissure, either accidental or made by rats, which infest all bunds in India. A little after gun-fire the rent was 50 feet wide and it continued to increase until the water was on the same level on both sides. It is now returning to the Ganges. The Magistrate, Collector, Superintending Engineer and other gentlemen, were quickly on the spot, and measure were taken to remedy the expected mischief. Kidgunge was four feet under water, and the dawk travellers' bungalow is submerged up to the eaves. Unless the flood retreats rapidly the crops will be spoiled but the land has been so much enriched by the deposit, that the rubbee will amply recompense the ryot. With the exception of one old woman, no lives have been lost. The rushing of the Jumna against the fort bastions is quite fearful, and at one part there is a fissure of many years' standing, down to the water and probably many feet under it. It appears dangerous to trust any longer. The Steamer will never be able to stem such a powerful current. The whole country seems intersected with nullahs.

Subsequent account state, that all the space between the bund of the Ganges and the late bank of the Jumna, has been submerged, from the irruption the former river, and a large portion of the fort, washed by the Jumna, has fallen in from the violent action of the current.

NATIVE STATES.

HERAT.—A letter received from Kandhar, says, that accounts have been received thence of the Persians having made a desperate attack on Herat, which was gloriously repulsed by the gallant band which forms the garrison, killing a number of the enemy, and among the rest a Russian General Officer, who was pierced with three balls, and taking their cannon. It further appears that Shah Kamran, the ruler of Herat, had in stores, grain and other articles of provision, enough to enable his Highness to keep up warfare for a year more; but messengers arrived from Herat state, that for the last two months his Highness has been trying to make peace with the Persians, and for that purpose, confidential officers of the Shah having come out of the fort, are communicating with the heirs of the Iran Army. And the hostilities on both sides, in consequence, are at present under suspension.

FORT OF FURRAH.—The Affgans of the Bauerakzaee tribe, forgetful of the benefits they experienced at the hands of the family of Amud Shah, *Deorrans*, had made an attempt to overthrow the rule of that house. Lately the Nazems of Kandahar, sent an army of two thousand men against the fort of Furrah, finding that the Persians had besieged Herat, upon which the said fort was a dependant. The troops that garrisoned the fort, considering themselves unequal to the task of coping with the enemy, quitted the fort peaceably, and it was taken possession of by the Affgans.

CABOOL.—Intelligence has been received from Cabool, that the ruler of that place has forwarded an urzee by the hands of one of the ministers of his Court, to the camp of the Iran Army, stating that an ambassador on the part of the English had come to him for the protection of Cabool, and had stationed himself at Cabool for nearly a year, but on the arrival of the servants of the Shah of Iran, he sent away the said ambassador of the English. Under these circumstances his sole reliance for assistance was centered on his Majesty, and he prayed that a powerful army might be sent to protect him from the expected attack upon his country by the ruler of Lahore.

Dost Mahomed Khan has planted fifty guns on the fort of *Bala Hisar*; is casting others, and is actively engaged in warlike preparations, while he daily takes muster of his troops, and purchases all horses that arrive from *Toorkistan* and the neighbouring parts. He now is oppressing, beyond measure, the ryots, merchants, shopkeepers, and every class of people, by his demands for money, while he is collecting granaries and preparing store houses in Jullahabul, Khuebar, and Alee Musjid. He also, night and day, holds consultations with his brothers and the nobility, who apparently give him confidence and support,

Dost Mahomed Khan has also sent letters and khilats to the Arabs of Peshawur, by name Jooma Khan, Suxmut Khan, Izzut Khan, Nussur Oollah Khun, Saddua Khun. He has also caused to be erected, in Khuebur, two new bastions or Forts, one in Saudee Khanu, the other in Jubugee.

The news of Peshawur, is that those illustrious gentlemen Messieurs Allard Court and Avie Tabili, having in view only the prosperity of Peshawur, make no distinction between Mahomedans and Hindoos, consequently both tribes are pleased and satisfied, and pray for their welfare, as they rule with strict justice and impartiality.

Kandohn the Nauzems of Kandahar, conscious of their want of power to fight the English army, called a meeting of all the Mosulmans of Guzren, Hazarah, Ind and Toorkastan, and held a consultation on the subject. The business of the meeting was opened by stating, that the officers of the English are for the sake of fame, endeavouring to put Shah Shujah-ool-Moolk in possession of this country, and should the attempt be successful, the consequence would be that the English law and method of administering justice, &c. will gradually be introduced; a state of things, which will prove highly prejudicial to the people of the country, and especially to those who follow the profession of soldiers. The Mosulmen, all unanimously answered, that in the event of any attempt being made upon the country, they would display such bravery, as to perpetuate the fame of the Bahadoors of Affganistan.

ASGURDOON.—People arrived from Asgurdoon, state, that the health of the chief of that place being in a rather precarious state, he appointed his youngest son as the successor to his gудdee, in consequence of his eldest son not being mentally fit to undertake the management of state affairs. This latter being thus deprived of his birth-right, is said to be trying to get some neighbouring states to take possession of the state.

LAHORE.—It is said that a vicious elephant, belonging to Captain Wade at Lahore, whilst returning from the river happened to meet with the Sowarree of to Maharajah whose magnificent and liting *palkee* was instantly charged by the furious animal. The one-eyed Monarch, however, fortunately escaped without injury.

LUCKNOW.—The following incredible report is in circulation here, and what is more incredible, it is generally credited, viz: that the Company have solicited a loan of two kurores of rupees at five per cent. from the King and

that it had been granted, much against his Majesty's will, as he has taken up with that "good old gentlemanly vice" avarice.

The late King's manageric and hunting establishment have been divided among the principal Ameeris and persons of the city, to avoid the expence of maintaining them.

NEPAUL.—Six regiments of *Goorkas* have suddenly made their appearance on the East Bank of the *Kalli*, from whence they now threaten *Kunnam*. Government are strengthening our station towards the Nepaul Frontier and immediately after the rains, an army will be formed at Benaras, for the express purpose of watching the proceedings of our friend the *Goorkas*.

MADRAS.

THE MUNRO STATUE.—Between 100 and 200 soldiers of H. M. 4th, walked to the north beach in white dresses to assist in landing the Munro statue. They formed a great contrast with the number of coolies who were employed for the same purpose. The horse was landed in perfect safety opposite Messrs. Arhuthnot's office about 5 o'clock, but the other pieces were delayed in being landed on account of the raft requiring to be relashed. Much credit is due to Captain Gillis and his officers for the care and seaman-like manner in which the horse was hoisted out, and Captain G. hesitated not to cut away more of his deck and carlings to save time in landing it.

SPHERICAL CASE SHOT.—A large supply of spherical case shot and 10-inch shells, has been ordered to Bengal, as soon as possible.

THE CHOLEARA.—Cholera has broken out in H. M.'s 41st Regiment at Beleary.

DISTURBANCES AT ASTRAGRAM.—In consequence of large numbers of the Mohomedan portion of the Astragram Division being in a state of popular excitement, (arising out of religious differences between themselves and their Hindoo brethren) the Superintendent had been obliged to request the assistance of the whole disposable force at the French Rocks, with the least practicable delay in support of the civil authority. Upon which requisition Major Dowker immediately marched with a detachment, and arrived between 11 and 12 o'clock on the night of the 15th ultimo.

THE DOGAR.—It is said, that definitive orders for the occupation of the Dogar, arrived on the night of the 13th instant, from Calcutta. Three Regiments of Native Infantry and one of Cavalry are to be moved. The former to Kullalgher, Belgaum and Dharwar; the latter to Sholapore. The corps selected, it is expected, will be the 2d Light Cavalry, and 18th, 32d and 52d Native Infantry.

BOMBAY.

ADEN EXPEDITION.—Captain Haines, it is said, is about to start for Aden along with a detachment of fifty men, under the command of a European officer, for the purpose of taking possession of that place, ceded, it will be remembered, several months ago, to the British power. This step will, it is anticipated, be productive of considerable advantage to our commerce with the Red Sea, as it is decidedly the most commodious port in that quarter, and situated much more conveniently for the coffee trade than Mocha, which has so long, owing to the crooked policy of the Egyptian ruler, superseded it as a depôt for that valuable traffic.

NEW PAPER.—A new paper has been started at Bombay, under the title of *The Bombay Times and Journal of commerce*.

A VESSEL BURNED AT SEA—The buggalow *Sallumty*, from Muscat has brought information, that a vessel named the *Abgaly* (*Agbaris* perhaps) was burned at sea on or about the 21 instant, between Muscat and Bombay. Six lascars, being a part of the crew of the ill-fated vessel, were picked up by the buggalow, who state that they only have escaped the conflagration to tell the tale.

PACKETS PLUNDERED—PREPARATIONS FOR WAR.—Information has been received by the *Atalanta*, on the authority of a person from on board the *Tigris* to the steamer *Euphrates*, when she sailed for Bagdad on the 15th of July, that three packets from Basorah to Bagdad had been plundered by the Arabs, and all the letters lost. One packet also from Damascus to Bagdad, on its way to India, had been plundered, as is supposed, by a party of men in the interest of Mahomed Ali Pasha, who had been sent expressly for the purpose.

A dispatch had also been received at Bagdad on the 15th July, from Constantinople, in which it is stated that Sultan Mahomed is prepared to levy war against Mahomed Ali Pasha. Large bodies of troops had been assembled at Dairbekir, and Ali Pasha of Bagdad had received orders to proceed in person to join the forces at that place for the purpose of making an attack on Abraham Pasha at Aleppo.

REINFORCEMENT OF BRITISH TROOPS.—It is stated, that it has been resolved upon at head-quarters, to solicit a reinforcement of British troops for the Indian Army, to the extent of 12,000 men.

CEYLON

OLD CIVIL SERVANTS—Private letters mention that in reply to the memorial lately sent home, the old civil servants will, in future, be allowed eighteen months', and, in case of ill-health requiring it, two years' furlough to England, with the privilege of returning to the former situations in this colony.

GINGELLY OIL—Account sales have been received from England of a small quantity of Gingelly oil at the enormous price of £65 per ton, of two leagues.

BUAMAH.

Letters from Rangoon state, that the Governor of that place had not only declined to retain Colonel Benson's visit, but had not sent any officer of the Government to attend at his embarkation for the capital. Dr. Bayfield had been informed also, that he would not be permitted to remain at the Residency after the departure of Colonel Benson.—Tharawaddie, it is said, has left the capital in order to avoid our ambassador.

The following extract of a letter from Rangoon, shows the feeling entertained by our Birman neighbour towards us:

"The usurper has now acted the part of the paramount power so long, and now sees the good effect of his conduct, by the Nepaules following his example, that his insolence will increase as he imagines our necessity to him increases; and all this because some demerit-traitors, the dupes of Tharawaddie, succeeded in blinding our Government to the sterling value of Colonel Burney. When we are least able, we shall be then compelled to resort to the only remedy—a war. When we commence with the Nepaules, he will commence with us.

Our policy must be to restore the old Government. It would induce thousands to quit Tharawaddie's standard and join us; and no time should be lost in sending another European Regiment to Maulmein from Ceylon.

"Every effort, short of personal violence, will be resorted to, to drive Dr. Bayfield out of Roy's Banished House,

in order to make a necessity for Colonel Benson to return to Rangoon, to treat with this A-Ya. Pain. It is the policy of the Court of Ava to expel our Resident from the Capital, where he has a spy to learn what mischievous or communication are going on between the Nepaules and Chinese Court; so that if Col B. remains there, contrary to the policy of the usurper, he will be a kind of prisoner without visitors. The probability is, that he will not submit to their contumely.

Our Resident yet remains at Rangoon, waiting for conveyance—for the arrival of the presents for King Tharawaddie—and report says, for the King's permission to the Woodcock to allow him to proceed to the capital. Nor has the Woodcock returned the Resident's visit, and with regard to the murders committed by the Martaban people at Maulmein, the murderers are not to be punished until after the Burmah lent.

Report says, that Col. Benson is not to expect to receive the same respect as did Col. Burney, by being visited by the Woonghees, and, moreover, that he must not refer to matters in which Col Burney was concerned. In other words, King Tharawaddie remains convinced that Lord Auckland will not quarrel with him about the patriety consideration as to which country is to construe the law of nations or dictate the terms to the other; and also remains resolved not to yield an inch but to military demonstrations. Indeed this is placed beyond a doubt, for when our military demonstration ceases, his contumely recommences.

From the *Diana*, steamer, being too sharp to take the ground on a tides-way and from her speed not exceeding 5 1/2 to 6 knots, it is doubtful whether or not the Resident will proceed up in her, so that supposing the Resident reaches the capital in all September, and succeeds in working out an answer from the Court by the middle of October, it cannot be known in Calcutta before the end of November, when, if the Nepaules or Persians draw off our attention, Tharawaddie will be proportionally arrogant towards our Resident and the time will have past for our troops to reach Maulmein from Ceylon or Madras.

PEWANG.

Penang papers of the 1st of September mention, that the Malays were still in possession of Quedah, but that H. M. ship *Hycinth*, Capt. Warren, had sailed for that place, accompanied by a gun-boat, with instruction to occupy it and deliver it over to the Siamese!

SINGAPORE.

Singapore journals to the 16th of August, which have been received during the week, complain of an intention on the part of the Dutch Government, to take possession of the Island of Lingin, and anticipate much detriment to the Singapore trade in consequence, but journals of the 23d of August, intimate, that the expedition was merely meant to obtain from the Sultan a recognition of their right to form a settlement at Indragiri, on the East Coast of Sumatra, to the westward of Jambie.

CHINA.

Intelligence from China, to the 1st of July, has been received during the week.

There was a tendency towards improvement in the opium market, owing to this season's Malwa being in the hands of a few extensive holders, and the knowledge that a considerable quantity of the drug could not reach Bombay before the termination of the rains. The prices were, for Patna, dms. 530; Benares dms. 485 to 490; and Malwa dms. 630, with a prospect of a further advance. The *Lord Castlereagh* had experienced a severe typhoon of eighteen hours duration, in which she believed generally, and lost only a few small spars.

THE CALCUTTA MONTHLY JOURNAL.

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ASIATIC NEWS.

A CURIOUS AND A HARD CASE.

On the 15th of September last, the following appeal, on behalf of Rajah Govindnath Rai, Behadoor, of Dinagepoor, was submitted, by Mr. Dias, through Mr. Secretary F. J. Halliday, to His Honor the Deputy-Governor of Bengal.

On the 3d January 1831, Baboo Pertaub Singh, of Moorshedabad, obtained a decree of sicra rupees 5,911 4-6, from the Moorshedabad Court of Appeal, against the estate of Baboo Jumbarnath Singh, deceased, of the same place, which was then in the possession of the defendants nephew, Kis-ennath Singh. The amount of the decree was ordered to be realized by the sale of the estate. Talook Chutteanglur Aungurparap, was sold on the 5th July 1832, the Rajah becoming the purchaser of a four-anna share, for the some of sa. rs. 16,250. The Rajah was put into possession on the 3d of November of the same year, and held it undisturbed until the 12th December 1835, when a Juzawal attached it under the orders of the Collector of Dinagepoor, proceedings having been forwarded to him by the Sulder Dawanny Adawlat in the suit of Mohandy Dasee, the third daughter of Sumboonath.

The sale at which the Rajah became the purchaser, was approved by the local revenue authorities, and up held by the Sulder board of Revenue, and under the confirmation above related, the sale proceeds were distributed in the following manner:

For Government Revenue,	3,580	12	9
To Pertaub Singh, the Decreedar,	10,396	15	3-2
To Taruoputty Dossee,	2,272	4	7-2

Some time in 1831, a suit was instituted for possession of Sumboonath's property, by his daughters Tarrahsoondry and Horroondry against the nephew Kis-ennath and others, but the Moorshedabad court rejected the claim, and they appealed against that decision to the Sulder Dewanny Adawlat, ultimately obtained a decision in their favor, and the Adawlat ordered them to be put into possession. The Rajah, on hearing of the above order, immediately petitioned, that as he had purchased and paid for a four-anna share of the estate, the decree of the Sulders should not interfere with that portion. The case was conducted by Mr. J. C. C. Sutherland and a native pleader, and it was heard by four Judges who recorded their opinions as stated below:

The Rajah's petition was rejected, but, to obtain a refund of the money he had paid into the hands of the Collector, a second petition was filed by Mr. Sutherland. Mr. Dias, Carmichael Smyth, by whom the petition was first heard, gave it as his opinion, that as the Rajah had actually purchased the four-anna share of the estate, and had paid the purchase money into the Collector's Treasury, and as subsequently, at the suit of Tarrahsoondry and others, that sale was pronounced illegal, and as no orders were passed as to the refund of the purchase money, Mr. Smyth thought the Rajah entitled to the

refund from the parties to whom it was paid. Mr. J. R. Hutchinson held, that though the sale at which the Rajah purchased, was set aside by the Sulder, the Rajah was not legally dispossessed, but gave up possession voluntarily, and that his present claim should therefore be thrown out. Mr. W. Bradden admitted the justice of the claim, but, as the Rajah had put in force the decrees on the proceeds of a subsequent sale of the same estate, for arrears of Government, Mr. Bradden did not consider it possible that the claim could be sustained. Mr. W. Money, before whom the petition was ultimately read, concurred entirely with Mr. Hutchinson, and those two Judges suspected, that the Rajah had contrived means for the ruin of the heirs of Sumboonath, on the ground of the Rajah having obtained the decrees against the estate, of his having become the purchaser of the whole estate for 13,200 rupees, in the name of his Ranees, for his having realized the amount of the decrees from the sale proceeds, and as the sale was held for arrears of revenue, which occurred during the time in which the Rajah was in possession.

Mr. Dias submitted, that after a careful inspection of the accounts in the Collector's office, as no arrears appeared to have accrued during the possession of his client, but that the dues of Government were paid up regularly; and as to Mr. Hutchinson's opinion, that the Rajah was not ousted but gave up possession, Mr. Dias added, that possession was not given to a subsequent purchaser, but to an authorized officer of the Court, which act appeared to Mr. Dias as perfectly legal; as if his client had continued to hold against the Court's orders, he would have endangered his purchase money, and the course adopted by him entitled him to an immediate refund. Mr. Dias did not deny, that his client is at present possessor of the entire estate, but this circumstance is no way connected with the sale held in July 1832, and, indeed, would not be brought to bear upon it, as the decrees alluded to were finally and legally obtained, and if any other person had purchased, he would not have been held liable for the claims of Tarrahsoondry and others. The case, divested of all the difficulties with which law and a protracted litigation had surrounded it, amounted simply to the fact of an individual openly buying an estate at a Government sale, held by a Government officer, paying the purchase money in full into the Government treasury, and being put into possession by a Government officer, under the full concurrence of the highest revenue authority, the Sulder Board; and when that sale was pronounced illegal by the highest judicial authority, the purchaser gave up possession to an authorized officer, and sought the refund of the money he had laid out. Under such circumstances, the hardship was apparent, and Mr. Dias thought his client entitled to his purchase money, and as under the Act of Parliament the amount claimed is considerably below the limitation of appeals cognizable by the Privy Council, Mr. Dias had no other course than to bring the case before the highest authority in India.—*Hurkaru, Oct. 5,*

POLICE OFFICE.

OCTOBER 6, 1838.

(Before the Chief Magistrate.)

CASE OF AN ASSAULT UNWARRANTABLY COMMITTED ON A PREVENTIVE OFFICER ON BOARD OF THE SHIP *JAVA*, BY SEVERAL OF HER OFFICERS, CREW AND LIEUTENANT SEPPINGS, OF THE BENGAL ARTILLERY.

Thomas John Bell, versus Thomas Nelson Howard, Robert Jaques, Lieut. Seppings of the Artillery, and another.

Mr. G. E. Hudson, Attorney at Law, conducted the complainant's case.

Thomas John Bell deposed. I am a preventive officer. Last Friday week I was on duty on board the ship *Java*, lying off town. At about the hour of 9 o'clock p. m. of that evening, I was sitting on the poop of that vessel leaning against the foot ropes. While thus seated I saw Mr. Howard, the chief mate of that vessel, come on the quarter-deck, and heard him call out, "Mr. Michelson, keep off the ridge ropes." Mr. Jaques, the second mate, who was then on the poop, said, "It is not Michelson, but Mr. Bell, the custom house officer." Mr. Howard then called out, I do not care who it is, he must not lounge on those ropes, and called out to me, "Mr. Bell, keep off the ridge ropes." I then quitted the ropes and lent forward, still seated on the rails. Mr. Howard again repeated his order to me to cease lounging on the ropes. I replied I am off. Mr. Howard then added, "keep off the rails," and I did so, and remarked to Mr. Howard at the time, "you had now better order me to go down from the poop." Mr. Howard replied, "I will very soon do it," I then observed, "I should like to say you hear so." Upon this Mr. Howard called Adams the quarter-master, and desired him to remove me from the poop. His words were, "go and take that person off the poop." As Adams was coming towards me to execute the order, I warned Mr. Howard, and said, Mr. Howard you had better take care what you are doing. Mr. Howard then came up to me and desired me to go down from the poop. I replied I shall not. Hearing this answer Mr. Howard seized me by the collar, and attempted to force me down the poop-ladder, and a struggle ensued. Seeing some of the crew come up, Mr. Jaques, Lieut. Seppings, and another person, whose name I do not know, seized me and attempted to take me off the poop. Whilst they were so doing, I entreated them to let me alone and I would go down from the poop, as I did not wish to be thrown down from it. They then desisted from maltreating me, and I went down on the quarter-deck. During the scuffle, Lieut. Seppings struck me several times with his clenched fist, and my shirt and coat were torn in the affray. Whilst I was coming down from the poop, Mr. Jaques said to me, "Recollect I have only loosened your fingers from the ropes." I afterwards asked Lieut. Seppings why he had struck me. He replied, because you struck Mr. Howard. I likewise asked Mr. Howard the reason why he ordered me off the poop. He replied, "Because you would not get off the ridge ropes when I desired you." I then requested to know why he had struck me. He said, "Because you would not move off the poop when requested." I replied that I had quitted the ridge-ropes when desired to do so. Mr. Howard then said, "You did not—you are a liar." I then thanked him and walked off.

Mr. Howard gave an order for me to quit the quarter-deck and go to my cabin, but recalled it almost immediately afterwards, at the suggestion of Mr. Jaques.

Cross-examined by the defendants. Mr. Howard did say, that I was at liberty to go about any part of the

ship I pleased on the execution of my duty; but I must not be lounging about the ropes of the ship. This was said after I had been ordered off the poop, not before. Lieut. Seppings was the only person whom I saw strike me. I do not know whether the rest struck me or not. There were eight persons on the poop at the time, and I could not in the confusion of the moment distinguish what each particular hand was doing and where it was. I cannot say whether Mr. Jaques did or did not loosen from my grasp the main brace nor who tore my clothes. Mr. Morgan might have been the name of the fourth person who assaulted me, in conjunction with the other defendants, but I am not aware of this. I never used any abusive or offensive expressions towards Mr. Howard, nor did I refuse to quit the ropes or get off the rails when ordered to do so.

Thomas Nelson Howard, stated. I am the chief-mate of the *Java*. On the day on which this assault is stated to have been committed, I had the command of the ship. Mr. Bell was the preventive officer on board of her at the time Lieut. Seppings, of the Artillery, had been passing the evening with me and was about to quit the ship at the time this affray is stated to have occurred. I came out on the quarter deck and was standing by the Captain, when I perceived a person lounging on the rails with his back towards the ridge-ropes, I supposed it was Mr. Michelson, the midshipman, and hailed him, and said, Mr. Michelson, you must not lean on those ropes thus; but perceiving the person to be Mr. Bell, I called out to him, Mr. Bell, those ropes are unsafe, you must not thus lounge on them; keep off from them. Mr. Bell replied, "I shan't—I won't. I am as good a man as you. I will go to any part of the ship where you go, and do whatever you do on board of her." I then called a quarter-master and ordered him to go to Mr. Bell and request him to get off of the poop-rails and not to lounge on the ridge-ropes, as they were unsafe. As the quarter-master was going up the poop ladder, Mr. Bell advanced towards him, still holding the ropes with one hand, in a threatening attitude, to intimidate him. When I perceived this, I went up the poop, to Mr. Bell, who, on perceiving me coming towards him, got up and faced me, and whilst he held the rope with one hand, he made a blow at me with the other. I gently laid my hand on his shoulder, and said, mildly, Mr. Bell, you must not thus lean on the ridge-ropes, they are unsafe. You are at liberty, in the execution of your duty, to go to any part the ship you may please, but you must not hang on the ropes. He defied me and resisted. When he struck me, we instantly collored each other, and a scuffle ensued on the spot. When the other officers and the crew perceived this affray, some of them came up the poop and expostulated with Mr. Bell on the impropriety of his conduct, and told him he must not strike me, and to let go the ropes. He refused, and some of the officers interfered and separated us. I then stood aloof. Mr. Bell then went down on the quarter-deck and abused me in going down the companion-ladder. When he descended it half way, he returned, and, after abusing me grossly, retired. I saw him no more that day. I had, previous to this, received a letter from Captain Jobbling, the commander of the *Java*, not to permit Mr. Bell to lounge about the ship's ropes in the disrespectful manner he had to do. Mr. Bell, at the time he behaved in this strange manner, appeared to have been the worse for liquor. He generally labours under the influence of drink. He brought into the ship a much larger quantity of liquor than he should have done, and made a very free use of it. He once endangered the safety of the ship by his negligent conduct. He got drunk and fell asleep,

leaving a candle burning in his cabin all night, which is contrary to the regulations of the ship. This happened about a week previous to the transaction, which is now under investigation. I never struck Mr. Bell, nor did I speak to him in a harsher tone than I do to any other person on similar occasions. I did not order him to keep to his cabin. His object was evidently to contemn my authority and insult me before the whole ship's crew. If this kind of conduct is tolerated, and the authority of the officer in command of a vessel thus permitted to be set at defiance, there will be an end to all discipline on board of ships. The name of the quarter-master, who went to Mr. Bell by my order, is Cooke and not Adams. He is in attendance at this office. It is evident by Mr. Bell mistaking Adams for Cooke, and not recognizing Mr. Morgan as one in the affray, that he was drunk at the time.

Robert Jaques stated, that he was the 3d mate of the *Java*. He corroborated the statement of Mr. Howard, and added, "when I saw Mr. Bell scuffle with Mr. Howard I did not like to see him ill use the chief mate, my superior officer; therefore I interfered and parted them, and released the rope from Mr. Bell's hands, by opening his fingers, but I did not strike him.

To cross questions from these defendants, Mr. Bell aided, the quarter master did not come so close to me as to enable me to distinguish clearly in a dark night who he was; but I think it was Adams. I neither abused nor struck any one at the time, nor did I refuse to quit the ropes, or to move off the poop-rails. I certainly did refuse to quit the poop. I was not drunk at the time.

John Morgan, deposed. I am the third mate of the *Java*. I was one of those that went up the poop-ladder to end the affray between Mr. Howard and Mr. Bell. Mr. Bell did not get off the poop-rails till he was forced down. The quarter-master was then sent to detain him to get up, but he replied "I will sit here as long as I like." He was sitting on the bunacle on the poop, with his back to the ridge-ropes. Mr. Bell said he had seen officers of the ship sitting there, and he had as much right to do so as any of them. Whilst the quarter-master was going up the poop with Mr. Howard's message to Mr. Bell, Mr. Bell said to Mr. Howard, you need not send the man to me for I will not go; and by the time the quarter-master had got up half way on the poop-ladder, Mr. Bell sat up, and putting himself in a fighting attitude, squared at him, still sitting on the rails. Mr. Howard then went up to him and put his hand on Mr. Bell's shoulder, and desired him gently to remove. Some words passed between them, and a scuffle ensued. I seized Mr. Bell by the waist and swung him round, and wished to get him out of the place. After a short struggle he went down on the quarter-deck. He then told Mr. Howard he was as good a man as him, and would go wherever he pleased and do what he liked on board the ship, and would not be dictated to by Mr. Howard or any of his crew. I think Mr. Bell must have been drunk at the time, or else he must have recognized me as one of those concerned in the affray. I am positive when Mr. Howard desired Mr. Bell to leave off leaning on the ropes, and get up from the poop-rails, he said I shant—I won't. His intention seemed to me to be to aggravate Mr. Howard. I seized Mr. Bell by the waist, because I thought he was going to strike Mr. Howard. Mr. Bell repeated his irritating language often. When the crew heard Mr. Bell refuse to obey Mr. Howard's order and saw him scuffle with him, they all came aft to see what was going on.

James Napp, deposed. I am a seaman on board of the *Java*. I was on the quarter-deck when the affray occurred. Mr. Bell said to Mr. Howard ordered him to get off the poop-rails, replied, "I shant—I won't. I am as good a man as you, and I will not be dictated to by any one of your crew. I will get to any part of the ship where

you go, and do what you do in it." This I consider to be abusive language to be held to the officer in command of a ship, by any person on board of her, and tends to lower his authority in the eyes of the crew. After the scuffle was over, Mr. Howard ordered, Mr. Bell to go to his cabin, but immediately afterwards, at the suggestion of Mr. Jaques, he countermanded this order and said, Mr. Bell, you are at liberty to go to any part of the ship you please in execution of your duty; but you must not lean on the ropes, as they are unsafe. I cannot say whether Mr. Bell was drunk or sober at the time. His shirt was torn during the struggle and his breast exposed. I should not suppose Mr. Howard would ever call any man a liar.

Robert Thompson deposed. I am a midshipman on board of the *Java*. I heard Mr. Howard desire Mr. Bell not to lean on the ropes. Mr. Bell replied I have seen you and your officers lean on them, and I have as much right to do so as any of them. Mr. Howard then sent up Cooke, the quarter-master, and afterwards went up the poop to Mr. Bell himself. Some words passed between them, and a scuffle ensued between Mr. Howard and Mr. Bell, and Mr. Jaques, Mr. Morgan and Lieut. Seppings interfered and parted them. I did not hear Mr. Bell abuse Mr. Howard at the time, nor did he appear to me to be drunk. I am positive Mr. Bell refused to get off the ropes when ordered to do so.

Thomas Cooke, the quarter master of the *Java*, deposed. I received on the evening in question an order from Mr. Howard to remove Mr. Bell from the poop rails. I went up the poop and communicated my order to him, and he got up. After this, conceiving my order to have been accomplished, I came down and went about my usual business. I did not hear what Mr. Howard and Mr. Bell said to one another. I saw no more of this business and heard of no affray or fight that night.

Adams, the quarter-master alluded to by Mr. Bell, was likewise called. He deposed, that he was not on duty at that hour, but Cooke was. He knew nothing of the affair.

This closed the case for the prosecution, and Mr. Hudson informed the Magistrate, that he would not press it any further here, as it was his client's intention to have it tried before the ensuing sessions. The defendant said, they had no evidence or any thing further to state at present.

The Magistrate then summed up and said, that when he took up this case, he understood it was the complainant's intention to have had it finally disposed of here. However, he had no objection to his taking it before a Jury if he was disposed to do so. He then added, that it certainly did appear to him, that the complaint had been ill treated. If Government officers, employed on public duty on board the ships lying off this port, are subject to such treatment, there will be an end of all order. Mr. Bell's conduct in the instance before him, might have been foolish and intemperate, but his leaning against the ridge-ropes was not an offence which caused the danger of the ship; and even if, after he had been warned that the ropes were unsafe, he persisted in leaning against them and had fallen over board, it was his own look out, and the officers of the ship were not answerable for his safety in that degree as to force him to quit them in the violent manner they had done in this instance. If Mr. Bell's conduct on board of the ship was irregular, the officer in charge of the ship should complain of that to the Custom House, to his superior, and have him exchanged for another. They certainly were by no means justified in treating him in the violent manner which they appear to have done.

Lieutenant Seppings, against whom a summons was sent to Duns-Dun, the head quarters of his regiment

sent a medical certificate to the Magistrate, stating, that he was unable to attend at the Police Office this day, in consequence of indisposition, and desired to have the case against him postponed. The Magistrate in reply to this communication, wrote to him, that his case had been postponed till this day week, on which day he must either attend the Police office or else send a fresh medical certificate, stating his incapability to do so; in case of failure in this, a warrant would be issued for his apprehension. The case against Mr. Howard and Mr. Jaques then closed in this office, and the proceedings against Lieutenant Seppings was postponed till the 13th instant, on which day the complainant and his witnesses were desired to attend the Police Office at 1 o'clock p. m.—*Hurk.* Oct. 9.

OCTOBER 13.

Second day's proceedings of Lieut. Seppings's Case

Thomas John Bell, the complainant, deposed. Lieut. Seppings here present, is the person whom I have charged as having assaulted me. He struck me twice on the face with his clenched fist on several parts of my body. I do not remember on what part of my face he struck me. I did not even remember it the next morning. He could not get at me properly to strike me. He could not strike me severely; for he had to reach over those who were round me. He followed me down the poop on the quarter deck, but did not attempt to strike me afterwards.

Robert Thompson, Midshipman on board of the *Java*, farther deposed. I saw Lieut. Seppings lift his hand to strike Mr. Bell. I saw him even strike Mr. Bell and hit him with his fist. I was on the quarter-deck at the time I saw this. I only saw one blow take effect. On which part of Mr. Bell's body the blow was given I cannot recollect.

John Morgan, the third mate of the *Java*, deposed. I did not observe Lieut. Seppings strike Mr. Bell. He might have done so, but I did not see him do it.

James Knapp, Surgeon of the *Java*, deposed.—I saw Lieutenant Seppings, amongst the crowd that had surrounded Mr. Bell, and were scuffling with him; and likewise saw Lieutenant Seppings strike a slap on Mr. Bell's face. I am sure it must have been a slap from the sound of the hand on Mr. Bell's face when struck.

Adams and Cooke, the quarter masters, were not examined on this occasion.

Lieutenant Alworth Merryweather Seppings, of the Bengal Artillery, in his defence, stated—I saw Mr. Bell sitting on the poop-rails of the *Java* on the evening on which this assault is stated to have been committed on him by the defendant in this case, and I heard Mr. Howard, the Chief mate of the *Java*, order him off. This

order Mr. Bell refused to obey. When Mr. Howard saw that Mr. Bell had not obeyed his order, he repeated it, and on Mr. Bell's still persisting to disobey it, Mr. Howard ordered one of the quarter-masters of the ship to convey it to him, and see him removed from the poop; and as Mr. Bell did not leave the poop even then, I saw Mr. Howard himself proceed to remove Mr. Bell from the poop. After Mr. Howard had gone aft to Mr. Bell, and whilst he was speaking to Mr. Bell, I saw the latter put himself in a menacing posture, and being apprehensive that he would strike Mr. Howard, I, in order to prevent his intentions, followed Mr. Jaques, the Second Mate, upon the poop and went to Mr. Howard's assistance. On my arriving on the poop, I observed Mr. Bell scuffling with Mr. Howard on it, who was endeavouring to remove him from thence. As I considered Mr. Bell to have been in the wrong in refusing to obey Mr. Howard's orders, regarding his removal from the poop, and his general conduct on the occasion to have been very violent and outrageous, I assisted Mr. Howard and the rest in removing him from the poop to the quarter deck.

After this the parties having consented to have this case settled here, the Magistrate summed up the proceedings, and on considering the case as one of an aggravated and unjustifiable assault on a Government Preventive officer, on board of the ship, whilst engaged in the execution of his duty, and that as such proceedings must not be tolerated, and Government officers should be protected from insult in the execution of their duty, he felt it his duty to fine Mr. Thomas Howard, Chief Mate of the *Java*, 100 rupees, or else two month's confinement in the common jail in failure of payment of the fine; and the same fine of 100 rupees, or two month's confinement in the common jail of Calcutta, in failure of payment against Lieut. Alworth Merryweather Seppings, of the Artillery, B. S.; and Mr. Robert Jaques, the Second Mate of the *Java*, a fine of 16 rupees, or one month's imprisonment in failure of its payment.

During the investigation of this case, the complainant, Mr. Bell, put in a certificate signed by several persons in his profession of life, and the Superintendants of the Officers of the Preventive service, tending to show, that from their knowledge of him they believed him to be a person not addicted to drunkenness, but as this statement was only in the form of a certificate and not deposed on oath before a Magistrate, nor had it aught to do with the facts of the case itself, viz. as to whether the defendant had or had not assaulted the complainant wrongfully, the Magistrate refused to receive it as a piece of documentary evidence connected with this case. The complainant then brought to the notice of the Magistrate that some of the witnesses had already deposed that he was not drunk at the time, and with regard to the liquor which Mr. Howard had stated the complainant had brought on board of the ship, that it had been brought for the use of another person, and not for this complainant; and as it was not required, it was subsequently returned.—*Hurk.* Oct. 17.

AGRICULTURAL SOCIETY OF INDIA.

Proceedings, October 10, 1838.—A General Meeting of this Society was held in the Town Hall.

N. WALLICH Esq., M. D., V. P., IN THE CHAIR.

Present:—C. K. Robinson, V. P.; D. Hare; W. K. Stewart; W. Storm; G. A. Prinsep; Dr. Strong; Dr. H. Gangle; Dewan Ramcomul Sen; Capt. Spiers; W. Macroft; W. F. Fergusson; J. W. Payter; Colin Campbell; H. Piddington; J. St. Pourcaio; A. Porters; John Allan; M. G. Staunton, F. L. Beaufort; R.

Campbell; D. W. H. Speed; E. Preston; T. P. Morell, and John Bell.

The proceedings of the last Meeting were read and confirmed.

MEMBERS ELECTED.

The following gentlemen, proposed at the September Meeting, were elected members of this Society, viz:

Babu Sree Kissen Mullick; E. Bathurst, Esq.; James Mackenzie, Esq.; James Stewart, Esq.; W. Dunbar, M.

D.; Baboo Koomar Suttchurn Ghossal; Henry Cope Esq.; G. Rogers, Esq.; P. Rayson, Esq.; Wale Byrne, Esq.; and F. H. Souter, Esq.

MEMBERS PROPOSED.

The following gentlemen were proposed as members, viz.

W. F. Campbell, Esq., Commercially, proposed by W. Storm, Esq., seconded by D. Andrew, Esq.

Major R. Becher, Assistant Quarter Master General, proposed by Dr. Spry, seconded by Dr. Wallich,

A. A. Dunlop, Esq., Feroedpore, proposed by W. Storm, Esq., seconded by Mr. Bell,

Alexander Stewart, M. D., Tumlook proposed by W. Storm, Esq., seconded by Mr. Bell.

George Teil, Esq., proposed by G. Preston, Esq., seconded by D. W. H. Speed, Esq.

Motions of which notice was given at the last meeting. Motion No. 1, was brought forward, and carried unanimously.

Motion No 2. After some discussion, Mr. C. K. Robison proposed an amendment, seconded by W. F. Fergusson, Esq., that the latter part of the original motion after the word "insect" be left out. Carried.

NOTICE OF MOTION.

Proposed by Mr. J. Bell, seconded by W. Storm, Esq., that a gold medal be presented to the Commander of the French ship *Arcide*, he having been the first successful importer of the true "*grana fina*" from Bourbon

The Secretary presented in the name of Mr. Jassar, one dozen white Constantia grape-vine plants, for the Society's fruit tree Nursery.

Pamphlet No 3, on Cochineal, was laid on the table, which ends the discussion on that subject.

COMMUNICATION.

From J. Little, Esquire, Secretary to the Agricultural Society of Western India, dated Bombay, August 30th, conveying a mass of valuable information, in reply to the queries contained in the Secretary's letters to his address, under dates the 6th March and 2d April, on the subject of the different breeds of cattle on that side of India, also respecting the improvement made in the breed of sheep and in the staple of wool. The results of experiments made with the American plough recently introduced, are given in Mr. Little's despatch.

From Dr. Hufnagle, dated 17th September, enclosing invoice and bills of lading for a case of American garden seeds (vegetable), which the Secretary had asked him to procure.

This supply consists of 70 different kinds, and although not very large, will enable members to estimate the quality of American vegetables, in contrast with those raised from Cape stock.

Although the *Brighton* arrived off town about the 18th ultimo, the case could not be got at until the conclusion of the holidays, having been through mistake covered at Madras by bales of goat skins. The contents are now under assortment and subdivision, and will be at the service of members in a day or two, of which notice will be given.

Memorandum—Mr. Dixwell, junior, supergo of the American ship *Brighton*, had called on the Secretary and mentioned, that his brother, Mr. J. J. Dixwell, had received Mr Bell's letters under dates the 22d April and 16th October 1837, and intended executing the several commissions therein referred to, as soon as he returned from England to the United States. These commissions were—

To forward supplies, every three or four months, of the different varieties of maize grown in America.

To forward supplies of all the approved grasses cultivated in America.

To transmit some hop-plants and works on agriculture and agriculture implements, &c.

From B. H. Hodgson, Esq., dated Nipal, 12th September, presenting some red and white clover and lucern seed, with some grass seed, given to Mr. Hodgson as prangos, but supposed by him to be guinea-grass.

Note.—The grass seeds is neither prangos nor guinea grass.

From Dr. Wallich, dated 4th October, presenting in the name of B. H. Hodgson, Esq., of Nepal, a bag of "oah" or "bhote barley," lately received from that gentleman; and in the name of Mr. McCullogh, gardner to the Pasha of Egypt, a quantity of Egyptian cotton and Dutch clover seeds.

From Major C. Smyth, dated Neemuch, 11th September, promising to forward as soon as procurable, a quantity of lucerne seed, for the use of the society

From his Highness Nawab Tehower Jung, dated Benares, 30th September, advising despatch by the steamer of a box, containing 12 pears, and with reference to the unfavourable condition in which the last arrived, and promising to forward by the first opportunity 24 grafts from pear trees growing at that station.

From Colonel L. R. Stacy, dated Dacca, 24th September, giving the history of the cotton, of which a sample has been lately submitted, known now as the "Stacy Cone Cotton."

Memorandum—The Dacca safflower seed referred to in a former communication from Colonel Stacy, has been safely received.

From Captain Kijke, dated Deyrah, September 9th, acknowledging receipt of the supply of vegetable seeds intended for the experimental garden, established by Captain Kijke for producing seeds, and promises to forward, in due season, produce therefrom. Intimates having succeeded in raising several hop plants from seed received from Lord Auckland.

Mentions also his success with an experiment on the Otaheite cane.

From Captain C. Brown, dated Jubulpore, 20th September, enclosing a memorandum of account between the Agricultural Society and the Jubulpore plantation, for canes supplied and transmitted to the Society's nursery, amounting to Rs. 670-15-9.

From Monsieur Richard, dated Bourbon, 27th August advising despatch by the ship *Atlas*, of two boxes containing lobes of the Castilian Nepal, which the Secretary had solicited Monsieur Becher, to procure, to form a Nepalry for the sustenance of the cochineal insect. The boxes contained 40 plants, simply packed in dry moss, and perforated at each end to admit air. They are in the most excellent condition

Monsieur Richard states, that this cactus is known by the name of the "Mexican Nepal."

From Dr. Helfer, dated 6th October, requesting to be furnished with a supply of coffee plants, Otaheite sugar canes, cotton tobacco, &c. seeds for introduction in the Penasserim Provinces.

From Monsieur Boreilly, dated 20th September, acknowledging receipt of Secretary's letter and its enclosure, to the address of Captain Caillol, which he promises to forward. States that he will be happy to receive for Captain Caillol the Society's gold medal. Memorandum. The medal was submitted at the meeting.

From Messrs Ferguson, Brothers, and Co, dated October 5th, requesting that the the names of Messrs Ferguson, Holroyd, Leighton and Campbell, may be registered as applicants for sugar-cane cuttings deliverable in December and January next.

The degree of attention attracted to this important introduction may be estimated by a reference to the following list of applications already registered.

J. B. Jones, of Jaunpore,.....	29,000 square feet of land.
A. Harris, Soonderbuns,.....	X
Agricultural Society of Comillah,	20 beegahs.
J. W. Payter, Bogorah,.....	200 ditto.
Captain Bogle,.....	X
Agricultural Society of Assam, ..	1 beegah or more.
Agricultural Society of Berham-pore.....	X
Agricultural Society of Cuttack, ..	X

Agricultural Society of Beer- bloom,.....	X	
Robert Watson, Midnapore, &c.	X	
John Guilding, ditto ditto.....	X	
S. Oram, Nuddeah.....	10 cottahs.	
E. Preston, Garden Reach.....	10 beegahs.	
Lieutenant Sibley, for General Oglander.....	} A few cuttings.	
R. W. Chew, Seebpore,.....	Ditto.	
James Collie, Benares,.....	} As many as can be spared.	
G. A. Prinsep, X.....	Ditto.	
W. D. S. Smith, (not a mem- ber.).....	A small quantity	
Baboo Joykissen Mooketjee, (Chinsurah,).....	6 beegahs.	
E. A. Samuells, Hooghly.....	2 ditto	
C. Richardson, Kuntowie, Turhoot,	100 canes.	
D. McPherson, Midnapore.....	10 beegahs	
Dr. J. Morton, Akyab,.....	A few cuttings.	
T. Broadhead, Soondetbuas, (not a member).....	} As many as can be spared.	
Lieut. Berge, Gowhatti.....	3 beegahs.	
Dr. Roe, Member of the Comellah Society,.....	8 ditto.	
H. Graham, Kishnaghur,.....	2 ditto.	
Dr. G. Lamb, Dacca,.....	2 ditto.	
J. D. Heiklots, Behampore.....	2 ditto.	
Baboo Shree Kissen Sing,.....	1 ditto.	
Will. Storm,.....	10 ditto.	
George Taylor, Tirhoot.....	X	
W. F. Gibbon, Gannekpoore,....	As many as possible.	
Thos. Savi, Kishnaghur,.....	X	
M. H. L. Rainey, Jessore,....	} As many as can be given.	
P. Sutherland, Midnapore,....	5 beegahs.	
Dr. Helfer, Tenasserim,.....	X	

The Secretary's reply to Messrs Ferguson, Brothers, and Co's application, was also read, stating that he required the sanction of the Meeting to record an application that had come in after the 1st October.

Proposed by Mr. Hare, seconded by Mr. Bell, that, under the circumstances stated, the following gentlemen be added to the list viz.

W. F. Ferguson,	} Jaunpore, .. X
Collin Campbell,	
Thos. Holroyd,	
J. H. Leighton,	

Memo. - The mark X denotes no fixed quantity. The Secretary submitted a letter which he had addressed to the President, supposing Sir E. Ryan would have been present, explaining that the cultivation of sugar-cane for distribution, had cost more than was at first contemplated, owing to the heavy land carriage between Jubulpore and the river, and hoped that a small charge might be made upon all canes distributed to Members, although they were virtually entitled to them gratis by the Resolutions previously passed by the Society and advertized, suggesting that one anna per cane be the rate at which supplies be distributed to members, and that this arrangement would relieve the majority of members, from bearing an expense on behalf of the few who required canes for cultivation, as an article of profit, making an exception only in favor of Branch Societies, whose object is disinterested.

Proposed by W. F. Ferguson, Esq., seconded by Dr. Strong, that with reference to the great expense incurred by the Society in keeping up a cane plantation, it is proposed that for all canes distributed from the Society's Nursery, a charge be made of one anna per full length cane, and that after all applications from Members are satisfied, the remainder be distributed to the public at such rate as has been already fixed by advertisement, viz 8 rupees per hundred canes. Carried *nem. con.*

The Secretary requested the sanction of the meeting to pay the amount of Capt. Brown's memorandum of costs for sugar-canes, as per his letter of 20th of September, and that of Mr. Landeth for American vegetable seeds, as per Dr. Hufnagle's letter of the 17th September.

Proposed by C. K. Robison, Esq., seconded by Dr. Wallich, that these amounts be passed.

The thanks of the meeting were ordered to be offered for all the foregoing communications and presentations.

JONAS BELL, Secretary.
Town Hall, Calcutta, Oct. 10 1838. [Hurkaru, Oct. 1

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's Apartments, the 6th October, 1838.

A. Morison, Esq., proposed at the last meeting, was elected a member of the Society.

Letters from the following gentlemen were read.

From E. V. Davis, Esq., of Bancoorah, requesting to be admitted a member of the Society, he was accordingly proposed by Dr. Sowers, seconded by Mr. Egerton.

From J. Ronald, Esq., Surgeon to the 24th Regiment, stating his desire to re-enter the Society under the new regulations.

From J. O'Dwyer, Esq., Civil Surgeon, Midnapore, to the same purport.

The above letters were addressed to the President, in reply to the circular lately transmitted to the members of the service, inviting them to join the Society under the new regulations.

Letters were also read.

From E. Balfour, Esq., Secretary Royal College of Surgeons, London, returning thanks, in behalf of that body, for the 1st part & vols. of the Transactions and the 1, 2, 3 and 4 numbers of the Journal of the Society.

From James Inglis, Esq., of Ripon, in Yorkshire, forwarding a copy of his work on English Bronchocele.

From J. McClelland, Esq., of the Bengal Service, and W. Griffiths, Esq., of Madras, requesting to withdraw from the Society.

The following communications were presented.

1. Memoranda, upon some objects of India materia medica, by W. B. Shaughnessy, Esq., M. D.

2. A case of paralysis in an infant, with remarks, by H. H. Goodeve, Esq., M. D.

The former paper was then read and discussed.

Dr. O'Shaughnessy's memoranda, related to several experiments he had recently carried on in the effects of native remedies. He prefaced his observations by stating, that the great object of these experiments was to provide a pharmacopeia for the poor. As for the Government, their annual expenditure was so trifling (less than one lac of rupees for all India) that economy to the State was of but secondary importance.

With reference to the principles to be held in view, in the search for substitute remedies, Dr. O'Shaughnessy stated, that tables compiled from the records of all the Dispensaries in India, shewed that four-fifths of the sum annually paid for medicines were expended on the following articles, Cinchona Bark and Quinine—Sarsaparilla Jalap, antherides Olive Oil, Oil of Peppermint, Rhubarb, Colocynth, Scammony, and Mauna; all the rest of the materia medica (nearly 300 articles) cost but one-fifth of the total sum.

Substitutes for Cinchona and Quinine.

In continuation of previous statements relative to narcotine, Dr. O'Shaughnessy presented the following tables which he constructed, in order to exhibit every case of failure as well as success of the remedy.

SYNOPSIS OF REPORTS ON THE FEVERFUGE QUALITIES OF NARCOTINE AND THE MURIALE OF NARCOTINE.

	Cases treated.		Cured.		Failed.		Cases cured by Quinine after Narcotine failed.	Cases cured by Narcotine after Quinine failed.	Cases in which Quinine was objectionable.	General opinion and Remarks.
	Agues.	Remittents.	Agues.	Remittents.	Agues.	Remittents.				
By whom communicated.										
Dr. Stewart, Superintendent General Vaccine,	13	1	11	1				4		"Very favorable."
Dr. Crooke, Professor Medical College,	4		4				2		"Very favorable," 5 grain doses every 6th hour.	
Dr. H. Chapman, 2d Assistant General Hospital,	4		4						"Very favorable" doses, 5 to 10 grains, with 3 or 4 drops of muriatic acid.	
Dr. Strong, Surgeon to Mysore, Prince,	9		9						"Very favorable," average dose seven grains thrice daily.	
Dr. Grange, Assistant Marine Surgeon,										
Dr. Green, Civil Surgeon, Howrah,	9		7							
Mr. Evans, Curator of College Museum,	6	1	6		2					
Mr. R. O'Shaughnessy, Superintendent Muramba Dispensary,	3		3				1		Very successful.	
Mr. Deerton, Surgeon Eye Infirmary,	6		5		1				Very favorable 2 of these cases were violent ague following lithotomy.	
Dr. Bain, Police Surgeon, Calcutta,	6		5		1				Favorable, 5 grains thrice daily.	
Dr. Kolland, Calcutta,	5		5						"Very favorable" doses 5 grains.	
Dr. Smith, Civil Surgeon, Hiliectel,	1		1						"Favorable" doses five grains each.	
Dr. Bayron, ditto ditto, Jessore,	16		16						"Very favorable," average dose five grains thrice daily.	
Dr. Smith, ditto ditto, Jessore,		1							"Favorable."	
Dr. Deeken, ditto ditto, Bahason,		3					1		"Very favorable;" average dose 6 grains thrice daily.	
Dr. Beattie, ditto ditto, Allahabad,	4	1			3		3		"Favorable" doses 5 grains every 3d hour. Was very acid.	
Dr. Sherreff, Horse Artillery, Dum Dum,	13		13						"Very favorable" doses 2 to 4 grains thrice daily.	
Captain Marshall, Calcutta,	3		3						"Very favorable," average dose 5 grains repeated thrice daily.	
Mr. O'Brien, Apothecary Native Hospital,	3		3							
Mr. Roper, ditto Guraharath Dispensary,	1		1							
Munuswami Gopala, senior Punni Medical College,	1		1							
Harakrishna Gopala, junior ditto ditto,	1		1						Very favorable doses 5 grains.	
Dr. W. H. O'Shaughnessy, Secretary Med. Committee,	20	4	20	2	1		2		Ditto ditto.	
Apolloncarres to the Medical College to our patients,	7		6				7			
Total,	180	11	122	3	8	3	8	17	10	Under treatment at time of report—Remittents 5.

This table shews, that narcotine has been used by over 20 medical practitioners in 141 cases, of which 125 were cured, 5 remained under treatment, and 11 failed, of which six were cured by Quinine. On the other hand, Narcotine succeeded in 17 cases in which Quinine failed. Thus regarded as a substitute for Quinine, the table, as far as it goes, tends even to establish the superiority of narcotine. Of 21 practitioners who employed the latter, 17 pronounce a highly favourable opinion of its value, 2 are undecided, and 2 have not yet made more than a numeral report.

Dr. O'Shaughnessy, added numerous details relative to the manufacture of the article, and described the cost thereof from the results of an experiment on 320 lbs. of opium, from which 160 ounces of narcotine were obtained. These details we are compelled to omit, but they shew clearly how the remedy may be obtained for less than 5 annas the ounce.

Details were also submitted, relative to the powerful febrifuge properties of "Rusot," the native extract of Barbary Bark.

Among purgative remedies, Dr. O'S. exhibited specimens of the Colocynth from Dehli, and of a red fruit called "Makai," *Turcho-anthea Plamata*, often mistaken for the true colocynth. The most important novelty in this class, however, was an extract made from the *Kaladana* seeds of the bazar (*pharbitis nil*) a single pill of 5 grains of this extract, which is of pleasant smell, and but little perceptible taste, purges freely, and but rarely with griping, in from 2 to 3 hours after administration. Seventy cases were communicated in all, of which from 5 to 10 grains operated freely, producing griping only in one case out of five, and vomiting in only one.

The preparation is so cheap, that four full doses can be made for one pie.

An extract of the *Bengal Albes* was also presented, and described as of equal aperient properties to any of the imported kinds.

Also an extract from the roots of the *Randia Dumetorum* (Mynphul, Bengal) a powerful cathartic in three grain doses.

Diuretics and Alteratives.

Under this head several experiments were described on the *Hemidesmos Indicus* the *Madras* substitute for *Sarsaparilla*. Dr. O'Shaughnessy stated, that in diuretic effect, and as an alterative, it could not be surpassed by *Sarsaparilla* or any other remedy. It is common all over the country, being called by the natives *Ununtamul* its smell is delightfully fragrant and taste sweet.

The Volatile Oil, obtained by distillation from the *Gurgun Balsam* of Rangoon and Sylhet, was stated to be identical in composition with that obtained from *Copavia*, and exactly similar in its effects on the system.

Blisters, External Stimulants.

Some very satisfactory experiments with native blistering flies, were detailed also with the *Lalchitra* or *Plumbago Rosea*, which vesicates as effectually as *Cantharides*, though more slowly, being quite as useful in the treatment of chronic cases. This common plant Dr. O'S. regards as an efficient substitute for flies and stupasims in nine-tenths of the cases in which these applications are now used.

The effect of the *Ammonia Vesicatoria*, *Jalvedet Petico*, *Ranunculus Sceleratus*, *Sinocarpus Analaridum*,

and several other indigenous plants were also described but the *Lalchitra* was represented as the best.

Narcotics.

Under this head Dr. O'S. described a singular parasite, a "viscum" found on the *Nux Vomica* trees of Cuttack. It is called the *Kuchila Mutang*. Mr. Kittoe, who brought it to Dr. O'S. notice, states, it may be collected for a rupee a maund. It is exceedingly powerful, and in every respect identical in action with *Strychine* and *Bruceine*, which costly preparations it will altogether supersede.

Emetics.

An account was submitted, of experiments on the following articles:—

Scilla Bengalensis, *Panacratium Maritimum*, *Argimone Mexicana*, *Randia Dumetorum*, *Ditto Uliginosa*, *Cliorea Ternalea*, *Ionidium Suffruticosum*, *Asclepias Asthmatica*, *Calotropis Hamiltonia*, *Cinum Asiaticum*, *do. Toxicarium*, *Ditto Zeylanicum*.

Of these articles the *Scilla Bengalensis*, *Argimone Mexicana* and *Ionidium Suffruticosum*, were found to be, like the introduced *Jalap*, entirely destitute of medicinal virtue, though the same or closely allied plants are powerful emetics in other countries.

The *Panacratium Hymericollis Tenusalia*, and the *Cliorea Ternalea*, though described by Ainslie as Emetics, proved purgatives alone.

The fruit of the *Randia Dumetorum* proved, to be a certain but very slow emetic; the roots of *Asclepias Asthmatica* much more speedy and equally certain; the bark of the root of the *Mudar*, most powerful of all; but what is singular, much more so in Europeans than Natives.

But the best of all indigenous or available emetics, proves to be the *Cinum Asiaticum* and its relative *Zeylanicum*, both either indigenous or widely cultivated in India, where the former is called the *Burra Kanoor* the latter simply *Kanoor*. The bulbs coloness part of the leaves of these *Cinums* are most valuable emetics. Dr. O'S. communicated 34 cases in 28, of which 2 drachms of the expressed juice proved freely emetic, on an average in 10 minutes, 3 drachms cause vomiting almost immediately. No purgative action or any other unpleasant effect following in these cases. Dr. O'S., added processes for preparing the dried bulbs and leaves, and an extract of wine thereof, all powerful emetics. He stated he was led to the experiment by Dr. Ainslie's statement, that the plant was used for this purpose in Java. It will be a very valuable addition to the Indian Pharmacopeia among the remedies (emetics) in providing which most difficulty was anticipated. In cheapness it is unrivalled, as 100 doses may be prepared for a rupee.

Specimens of all the articles alluded to, were exhibited on the table, including a magnificent *Cinum* sent by Dr. Wallich.

The preceding notice is a very condensed summary of the paper presented, but which probably will be published subsequently in full.

H. H. Goodbye, M. D. Secretary,

Med. and Physical Society.

Hurk. Oct. 16.

BENGAL MEDICAL RETIRING FUND.

Proceedings of the Fourth Quarterly General Meeting of Subscribers to the Bengal Medical Retiring Fund, for the year 1838.

At a Quarterly General Meeting of subscribers to the Bengal Medical Retiring Fund, held at the town Hall, Calcutta, on Monday the 22d day of October 1838, at 4 o'clock in the afternoon.

PRESENT.

Thomas Smith, Mem. Medical Board; William Findon, Superintending-Surgeon, Presidency Circle; Alexander Gordon, M. D., Presidency Surgeon; H. S. Mercer, Marine Surgeon; George Angus, Surgeon, 7th Battalion, Artillery, Dum-Dum; John Grant, Surgeon Apothecary to the E. I. Company, Calcutta; James Hutchinson, Surgeon and Secretary Medical Board; John Colvin, M. D., Presidency Surgeon; Finlay Malcolm, Assistant-Surgeon, 57th Native Infantry, Barrackpore; Alexander Smith, M. D., Civil Assistant Surgeon, Hidgelee; Henry Chapman, 2d Assistant Surgeon, Presidency General Hospital; E. Walter Raleigh, 1st ditto, ditto; H. H. Spay, M. D., Officiating first Assistant Garrison Surgeon, Fort William; H. H. Goodeve, M. D., Professor Anatomy, Medical College, Calcutta; James G. Vos, M. D., Deputy Apothecary, E. I. Company, Calcutta, and Alexander Stewart, M. D., Assistant Surgeon, Tumlook, Esqrs.

N. WALLICH, Esq., M. D., and F. R. S., in the Chair.

The Secretary read the proceedings of the last Quarterly General Meeting held on Monday, the 9th July last, and the following Report of the Proceedings of the Committee of Management for the past quarter.

REPORT OF THE COMMITTEE OF MANAGEMENT.

Medical Fund Office, 22d October, 1838.

1.—The Fourth Quarterly General Meeting of Subscribers, fixed by the Rules, to be held on the second Monday of October, has been postponed to this day, owing to the Hindoo Holidays.

2.—The nine Annuities declared at the last Quarterly General Meeting, have been offered to subscribers duly qualified by their period of service by the following advertisement, dated 1st August 1838, published in the newspapers:

“Nine Annuities having been declared at the Quarterly General Meeting, held on the 9th July, ultimo, as available for the coming year, (of which 2 are for the year 1834, which completes 6 of that year, 6 for 1835, and 1 for 1836) to subscribers to the Fund who have served seventeen years in India, such subscribers as are qualified by their period of service, and may be desirous of accepting Annuities, are hereby invited to send in their applications to this office, on or before the 31st day of October next, the envelopes whereof should be superscribed! *Application for Annuity,*” to obviate their being opened before the date specified.

“Subscribers, whose applications shall not have been received on, or before the above date, will be held to have declined the Annuity, and the nine Annuities, will be declared on the 31st October, next, according to seniority of standing in the Service, from among those whose applications shall have been received.

“Subscribers in India, who have already intimated their intention to accept Annuities this year, will be so good as to send in their formal application in the manner above laid down.”

3.—The Committee have, up to this date, received only two applications for Annuities from Subscribers in India; one from a Subscriber in Europe (Surgeon D. Harding, retired 2d April 1838.) and have received intimation to become candidates for Annuities from Mr. Surgeon Ewan Macdonald (retired in Europe 1st May 1838) and from Mr. Surgeon K. Macquesea, on leave at the Cape of Good Hope; so that, should no further applications be received by the 31st instant, four annuities will be available, exclusive of the annuity reserved for Mr. Superintending Surgeon Thomas Tweedie; who, it is understood, is on his return to India. Such of the declared Annuities as shall not have been taken up by the 31st instant, will be available to subscribers duly qualified by their period of service on application, at any time between that date and Quarterly General Meeting of July 1839, when the next year's Annuities are to be declared.

4.—Mr. Superintending Surgeon Tweedie, will be subjected, should he not take the Annuity reserved for him, to the penalty of the amount of one year's Annuity under Rule XXVII.

5.—In their last Quarterly Report, the Committee of Management omitted to notice that Mr. Surgeon I. B. Clapperton had contributed by subscription to this Fund to the extent of Sa. Rs. 420 or Co's Rs. 448. Mr. Clapperton, in a communication, dated the 30th July last, requested to know whether, in case of his rejoining, the sum would be taken in part payment of his arrears of subscription and penalty. He was informed in reply, that by his formal resignation of his right as a Subscriber, by letter of the 28th May last, he had forfeited all sums formerly paid in by him to the Fund; that his re-admission would be regulated under the terms laid down under the proviso of Rule III., and that he would be subjected to the penalty enjoined by the bye Law of the 28th February last.

6.—The Committee of Management have to announce, that Mr. Assistant Civil Surgeon T. W. Burt, of Chittagong, has relinquished his intention to appeal to the Subscribers for exemption from the penalty demanded from him under provision of the Bye Law of the 28th February 1838, and has paid up arrears of subscription and penalty; and has sent a power of attorney in favour of the Secretary, to enable him to sign the Fund deed on behalf of Mr. Burt.

7.—In pursuance of their intention to address Government against compliance with the memorial of certain Veterinary Surgeons seeking admission as Subscribers to this Fund, as noticed in their last Quarterly Report, the Committee of Management addressed a respectful remonstrance to the local Government, on the 9th July last, and were informed in reply, in Officiating Secretary Lieutenant-Colonel Stuart's letter, of the 23d of the same month, that the Committee's objection to the admission of Veterinary Surgeon as subscribers to the Bengal Medical Retiring Fund, will be brought to the notice of the Honorable the Court of Directors.

8.—Rule V. provides, that the Committee of Management, at the Fourth Quarterly Meeting of every year, shall submit a statement of the probable expenditure of the ensuing year, and fix the rates of subscription with reference to the expected wants of the year. In accordance with this Rule, the Committee beg to lay the undermentioned estimate of the funds required for providing for six Annuities.

Value of six Annuities at the average age of 42 years is sicca rupees 31,419 each, or sicca rupees 1,88,514 for the six, which is equal to Company's rupees,..... 2,01,081 9 7

Deduct, amount of fine, equal to one moiety value of above six Annuities payable by the Annuityants previous to admission,..... 1,00,540 12 9

Less, anticipated amount at credit of the six applicants being Surgeons on 31st December 1839, Co.'s Rs. 3,000 rupees,..... 18,000 0 0

82,540 12 9

1,18,540 12 10

Add, amount to be reserved for contingencies, Vide Rule V..... 32,000 0 0

Amount to be provided by the Fund, Co.'s Rs. 1,50,540 12 10
 9.—From the preceding sketch it will be seen, that for the coming year the sum of Co.'s Rs. 1,50,540-12 10 will be required by the Fund to give six Annuities, and to retain Co.'s Rs. 32,000 for contingencies, agreeable to condition of Rule V. From the number of Subscribers at present in India, nothing less than the maximum rates of subscription will yield a sufficient income to provide funds for the above purpose as will appear from the undermentioned Statement.

There are in India Subscribers to the Fund,

	Number of each grade of Subscribers.	Maximum rate of Subscription.	Monthly income from each grade.
Members of the Medical Board, Superintending Surgeons,.....	3 ×	240 =	720
Surgeons,.....	6 ×	160 =	960
1st Class Asst. Surgeons,.....	80 ×	56 =	4,480
2d Ditto Ditto,....	144 ×	32 =	4,608
	33 ×	20 =	660
Monthly income,.....			11,428 × 12
Annual income,.....			1,37,136
Or Co.'s Rs.			1,46,278 6 5

10.—The adoption of the maximum rates of subscription for the year 1839, will yield an income as above, of Co.'s Rs. 1,46,278-6-5, leaving still a deficiency of Co.'s Rs. 4,262-6-5; which, however, will be made up by the interest accruing on the subscriptions realizable during each month of that year, estimated at Sa. Rs. 4,456-14-8 or Co.'s Rs. 4,754-0-8; the maximum rates of subscriptions will according be charged from January 1839 as under.

	Sa. Rs.	Co.'s Rs.
Members Medical Board,.....	240 0 0	or 256 0 0
Superintending Surgeons,.....	160 0 0	or 170 10 8
Surgeons,.....	56 0 0	or 59 11 8
180 1st Class Asst. Surgeons,.....	32 0 0	or 34 2 1
the rest or 2d Class ditto,.....	20 0 0	or 21 5 4

11. The Committee beg to announce seven additional Subscribers since last Quarterly General Meeting, by the undermentioned new arrivals from England.

Surnames.	Baptismal Names	Date of Arrival.
Veal.....	William.....	12th July, 1838.
Bowling ..	Henry Hawkins,...	12th Ditto.
Paton.....	Andrew,.....	12th ditto.
Faithful.....	Richd. William,...	25th ditto.
Eddy M. D.....	Henry Charles,...	18th August, 838.
Murray, M. D...	Thomas,.....	14th Sept. ..

12 Intimation of the undermentioned casualties by deaths and retirements, among the Subscribers to this Fund, has reached the Committee since last Quarterly Meeting

Surnames.	Baptismal Names.	Date of Casualty.	Where.
Foley,	Roger,.....	Died 20th Aug. 1838.	Kotab.
Pennington	Richd Bagallay.	Ditto 4th Sept. 1838	Mussorie
Harding ..	Daniel,.....	Retired 2d April 1838.	Europe.
Macdonald,	Evens,.....	Ditto 1st May 1838.	Europe

13. An application to become a Subscriber, from Mr. Assistant Civil Surgeon John Baker, of Bellooah, is now in circulation for the votes of Subscribers. Mr. Baker has deposited the amount of arrears of subscription and penalty payable by him, and defrays the expense of printing the reference made to the subscribers on his application.

14.—Two Resolutions have been submitted by the Committee for the approval of the Subscribers at large. One having reference to the amendment of Rule XII, which renders it imperative that there must be a quorum of five before the Committee can transact business; and the other proposing the cancellation of Rule XXXII, which prescribes conditions under which Members of the Medical Board are entitled to Annuities. The first being found inconvenient in practice, from rendering the Meetings of the Committee inoperative, it is proposed to constitute three instead of five a quorum, and to circulate the proceedings of such quorum of three for the approbation, or otherwise, of a majority of the Committee, and the second, independent of being illiberal in spirit, is deemed detrimental to the society's real interest, by keeping away parties from subscribing, who would otherwise join the Fund.

15. In conclusion, the Committee of Management, beg to express their regret that they have not been able, owing to circumstances beyond their controul, to furnish every individual subscriber with his Account Current with the Fund, up to the 30th April 1838. With the commencement of the year of account 1837-38, a change in the system giving the Fund credit on account of subscriptions, was introduced. Previous to that period, all receipts on account of the Fund were brought to credit in the public accounts of the Officer, who realized them; and statements containing particulars of receipts, were furnished periodically for the information of the Committee from which credit was afforded on the Fund Accounts to the proper parties; but since May 1837, the Subscriptions as deducted are made remittable by drafts on the General Treasury to the Fund Secretary, which drafts are transferred monthly to the Sub-Treasury, and that officer grants in lieu of them a Treasury Note bearing interest at 6 per cent. This change of practice is attended with no inconveniences as respect, the regularity of either the deductions of subscriptions or the remittance of the same to the Secretary in the Military Pay Department; but the same regularity does not exist in the

receipt and transmission of subscriptions realized in the Civil Department, up to this period for all sums received during the year 1837-38 have not reached the Fund Office; unless, therefore, all the receipts on account of the Fund in the several Government Treasuries up to 30th April 1838, are remitted to the Fund Office, it is impracticable to close the Accounts of that year without omission of credits to parties who have regularly paid, and rather than transmit Accounts Current to Subscribers affording imperfect information, the Committee have preferred delaying the closing of the Accounts until all receipts on account of the Fund, up to April 1838, are remitted to the Secretary, and to this end, every exertion is, being made on the part of the Committee.

By order of the Committee of Management.

GEO. HILL, Secy. Manl. Retg. Fund.

Proposed by W. Finlay, Esq., seconded by Finlay Malcolm, Esq., and resolved—That the Report for the last Quarter ending 9th October, instant, of the Committee of Management just read, be received and adopted.

Proposed by George Angus, Esq., seconded by H. H. Goodeve, Esq., M. D. and resolved, that agreeable to the recommendation of the Committee of Managements the Meeting do sanction the adoption of the maximum rates of Subscription from the 1st January, 1839 for one year.

Resolved That the thanks of this meeting be offered to the Chairman for his conduct in the Chair.

Huak. Oct. 24.]

N. WALLICE, Chairman.

THE UNION BANK.

At a General Meeting of Proprietors, specially called, by advertisement of 13th September last, for the purpose of considering the expediency of establishing an agent at Mirzapore.

Mr. Cracroft was called to the chair.

The Secretary read the proceedings of the Directors at a Meeting of the 8th instant.

It was then proposed by Mr. Dickens and seconded by Mr. Ferguson—

Resolution 1.—That it be left to the Directors to establish an agency at Mirzapore, at such time as the estate of unemployed funds may appear to them to render that measure expedient, and under such restrictions and safeguards as the interests of the Bank may require.

But the above Resolution not to be construed into sanctioning the establishing of Branch Banks.—L. Clarke.

Mr. Dickens assenting to the addition to his Resolution, as proposed by Mr. Clarke, the motion was carried without a dissentient voice.

Proposed by Baboo Dvarkanauth Tagore and seconded by Mr. Adam Smith—

Resolution 2.—That should the Directors find it expedient to act under the Resolution, conveying to them the power of establishing agencies in the interior, they be required to submit to the proprietors for approval, the Rules which they may propose and the appointment of any agent whom they may elect.

Proposed by Mr. Dickens, seconded by Mr. J. Cullen, and carried unanimously—

Amendment.—That it is expedient to allow the Directors to act as they may think fit, in pursuance of the Resolution first carried at the meeting, leaving them to report at the next half-yearly or general meeting, subsequent to the establishment of any agency, the Rules they have adopted and the agent they have appointed for confirmation.

Proposed by Mr. Cracroft and seconded by Mr. Dickens—

Resolution 3.—That previously to an agency at Mirzapore being established, the Rules drawn up by the Directors for the management, should be deposited with the Secretary, for the inspection of the Proprietors at large.

A vote of thanks being then given to the Chairman the Meeting separated.—Hurk. Oct. 9.

FIRE COMMITTEE.

Third and last Report of the operations of the Fire Committee, for the information of the Subscribers to the Fund for the relief of Sufferers by the Fires in April and May 1837, with Extracts from Proceedings at a Meeting of the Subscribers held in the Town Hall on the 23d October 1838.

REPORT.

The funds placed at the disposal of the General Fire Committee being almost exhausted, and the applications for relief from those who suffered during the general conflagration of 1837 having ceased, it is resolved that the several Division Fire Committees should wind up their accounts and suspend their operations.

After the lapse of a period of about 18 months, the General Committee are of opinion that the several Sub-Committees have terminated their labours with general advantage to the Town of Calcutta, and to Howrah, not

only as regards the security from fires and the infrequency of their occurrence, but also as to the improvement in the appearance, cleanliness and health of those places which were formerly studded with disorderly clusters of dilapidated straw huts.

It is not surprising that among the thousands of straw huts still surrounding us in all directions, it should strike cursory observers or those who merely cast a passing glance on such spaces, where only straw huts are found, that comparatively few tiled huts have been raised from the funds, but if they would extend their new observations to those Bazzars and places which were devastated by the conflagration, they will perceive the arduous and extensive labours of the several Division Fire Committees, especially in the 3d, 4th, 5th and 6th Divisions where the durability, regularity and neatness of the tiled huts at once proclaim the careful supervision of those who have continuously devoted a portion of their time to the comfort of the Native population. It must be allowed that fires have been of very rare occurrence during the past 18

season and those which did take place were partial—a fact of itself sufficiently decisive of the great though unobserved benefit derived from the erection of tiled huts, the general extension of which throughout the town, with a more general supply of water, the feasibility of which is now under consideration before a separate Committee, it is hoped will prevent future conflagrations.

The following abstract Statement No. 1, shows the final operations of the several Division Committees up to the dates on which they respectively closed. Statement No 2, exhibits the total amount of subscriptions, &c. obtained, and disbursements made, to which is subjoined a memo, showing the surplus balance and all outstanding due to the general Fire Committee.

SUB-COMMITTEES.	From the General Committee.				DIVISION DISBURSEMENTS.				Number of persons assisted.	Number of Tiles given.	Number of Huts built entire.	Number of Huts tiled only.		
	Amount of Money given in Charity.		Amount of Money given in build Huts loans.		Amount of Money given in Contingencies.		Number of per-	Number of Tiles given.					Number of Huts built entire.	Number of Huts tiled only.
	0	0	0	0	0	0								
Sham Bazar and Bau Bazar, 1st Division,	0	0	0	0	0	0	0	0	0	0	0	0		
Smia, Jorbasuko, and Dhur, 2d Ditto,	4	8	0	3	0	0	0	22	147997	0	25	25		
Murchoo Bazar, Colooloh, 3d Ditto,	1367	14	0	984	0	3588	4	2539	7219371	409	634	634		
Mizapore, and Putuldangab, 4th Ditto,	2000	0	0	0	0	0	114	349	7394390	116	943	943		
Puddapooker, Georamah, Taul- 5th Ditto,	4438	3	0	0	0	0	104	373	1295168	253	0	0		
Colooloh, and Jaun Bazar, 6th or Howrah do.	1338	5	3	0	0	565	0	155	153595	62	32	32		
Howrah,	214	2	15	0	10586	9	4	8	16130521	840	1634	1634		

Calcutta, 23d October, 1878.

No. 2.—FUNDS.

Government Donation in aid of the Sufferers by the Fires in April and May, 1837,	Co's Rs.	20000	0	0	
Obtained in Subscriptions,		27679	2	8	
Interest from the Union Bank, from the 15th July to 19th October 1837 on Co.'s Rs.....		25000	0	0	
At 4 per Cent. is.....		261	1	9	
Ditto from ditto on open Account up to 22d October, 1838,		96	1	9	
			357	3	6
Amount realized on Promissory Notes through Mr. Lindstedt,		354	8	6	
Ditto ditto through Rustomjee Cowasjee,		486	0	0	
			840	8	6
	Co's Rs.	48876	14	8	
DEDUCT.					
Outstanding Subscriptions,		1422	0	0	
	Co's Rs.	47454	14	8	
DISBURSED.					
To the Division Committees,	Rs.	21452	15	0	
To R. Cowasjee for Tiles, 23038 7 9					
Establishment, 400 13 3					
		23439	5	0	
General Committee's Contingencies, &c.,		1197	14	5	
			46090	2	5
	Co's Rs.	1364	12	3	
Balance in Bank of Bengal Co.'s Rs.....		697	5	1	
Ditto in Union Bank,		507	8	9	
Ditto in Mr. Lindstedt's hands,		154	8	6	
Ditto in Cash,		5	5	7	
Difference in converting Sicca into Company's, ..		0	0	4	
	Co's Rs.	1364	12	3	
MEMORANDUM.					
Cash Balance,	Co's Rs.	1364	12	3	
In Promissory Notes of the 3d Division,		3533	4	0	
Deduct realized'		840	8	6	
			2742	11	6
In Promissory Notes of the 6th Howrah Division, ..		565	0	0	
			3307	11	6
Outstanding Subscriptions,		1422	0	0	
	Balance, Co's Rs.	6094	7	9	

Proceedings of Meeting of Subscribers, Proposed by G. Vint, Esq., and seconded by D. MacFarlan, Esq.—and unanimously.

Resolved.—To transfer to the Funds of the District Charitable Society the balance in hand, amounting to Rs. 1,364-12-3, and all the outstanding accounts due to the General Fire Committee, as particularized in the Memo. annexed to statement No. 2.

Regarding the realization of subscriptions which have not as yet been paid, amounting to Rs. 1,422, it is unanimously resolved to publish the names of the subscribers, intimating to those gentlemen that these are now made over to the District Charitable Society, to whose Secretary it is requested that they will remit the amount.

Moved by the Honorable Sir Edward Ryan, seconded by Dr. Vos, and unanimously Resolved, that the united thanks of the subscribers to the Fund for the relief of the Sufferers by the Fug in 1837, be conveyed to the Members of the several Division Fire Committees, for the arduous and troublesome duties they have so readily undertaken and brought to a satisfactory conclusion, and that these Committees are hereby dissolved.

Proposed by D. McFarlan, Esq., seconded by Dwarakanath Fogore, Esq., and Resolved unanimously, that the thanks of the Meeting be presented to Sir Edward Ryan.

SUBSCRIPTIONS OUTSTANDING.

<i>Receipt.</i>	
No. 19. Lukhinarsin Mookerjee,.....	Rs. 50
22. Govindhunder Bonnerjee,.....	100
30 S. H. Isaac,.....	20
31. Mirza Mohamed Mehdy Mushkey,....	100

66. P. O'Hanlon, Esquire,.....	250
33 Goloub Sing.....	50
70. Radanauth Bonerjee,.....	250
72. Haujee Joseph,.....	20
73. Haujee Solomon,.....	20
79. David Ezraih,.....	16
80. Ezekiel Ezraih,.....	16
82. Rajkissen Roy Chowdry,.....	100
83. Callo Hornom,.....	25
85. Gooroochurn Paramanick,.....	25
86. Jeetoo Shaw,.....	50
87. M. D. Cohen,.....	25
97. Gunganarain Doss,.....	5
116. Hurry Hur Dutt,.....	25
117. Ramtoono & Ramdhone Bysack, { 50 } { 25 }	25
126. Poorunchund Moolchund,.....	25
127. Hoozooreemul and Heenutram,.....	25
129. Narainpersaid Bullabdos,.....	200

Co.'s Rs. 1422

J. GREGORY VOS, M. D.

Secy. Dist. Char. and Genl. Fire Committee.
Calcutta, 23d October, 1838.

SUPREME COURT.

Before Sir E. Ryan and Sir J. P. Grant.

FOURTH TERM.—MONDAY, OCTOBER 22.

This was the first, day of Term ; no contested motions were taken. Wednesday is the first day for which any common law causes stand for trial.

R. A. MACNAGHTEN VERSUS H. TANDY.

Mr. Prinsep moved in this case for leave to enter an appearance on behalf of the defendant.

Sir E. Ryan asked why an appearance had not been entered before ? The plaintiff had proceeded to writ of sequestration and the last day had been allowed to expire.

Mr. Prinsep said, that the writ had expired only on the very last day of last term, so that the plaintiff could not have obtained his *ex parte* judgment. He was aware that the defendant was entirely in the discretion of the Court, as to pleading instanter, and taking short notice of trial. There was an affidavit of the attorney for the defendant, which set forth among others, that an offer had been made to refer all matters in dispute to arbitration giving security for costs and the damages laid, but that this had been rejected.

Sir E. Ryan, said, that the Court would only grant a rule nisi. They would hear what the other side had to say, and then decide whether the defendant could now be let in at all.—*Rule nisi.*—*Hark.* 23.

TUESDAY, OCT. 23.

CONTROLLU. POROOSUTTUN DOSS AND ANOTHER.

Mr. Clarke moved in this case for leave to file the answer. The bill had been taken *pro confesso* ; the answer of the defendants had been sworn, and there was a certificate of costs paid. The learned counsel mentioned the matter to the Court, because there was some doubt whether the motion should be upon notice, or whether the defendants might have a rule absolute in the first

instance, and it was advisable to have the practice settled.

Sir E. Ryan said, that the Court were of opinion, that it ought to be a motion upon notice.—*Harkn,* Oct. 24.

WEDNESDAY OCTOBER 24, 1838.

MACNAGHTEN V. TANDY.

Mr. Clarke opened the pleadings.

The Advocate-General. My Lords, I appear as counsel for Captain Macnaghten, who complains of libellous reflections cast by the defendant upon his character, as a soldier and a gentleman. My client is about to rejoin his corps, and before doing so, it is necessary for him to clear himself from these injurious aspersions. The defendant is the editor of the *Agra Ukhbar*, a provincial paper, I believe of wide circulation ; it has been boasted, indeed, to number 500 subscribers, quite a sufficient number to propagate widely enough the slanders which it contains. I shall show, that the defendant is not only the editor and publisher of the paper in question, but the very author and writer of the obnoxious articles complained of by the plaintiff. I need scarcely mention to your Lordships, that Mr. Stocqueler is the editor of the *Englishman*. This gentleman is on intimate terms with the plaintiff, who has the reputation of being a contributor to his paper. The defendant fancied, that he detected the writer of certain articles, which appeared in the *Englishman* under the signature of FIAT JUSTITIA, to be Captain Macnaghten, and, as some passages in them happened to be disapproved by the defendant, although there was no allusion to the *Agra Ukhbar*, the defendant chose to make a vehement attack upon Captain Macnaghten. This attack Capt. Macnaghten very properly designated "unprincipled," and the defendant then put forth a series of gross libels accusing my client of almost every crime. [The learned Advocate then read the most material parts of the alleged libels, in which the writer, commenting upon the use of the term

"unprincipled." proceeds to give his definition of the word, and imputes to Capt. Macnaghten the charges complained of. In allusion to the court-martial, upon Capt. Husband, the defendant charges the plaintiff with cowardice and dishonourable conduct, and accuses him in another affair of having seduced a lady and afterwards boasted of the achievement.] Now, my Lords, as these charges are not justified, I am authorized in assuming that they are unjustifiable. The conduct of Capt. Macnaghten is of itself the best disproof of the truth of the libel; if he had been conscious, that such charges could have been justified and substantiated, is it possible that he would have ventured to bring the present action? If Captain Macnaghten has been guilty of indiscretions in his youth, is the charges for ever to be thrown in his face? and can your Lordships believe that he would recklessly and unfeelingly boast of his wrong? It is not for me to deny or admit the truth of any of these allegations. I may assume that not one of them is true. But even if there should be a few grains of truth in the numberless libels against my client, of which the defendant is the author, these few grains of truth could weigh nothing against the falsehoods with which they are encumbered. The question of appropriate damages, I leave entirely with your Lordships. I will not allude to the pecuniary loss which has been entailed upon my client; he comes into this Court for reparation to his injured character. The defendant is one well able to pay. His paper has 500 subscribers according to his own statement; but whether he be possessed of property or not, I may remind your Lordships that there are cases, and this is one, in which the offender who cannot pay in person, must be made to pay in person.

James Cullen, examined by Mr. Clarke.—I believe I knew Mr. Tandy, the defendant, some years ago, in Calcutta. I knew Mr. John Tandy, of the house of Mercer and Co. I believe Mr. Henry Tandy was his nephew. I believe H. Tandy is an Irishman. I knew both the brothers (Mr. H. Tandy and his brother), but I do not know whether I knew Henry or his brother Edward. At first I had forgotten that there were two brothers, until Mr. Clarke reminded me.

J. H. Lang.—I was collector of Agra for many years. I left in October 1836. I knew Mr. H. Tandy there. He was the editor of the *Agra Ukhar*.

David Lyall, of the firm of Lyall and Matheson, was called to prove the signature and hand writing of a letter written by Mr. H. Tandy, in which he admitted having written, printed and published one of the libels.

Brigadier Lindsay.—I was at Agra in January, February and March 1837. I knew Mr. H. Tandy. During that time he was Editor of the *Agra Ukhar*, and he resided at Agra.

Sir E. Ryan said, that the jurisdiction was sufficiently proved.

The original record of the declaration made by Mr. H. Tandy, according to the act, held in this Court, was produced from the Record Office, and being under the seal of the Court, proved itself. *Sir E. Ryan* said, that according to the Act, a copy under seal would be evidence in other Courts.

Mr. Douglas, the publisher of the Englishman, proved that the Agra Ukhar was regularly received and filed in their office, and that the paper containing the libels was a number of that journal [Note. *Sir E. Ryan* remarked, as a point of evidence, that this was unnecessary, because the title of the newspaper was sufficient proof, under the Act.]

The libels were then read aloud by the Clerk of the papers, and caused considerable mirth in Court.

Captain John Welchman. I am first Assistant in the Judge Advocate General's Department. I know the plaintiff. He is a Captain in the 61st Regiment. I

should say that the libels just read have reference to the plaintiff in this action.

Mr. Strettel prayed, that Captain Macnaghten held the situation of Deputy Judge Advocate General at the period of Captain Husband's Court-martial.

This closed the case for the plaintiff, and as the case was set down *ex parte* for want of an appearance, and the defendant therefore was in contempt, no Counsel could appear for the defence. [Note. *Sir E. Ryan* remarked, that in *ex parte* proceedings, the new rules were not applicable, and the practice remained the same as it was before, under the Charter. It thus became necessary for the plaintiff to prove each particular part of his case strictly. The rule is different where the plaintiff proceeds to obtain judgement by default for want of a plea:—the appearance admits the jurisdiction, and therefore dispenses with proof thereof on the part of the plaintiff, and it lets in the defendant to give evidence in mitigation upon the assessing of damages.]

Sir E. Ryan. This is the first occasion on which I have sat in this Court in a libel case brought on *ex parte*. The defendant has certainly had every opportunity of coming in and proving his charges, and he has not applied to do so until too late. The consequence, therefore, has been that the case comes on for hearing *ex parte* and the defendant has no opportunity of defending it in any way, either in bar or in mitigation. We are of opinion, that this is certainly a most atrocious libel. No words could be used more abusive and calumnious than those which are here used,—none (to use the words of the Advocate-General) which could advance a graver libel against the plaintiff in his character as an officer, a gentleman and a man.

But there are other considerations which must weigh with us. Of the truth of any one of the allegations, indeed we have not a scintilla of evidence judicially, except the little that may be gleaned from what has been thrown out by the plaintiff's Counsel, we must judicially assume therefore they are not true. There are circumstances, however, which weigh with us, and induce us to give a far lower amount of damages than we should otherwise give. It appears upon the face of the passages selected by the plaintiff, that many of the libellous terms complained of by the plaintiff, were first used by himself in reference to the defendant, and this fact stands uncontradicted and unexplained by any of the witnesses for the plaintiff. The question, therefore, is, what has been the amount of provocation? If Captain Macnaghten has used nearly the same terms himself towards Mr. Tandy, who has in fact reversed them, does not this affect, and most materially affect, the question of damages? Under these circumstances, which I have thought it necessary to state, lest we should appear to be giving very inadequate damages, we pronounce the amount at One Thousand rupees.

Damages, 1,000 Rs. [Hurk., Oct. 25.]

MACNAGHTEN versus DWARKANATH TAGORE

This was an action brought by Captain Robert Adair Macnaghten, against the defendant, as a Proprietor of the *Bengal Hurkaru* paper, for an alleged libel which appeared in that journal, in the shape of a letter entitled "Love of Claret." The defendant had allowed judgment to go by default.

Mr. Leith and Mr. Barwell were for the plaintiff.

The Advocate-General appeared alone for the defence.

Sir Edward Ryan observed, as soon as the case was called on, that the Court felt themselves in a serious position. The defendant had allowed judgment to go against him by default, thus admitting the libel charged, and the Court was now called upon to assess the amount of damages; but in looking narrowly into the point, their Lordships had come to the conclusion, that upon the facts

of the pleadings, there was no libel apparent at all. After the indorsement had been set forth in the plaint to the effect, that the plaintiff was an officer of the Bengal Army, &c., and that he had been in the habit of writing in a certain paper, called *The Englishman*, under the signature of GRIFFITH, it proceeds to state, that the defendant, well knowing the premises, printed and published the libel in question. The plaint then sets forth the alleged libel thus:—"Which said false, scandalous, malicious and defamatory libel, is in the form of a letter entitled *Love of Claret*, and contains amongst other things, the false, malicious, defamatory and libellous matter following (that is to say). To the Editor of the *Bengal Hurkaru* Sir,—A Correspondent (meaning the said plaintiff) of the *Englishman* (meaning the said newspaper, &c.) who signs himself *Number Nip*, who I suppose may be another yecept *Griffith*, (meaning the plaintiff) imputes to me a living fondness for a bottle of Claret. I own,—and if I blush whilst making the acknowledgment. I hope I blush a *Leoville*. I own the soft impeachment. I emulate Cato of old, though I candidly tell you, that I don't think Cato of old ever drank a good glass of wine in his life. Rosin is not a good ingredient in wine, and the Romans admitted *ro-in*. But shall I let you into the secret, Mr. Editor, why Cato and I,—you see I keep good company in my cups,—liked and like a glass of wine? It is simply this:—we are not afraid that it will betray us into the confession, that we have ever received a dishonorable blow which we dare not resent, or have done many acts unworthy of a soldier and a gentleman, (meaning that the plaintiff had received a dishonorable blow which he dared not resent, and that the plaintiff had done many acts unworthy of a soldier and a gentleman &c.) His Lordship proceeded to observe, that there was nothing apparent on the face of the plaint to couple this last paragraph with the plaintiff. As it stood (for the innuendo must be put out of consideration) it referred only to Cato and to the defendant himself.

Mr. *Leith* urged, that there was a sufficient averment that the insinuation was levelled against the plaintiff. The innuendo, their Lordships would find, went on to state, that the paragraph had reference to the plaintiff and that it was intended to convey the insinuation, that the plaintiff had received such a blow and done dishonourable acts, and there was a prefatory averment that the plaintiff and *Griffith* were the same.

J. P. *Grant*.—It is immaterial what the innuendo goes on to state. The proper province of the innuendo is to explain and illustrate in reference to what has been already averred, and not to extend the meaning. Take away your innuendo, and there is nothing to stand upon. There is no averment, and nothing whatever except the innuendo, to connect the last paragraph, the gist of the alleged libel in fact with either *Griffith*, *Number Nip*, or the plaintiff.

It was then agreed, that the plaintiff should take nominal damages.

Damages one rupee.—*Ibid.*

MACNAGHTEN V. SAMUEL SMITH.

This action was brought by the same plaintiff against the Editor of the *Bengal Hurkaru*, for the same alleged libel, as in the preceding case, and the plaint was precisely similar to the former, *mutatis mutandis*. The defendant had pleaded the general issue.

The *Advocate-General* [and Mr. *Leith* were for the plaintiff.

Mr. *Clarke* and Mr. *Morton* were for the defence.

Mr. *Clarke* (laughing) observed, that after the fate of the preceding action, he scarcely supposed the plaintiff would venture to bring on the present.

The counsel for the plaintiff agreed to strike the case out of the board.

Struck out.—*Ibid.*

THURSDAY, OCTOBER 25.

J. W. ALEXANDER, ASSIGNEE OF FOSTER, VERSUS FOSTER.

The *Advocate-General* moved for a revival of the injunction which had been granted in this case, to restrain a certain vessel belonging to the estate of the Insolvent, which had been entered in the name of his son (the defendant) in order to defeat the creditors,—from leaving the Port of Calcutta. This motion was made on notice.

Mr. *Prinsep* made no objection to his learned friend's motion, but he considered it an unnecessary step.

Motion granted.—*Ibid.*

RUSSEKCHUNDER NEOGHY VERSUS HURRIPERSAUD GHOSE.

The *Advocate-General* said, that he had a motion to make to the Court in this case, under rather peculiar circumstances, which he hoped would induce their Lordships to grant relief if it lay in their power. Company's paper to the value of Rs. 9,800 had been extended under a *fisi* at the suit of the plaintiff, in the hands of the Accountant-General, and upon a former motion made to the Court of an order, that the sum should be paid over by the Accountant-General into the hands of the Sheriff, their Lordships refused to interfere, on the ground that it was not their province to take the responsibility of the Sheriff's office, and that the Sheriff must act according to his own discretion. The Company's paper itself had since been received by the Sheriff, and the question was, in what manner he must proceed to dispose of it. The only return made had been, that the property was extended, and as the writ had been returned, there was literally no authority for the Sheriff to act in any way. It was a great hardship upon the creditor, that the property should remain locked up in the Sheriff's hands, and yet he could not bring an action against the Sheriff, for he had neither disobeyed a writ nor made a false return.

Sir J. P. *Grant*. Is not Company's paper money?

The *Advocate-General*. I apprehended there is a difference. It comes within the term "debts" used in the 15th clause of the Charter, and it is there provided, that debts seized in execution, shall from the time the same are returned into the Supreme Court, be paid and payable in such manner and form as the said Court shall appoint. (And see *Clarke's* rules p. 153 Note.) If the property had been returned into this Court as goods in the hands of the Sheriff, of course the creditor would have sued out a writ of *venditioni exponas*. Under these circumstances it is difficult to see how the parties are to proceed without a special order of the Court, and this motion, therefore, is for an order that the Sheriff may sell the Company's paper and pay over the proceeds to the execution creditor.

Sir E. *Ryan* said, that the Court would direct a search to be made for precedents.—*Hurk.*, Oct. 26.

FRIDAY, OCTOBER 26, 1838.

POORUN RAM VERSUS GUNNOO SING.

The *Advocate-General* moved in this case. Money had been paid into Court in lieu of special bail under the Rule, and bail not having been duly put in and perfected within the regular time, the plaintiff had obtained the usual rule nisi to take the money out of Court. The learned Advocate now moved on behalf of the defendant, that (under the new Practice Rules, Deposit of Money,

Rule 3) that the sum already deposited in Court, together with the additional sum of Co.'s Rs. 200 to be now paid in as a further security for costs, should be allowed to remain to abide the event of the action.

Sir E. Ryan. It is a mere question of time. You are too late.

The *Advocate-General.* Does not your Lordship think that the Court may exercise a discretion.

Sir E. Ryan. There is no discretion in the matter. You may pay into Court under the Rule the additional 200 rupees at any time before or on the day allowed for perfecting special bail. The time has elapsed and you are now too late.

Took nothing.—*Ibid.*

ANUNDNARAIN GHOSE AND ANOTHER *versus* BRISUMBER
HOLDAR.

The bill was filed for a closure of mortgage of certain premises in Calcutta mortgaged to the complainants as a security for the loan of Sa. Rs. 5,000. The suit came on *ex parte* for want of an answer.

Mr. Clarke and Mr. Morton for the complainants.

Decree of the foreclosure.—*Hurk., Oct. 27.*

MONDAY, OCT. 29, 1838.

THE EAST INDIA COMPANY *versus* GOVINDCHUND BO-
NERJEE.

This case came on for argument on demurrer to a special plea of the defendant.

The action was brought upon a promissory note alleged to be made in favour of the plaintiffs by the defendant for Co.'s Rs. 18,600, payable at ten days after the date thereof. The plant contained a count upon the instrument, and also a count upon an account stated. In the former, the defendant pleaded the general issue and set off, and to the latter a special plea to the following effect.—That after the making of the said supposed promises in the said second count mentioned, to wit on the 27th July 1838, the defendant made his promissory note payable for the same amount, at ten days date, to one Samuel G. Palmer, and that the same was substituted for the said debt and received in satisfaction thereof, and that the said note is still outstanding. To this there was a demurrer.

The *Advocate-General* for the demurrer. There are two grounds of objection, first, that this plea, if it is any thing at all, amounts to the general issue; and secondly, that it is bad, because it does not confess and avoid. The word "supposed" vitiates the plea, because it precludes any admission of the promises, which the plea afterwards goes on to excuse the non-performance! It is inconsistent and absurd. The cases of *Margetts v. Bays*, 4 Adolphus and Ellis's Reports, and *Gould v. Lusbury*, 1 Crompton Meson and Roscoe, 254, are precisely in point. There was a decision of *Gale v. Capon* cited *arguendo* in the latter of the two cases, in which the Court were reported to have held a contrary opinion; but in the judgement of Lord Denman in *Margetts v. Bays* your Lordships will find that this apparent conflict of opinion is explained, and it appears, that the objection was taken after verdict, and not upon special demurrer. In *Margetts v. Bays* the plea was a plea of the statute of limitations, and ran thus: that the said supposed debt did not accrue within six years, &c. The Court held the plea demurrable, and that the words "supposed" or "if any" were bad.

Mr. Cochrane, on the same side, was stopped by the Court.

Mr. Prinsep, for the Defendant. The first objection evidently falls to the ground, because under the new rules, a plea of payment or accord and satisfaction (which this substantially is) must be special, and the defence cannot be given under the general issue. As to the second point, I admit the cases appear against me, but there is a distinction. When the plea was a plea of the statute of limitations, the words were "that the said supposed debt did not accrue within six years;" so that there was no implication that any debt accrued at all. But in our case, we say, "that the said supposed promises were made." We give colour, therefore, in express terms. In one case there is no admission of the promise or debt in any shape;—in the other there is. The plea is a *affirmative* in one, and *negative* in the other. Surely this is a distinction.

Sir J. P. Grant.—Your affirmative is only conditional.

Mr. Prinsep.—*Qualified*, my Lord, rather than conditional. The word "supposed" here must be taken to mean precisely the same as "alleged." In all the old precedents the word "supposed" used to be inserted; and it was only since these very recent decisions that it has been omitted.

Mr. Leith, on the same side, gave up the point which had been argued by his leader, but as the objection relied on by his learned friends on the other side was a mere technical one, it was competent for him to take a counter objection of a similar nature. He submitted, therefore, that the demurrer itself was bad upon the face of it, because it misdescribed the plea as being pleaded to both counts, whereas it was only pleaded to one.

Sir E. Ryan said, that the Court would allow the demurrer upon the authority of these cases, but as it was a new point, each party were to pay their own costs and leave given to amend.

Demurrer allowed.—*Hurk., Oct. 30.*

TUESDAY, OCTOBER 30, 1838.

This day the Chief Justice sat alone, there being nothing but a few common motions to occupy the Court. The following case heard on Monday, ought to have appeared in our report of yesterday.

EQUITY SIDE.

BHEEMUTTY MOHA RANKE BISSUNNT COOWARREE V. MUD-
DENMOHUN COOPOORRAH.

This case came on upon exceptions to the Master's Report.

The bill was filed by the complainant, the younger widow of the late Moharajah Tejchunder Bahadour, Rajah of Burdwan, against the defendant, who was alleged to be the darogah or general agent and manager of certain property belonging to the lady, situated in the New China Bazar in Calcutta. The bill alleged that the defendant had been constituted darogah under a certain purwannah, and had continued to act as such for several years, and it charged him with fraud and misappropriation of monies, and prayed that an account might be taken of the rents and profits received. The defendant in his answer, denied that he had acted under any purwannah executed to his knowledge by the complainant, though he admitted having acted under some purwannah, and having received the rents and profits of the Bazar, but he did not set forth specifically what purwannah it was under which he had assumed to act, nor did he unequivocally deny that he had in his

possession a purwannah purporting to be executed by the complainant. To this part of the answer exceptions were filed for insufficiency. Again, in another part of his answer, the defendant, admitting that he had received the rents, assigned as a reason for not furnishing an account of the sums which he had annually collected, and of the rents at which the different houses were annually let, the circumstance that he had always paid the rents received by him, into the Sudder Cutcherry of the Rajbarry at Burdwan, and that he had deposited there all the accounts, memorandums, books, vouchers and other papers relating to the matters in question, and that he had applied to the dewans of the Cutcherry to give him possession of the documents, which application was refused; but there was no positive and unequivocal allegation in the answer that the defendant had no other means of furnishing the accounts required. To this also exceptions were filed.

Upon a reference to the Master, these exceptions to the answer were allowed, and the defendant thereupon filed exceptions to the Master's report for allowing the said exceptions to the answer—which now came on to be argued.

Mr Clarke, for the defendant, contended that the answer was sufficient, and that the exceptions thereto were erroneously allowed. The learned Counsel called the attention of the Court to the extreme vagueness of the bill, especially considering that it was essentially a bill of discovery, and he took occasion to comment upon the practice which had been introduced into this country (he believed by Mr. Fulton, who had not had the advantage of much Equity experience at home) of framing the interrogating parts of Bills in Equity according to a very loose system of pleading. At home, it was the custom to apply distinct interrogatories to each statement and charge in the bill, and the principle was borne out by the dicta of the best text-writers, Willis and Mitford, and by the forms given in the precedents of Van Heythusen; but in this country it had become the practice to insert only a few special interrogatories upon matters which might appear the most essential to the complainant's case, according to the arbitrary fancy and opinion of the pleader, and to omit all interrogation to the other statements except in so far as the general interrogatory might be applicable to them.* In the bill before the Court, there was scarcely a single interrogatory,

* As far as the Reporter's experience goes, it is not the invariable practice, even at home, to interrogate specially to every item important or unimportant, in the stating and charging parts of the Bill. He has heard it observed by a practitioner of experience, that it is loose pleading to interrogate at random to all the statements, that it is not proper to interrogate to those matters on a bill of Equity, which would be mere *inducement* in a pleading at Law; and that the proper rule is to interrogate fully to matters which are important and to interrogate not at all to the residue. If the interrogatory be a bare repetition (only changing the form of speech) of a precedent statement, *cui bono?* for the defendant would be compelled to answer it at all events. The precedents are evidently framed in contemplation of this, for the defendant is called upon to answer^d as fully and distinctly as if the same were there repeated, and he, the defendant, distinctly interrogated thereto, and more especially to answer and set forth, &c. And at all events the question in every case is a question of policy for the consideration of the complainant, and can furnish no

but the complainant had relied upon the general interrogatory. Now the objections to the alleged insufficiency of the answer was, that the defendant had not set forth under what purwannah he had acted, nor whether there were any documents in his possession other than those which he had mentioned, by which he would be enabled to furnish the accounts demanded. The reply to these objections was that the defendant was not interrogated upon those matters, and there was no charge or statement in the bill relative to them.

Mr. Sandes followed on the same side.

The *Advocate-General* and Mr Prinsop contra. It might be admitted that the bill might have been made of a much more searching character for the purposes of discovery; but the defendant's case could not then be known, and it was not even guessed at that he intended to deny having acted under a purwannah from the complainant. As to the first point, the defendant had not even given a complete and perfect answer to the statement admittedly contained in the bill; viz., that he had a purwannah from the complainant. He had first denied that he knew of any purwannah executed by the complainant, and then he denied the possession of any purwannah executed to his knowledge and belief by the complainant; but this guarded denial, after all, consisted perfectly well with the possession by the defendant of some purwannah purporting to be executed by the complainant and actually executed by her, although the defendant chose to believe, for some reason or other, that the execution was not genuine! It was a palpable evasion—a mere subterfuge to escape the consequences of perjury. Then as to the second point—the defendant had been called upon for an account, and he had only assigned one reason for not furnishing it as demanded, and had carefully shirked a direct and unequivocal statement, that it was not in his power, by any means whatever, to furnish the account required.

Mr. Clarke replied. The first exception to the Master's report was, after much deliberation, allowed, but upon the second there was a difference of opinion on the Bench. After the first exception had been allowed, the Chief Justice observed, that it was unnecessary to hear the other, as the allowance of one was sufficient to send the report back to the Master.

Mr. Prinsop urged, that there ought to be a distinction where the Master's report was upon exceptions filed to the defendant's answer. When the report had allowed the exceptions, and the Court then allowed the exceptions to the report, it was not necessary for the report to go back to the Master, because the decision of the Court had the effect at once of overruling the exceptions to the answer.

Mr Dickens (the Registrar) observed, that the practice always had been to stop as soon as the first exception to the report had been allowed, because the allowance of one was sufficient to send it back to the Master, and the general costs were then given at once to the excepting party, because the rule was that when a party failing to substantiate the report, must be mulct in the costs.

ground of objection whatsoever, available to the defendant, for he is bound to answer, as far as the statements and charges extend, though there should not be a single special interrogatory throughout.

INSOLVENT COURT.

OCTOBER 20, 1838.

(Before Sir E. Ryan, Chief Justice)

IN THE MATTER OF THOMAS LINTON.

In this insolvent's case, M. N. Hudson brought to the notice of the Court, that the Insolvent was not in custody and Doorgachurn Mitter, one of the creditors, stated, that the insolvent held a situation of 100 Co.'s rupees a month in the Hon'ble Company's Dispensary. The Judge ordered the Insolvent to be sworn.

T. Linton, deponent. I was a laboratory assistant in the Hon'ble Company's Dispensary when I was taken into custody on a process of the Court of Requests. I still hold that situation, and my salary is 100 rupees a month. I have held this situation for 4 years. Formerly I was an assistant to Messrs. Bathgate and Co. I had formerly some funds. My debt to Dr. A. Porteous is of long standing, and is my largest debt. My debt to Dr Porteous is about 500 rupees and, besides this I owe Messrs. Bathgate and Co. about 200 rupees and Mr. Kyte 240 rupees. I am 26 years of age, and am willing to pay $\frac{1}{2}$ of my pay to my creditors..

This order was then made and the insolvent signed his schedule, and obtained the benefit of the act.

IN THE MATTER OF GASPER DUPUIS.

In this case Mr. Paul stated to the Court, that after this insolvent was released by the Sheriff after he had filed his schedule, he was arrested on the 11th of June, and was discharged on the 7th of September.

No opposition appearing, the Insolvent deposed to the correctness of his schedule, and obtained the benefit of the act.

IN THE MATTER OF GORACHAND DAY.

In this case the insolvent was not in custody. Mr. N. Hudson applied for leave to amend his schedule. Mr. Hudson remarked, that he had been arrested on a Court of Requests warrant, and obtained his release on the stoppage of his diet money.

He was then sworn to the truth of his schedule, and discharged.

IN THE MATTER OF C. A. CAVORKE.

Mr. Prinsep, for Messrs. Bagshaw and Co., stated, that there was opposition on their part. They are the detaining creditors on an award of 45,000 rupees. Mr. Prinsep expressed a wish to re-examine him regarding a sum of 4,000 rupees which he had received from China.

The Judge replied, that this sum had been subsequently paid over by the insolvent to the Assignee.

Mr. Prinsep replied, that when Mr. Cavorke was in jail, Messrs. Bagshaw and Co. gave notice to him, that if he persisted in carrying on the matter unnoticed in the award, that they could oppose his application, for the benefit of the Insolvent act, by the 58th section of this Act; and as they were aware he would take the benefit of this Act, they would leave it to him to fix his own amount of the balance due by him to Messrs. Bagshaw and Co. The award was made by an order of this Court, and the award was exact the amount of the bill, which Messrs Bagshaw and Co. had fixed to it.

The Judge replied, that Messrs. Bagshaw and Co. would not have consented to an arbitration, unless there

was a doubt on their mind likewise; and he was not bound to admit any thing because by his leaving it to the arbitrators, he shows to his other executors that he had no connexion with Messrs. Bagshaw and Co.; and his not showing cause to the arbitrators, itself shows that he made no frivolous and vexatious delays, as the law expresses it; he therefore did not think Mr. Prinsep had made out his case.

Mr. Clarke remarked, that as Mr. Cavorke had admitted a debt, he recommended him to abide by the arbitrations.

There being no other opposition, the Insolvent was sworn to the truth of his schedule and discharged.

IN THE MATTER OF KRISOCHUNDER SOOR.

Mr. Strettell, on behalf of the opposing creditor, replied, that his client had made an opposition to prove fraud and collusion in this case, and a reference had been made by the Court to the matter; but as his client had not means to proceed to the reference, he declined proceeding in it.

The Judge replied, that the onus of the proof rested with the insolvent, and the case must stand over until the insolvent can prove the truth of his schedule in the report of the master.

IN THE MATTER OF GOPAL CHUNDER RAIN.

In this case Mr. Strettell, on behalf of the opposing creditor, put in a petition, and a certificate of the consent of parties to postpone the case, and it was therefore postponed.

IN THE MATTER OF W. W. ROBINSON.

The Judge in this matter remarked, that as the affidavit in this case is full of erasures, he cannot receive it. Mr. Prinsep said, that until three days ago, matters were under compromise, therefore the affidavit had been delayed and hastily drawn. He required to have the case postponed.

The Chief Justice replied, that his client's attorney ought to have had the affidavits ready prepared, and they ought to have been filed about a week before the day of hearing, so as to enable the parties to take a copy of the affidavits. In that case he will postpone the case to this day week, Mr. Prinsep's client paying the costs of this day.

Here Mr. Prinsep replied, that he had been ill-used. The opposite party had kept him in suspense until a late hour, and then gave him notice to proceed. The opposite party denied that there had been any negotiation for a compromise within this last week, and the negotiations altogether lasted but a few hours.

The Judge replied, that he could not enter into this matter on hearsay; but if any party had any thing to represent by affidavit or petition, he would enter into it. The case was ultimately postponed until this day week, by consent of parties, leaving the matter of costs to be hereafter adjudged by the Judge on the day of this adjudication being heard.

IN THE MATTER OF WILLIAM FAIRLIE CLARKE, AND OTHERS.

In this matter, a rule nisi had been obtained, that the Assignees of Messrs. Fergusson and Co. should admit the claim of the holder of a bill of exchange drawn by Messrs. Fergusson and Co. in Calcutta, and accepted by Messrs. Fairlie, Clark and Co. in London, to dividends upon the whole amount of the said bill.

Mr. Leith and Mr. Morton showed cause on behalf of the Assignees. The bill was drawn by Fergusson and Co. for £8,475, payable at twelve months to H. Glazbrook (the petitioner) and duly accepted by the drawers, Fairlie, Clark and Co. in London. Upon presentment at maturity, the bill was dishonoured and protested; notice was transmitted to the drawers, who thereupon wrote back the amount to the credit of the petitioner with the firm. Fairlie's house suspended payment in July 1833, and in February 1834 paid a dividend of 12½ per cent. upon their debts, and upon this bill among the rest. Fergusson and Co. suspended payment and filed their petition of insolvency in November 1833; and in April 1834, they filed their schedule, in which this debt was inserted in full. In the July following the assignees sent an account, admitting the full debt as due; but when the first dividends were paid in July 1835, they only allowed the claim upon the amount of the bill *minus* the 12½ per cent previously paid by the drawers, and the same deduction was made in the appointment of all subsequent dividends. The petition in the present case was for an order to compel payment of the dividends upon the entire debt, instead of upon the balance, after deducting the 12½ per cent. The learned counsel admitted, that the general rule was, that in the event of the bankruptcy of drawer, acceptor and indorser of a bill of exchange, the holder was entitled to prove the whole amount of the debt against the estate of each, and to receive dividends thereon from each, until 20s in the pound was paid altogether:—but they contended, that there was a qualification of the rule, where *part* of the debt had been received from any party liable, *before proof* against the estate of the others. *Ex parte Royal Bank of Scotland*, 19 Vesey Junior. *Ex parte Leers* 6 Vesey Junior. This was precisely the case. The present case. The 12½ per cent. had been paid by the acceptors, *before* the debt had been proved against the estate of the drawers. When had this debt been proved? The earliest date to which the proof could be referred, was the date of the insertion in the schedule, and that was in fact upwards of two months after the part-payment had been made. It could not be contended that the protesting of the bill and giving notice of dishonour, and the writing back the amount to the credit of the firm, was equivalent of *proof*. It certainly proved the debt in one sense, but it did not contribute the proof contemplated by the Act. Even in the case of a judgment-debt, *proof* must be made by producing an office copy of the judgment. *Ex parte Coucannon*. 1 Cooke B. L. Again, by the terms of the order made by the Court for the payment of dividends, the debt was required to be proved by the affidavit of the creditor to the satisfaction of the assignees. The *proof* contemplated, therefore, must be a substantiation of the debt *after* the bankruptcy, to the satisfaction of the assignees and an admission of the amount by the insolvents before their insolvency amounted to nothing. Again, the admission of the assignees raised no presumption in favor of the claim, because, in the first place, the act of the assignees could not preclude the creditors, and the question here virtually was between the creditors; and secondly, the admission was made in ignorance of the payment made in London, and could not, therefore, bind the assignees themselves. The learned counsel also contended, that the dividend of 12½ per cent, although nominally paid by Fairlie and Co., was virtually paid by Fergusson and Co., and that the creditors thus obtained an unpaid advantage over the separate creditors of Fergusson and Co., by receiving dividends *twice over* out of the same estate upon the same *part* of his debt; for it appeared upon the affidavits, that at the time of their insolvency there were large proceeds in the hands of Fairlie and Co., from the sale of goods consigned by Fergusson and Co. and which had been retained by the former house to indemnify themselves against their liability under their acceptances.

The *Advocate-General* and Mr. Clarke were not called upon to support the rule.

Sir E. Ryan. The rule must be made absolute. This bill of exchange had been duly protested and notice of dishonour given to Fergusson and Co., the drawers, before their insolvency, and the drawers then admitted the debt, by writing back the amount as a credit on the firm, and the full debt was afterwards inserted in the schedule without dispute by the assignees. There was no need of further proof, and the case falls within the rule, that the holder may claim and prove the full amount against the estates of each and all the parties liable until the whole is paid in full. There does not appear to be any hardship or injustice in the case, and there is nothing in the argument that the 12½ per cent. dividend was in fact paid out of the estate of Fergusson and Co. Even if the parties to the bill were ultimately enabled to pay in full, the holder would never receive more than 20s. in the pound.

Rule absolute.—HURK. Oct. 23.

OCTOBER 27. 1838.

AN ADJUDICATION OF INSOLVENCY REVERSED.

IN THE MATTER OF WILLIAM WOOD ROBINSON, A TRADER.

Counsel in support of the Adjudication, Messrs. C. R. Prinsep and J. Cochrane.

Counsel for the Opposition, Messrs. J. Pearson, L. Clarke and C. J. Leith.

The particulars of this case, which is of great importance to the trading community, are these.

Mr. John Davidson Smith, in December 1835, on leaving India for England, executed a general power of Attorney in favor of Messrs. McDonald and Fraser, merchants and agents in Calcutta, to manage his affairs in India. This power was a joint and a separate one. Subsequently on the 6th of January 1836, he, at the request of his friend Mr. Sim, the Accountant to the Union Bank, transmitted an especial joint power of Attorney to Mr. McDonald, in favor of Mr. Alexander Fraser, one of the partners of the firm of Messrs. McDonald and Fraser, and of Mr. Alexander H. Sim, nominating them his special agents to manage all his money transactions with Mr. William Wood Robinson, trader, who, it appears, was greatly indebted to Mr. J. D. Smith, and had given him a bond for the debt together with promissory notes for the quarterly payment of the interest of this debt. Mr. Smith, in his letter of instructions to Mr. Daniel McDonald, the other partner of the firm of Messrs. McDonald and Fraser, writes, "I have, at the request of my friend Mr. Sim, joined his name to the power, I have given to Mr. Fraser, and him, to manage my money transactions with Mr. W. W. Robinson, I see no necessity for this. I see by this act I have tied up Mr. Fraser's hands." This power was never acted upon, as Mr. Fraser, who was the Joint Agent with Mr. Sim in it, shortly after its arrival in Calcutta, left India for England, and Mr. Sim, it being a joint power, could not individually act upon it. And on this ground Mr. Prinsep, in support of the adjudication, argued that it became defunct, and ceased in its operation, consequently its extinction enabled Mr. McDonald to act on his power of attorney in this affair, his power being a general one, and both a joint and a separate power; therefore it could not be extinct as long as some of the agents mentioned in it were present in India to act on it. Taking this view of the case, Mr. McDonald, when the quarterly interest on these notes which Mr. Robinson had granted to Mr. Smith, became due, demanded payment of the same from Mr. Robinson, as his general agent, and the payment not following this demand, Mr. McDonald arrested Mr. Robinson, and had him confined in the Jail of Calcutta, for the amount of this note.

In consequence of this incarceration, Mr. Robinson applied on oath before Sir E. Ryan, Knt., Chief Justice, for the benefit of the Insolvent Act, and on this application an adjudication of Insolvency was granted by the Chief Justice on the 22d February, 1836. This adjudication was now disputed by the opposite party, who argued, that the subsequent special power executed by Mr. Smith, in the name of Messrs. Sim and Fraser, had cancelled the general power in favor of Messrs. McDonald and Fraser as far as it regarded Mr. Smith's money transactions with Mr. W. W. Robinson. For, if that were not the intention of Mr. Smith, then whence the necessity of giving another special joint power to Messrs. Sim and Fraser, regarding his management of this part of his affairs in India; and if this second power did not annul the general power previously given, as far as it concerned Mr. Smith's transactions with Mr. Robinson, then it would be an absurdity for Mr. Smith to write to Mr. McDonald, on forwarding him the special power in favor of Messrs. Sim and Fraser, that he had, by the execution of this second power, tied Mr. Fraser's hands. For, if the case were otherwise, and Mr. Fraser could have, after the execution of this special power, still acted in this affair on the former general and separate power, then his hands would in fact not have been tied up.

Mr. Prinsep contended, that any person may appoint two or more individuals under distinct power of Attornes, to manage his affairs for him; and, viewing the affair in this light, he considered that both the powers may be co-existing, the Agent mentioned in them may all be enabled to act on their different powers simultaneously. As such he considered the special power in favor of Messrs. Sim and Fraser to have been but a subordinate power to the general one, and did in no wise militate against it, and as it had ceased to exist by the departure from this country of Mr. Fraser, one of the Agents mentioned in it, the general power which was a joint and separate power (and not like the special one (which was merely a joint power) the remaining Agent mentioned in it being in this country, could, after the ceasing of the special power, on the strength of the general power, take upon himself to resume that portion of his constituent's affairs which had been temporarily set aside and delegated with the special power, and added, that if this was not the case, and if Mr. Smith himself did not consider it in the same view, he would not have confined his subsequent instructions and communications regarding the management of his affairs in India to Mr. McDonald, nor would he have forwarded the special power in favor of Messrs. Sim and Fraser, taken through the channel of Mr. McDonald, with an explanatory letter of instruction to Mr.

McDonald on the subject; but he would have sent the power direct to Messrs. Fraser and Sim, with his instructions to them regarding this management of that affair.

Mr. Cochrane followed up Mr. Prinsep, and supported his argument, and defied the opposite party to produce any single case analogous to this, which would not bear him out in his arguments, and added, that as this circumstance he unmooted as one of constant occurrence, surely there must be some analogous cases to refer to if the opposite party felt disposed to do so.

Mr. Pearson replied, that he had not been able to find any case that was similar to this, and the Chief Justice added, that he had not succeeded in finding any.

The learned Judge then summed up. He said that in the present case we could only decide by guessing at the intention of Mr. Smith, as to whether he considered the execution of the special power, in favour of Messrs. Fraser and Sim, empowering them to manage his money transactions with Mr. Robinson, did or did not annul the former general power, as far as it regarded this part of Mr. Smith's affairs in India; and to come at this decision we can only judge from the tenor of his letter of instruction to Mr. McDonald, accompanying the special power to Messrs. Fraser and Sim. In this he expressly states, that by the execution of this special power, he has tied up Mr. Fraser's hands in this part of his concerns in India. Now, if the special power went to tie up the hands of one of the Agents mentioned in the general power in this affair, it surely tended to tie up that of the other likewise; as they were both equally empowered by that power: taking this, together with the circumstance of Mr. Smith's executing a special power in the name of Messrs. Sim and Fraser, to manage this part of his transaction in India, and separating it from the general power in the learned judge's opinion, tended to show that the power of Mr. McDonald had ceased in this affair after the execution of the special power regarding it in favor of Messrs. Fraser and Sim. Viewing the affair in this light, he considered that the adjudication must be reversed and the assignee must re-assign; he added, that if the facts had before been brought to his notice, he would not have granted this adjudication.

He, however, gave the party in support of the adjudication, leave to appeal against this decision to the Supreme Court, if they felt disposed to do so, when he added they would soon have the benefit of having the question decided before a full bench.

After this the Court went into the matter of the costs of this adjudication, and then adjourned.—*Hark. Oct. 29*

MISCELLANEOUS.

CALCUTTA.

MR. BIGNELL.—Mr. Bignell, as Superintendent of Legal Affairs for Government, is to conduct the prosecution of the *sofidant* Rajah Pertab Chund, at Hooghly, before Mr. Curtis, the Sessions Judge of that district. Messrs. Leith and Morton will conduct the defence.

Messrs. TUCKER AND REID.—Notwithstanding the appointment of Mr. C. Tucker, to be a Judge of the Sudder Dewanny Adawlut, that gentleman will continue to officiate in the Board of Revenue, until the return of Mr. C. W. Smith from the Cape. There is not the slightest foundation for the report, that the part taken by Mr. Tucker, in the Emambarrah question, has anything to do with his removal from the Revenue Board to

the Sudder Court, the fact being that he has all along been merely officiating during the absence of Mr. Smith. Mr. Reid, the present Post master General, is likely to act as a Judge of the Sudder, until Mr. Tucker takes his seat in that court.

PASSAGE BY THE NORTH POLE.—The *Ennore*, from the *Narinius*, has brought intelligence of "a vessel belonging to the North West Company having found a passage by the North Pole."

MR. WILBERFORCE BIRD.—Mr. Wilberforce Bird has been appointed a Member of council, and he was sworn in on the 15th, on which day Mr. Ross vacated the Presidency of the Council and the Deputy

Governorship of Bengal, which offices devolved on Colonel Motison.

HINDOO IDOL PUNCHANUND.—The orthodox Hindus of Kilderpore and its neighbourhood, have been thrown into considerable horror and consternation, in consequence of the desecration committed in the temple of their idol, Panchanund, which is situated on the roadside, not far from the Kilderpore Budge. A Bengalli Mussulman, by profession a hakeem, on the night of Sunday last, forced open the door of the temple, and struck off the head of Panchanund. The man was found by the night patrol, walking up-and-down in front of the temple, holding the head of the idol in both his hands, it being an enormous one. The reason of his having decapitated the idol is, because his prayers to it, for the recovery of a patient, were unheeded.

The hukeem, who was tried for the crime at Allipore, has been discharged by the Magistrate, to the deep disappointment of all orthodox Hindus and particularly to that of the *Pujari Brahmins*, or the officiating priests of Panchanund.

DI-COVERY OF A COAL FIELD.—An extensive coal field has been discovered near to the easterly outliers of the Beerboon hills, at a place called Bellia Narainpore, about 2½ m. westward from Moorshedabad. The merit of this discovery is due to Mr. J. Pontet, Deputy Collector of Bangulpore. A few days ago, a dispatch of about 500 mannds of coal passed Moorshedabad on its way to the Mint, where its qualities will soon be ascertained. It does not appear of the best description; but as it was gathered almost on the surface, and under native superintendence, it is very probable that future investigation may lead to a superior kind being found.

DEFEAT OF THE SEIKS.—Rumours of the defeat of the Seik Army of observation on the west bank of the Indus, by the Affghans, gain ground daily; and it is added, that the Chief of Peshawar, who has for some time past paid tribute to Runjeet Singh, has intimated that his family honor, is concerned in opposing Shah-Soojy a *Contenance*, and that he must, at all hazards, unite with his brother, Dost Mahomed, if the Seiks persevere in their intention to restore him to the throne of Cabul.

COMMISSIONER OF KUMAON.—It is said, that peremptory orders have been received from the Court of Directors, enjoining the immediate nomination of a Civilian Commissioner in Kumaon.

NEW CLIPPER.—It is the intention of Rustomjee Cowasjee, Esq., to lay down, in a few days, the keel of a vessel of eight hundred tons burthen, at the docks, at Kilderpore, in the occupation of the New Docking Company.

PRESENT TO THE PASHA OF EGYPT.—A vessel is required to convey to Suez the present to the Pasha of Egypt, which is to consist of two elephants, and these are to be accompanied by an officer in charge, six native attendants, with two state howdahs and their usual appendages. The vessel on which they may be embarked is to start from Calcutta not later than the 7th of November, and to proceed direct to Suez without stopping at any intermediate port.

VOYAGE TO SUEZ.—Rustomjee Cowasjee, Esq., has definitively resolved on dispatching a fine new vessel of 600 tons burthen to Suez early in December next, and intends to accommodate twenty-five passengers. The dimensions of the poop cabins of this vessel are 15 feet by 14, and of the side cabins under the poop 7 by 7, while the lower stern cabins are 16 feet by 15 and the side cabins 7 by 8.

FIRES.—Two or three fires have broken out in Calcutta during the month, but the damage done by them is, comparatively trifling.

A NEW PAPER.—A new paper, under the title of *Le Nouveauté*, in the French language, is published twice a week. The editor addresses himself chiefly to the lovers of art, science and literature and especially to the ladies, who he says, *“sperferent toujours les légers feuillettons des modes et des théâtres aux élucubrations politiques, et à la polémique des grands journaux.”*

A PSEUDO KISTOLL.—It is said that it is not impossible that a pseudo Kistoll will be produced in the defence before the Session Judge of Hoogly.

RUSSIAN EXPEDITION.—It is stated that accounts have been received of as late a date as June, that certain Russian expeditions destined for Central Asia, of which accounts had been before received through Odessa, have been suspended, owing to domestic troubles on the Russo-Turcoman frontier.

THE LORD WILLIAM BENTINCK. The Lord William Bentinck steamer, which was bringing the *Jellinghee* flat, in tow from Allahabad, got aground a little below a place called Bari; this rendered it necessary that another steamer should be sent from Calcutta to bring down the flat. Accordingly the *Experiment* left town on the 5th instant, for this purpose. The *Bentinck* had not received any injury from having grounded, and she could easily have proceeded on her voyage had she been able to have got afloat.

SCARCITY OF GRAIN.—Owing to the severe inundations, and the consequent apprehension of a very small crop this season, all kinds of grain have risen considerably in price in the market.

Advices from Kurnaul state, that “the scarcity and dearthness of provisions in that district, was such as to have called for the extension to the native soldiery of the provisions of an order of 1821, which authorizes, that whenever the price of ottah exceeds 15 seers in the rupee, money rations are to be issued by the Commissariat.

CAPE HORSES.—The two celebrated Cape horses, Legislator and Red Rover, were put up to auction, at Messrs. Moor and Hickey's. The former was knocked down at three thousand and the latter at two thousand, but it is not certain that either actually changed owners.

TREASURY NOTES.—In consequence of some delay in the arrival of the treasure dispatched for Azra, by the steam boats, the Government has issued treasury notes at forty day's date, bearing six per cent. interest for cash required for immediate purposes. The expectation of a five per cent. loan, daily increases.

DEATH OF THE NAWAB OF MOORSHEDABAD.—On the 3d of October, died, at his place, his Highness the Nawab of Moorshedabad. He had been ailing for several days previous to his death, which occurred about six o'clock in the evening of the day above mentioned. At an early period of his life, he was not without promise of a better course than he has ran; but he was checked in a disposition to cultivate the society of Europeans, and was thrown back upon his Zenana, and soon became the victim of its abominations.

THE MIRZAPUR SCHOOL.—The school, which was set on foot some time ago at Mirzapore, by the exertion of private individuals, has been taken under the control of the Government, and therefore affords ample reason to think that it will, like the sister institutions at the presidency, rapidly flourish as long as it remains under the auspices of the present liberal management of the General Committee of Public Instruction.

TOLL ON BOATS AT BALLYKAL.—A sort of toll is levied on the boats that frequent the interior of Ballykal, by the Zameendar of the place through which that stream runs. The canal is let to a contractor, who pays an annual jummah of 700 rs., and the contracting party, with a view to

realize the stipulated amount, and at the same time to profit himself by the transaction, spares no pains to complete the hardship of the people.

RAPE.—A cook, employed in the fort, was brought up on a charge of rapes perpetrated on the person of a girl of about 12 or 13 years of age. The unfortunate victim of the villains last was an acquaintance of his, and had waited on him, at his quarters, in order to be conveyed by him to the residence of her sister, which was adjacent to the cook's house at Allipore. The wretch managed to detain her under the pretext of not being able to leave his duty until night, and then, after all the other servants had retired, endeavoured to persuade her to yield her person to his embraces; but failing in his persuasions, he perpetrated by force what he had failed in otherwise obtaining. The night guard, attracted by the cries of the unfortunate girl, went to the spot, broke open the door of the cook-room, which was fastened on the inside, and rescued her; but too late to prevent the villain from effecting his purpose. The cook has been taken into custody, and will be made over to the ensuing Sessions for trial. The poor girl is now confined at the Native Hospital, in a precarious state, in consequence of the injury she received.

THEFT.—The second mate of the *Eliza Jane*, Wm. Fulton, has been charged, by his commander, with having committed a theft, and appearances are very much against him.

BANK OF BENGAL.—The Bank of Bengal, have, in consideration of the expediency of establishing agencies at the central marts in the interior, which, if carried into operation will, doubtless, prove of great advantage to the commerce of the country.

ENGLISH BURYING GROUND.—Orders have been giving, gradually to do away with all the foot paths in the English burying ground; by which means and the placing of all new tombs and monuments as close as possible to those already on the ground, Government expect to be able to manage with the present burying ground for the next four years.

COLONEL J. WINNER.—By the orders from Simla, it appears, that Colonel J. Skinner, C. B., is to command a Brigade of Cavalry, composed of the 1st and 4th regiments of Local Horse. He is appointed a Brigadier of the 2d class, and is to preserve the command of the 1st Regiment of Local Horse, in addition to his command of the Brigade. Lieutenant F. F. Tat, Adjutant of the 4th Local Horse, is to be Brigade major.

BOAT RACE ON THE HOOGHLY.—The subscription list to the new racing wherries, which have been lately built at Messrs. Beauchamp and Co.'s dock yard, on the other side of the water, is now filled up, and there is very expectation of Calcutta being favoured during the present cold weather, once more, with a boat race on the Hooghly. There have been five wherries built altogether, the whole of which have now been taken off the hands of the builders, four by the party in Calcutta, who are about to race, and the other by Captain Ross, commander of one of the iron steamers.

THE LORD WILLIAM BENTINCK.—The *Lord William Bentinck*, is perfectly high and dry on the sand bank, nor is there any water to a considerable distance round here and it is believed that no other means could now be adopted for floating her off, than by erecting long ways on which she could be raised, and then launched from them into the river again—er, if this could not be done, the only alternative is to prop up the hull on supports on blocks, so as to raise her a little above the surface of the ground, for the purpose of preserving her bottom from being injured by its close contact with the sand, which is of a corroding nature, and their leave the vessel in that position till the next rains should float her off.

HON. MR. ERKINE.—The Honourable John Cadwallader Erskine, Collector of the 24-Pergunnahs, is appointed the Private Secretary of the Honourable the Deputy-Governor. Mr Erskine does not vacate his appointment of Collector of the 24-Pergunnahs, the duties of the office of Private Secretary to Colonel Morison being by no means incompatible, with the discharge of the functions of Collector.

THE DEPUTY COLLECTOR OF ALLAHABAD.—There was a report current at Allahabad on the 11th inst., that some of the zameemidars of Agra had killed Kutub Hoosein Khan, the Deputy Collector stationed at that place. This requires confirmation, as it is probable the rumour may have originated in mis-conceptions regarding a proposal to appoint two additional Deputy Collectors to that place; a measure which is at present under the consideration of the authorities.

INSURRECTION AT JHANSEE.—A letter from the Upper Provinces, states, that an insurrection had broken out at Jhansee; and which, it is expected, will be followed by similar demonstrations in Jolana. The military are under orders to move in that direction, and the Political Agent at Bundelkhand has proceeded to the seat of the commotion, escorted by a party of troops.

DISCOVERY OF NEW CHURS.—A new chur, of great extent has been of late formed in the middle of the river, right in the former track of vessels proceeding down from Calcutta. It is situated between the house, on the other side of the water, at the point commonly known as the late garden residence of Mr. Barwell, and the Docks now in the occupation of the New Docking Company on this side. The chur has received a considerable addition during the late rains, and its top appears now at certain times, considerably above the surface of the waters; and at a distance resembles much the appearance of the back of a whale, from its shape and the dark, dingy aspect of the mud. There is a report among the native boatmen, of a chur having recently been discovered as forming immediately under one of the Hon'ble Company's long chain mooring buoys, off, or near to, the Docks at Kidderpore.

SUPPLY OF WATER TO THE PUBLIC TANKS.—The steam engine at Chhundaupul ghaut has been hard at work, to fill the various public tanks in Calcutta with river water. The Wellington Square tank has just been filled nearly up to the brim, the engine is now engaged in filling the tank in Jinnjerytullow, generally known by the name of Speke's tank, after which the Hindoo College tank will be supplied as quickly as possible, and then the tank in the Wellesley Square, which sadly wants it. The tanks in and about Short's Bazar were three parts filled by means of gutters having been, some weeks ago, cut leading from the large drains to the tanks. This was done on account of there not being aqueducts near, which could be directed so as to convey the water from the Chhundaupul engine. When that heavy fall of rain therefore took place, about three or four weeks back, the water issuing from these gutters did nearly as much good in filling the tanks, as if the engine had been set to work for the same purpose.

MORGAN THE AFRICAN.—Morgan, the notorious African, who was transported to Martaban for robbery, effected his escape from on board of the H. C. vessel *Amherst*, whilst in the Rangoon river, and has hitherto eluded the pursuit of our police authorities.

SALE OF SHIPS.—The *Curpatis*, of 575 tons burthen, was put up and sold at the Exchange Commercial sale-rooms on the 20th instant, to Shaik Adam, for the sum of Company's rupees twenty-eight thousand.

The barque *Sophia*, of 334 tons burthen, was also put up immediately after the above, and knocked down to Baboo Narainpersaud and Bullub Doss, for the sum of fourteen thousand Company's rupees.

The Honorable Company's pilot vessel, the *Henry Meriton*, was sold at the Exchange Commission Rooms, on the 22d instant, to Mr. W. Turner, of the firm of Manton and Co., for the sum of nine thousand and eight hundred rupees.

THE CIVIL SERVICE FURLOUGH.—There are some seventeen or eighteen applications for the Civil Service Furlough this year, and only thirteen available, but perhaps; under the rules, the gentlemen who have passed the ten years period of service, may go home on private affairs, leaving their furloughs to follow as they fall due.

THE OUDE AUXILIARY FORCE.—There are now scarcely any desertions from the Oude Auxiliary Force, measures having been adopted to claim and get back those men who had enlisted in the regiments of the line.

THE COOLIE COMMITTEE.—The Coolie Committee are actively engaged in collecting all information procurable on the subject. The Magistrate of the 24 Perganahs, Captain Buch, Mr. Smart, of the Pilot Service, Mr. Hughes, and others of the Coolie shippers and agents, have already been examined. Mr. Dyer, of the Pilot Service, was examined yesterday. This gentleman and Mr. Smart, have submitted some suggestions to the Committee. Mr. R. Dias was also examined by the Reverend Mr. Charles and Mr. J. P. Grant.

DARJEELING.—Letters have been received from Titalya dated 11th Oct. which mention the arrival by dawk of the Secretary to the Darjeeling Association, the previous day, "the country being drier than could have been expected, and the weather beautiful." The following are further extracts:—"Hepper and Martin are getting on remarkably well, all things considered. The bungalow at this station, is half built and will be finished by the middle of November: the foundations of the store house are laid and Mr. Martin expects to complete it by the end of November. Hepper has been at Punnaharee for the last three weeks, where he has already finished a store, he is proceeding with the bungalow there, and has cleared away the trees and jungle. It will be completed by his second partner Mr. Folloh, Mr. Hepper himself having proceeded with Colonel Lloyd to Darjeeling to fix the site of the hotel.

"Mr Low has procured about fifty men of all sorts for Messrs. Hepper and Martin, which have proved a seasonable relief, as many of their men had absconded.

"Colonel Lloyd has 1,200 men engaged on the roads; the local corps too is nearly completed.

"The usual dawk road for travellers must be still from Calcutta via Dinagepore, until the new road from Darjeeling to Malda is made.

Sad accounts of the state of affairs at Darjeeling have since been received, arising from the neglect of Government to furnish the inhabitants with the security which it was confidently expected would, ere now, have been afforded. The people have got it into their heads, that the Moorakhs are arming and collecting in great force in the neighbourhood of the intended sanatorium; and a sort of panic is the result, and every body who has any property is sending it towards the presidency for safety. The worst part of the business, however, is, that the greater proportion of the workmen employed under Messrs. Hopper and Martin, have absconded, although considerable advances of pay have been made to them. The builders will, it is apprehended, be obliged to come to Calcutta for fresh hands, and the erection of the hotel thus be delayed far beyond the period originally anticipated.

A letter has been received from Mr. David Wilson from Titalya, detailing the delays, difficulties and dangers he was exposed to in his journey to Titalya, in consequence of the rotten condition of a bhoillah he hired in

Calcutta, which nearly went down with himself and servants on board, and which he was compelled to leave high and dry on shore, not being sea or rather river worthy. Mr. Wilson was fortunately enabled to avail himself to Major Garstin's boats, which were on their way to Titalya, or he would have been detained at the place where the accident happened, until boats could be sent from Calcutta. All interested in the Dorjelling Hotel, will, however, rejoice to hear of the escape of an individual most essential to its comforts. Measures are in progress to dispatch the workmen required by Messrs. Hepper and Martin, and, by the end of this month, a tolerable gathering at Darjeeling, including several European gentlemen, is expected.

ATTEMPT TO COMMIT SUICIDE.—Between nine and ten o'clock, on the morning of the 6th instant, a European named Fleming, attempted to commit suicide, at the residence of a friend of his in King-Cooper's lane, by cutting his throat with a penknife. It is stated that just before the occurrence the man had been speaking to a gentleman in his carriage at the door of the house. No sooner was the knife applied to the throat, than he became senseless and the police coming in immediately after, called on Dr. Bain, who dressed the wound.

THE FRENCH BARQUE EOLE.—The French bark *Eole*, in her passage up the river, ran foul of the brig *Souvenandepourey*, abreast of Rangafullah Pagoda, on Wednesday last. The accident happened thus - the two vessels lying near each other when the *Eole* endeavoured to luff to windward, failing however in this attempt, she let go her anchor; the vessel's stern boat-davit took the brig's jibboom and carried it away—the latter then slipped her cable to enable the *Eole* to get clear of her. The *Souvenandepourey's* jibboom, fell on the wheel of the barque and smashed it, but no further damage ensued. Since this the *Eole*, as reported yesterday, grounded on the bank in Hooghly Bight. She discharged all her cargo and ballast, that she may be as light as possible at the next coming spring-tides, when she was floated off the bank.

SHIPWRECK.—The *Protector*, Captain Dixon, from London to this port, has been totally lost at the Sand Heads, and of all the people on board, whose names are mentioned below, only a recruit and the cook of the vessel were saved. Messrs. Cooper and Holson, Miss Martin, Captains Martin and Monke of the 41st and 38th Native Infantry; Messrs. Cooper, Smith, and Rust, and 129 recruits for the E. I. Company's troops, besides the Captain, officers and crew.

THE ARIEL AND THE SIR EDWARD RYAN.—The following is an account of a trial of speed between the clipper *Ariel* and *Sir Edward Ryan*.

The *Ariel* left the pilot on the 9th and the *Sir Edward Ryan* on the 7th, but these two fine vessels fell in with each other in the Straits, which afforded them a fair opportunity of trying their respective sailing qualities on a wind, the most important point in vessels purposely built to beat up the China seas against strong monsoons. On the 22d instant at 5 A. M., these two clippers were so close to each other that voices could be distinctly heard from each, with a fresh breeze from E.S.E., and at 5 P. M., after a hard beat of 12 hours, the *Ariel* was about 3 miles to leeward, when her fore-top gallant and main royal-mast went over the side, and at day light the following morning the *Ariel* was hulled down a stern, with all sail set again, and of course dead to leeward, and at sunset she was not visible from the deck. They saw nothing more of each other until the morning of the 26th, when the *Sir E. Ryan* was off the Carrimons, working against light baffling winds. The *Ariel* came up with a leading wind until within about 3 miles of her when (at 11 A. M.) a fresh breeze sprung up from the eastward, and after a hard beat of 9 hours, the *Sir E. Ryan* was again seen

down ahead, dead to windward. Darkness soon hid them from the sight of each other, and the *Sir E. Ryan* anchored in these roads at 1.30 A. M. on the 27th, and the *Ariel* not till 3.30 P. M., or 14 hours afterwards."

ACCIDENTAL DEATHS.—The number of persons who applied on the 14th instant for alms, at the house of Bahoo Aushoots Day, on the occasion of the funeral obsequies of his mother, have been estimated at nearly 100,000. Most of them received 4 annas each, which would make the amount of the donation to about 25,000 rupees. In the pressure of the crowd and their eagerness to get at the place of distribution, two persons were pressed to death.

On the 13th instant, a melancholy accident took place on the river off Hautcholah Ghaut. A ferry boat was coming from Sulker with a number of men, women and children, in indigent circumstances, and when within about three hundred yards of the Calcutta side, it was accidentally upset. The men and women only were saved, being picked up by the dingies that hastened to their assistance. When landed at Hautcholah Ghaut, the scene was piteous, from the heartrending lamentations of the parents, who had lost their children by the accident.

Upwards of two hundred boats of every description, have been destroyed during the late gale and very many huts and brick-built houses in Calcutta have been blown down, besides trees of every kind. Accounts have not yet been received from the country up and down the river; but it is expected that a very great sacrifice of human life has been caused by the storm. Several casualties occurred among the natives in Calcutta and the suburbs.

PASSAGE OF THE CABUL ARMY THROUGH LAHORE.—Letters are in town, which speak with some show of confidence of Raneet Sing's assent to the passage of the Army of Cabul via Lahore and Attock being given at the personal interview between him and the Governor-General.

THE CABUL FORCE DOST MAHOMED.—The following is an extract from a Mofussil correspondent's letter. "The Brigading of the 1st and 4th Irregular Horse, under James Skinner, has at last taken place. It is whispered that the Commander-in-Chief said he did not want such a rabble with his Army! But he will be wiser by and bye and find them useful enough, indeed essential in the work he has to do. The 5th N. I. on its way to join, is so disorganized by sickness that it is to be replaced by the 64th from Allygur, which will march as soon as it can be relieved by a wing of the 34th from Futtygur. Among our "on dits," is one that Dost Mahomed is willing to be bought out and to give place to Sba Soojah, if we are seriously going to take the latter by the hand, but that he will have nothing to say to the Seik Infidels."

MOFUSSIL.

DELHI.—The force about to assemble at Ferozepore, will consist of nearly 13,000 fighting men. The whole of the troops composing it, will reach Ferozepore by November, when the Governor-General's interview with "the Lion of the Punjab," will take place. After the interview Lord Auckland will proceed to Lahore, and the force of Sir Henry Fane, will march (about the 5th December) in progress to Shikarpore, where it will arrive by the 25th January next. Preparations will be then and there made for advancing on Candahar and Herat, and from the latter place the troops will move upon Cabul, and re-seat Shah Soojah on the Gudder.

Captain Burnes has proceeded to Mithunkote, for the purpose of throwing a bridge of boats across the river

there; and a Commissariat Officer, from Karnaul, has gone down to Shikarpore, to collect grain and supplies for the army.

Mr. Hodson, our resident at Katamandoo, has quitted Nepal!

Captain Wale, Political Agent at Loodianah, has submitted the subject of a scientific committee to accompany the Field Army in Afghanistan, to Lord Auckland

At Loodianah cholera still rages.

The Goorka General still continues at Loodianah.

The infantry force of Shah Soojah, is already more than complete—indeed 800 men more than the complement have been entertained.

Captain McSherry, the Brigade Major of the force, has succeeded in enlisting several Goorkas, and he expects to enlist 600 more of these hardy mountaineers, just the lads for the cold climate of Cabul.

Shah Soojah's regiments will, it is understood, proceed in advance of our own troops to Shikarpore, and there await the arrival of Sir Henry's Army.

Letters have been recently received from Lieutenant Pottinger, dated Herat the 28th of August last, at which time the garrison still held out gallantly. The besieged had managed to get some supplies into the fort, and there was no immediate danger of the place falling into the hands of the Persians. The besiegers were it seems, expecting to receive considerable reinforcement.

Under the able directions of Mr. Ross Bell, the magistrate and collector, the bridges of boats across the Jumna, at Delhi, have been completed and opened to the public.

Rumour says, that the Jeypore people are victualling their forts. Major Robert Ross, our political Agent, has arrived at the capital of Jey Sing, to look after their doings.

Goorka spies are busy, in their vocations, all over the country just now, but more especially in the Rajpootana states, of which the only one at all friendly to our rule is, probably, that of Bickaneer. One of the spies recently visited Delhi; he was speedily discovered and all his proceedings, watched there by the authorities. He took his departure for Muttra.

Great sickness prevails in and around Delhi and throughout the Doob.

An order has been issued from the Magistrate's office, that all persons entertaining or lodging travellers or strangers, for one day or any length of time, are to report the same to the Police to be registered by them. This order has, it is said, reference to the many undetected crimes and robberies committed in the city, by strangers and temporary sojourners.

LOODIANAH.—A large influx of Punjabees is daily taking place into this station, for enlistment in Shah Soojah's Army. The heroes already enrolled in this force, have been instructed to supply their necessities on credit, if they can get it in the bazaar, 2,800 infantry now muster.

SAVOOR.—Letters from Saugor state, that in consequence of a local disturbance at Jhansi, the capital of an inconsiderable Boondela chief, whose general territory also is so named, the 25th regiment of native infantry, had received marching orders, and were likely to leave the Head Quarters of the division for Jhansi on the 10th instant. This place is only some eighty miles from Kolia; but

that being no longer a military station, a demand was necessarily made upon the Suagor Force, as Banda, the only other neighbouring quarter for troops, is not so strongly garrisoned as to admit of the withdrawal of a detachment of the strength required.

MOORSHEDEBAD.—The Nawab Rushen-Ood-Dowlah, has started for Calcutta, to urge his claim, which it is the prevalent belief here is a just one, to the Musnud of Moorshebad. He will have a better chance now of obtaining justice, than when the late Nawab's Treasury was brought to bear against him.

NATIVE STATES.

UMBALAH—A report prevails at this town, that 30,000 Doovances, from Cabool, had reached Shikarpore, with a view of opposing the progress of our Army to the Northward.

THE MADRAS MEDICAL JOURNAL.—A journal, under the foregoing denomination, is to issue from the Madras press at the commencement of next year.

BOMBAY.

SUTTIES AT OUDIPORE.—A letter from Guzrat, mentions the shocking circumstance, that at the funeral of the Rana of Oudipore, lately deceased, no less than eight unhappy females, his widows, were brunt with the corpse. This wholesale slaughter is horrible and loudly calls for some decided measure by our Government.

THE RAINS.—There seems to have been abundance of rain in Candeish, and more than usual in Malwah; but throughout Guzerat and the Dekhan, there is a very alarming deficiency. Five inches fell during four days in Bombay at the last quarter of the moon, but it has since cleared up, and should the present springs pass over without a steady fall of at least ten inches, the most distressing results must, we fear, follow.

THE ATALANTA—WANT OF ENGINEERS—Among other gratifying news at the present moment, it is said that there is little chance of the despatch of the *Atalanta* from Bombay for any service, by reason of there being no engineers procurable to man the engine room.

VILLANOUS AFFAIR.—A person who gained his bread in Bombay by employing his pencil, recently seduced and ran away with the wife of a highly respectable individual on the island. The villain had been under considerable obligations to the injured husband, and besides making him this villanous return has, it is said, swindled several people in Bombay out of large sums of money.

LADY GRANT.—Lady Grant has arrived and is staying at Malabar Point.

SIR JOHN KEANE.—No doubt now exists as to the accuracy of the report of Sir John Keane being about to proceed to Kutch, with as little delay as possible, for the purpose of assuming command of the force which is concentrating in that quarter. The Horse Artillery has already reached Khandella, on its way down from Poona, for embarkation, but will remain on the top of the Ghaut until tonnage has been provided for its conveyance.

BOMBAY NEW BANK.—It has determined to form a Joint stock Bank at Bombay, and to commence operations on the arrival of materials which had been shipped from England under the directions of Mr. Arbuthnot and were daily expected, Mr. Arbuthnot himself is a passenger by the August Steamer. Although this gentleman's advices were favourable in regard to the grant of a charter by the home authorities, yet, as it had not reached Bombay, it was deemed expedient, in conformity with previous resolutions, to proceed without.

FAILURE OF THE CORPS.—Letters from various parts of the country mention, that there is every probability of an almost total failure of the corps of every description, in consequence of the long continued drought. Every thing till within a short time ago wore a most promising appearance, and a very slight additional fall of rain would have matured the productions of the season into a most abundant supply. The cultivators are anxiously looking forward to a few days of heavy rain, as the only chance they have of a portion of the crop being saved, but even this cannot prevent a great deal of distress among the poorer classes of the community and a serious defalcation in our commerce.

REMISSION OF DUTIES ON GRAIN IN KATTYAWAR.—In consequence of the failure of the monsoon in Kattyawar Government has ordered the remission of all duties on grain exported to that province, until farther orders. Such a measure cannot fail to relieve a great deal of the distress which must be attendant on a failure of the crops.

CYLON.

JOHN SMITH.—John Smith, who a few months since underwent the shaving of his head and another important operation necessary for his becoming a true beleaver in the Prophet, has recently renounced his new faith and been again received into the bosom of the Roman Church. There are amusing versions on both sides—Christian and Mahomedan—of the cause of this change, each claiming the triumph. It is also said, that to prove the sincerity of his recantation he drank plenty of arrack—a beverage which is known to be strictly forbidden by the Koran; and that the Catholic Priest, to whom he abjured his former apostacy, sealed his re-conversion, by plying him with pork to repletion.

MUTINY.—The Captain of the bark *Emma*, together with ten of the crew, who are in custody for mutiny, arrived in Colombo to take their trial, which will not commence, till the early part of this month. The *Emma* was bound to London from Calcutta, with a large cargo on board, consisting of indigo and other valuable articles. About the end of July she was discovered to be very leaky, and the crew began to show disorderly and mutinous symptoms from an impression they had formed, that it was not safe to proceed with the ship on the voyage. The Captain, in consequence, had no other alternative than to put into Trincomalee harbour, where a survey was held upon her a few days afterwards, which terminated in the discovery of a hole in her bows, made to all appearance with an auger. Whether it was, or was not, done intentionally, and by any of the crew, is to be proved—at present the affair is involved in mystery and many contradictory reports are in circulation in respect to it.

BURMAH.

The following are extracts from letters from Monlemein, of the 29th August:—

“The A-ye-baing received Colonel Benson with great show of kindness, as long as the *Rattlesnake* was at hand; salutes and guards of honor were the order of the day but then the vagabond has not condescended to return, the Colonel's visit, though he has had more than one hint about it. To make up for this neglect, it is said that he has lent his own poung (accommodation boat) to go up to Ava in. We shall see what sort of a reception will be met with at court. No redress has yet been obtained for the numerous murders and robberies committed on our frontier under the orders of the Bileing Woon. A great show has been made of apprehending the petty fellows who acted under those orders, but the leaders, the B... of whom a list of sixteen was given in, instead of being punished, have been made witnesses against men who were not accused. Nine unfortunate devils were condemned

a month ago on this evidence, but not one has yet been punished, nor will be.

"The last letter from the court, was that in reply to the announcement of Col. Benson's appointment, and was a miracle of explicitness. You know that Burman letters may usually be interpreted in more ways than one; but it is impossible to twist this one into anything but a remonstrance against his going to court. It says, that A-ye-baings have been appointed for the North, and for the South, for the East and for the West; that he of the South is charged with all matters connected with English affairs, wherefore then should the A-ye-baing come to the golden feet, when if he has any business to transact, the Rangoon A-ye-baing is authorized to represent the King, and to settle all affairs." They also complain that we have three residents instead of one, owing to Dr. Bayfield's having called himself an A-ye-baing who would be stationed at Rangoon. The resident will at best be merely tolerated at court, not received with good will.

September 2d.—"The *Diana* steamer came in yesterday, and announced that Col. Benson and suit made a fair start for Ava on the 28th ult., as doubtful though as ever of finally being allowed to reach the capital, the A-ye-baing at Rangoon having at one time appeared all courtesy, at another sulky and mysterious. His last act was to apprise Col. Benson, that during his stay in the country, he, the A-ye-baing, would not transact any business with Dr. Bayfield, who must likewise move out of the house provided by order of the King for the resident. He has also got a very likely affair to set off against the murders and robberies committed against our people; some of our subjects on the Sandowe frontier, it appears, have been committing a dakoitee in company with people from the Burman side. The A-ye-baing gives in a list of eight residents, in Kha-reng-gyee-yawa, in the Sandowe district, as concerned therein. Whether this is a got up story or not, I cannot tell. The place said to be attacked is Kyan-hpyoo in the Yamwa-tee district."

FATAL ACCIDENTS.—On the 7th of September, while Lieutenant C. Hopton, H. M., 63d regt., and three other officers, were returning from a shooting excursion on a canoe, the fowling-piece of Lieut. Hopton unfortunately went off and lodged its contents in his left arm. At the time the accident occurred, the party were at such a considerable distance from the station, that nearly two hours elapsed before they arrived at the contonment, and although medical aid was instantly procured, the injury was found to be so extensive and the shock to the nervous system so great, that, notwithstanding the administration of the most powerful stimulants, he never rallied, and expired that night. Two others of the party narrowly escaped, several grains of shot having struck them in the side and chest.

On the 31st of August the long-boat of the H. C. barque *Amherst*, which had been sent up to town for provisions, &c., while returning down the river, was suddenly struck by a squall and upset. There were ten persons on board, including the second officer of the *Amherst*, of whom Corporal Hubey, belonging to the detachment of artillery at Arrakan, was unfortunately drowned. The others, after having been in the water for nearly an hour, clinging to bits of floating planks, cots, &c., were picked up by the schooner *Guyne* and conveyed on board the *Amherst*.

THE SYNDOON.—On the 8th of September about 8 o'clock, the brig *Hydross* parted from her only anchor on the ebb tide, went out among the rocks, and drove ashore close by the outside of the Little Island. The Master Attendant, with an Assistant Pilot, immediately proceeded on board with an anchor, and found the vessel abandoned by her crew. As the flood tide came in, the vessel drifted up over the rocks and struck close inside of the pagoda, where she now lies tilted and filled with water.

ARRAKAN.—Latest accounts from Arrakan state, that the whole of the country at times was very quiet; that the Government had done and was doing every thing in its power to render the situation of the residents as comfortable as possible; that trade in general was looking up, the item of rice in particular, which used before to sell at the rate of four annas a maund now changed hands at the rate of one rupee a maund; that the quantity of shipping frequenting the port this year from the Madras side, was considerably greater than in any former year, and this bright aspect of affairs was in a greater measure to be attributed to the indefatigable exertions and good arrangement of the Commissioner of the place, Captain A. Bogle.

PERSECUTION OF THE KAYEN CHRISTIANS.—The Kayen Christians have been made slaves to the great Shway-d'gon Pagoda. They are compelled to labour in chains and to dig and clean away the grass, and remove the accumulations of dirt from the area on which the pagoda stands.

CHINA.

Canton papers to the 11th of August, have been received during the month. Their contents are more than usually interesting, in consequence of the sensation created by the arrival of Admiral Maitland, in H. M. S. *Wellesley*, accompanied by H. M. S. *Algerine*, H. M. S. *Larne* was also at Tonk-Koo. The Vice Roy had issued a special edict, ordering "the high sea cruisers" to proceed to the anchorage of the men of war, and order them to return to their own country, "and to take care their officers and crew have no communication with the shore, and that no supplies be sent on board." The ships were not to be permitted on any account to pass the entrance of the Boco Tigris; and all boats bound to Canton were to be searched in order to prevent Meleu [Maitland] and any of his officers going to the city "on the sly." The announcement of two ladies and female servants being on board the Admiral's ship, had considerably increased the apprehensions of the worthy LUNCHE KEAN MIN JOO.

In virtue of these orders, the Forts at the Bogue fired at the *Bombay* schooner, and made her heave to, and a war-boat was sent to search her; but not finding MELEU or any of the men-of-war's officers, she was allowed to proceed on her passage.

This incident, however, had increased the previous excitement; and it does not seem to have been known, how the Admiral would take it.

Captain Elliot had been to Canton in the hope of opening a direct communication with the Vice Roy; and had sent a letter to the gate of the city under a blank cover; so that it might be mistaken for a petition. The Chinese authorities, however, did not bite, and the packet was returned unopened. The Superintendent, in consequence, left Canton for the purpose of communicating with the Admiral, and see what was to be done in this embarrassing state of affairs. Things are now brought to that pass, that we must up anchor and be off, and admit ourselves fairly out-generalled, or we must hazard the stoppage of the trade, by vindicating the right of the Royal Flag to appear in all ports professing to be on amicable terms with us.

There is also papers, copies of correspondence on the duty on Cotton-Goods—on the debt of King-qua's Hong—and further reports on the opium trade.

The *Algerine* had been dispatched by the Admiral to make enquiries on the Coast respecting the *Antonio Pereira*. She is supposed to have been lost between Alacranes and the Coast of China.

The prices of Patna and Benares Opium had advanced under the supposition of the total loss of the *Antonio Pereira's* cargo.

THE
CALCUTTA MONTHLY JOURNAL.

1838.

ASIATIC NEWS.

PETITION OF THE LANDHOLDERS' SOCIETY.

The largest public meeting ever held in Calcutta, took place on Wednesday the 31st October 1838, at the town Hall. From 1 P. M., people from all parts of the country began to assemble, and by half past two, when the proceedings commenced, the whole arena in front of the Town Hall, was crowded by conveyances of all descriptions. About this time, the number of people within the hall and in the lobbies, could not have been less than five thousand, among whom were most of the wealthy and respectable Natives residing in and near Calcutta. The number of Europeans could not have exceeded fifty.

At 2 o'clock, Prosonno Comar Tagore entered the hall and was received by the assembly with loud acclamations. Dwarknath Tagore, who came in shortly after, was likewise cheered in a similar manner, as also Mr. Dickens, who followed him. The bulk of the people assembled, appeared to be quite ignorant of the forms observed on such occasions, and being anxious to approach the table, became extremely noisy, frequently bursting forth into loud exclamations expressive of their sufferings. Several Brahmins held up their sacred thread and threatened to tear it as a malediction if nothing should be done to protect them against the resumption operations; others were seen repeating *muntras* or incantations for the same object. Great endeavours were now made to restore order, and quiet the people, but with little or no effect; a loud hum of voices continued throughout, and rendered it impossible for those who were at a distance to hear all that was said.

At half after 2, Dwarkanath Tagore proposed, seconded by Mr. G. Prinsep, that Rajah Radhacanth Bahadour be called to the chair, which was carried by acclamation. On taking the chair the Rajah spoke in Bengali to the following effect;

Gentlemen:—This is a great meeting, and its greatness is suited to the occasion. Never was so numerous a meeting held here. The object of inviting you is to consider the measures adopted by Government for resuming

the rent-free lands, which measures are so grievous as to be felt by every body, and require no illustration. It is necessary now to remedy the evil. The petition that has been presented by the people and the letter which has been prepared by the Landholders' Society to accompany it, shall now be read to you, and when approved, shall be forwarded to Government. Should you be apprehensive that it will be difficult to obtain justice from that quarter, in consequence of the very power which is the guardian of our rights having grasped them, yet it would be proper, before any other measure is adopted, to address that power. Under these circumstances, gentlemen, you will hear the petition read to you, and suggest any alteration you may think proper. After your approval, such as have not signed it yet, will add their names to the document.

Ram Chunder Surmooa, the pundit of the Landholders' Society, then read through the whole petition which was in Bengali, as well as a Bengali translation of the Society's letter. The following is a translation of the Petition.

TO THE RIGHT HON'BLE THE GOVERNOR
OF BENGAL.

The memorial of the undersigned landholders in Bengal, sheweth.

That Lord Cornwallis, at the time of the decennial settlement, published certain fundamental rules, resolutions, and declarations of Government for the assurance and satisfaction of the people. Although his Lordship consulted the interest of Government more than that of the weak subjects, yet none of them even endeavoured to raise an objection, being content with the general good treatment of the English towards them. The wrongs subsequently suffered by the poor people, in consequence of the promulgation of various rules, contrary to the above regulations and declarations, it is hoped will be redressed when they are brought to the notice of Government; but the hardship suffered by the rent-free landholders, is on this occasion the principal object of our representation; and it is

hoped that Government will be pleased to grant justice and relief.

2nd. We have lived from generation to generation in the several provinces of this Empire under the British rule, and have firmly established ourselves without ever trying to quit it, either on account of human oppression or divine punishment. We alone can therefore call it our paternal Government, and our attachment to this country has always been stronger than that of any other people to their country.

3rd. European Kings, either being pleased, or by way of kindness, bestow various dignities and titles of honour, as well as donations; so have the Indian Kings and other great men conferred rent-free lands upon subjects and dependants. Therefore rent-free lands in Hindoostan and the titles in Europe, considered as tokens of royal pleasure, are both alike. The rent-free lands are, moreover, calculated to encourage the acquisition of knowledge, to secure the maintenance of learned and ingenious men, and to preserve the observance of the religious orders and the sacerdotal functions which ought to be kept unencroached upon by Government.

4th. A great many kings of other countries have reigned over India; but none of them did ever deprive any rent-free Landholder of his possessions, nor fix a rent upon his property. On the contrary, they have allowed more lands for free enjoyment.

5th. Many people in this country possess no other permanent livelihood but the possession of a small portion of rent free land; the profits of which can scarcely supply common food and dress. If they be deprived of this, they may have recourse to crimes and enormities, to check which it requires the Government to be as attentive and assiduous as it is to stop criminal proceedings arising from other causes.

6th. It is now nearly 73 years since Hindoostan has been in the possession of England, and during this time Government has never claimed the rent on free lands, nor did we ever think, until this day, that there would be rent payable on such lands. If there, however, be any hint of this in the Regulation of the year 1793, it was still unknown to us; for the regulations were not enacted till after the full possession of this Empire and were written originally in English, a language they very little understood among the inhabitants of Calcutta; and quite unknown in the mofussil. They were subsequently translated into the Persian and Bengally languages; but the books, not being for sale, were scarcely procurable, which is still the case. So that the matters declared therein were known only

to Government, and the people were quite ignorant of them as they are even to this day. The measures now adopted by Government, agreeably to the above regulations, had never been anticipated before by the people of this country. If the government were to interrogate upon oath hundreds of Zemindars, Talookdars, and Free land holders, it will find that one-sixteenth of them have scarcely any knowledge that Government can lawfully perfer any other claim, but the fixed rent on the property of a Zemindar or Talookdar, or the Free land can become rentable; for if they knew the latter, there would have been no sale or purchase of the Bromotro and other free lands. When Government issues orders on matters that concern both itself and its subjects, such orders are repeatedly published in the newspapers with translations for the guidance of the people who, falling into error or miscomprehension, may not suffer afterwards. But, through our misfortune, nothing concerning the resumption operations was published but the Regulation book, the contents of which, however, we were not aware of, nor do we know them fully even at this period. So that if any steps are now taken by Government according to the above regulation, such steps or arrangements must be considered extremely unjust.

7th. On the issue of orders to produce the document of rent-free lands, some poor and indigent people, or in other words those who possess the above land from 5 kottahs to 10 biggahs, to avoid the heavy expenses of the amlahs, jointly produced a paper, which being found to contain more than 100 biggahs, has at once, without further consideration, been subjected to assessment, according to the resumption regulations. So that it is feared, all the dwelling houses on Mohotron and other rent-free lands will shortly be brought under resumption.

8th. It is clearly expressed in Clause I, Sec. II. Reg. XIX of 1763, that lands free from assessment previous to the year 1765, whether there be any document for them or not, by virtue of long possession alone, shall be allowed to remain in the hands of their possessors. This, however, is now disregarded by the Deputy-Collectors and special commissioners, who all being partial on behalf of their employers, are calling for documents of rent-free lands dated before the year 1765. If no document be found, or if they are only such as releases, &c. granted by the public functionaries, they are always disapproved, and considered forgeries, and decrees are given in favor of the Government.

9th. In the 2d clause of the above Regulation, it is also declared, that if any person prefer a complaint against Government in any Court for rent-free lands which have been 12 years before subjected to rent, such complaints will not be heard. This is a great misfortune to the people; for if any public functionary has unjustly fixed rent on one's land, which has from a long time been enjoyed by him rent free, and the man being unable to sue for it within 12 years, he will forfeit all his right to his permanent and ancestral property, merely on account of the 12 years, possession by Government. Is this the way of justice? There is a clearer declaration in the 2nd Regulation of the year 1805, that all claims relating to land will continue in force for 60 years; why then should a man, not being able to prefer his claims in the course of 12 years, be deprived of his rights?

10th. The 3rd, 4th, and 5th clauses of the above Regulation, Sec. 2nd, declare that all rent-free lands that have been granted before the Company's civil government in India, for the enjoyment of the grantee during life, will not descend to his sons and successors; but when any land is granted by the Rajahs and other great men of this country, for free enjoyment, it is commonly mentioned in the instrument of gift, that "you are to enjoy and possess it from son to grandson, &c." or simply the phrase "given you." By this title the successors of the grantees of such gifts, have uninterruptedly enjoyed them, without ever being objected to by any government. It is a decided fact, according to law, that a property gained by the father is certainly descendable to his sons and grandsons; but the above Regulation, framed by Government, viz. that unless there be expressly written in the deed-of-gift or *suud*, that the lands may be enjoyed from son to grandson, &c., the property cannot be possessed by the successors of the grantee, is clearly an inconsistency both in regard to law and custom.

11th. In the 3rd clause of the said Regulation it is stated, that all lands, granted previous to the 12th August 1765, and before 1st December 1790, and which have not been confirmed by any of the public functionaries, should be subjected to resumption. But many landholders and Talookdars have after the year 1765, and before 1790, granted *suuds* or deeds of gift of rent-free lands to several poor and indigent persons, the rent whereof is actually paid as formerly by the said landholders and Talookdars to Government. There has never been any remission in the revenue, but it has been much increased from the time of the decennial settlement; yet no Zemindar, or Talookdar, or auction

purchaser of any Zemindary, has ever asked a reduction of rent on his property. And when those estates have gone to other hands, they have also paid the fixed rent to Government without any objection whatever, and the Government has not at any time received less than what was due; so that the granters of free lands have been the only sufferers by such gifts, the Government losing nothing. As there issued no *istabar* calling for those documents, therefore a merciful and impartial justice towards these poor and indigent free-landholders, leaves no fair ground to bring their only means of livelihood under the resumption.

12th. It is mentioned in the 6th clause of the above Regulation, that grants of free-land, made previous to the 1st September 1790, if not exceeding 100 biggahs, are claimable by the zemindars; and again in the 10th clause it is declared, that all free lands 100 biggahs or more, granted after 1790, and which by the order of Government provide for Zemindars, should be subjected to rent by themselves, without making any complaint for them in the courts of justice. The Zemindars and Talookdars notwithstanding, feeling compassion on those poor lackrajdars, have not deprived them of their only means of livelihood. Government being the ruler of so great an Empire, will not surely wish to sacrifice its poor, indigent subjects by stripping them of their only permanent means of subsistence, which is not of so much benefit to Government, as it is injurious to the people and their families, and which may cost lives. The income of Government is like the ocean; so that to give out a jar of water from it or to put one in, secures neither loss nor profit to the Government. It is the duty of a Government to support its subjects and not to oppress them; we therefore humbly hope that this Government will persevere in all the merciful prerogatives of sovereignty.

13th. According to the European rules, it is necessary for all subjects to pay rents to defray the expenses of Government. But in Hindoostan land-rents are not paid by all; there have for ever been rent-free lands. In towns particularly, the people pay tax according to the estimated income of houses, and all pay the Government duties for useful articles of merchandize, as well as the price of the stamps. So that the present revenue of Government exceeds its expenditure, however enormous it be. In Europe all the subjects in common are authorized and empowered to consider about the income and expense of Government, which is not the case in this

country; so that the example of collecting revenue from that country, cannot with propriety be applicable to this.

14th. No subject can enjoy a piece of free land unless it be given to him and allowed by the Rajahs or others; when it has of course been granted rent free. The Hon'ble Company having undertaken the Civil Government of the Moosulmuns over this country have its rents; and they have consequently the same claims to this land as the Moosulmuns had; so that those lands which were allowed by the Moosulmuns to remain rent free, should always continue so.

15th. The notices or istahars issued by Government to produce the tydads or documents of rent free lands, were established under this rule, that free lands of which the tydads should not be presented within the time prescribed in the advertisement, shall be made rentable. In compliance with those istahars, most people have presented the tydads of their respective lands. If the above order had been authentic and not a mere threat, how can it be violated on the present occasion. If this order was passed intentionally to learn the particulars of lands, still it should be considered that the people, entirely trusting to the purport of it, and hoping that their respective livelihood would be made permanent, have forwarded the tydads of all their possessions openly, without reserve. But if this trust be destroyed by fixing a rent upon all those free lands, to whom else are the poor subjects to complain?

16th. It is provided in the 2d Clause of the Regulation of 1793, that whether there be any document or not for rent free lands granted previous to the year 1765, they should before 1890, be retained by the proprietors thereof merely by virtue of long possession. But all lands granted free after the year 1750, if exceeding 100 biggahs, and having no confirmation for them of any public functionary, should be resumed by Government. This, however, in consistent with justice, since it is declared expressly in the 2d Clause of the Regulation of 1805, that all claims of Government relating to land, will remain in force till 60 years; but from the year 1765 to this day, more or less 73 years have elapsed, yet no arrangement has been made for the above lands, how then can the Government now, violating the rules contained in the 2d Clause of the Regulation of 1805, and after the lapse of the stipulated 60 years, and 13 years more, lawfully institute claims upon the rent-free lands, before its own appointed functionaries, and procure decrees on them? Such a course is altogether unjust.

17th. It was declared by the Regulation, that when Government would be desirous of taking the rent of any land, the case would be tried by instituting a suit in the Court and by the examination of witnesses and documents &c., conformably to the general rules; and the Hon'ble Company shall have the rent, if their claims be proved well founded. But by the Regulations of 1819 and 1828, the above Regulations have been rescinded; and therefore due justice is not rendered to the people. In proportion to the increase of public revenue by the administration of the above Regulations, the fame, influence, salary, and every other emolument of the Special Deputy Collectors and Commissioners, is increased; and, consequently, no fear of doing injustice towards the poor Ryots is felt by them. So that the people cannot be considered happy, when they are tried by functionaries so circumstanced.

18th. After a lapse of 37 years, the Government requires documents of rent-free lands, and in the absence of them those lands are resumed. But it is expressed in the Company's Regulation that documents of rent-free lands, such as have been possessed by an individual before the Hon'ble Company taking the Civil Government of India into their hands, are not necessary. Besides, it is quite inconsistent with the second Clause, Regulation 2d, of 1805, in which it is clearly stated, that if any real property to which Government has any right, be possessed by any person for a period of 60 years, Government may still at any time prefer its claim against it; but after that time it could make no claim to it nor should encroach upon it. The above rule has not yet been rescinded; yet the Special Deputy Collectors &c., in the absence of documents, are resuming all those lands, and in some places half of the current is sent imposed, even if documents are produced. Lands engaged rent-free by the people from time immemorial, cannot now be rentable, since Government have always considered it right and legal in consequence of long possession, which examples are so follow.

1st. The Hon'ble Company, in undertaking the Civil Government of this Empire, have repeatedly assured the inhabitants that they would never infringe upon the former arrangements and customs of the country.

2nd. Whenever there have been new possessors of talooks and zumindaries, they have several times seized the rent free lands within their zemindaries, but upon examination of the titles, have for long possession released them. The new talookdars would never had done this, had those lands been included in the talooks, or had Government

any claim upon them. Many thousand cases of dispossession on those lands, have been tried and decided by the Company's Courts, which finding a long unmolested enjoyment, have restored to the owners the possession of them.

3rd. Rent-free lands have been and are always bought and sold, as well as others, and there has never been any prohibition against them from Government, and of course that which has no hinderance is considered lawful. In consideration of those lands being rent-free, the purchasers have bought them at a higher price than ordinary, without ever contemplating that Government would fix rent upon them, and therefore exacting rent from them now would be a severe loss to the purchasers.

4th. Particularly when securities are taken rent-free, lands are usually considered eight times more valuable than the rentable land, and they are therefore evidently held to be superior and secure in the opinion of Government.

5th. In many places Government have been obliged to buy as well as to hire rent free lands, and to give to the owners the value and rent thereof, according to the usual rates.

6th. For debts to Government the properties of many persons have been sold, and which often consisted partly of free lands, the property by of plices which have been received by Government.

7th. For the recovery of private claims several rent-free lands have been sold by virtue of decress; and fees and costs of which have been received by Government.

8th. Many rent free lands have been sold and bought among the people, the bills of sale having been registered or signed by the Registrars as witnesses.

9th. For the recovery of debts due to Government several tracts of free lands have been sold by Auction, and Government have provided the purchasers at the time of sale, with the original documents thereof, giving them the Boynamah and Amulnamah. Now the documents of those very lands, agreeably to the new rule, are brought under resumption, as also those Amulnamah, &c., in which they declare that the land mentioned therein will be enjoyed by the purchasers from son to grandson, &c.

10th. When lands, &c., being real property have for a certain specified time been in the enjoyment of one individual, the right to the possession of them becomes strong, so that no one else can have the power to dispossess him. Having framed this rule and allowed people an undisputed possession or lands for

almost 73 years, how can Government at present dispossess them? If it were the intention of Government to fix rent at all upon free lands, or had they any right at all upon them, they would not have given their consent to the sales and purchases of the aforesaid property, nor could themselves have become a party thereto. It was proper at the time to notify the circumstance in the newspaper.

19th. The enquiries, seizure, trial, release, and other proceedings, now going on upon the rent free lands, have been a real source of distress, loss, and trouble to the people, particularly for their being deprived of their rights. Formerly, when Government instituted a suit in any Court as plaintiff, it was necessary for them to prove their claims by witnesses; now, on the contrary, the defendants in such cases are required to produce their titles of 73 years, with proofs thereof.

20th. If the state of this country be taken into consideration the old documents cannot be expected to last long. In the time of the Hindu Rajahs, grants were entered on plates of copper; but since the time of the Mosulman rule, perishable paper has been used, to preserve which long, it is quite impossible. They have been destroyed by insects, fire, and flood, or stolen away by thieves or relations in the family disputes, particularly by the depredations of the Mahrattas, through whose violence the people of this country frequently changed their abodes, and consequently their old articles almost all have been entirely lost.

21st. Formerly the Collectors had no other authority, power, or duty, except collecting the revenue; but at present they and their subordinates, the Deputy Collectors, have been invested with various authorities. 1st, the Collector has to enquire and seize rent-free lands, wherein he has also the magisterial power. At the time of the trial he acts for the Hon'ble Company, and gives evidence in their favour, fixes and collects the rent, and for the arrears thereof he sells the property by public sale.

22d. So that, in disputes with so influential a functionary, what can the poor, indigent, and weak people do; there is no probability of their obtaining justice in the Court.

23d. When people are dispossessed of rent-free lands, they, to recover them, enter into a law suit with the Collector, complaining against the Hon'ble Company; but their gain or loss in such cases is equally ruinous to them; for if they win, the value of the property gained falls short of the costs incurred; but if they lose, they are wholly ruined. So that such a contest as this,

between a public functionary and the people, may be compared with a battle between an insect and a lion.

24th. When any rent free land is seized in any Zillah, the owner is obliged to run after the Special Collectors and Commissioners, and then to appeal to the Special Commissioners at Calcutta, where now the cases are tried in a manner, whereby the decree is generally passed in favour of the Hon'ble Company. There is no other place to appeal: the unfortunate people are frequently tried by the Zillah Courts, the Sudder and many other offices; and who can be ignorant of the loss and hardship suffered by them to get business done in such a number of offices at different places? many persons even lose their lives by travelling over several countries, seeking the trial of their cases.

25th. About one-fourth of the people of Bengal enjoy the rent free lands, some of whom are supported exclusively out of the produce and profits of these free grants, while others, saving a little money, have bought a parcel of free land to dwell upon, or to be maintained by its produce.

26th. The rent of the free land is always less than of other lands, and besides there are a great many exceptions in it of other charges and troubles; it is therefore considered by the ryots a great relief to them. If they are deprived of such conveniences and reliefs by the resumption measures of Government, the aforesaid one-fourth of the people will at once be involved in greater miseries and distress, losing their houses and livelihood. If they wander about gathering alms of a handful of grain, there is no probability that so great a number can be maintained by that means. There is no work nor money so much as to render them assistance if they work for livelihood. The people of the soil are naturally feeble and cannot go to other lands in quest of their maintenance. So that by the resumption operations of Government, cries of distress will be heard all over the country.

27th. When famine demolishes the country, Government mercifully provides the people with provisions and every other comfort, and also remits the rent due to Government. The same kindness is also shown by it in times of pestilence, by administering medicines and other remedies for preserving the lives of its subjects. If the Government now take off from the poor subjects their ancient privileges and long possessed means of maintenance, to whom will they apply for preservation.

28th. We humbly entreat the kind consideration of Government to the following circumstances. If the people feel the real want of the necessaries of life, they, (if not all at least many) through necessity, will have recourse to crimes such as theft, robberies, and other enormities. It needs no other instance, but to consider that if the country should be filled with people of a malicious character, to what an extent of distress it will then be reduced.

Ist. It is our humble prayer, that Government, taking the several articles of grievances as aforesaid into their generous consideration, will be pleased to look with the eyes of compassion upon us—its poor and much distressed subjects, to retain us, according to the former Regulations, in our little permanent properties.

2d. As we shall probably have to appeal our case to the Authorities in England for the injustice, loss and distress suffered by us, we pray that until a decisive answer to such appeal comes, the Deputy Collectors and other public functionaries may not oppress us, and that all oppressive operations be suspended.

3d. If the Government think it necessary to consider the above statement, they will be pleased, at first to rescind the several Regulations and Clauses objected to by us, and then declare in writing all that they think equitable and just. The free lands may be tried agreeably to the 27th Regulation of 1813-14 by arbitrators, composed of some honest and respectable Europeans and Natives, who have not any concern with Government and are residing in the same Zillah where the lands in dispute may be situated.

4th. Those people that are incapable of affording the expenses of law, may be allowed to avail themselves of the 28th Regulation of 1814 regarding paupers.

5th. An arrangement ought to be made for reducing the law charges when suits are instituted against Government, and likewise some means should be adopted to decide them in course of a short time, and with little trouble.

6th. Until this our representation is finally considered by Government and an answer given, all regulations and proceedings relating to free lands, should be postponed. Dated Kartick, 1244, corresponding with Oct. 1837.

Mr. T. Dickens now mounted a chair and stated, that the Landholder's Society had prepared a letter, which was to accompany the petition, and proposed that it be read; after

which he said, he would address the meeting and endeavour to be heard. The following letter was then read by Mr. W. C. Hurry.

F. J. HALLIDAY, ESQ.,

Officiating Secy. to the Hon'ble the Governor of Bengal.

SIR,—The accompanying Petition, to which are attached about twenty thousand signatures, including those of a large proportion of the most opulent zemindars in Bengal, having been confided to the care of the Landholder's Society, we are desired to request the particular attention of His Honor the Deputy-Governor to the important matters which it embraces.

We are desired at the same time to add the unqualified testimony of the Society as to the strong feeling of alarm and discontent with which all the late proceedings of Government for the resumption of lakheraj lands are viewed by the native population. The rules by which the rights of occupancy are tested, being considered both severe and unjust, the transfer of these cases from the jurisdiction of the ordinary tribunals, the appointment of young men under the name of Special Deputy Collectors to seek out cases of doubtful tenure—men in whom the character and interests of informers are combined with judicial powers; the rapidity with which rights of long possession have been set aside by the zeal of the public functionaries acting under the authority of laws admitted to be defective; the hasty and irregular manner in which some hundred decrees have been passed in one day against parties alleged to be in default, though not duly served with notice to appear; are not calculated to lessen the sympathy of the native community with the very numerous sufferers whom they see every where around them.

The Society is aware, that the harshness of the resumption measures is sometimes excused on the plea, that exemptions are in their nature inequitable which relieve one portion of the people from a tax borne by the rest, and that, therefore, one man's land ought to pay the Government rent as well as another's. But this argument is not admitted to destroy privileges confirmed by former rulers of the country, or enjoyed by prescription uninterruptedly since 1765; and with regard to the principle assumed, whether a large estate paying tax, or a smaller estate paying no tax, be the shape in which a Government may have bestowed its favors or rewarded meritorious services, there can be no more justice in the reduction of the incumbent's income at a future time, by taxing his untaxed land because other lands are taxed, than if the same person had his income reduced in an equal degree by depriving him of

part of his taxed land. The argument, carried out to its full extent, would deprive the sovereign of all power of granting honors and rewards; but it is a fallacy altogether, when applied to the present question. It would effect a change in the relative incomes of the different classes as they now exist; whereas the true principle of the financier seems to be to leave all incomes in their existing proportions, and if fresh burthens are required for the exigencies of the state, so to distribute them, as to make them bear upon the several classes accordingly. It might be just, for instance, to take ten per cent. from the rents of a lackerajdar, if ten per cent. additional were at the same time levied upon the talook of an ordinary zemindar; but while the latter continues to pay an invariable rate fixed by the perpetual settlement, no plea of equity can disturb the exemption of the former, whether obtained by sunnud or by long sufferance and prescription. If such doctrines are thus allowed retrospective effect, the landholder in Bengal will cease to have any confidence in the perpetual settlement itself, while he sees the interpretation of the contract biased by a wish to set it aside and a constant disposition to encroach upon the rights and immunities he is enjoying under it.

It would, moreover, be very difficult to make the people of this country understand, that the resumption of Lackeraj land, will benefit them, either by relieving them from a portion of their present burthens under the British Government, or by securing them against future burthens. Nor, indeed, does it appear how any community can be really benefited by reducing a large number of its members to a state of pauperism.

Another plea alleged by the defenders of these measures, is the importance of the aggregate sum said to be recoverable by enforcing what are held to be the reserved right of Government, no less than two crore of rupees of annual income! a plea that would justify the infliction of individual misery by the wide diffusion and magnitude of it. Report says, however, that although much progress has been made in the resumptions, and most of the large estate cases have already been decided by the Special Commission, the entire amount hitherto added to the Revenue from this source (exclusive of jagheers and churs fallen to Government, which were reclaimable on very different grounds) after so much expense incurred by Government, and an infinitely larger expense in various shapes by individuals, is only a few lakhs of rupees.

The Petitioners have enumerated many grievances in the mode of prosecuting these enquiries, the unavoidable expences to the

parties, which, even if successful, many of them can very ill afford; the requisition to attend Courts held at great distances from their homes, and sometimes to follow the investigating officer from one station to another, from Hooghly to Burdwan. They might have added, that under Regulation 3, of 1828, the right of appeal from the inferior Court is limited for individuals to two months but for Government to twelve months, (appeal to the Sudder Dewanny Adawlut, being by the same Regulation cut off altogether on the face of an Act of Parliament still in force, viz. the 21st Geo. III Cap. 70 Sec. 21) and that, while poverty and despair will deter many from appealing at all in cases improperly decided against them, or deter them from appealing till too late to be heard, it is the practice of the Government wateels never to abandon a suit in which they have been cast, until it shall have been decided by the superior tribunal, or until at least the case shall have been referred to the special consideration of Government, hence the readiness with which so many compromises at half jumma are submitted to rather than incur a ruinous litigation with an all powerful opponent.

It is within the knowledge of the Committee, that cases have occurred where lands have been forfeited though the occupants were possessed of indisputable sunnuds. Two brothers had a joint family estate, and one of them (perhaps the manager) was sick at the time of receiving the Deputy Collector's summons. The indolence of the native character, combining with the inability of the sick brother to attend to the family affairs, in the perfect confidence of a good title, suffered the month to expire before any steps were taken for the protection of their property, and when shortly afterwards the important document was produced in Court, the party was told it could not even be looked at, for the time allowed him had expired, and the case had been accordingly decided against him by default; and this decision has been upheld by the Special Commissioner, from whom there is no appeal except to Her Majesty in Council, and that only in cases of a certain amount. Granted that some necessity may exist for prescribing limitations of time; but those rules must indeed be oppressively severe, which forfeit a man's estate for a trifling laches which inflict that punishment for a few days delay, while the Government assumes to lose none of its rights, nay, rather to have strengthened them, by a laches of half a century. It could never have been intended thus to take advantage of infirmity, and enhance the number of forfeitures by ingenious traps to catch the indolent and unwary.

The penalty imposed in such case by Regulation XIX of 1793 was more consonant with reason. Section 14 of that Regulation provides that, "if the proprietor shall omit or refuse to deliver the writings within the limited time, the Board of Revenue are empowered to order the Collector to issue a second and similar requisition to him to deliver the writings by a specific day, and shall at the same time impose such daily fine on the proprietor, as they may judge proper upon a consideration of his situation and circumstances in life; and the amount of the fine shall be levied by the process prescribed for the recovery of arrears of revenue; and if the proprietor shall not deliver up the writings by the time prescribed in the second requisition, the Board of Revenue are empowered to attach the lands and collect the rents on account of Government, until the proprietor shall produce the writings, or the lands shall be adjudged liable to the payment of Revenue.

Again, the liberal and humane Government of Lord Cornwallis assured the people, "that the recovery of the dues of Government from those lands which have been illegally alienated previous to the 1st December 1790, should be attended with as little distress as possible to the possessors, and to obviate all injustice or extortion in the enquiry into the titles of persons holding exempted lands," says the preamble of Regulation XIX of 1793, "he has further resolved, that the claims of the public on their lands (provided they register the grants as required) shall be tried in the Courts of Judicature, that no such exempted lands shall be adjudged to the payment of revenue until the titles of the proprietor shall have been adjudged invalid by a final judicial decree." Here is an assurance of possession undisturbed until the titles of the proprietor shall be adjudged invalid by a regular trial in the Courts of Judicature; and an assurance also, that the investigation shall be conducted in a way to obviate all injustice or extortion in the enquiry. But how have the letter and the spirit of these assurances been observed. Instead of the Courts of Judicature intended by the words of Regulation XIX of 1793, a sort of tribunal of first instance has been created, to which the name of a Court of Justice would be altogether inapplicable, and though an appeal lies to a more experienced officer (not to the superior Court, as by act of Parliament it ought to be) it is an appeal to a single individual, restricted by rules which he is bound to observe and besides the case comes before him with the evidence got up by the Deputy Collector himself, who is the Judge appointed to try the cause—a Judge of no experience, as little qualified as inclined by his position to give those aids to a poor and ignorant defendant, which it is the duty and practice of British Judges to volunteer

in protection of persons who have not the benefit of counsel. And with respect to the assurance against extortion, the course adopted seems to have been precisely that most calculated to create it; and such has been the result. Aumeens are directed to enquire and report; this power of reporting opens a wide field for abuse and tyranny; the holder of Kheraj lands is threatened, that unless he will pay a consideration his lands will be reported Lackheraj, and will undergo investigation. The extension of cultivation in many settled estates gives abundant opportunity for this. The Lackherajdar, on the other hand, is induced to give a bribe for a favorable report which avails him nothing in the end. The same evils of venality which this Government merited so much the gratitude of the country for removing when the inland customs chokees were suppressed, have been brought into play to a more serious extent by the powers given to Aumeens in this lamentable inquisition. The grievance here stated, is not a fancied one, it is not a suppositious case, but a true picture of complaints which have been laid before the Society.*

* Many large zemindaries in Bengal, were in a very unsettled state forty years ago, and especially the immense Zemindarie of Burdwan, which was then in the hands of numerous petty farmers. The Putwaries, the Court amlah and their relatives and other influential persons, taking advantage of the Government proclamations, filed a multitude of false taidads in their own names and in the names of their dependants, for lands not in existence or which they never possessed, hoping to derive some future benefit from the registration. These taidads were received by the Collectors without enquiry, and are now laid hold of to resume the lands described in them. The mere existence of the taidads, without examination of their validity, would not be admitted as any proof of individual rights; but it is made nevertheless the foundation of a summary decree in favor of Government. A measuring Aumeen is then sent to trace out the lands and sequestrate them. He proceeds into the Mohussil, and finding there generally some descendant or connection of the person who filed the taidad, lays a plan with him and with the police to make the most of his commissior by plundering the people for their joint benefit. The best lands in a village are claimed as Government property, and bamboos are stuck up to notify the same; but on payment of an adequate sum, just as much as can safely be extorted by these conspirators, the bamboos are removed to other lands, and so on, perhaps, till the whole village has been laid under contribution. If opposition be made, a strong report goes in to the resumption officer, distant perhaps a hundred miles and more, in which of course the affair is so represented as to produce a bias against the poor villagers, who have little chance of justice against the villainy of such a combination supported, by the joint evidence of parties to the plot. The villagers are then compelled to quit their homes and occupations to attend a Magistrate's Catcherry or to file petitions upon stamp in the Deputy Collector's Court, which petitions must be supported by proofs that the lands claimed are not lackheraj. The unfortunate petitioner is detained some months by this persecution, harassed in mind, and spending his money in stamps, Mooktar's and Amlah's fees, and in personal charges, and in the mean time his crops are seized by the Zemindar with the assistance of the police. Even without sequestration, the ryots refuse to pay rent to their Zemindar from the moment he gets into trouble. Conspiracies of

The humane and just Government of Lord Cornwallis, legislating in 1793, did not disturb possession if it extended back to twenty, eight years, namely, if acquired in Bengal before the 12th of August 1765 "by whatever authority and whether by a writing or without a writing." And to ascertain the fact of possession in the absence of any written title, the *onus probandi* does not seem to have been thrown upon the occupant. "If it shall be proved to the satisfaction of the Court." (We quote from the 2d Sec., first clause, of Reg. XIX of 1793,) "that the grantee did not obtain possession of the land so granted, previous to the 12th August 1765, or that he did obtain possession of it prior to that time, but that it has been since subjected to the payment of Revenue by the officers or the orders of Government, the grant shall not be deemed valid." Now, however, after a further lapse of 45 years, when no living witnesses exist to give evidence of occupancy previous to so remote a period as 1765, instead of requiring proof that the grantee was not in possession, the incumbent is not even allowed the benefit of any presumption in his favor, though there be nothing to shew that his lands have been taxed at a subsequent date; but the *onus probandi*, which was not thrown upon the landholder of 28 years' possession, is made to rest altogether upon the representative of a much longer occupation, and judgment is recorded against him because he cannot produce witnesses who are dead.

Even in the cases of grants not considered hereditary, because not so specified, the humanity of Lord Cornwallis's administration, made due allowance for presumptive right acquired by succession. "Upon the demise of the present possessor of any such grant which may be adjudged not hereditary under this change, if it shall appear that one or more successions, in virtue of whatever right, shall have taken place before the date of the Dewanny, the lands shall not be subjected to the payment of revenue under the decree, without the sanction of the Governor-General in Council, to whom a copy of the proceedings and decree of the Court is to be transmitted, and to whom is reserved a power of declaring the lands subject to the payment of revenue, or not, as may appear to him." Now, the poor Lackherajdar of the third or fourth generation is

the above nature are favored by the notices posted up in every village, which invite the taidaddars, or their connections, to point out the lands they conceive themselves entitled to, and to compound for a perpetual settlement at a moderate jump, deducting 30 per cent for malikana (or Landlord's rent).

remorselessly deprived of his little patrimony the sole dependance perhaps of a numerous family, and is told that he may consider himself treated with great generosity when allowed to hold possession at half jumma for his own life only.

But there are presumptive, nay, even legal rights of a stronger nature which have been disregarded. Estates have been resumed which have been taken as security by the Collectors as lakheraj, and which have been sold as lackheraj by the Collectors, those functionaries who by the Regulations had or ought to have had in their Cutcherries at the time a true record of what lands were lackheraj and what were not, and who had the power to satisfy themselves and the buyers to what extent their title to exemption from tax was doubtful or ascertained. Lands have been resumed which were sold in this manner so far back as 1788. It has been alleged, indeed, that Government gave no pledge of title in these sales. But to withhold information in the possession or at the command of the seller, and thereby to obtain the price of a good title for a bad one (bad only if the Government make it so by bringing forward a dormant claim) must surely be required as a pledge, if it be not a deception; and therefore a *lackheraj price*, taken from a purchaser, at a Collector's sale or at a sale under a decree of Court to satisfy a Government demand, must be held to be a virtual warranty that the lands so advertized and sold would ever after be allowed the immunities of lackheraj. Government having put the purchasers' money into its own treasury, can it with any show of equity afterwards set up a claim to the main rental of the estate, without at least offering to cancel the bargain and refund the price then obtained? In the far more numerous cases, however, of sales under decrees of Court arising out of private suits, redress by restitution is impossible. The proceeds of sales have been appropriated and expended, and vested rights have been acquired which cannot be interfered with. Such sales were unavoidable; and if the purchaser bought, believing the land to be lackheraj because he found it so advertized—any defects of title being concealed by the laches of Government—can it be just that Government shall now exercise the power to ruin the purchaser, by seizing his lands, on the plea that they are not lackheraj?

But not only implied pledges—even the written pledges of Government are apparently disregarded. The petitioners have cited Reg. II. of 1805 as at variance with the principles now acted upon. By Sec. 2 (second par.) of

that Regulation, quoted below*, a limitation of sixty years was fixed as the extreme period within which the right of assessing lands for the public revenue should be exerted; which limit, as respects the time at which it was promulgated, was reduced to 40 years for Bengal, Behar and Orissa, to 30 years for the province of Benares, and to 4 years only for the territory ceded by the Nuwaub Vizier, viz. to 1765, 1775 and 1801 respectively. The intention of the enactment in these exceptions is clear. Sixty years was to be the extreme limit in all cases whatsoever; but the limit was to be *less than sixty years* when the intervening periods since the acquisition of the Dewanny, &c, should not amount to so much. It follows, therefore, that 1778 is now the extreme date to which the right of inquisition can go back in any case, and that to bring in question any title of Bengal ascertained to be of greater antiquity than 1778, must be manifestly illegal. Yet, to the astonishment of the Zemindars and the community at large, an exception, made purely for the benefit of the landholder, has been strangely construed by the resumption judges as reserving to Government a right of inquisition now extending 73 years back, namely to the year 1765, and a rent-free, grant of 69 years standing of unquestionable authenticity, has been recently put under sequestration.

This construction of the resumption judges is utterly inconsistent with the first sentence in the passage we have quoted from Reg. II. of 1805; for it renders the limit of 60 years in no case and under no circumstances whatever, applicable to "the assessment of land held exempt from the public revenue, without legal title to such exemption."

And it should not be overlooked, that the limit of 60 years was fixed when 60 years was the period up to which the right of possession to lands in England might be disputed between parties under the British laws. That period the British legislature has since thought proper to reduce by one half, in a country where the

* Allotments on the part of Government, whether for the assessment of land held exempt from the public revenue, without legal and sufficient title to such exemption, or for the recovery of arrears of the public assessment, or for any other public right whatever (the judicial cognizance of which may not have been otherwise limited by some special rule or provision in force) shall be heard, tried and determined in the several courts of civil justice, to which the cognizance thereof may properly belong, under the general regulations which have been or may be hereafter enacted, if the same, be regularly and duly preferred at any time within the period of sixty years from and after the origin of the cause of action; provided that such cause of action shall not have originated within the provinces of Bengal, Behar and Orissa before the 12th August A. D. 1765; or within the province of Benares, before the 1st July A. D. 1775; or within the provinces ceded by the Nuwaub Vizier before the 10th November A. D. 1801; being the periods of the Company's accession to the Civil Government of the above provinces respectively.

average duration of life is probably twice what it is here. Considering also the difficulty of keeping records in this country, it would seem but reasonable to expect, that having adopted the limit of 60 years from the English Statute-book, the legislature of India should now reduce the period to *thirty years*, if not to a shorter term, instead of practically extending it to 73 years and upwards.

The construction we contend for is, that 60 years is the extreme term in all cases and the opinion we have suggested above that this is still too long a term, we are happy to find in accordance with the views of the Honorable Court, when more than eight years ago, in a despatch from Bengal, dated 23d February 1830, as appears from the parliamentary printed papers of 1832, it was urged that lapse of time was no bar to the right of resumption. The Court of Directors, in their reply, disputed both the existence of the right and the propriety of exerting it if it did exist. We will quote from the parliamentary papers some passages in their letter to Bengal of the 28th September 1831.

54. "We think also that the question of title by prescription, or of the length of unchallenged possession, which should be considered as creating a right, deserves a very careful consideration. You say, all the Regulations at your Presidency, since the first Regulation of 1793, have scrupulously provided that no lapse of time shall bar the right of Government to enquire, and that transfer of property, however and by whomsoever made, shall not exempt a title to hold lands rent free from enquiry to ascertain its validity or otherwise." We doubt exceedingly the propriety of acting upon such a principle. It needs consideration and careful enquiry into circumstances to determine where in India the line should be drawn that will best distinguish between the interests of Government on the one hand, and the equitable expectation of parties on the other; that is, what number of years should be assigned, as that which creates a title of prescription; but we are strongly of opinion that the claim even of Government should not have an unlimited retrospect."

55. "We are happy to be able to refer you to the proceedings of our Government at Bombay, in confirmation of the correctness of this opinion of ours. That Government has established by Reg. I. of 1823, a lapse of 60 years as the period which ought to bar the claim even of Government. Our own opinion is, that such a period is too long, but we do not mention this as intended to restrict in any degree the exercise of your judgment; it being our desire to receive from you in the first instance, and as speedily as possible, the result of a full consideration of the subject."

Still another ground of complaint is the assumption, that because by the Regulations of 1793 it was ordered, that all titles should be registered, therefore no titles are now to be respected of which the registers are not forthcoming. It is well known that by the laxity of the Government officers, the general registry was never completed*. Equally notorious is it that the records were not carefully preserved, and that many are now wanting which are known to have existed. Further, it has been reported to the Society, so carelessly was this duty performed, that at one station a bundle of original taidads of sunnuds has been found in the catchery, waiting forty years and more for the leisure of the functionary whose office it was to register. What objection can be raised upon the absence of documents or of proofs of registration, when such evidence exists that the former have been lost to the proprietors and the latter neglected, not through carelessness or misconduct of the landholders, but through the carelessness and misconduct of the very officers of Government to whom were assigned both the power of calling for the deeds and the duty of entering them upon their records.

The neglect of the Collectors in procuring and registering taidads has been admitted by Government; and after repeated injunctions expressed in successive Regulations embracing a period of 15 years, a circular order was issued by the Revenue Board in 1808 peremptorily requiring Collectors, to take measures to complete their records without delay. Yet was this order also but partially attended to, while in some districts a difficulty arose from the immense number of the applications. In Burdwan, it is said, the applications exceeded 70,000, of which only 4 or 5,000 were registered, the deeds in the other cases being allowed to be taken back by the parties on their leaving copies of them; which copies have been admitted in ordinary suits and ought equally to serve the parties in the Special Commission enquiry when the originals are not forthcoming. But if from apathy or timidity the landholders elsewhere did not come forward upon due requisition to produce their documents, it were hard, indeed, that such default should be visited by the penalty of

* Extract from a supplementary note dated 15th September 1815, in Harrington's Laws and Regulations, vol. 2, page 613. "On enquiry, however, I find that a few only of the copies of the Registers which should have been sent to the presidency, have been received; and that from some impediments attending the formation of the original registers, or the want of a sufficient establishment of native officers to prepare them, the rolls for them are not generally observed. I cannot but regret this, from whatever cause it may have proceeded, as frustrating the expectation of a most useful public record, the defect of which may be of serious consequence to individuals as well as Government."

forfeiture which we hear nevertheless has been done in cases innumerable.

But the Society has been led to doubt if any default can be shewn to have been committed by the landholders. Are there any proofs that notices were served upon them in the terms and according to the forms required by the law? Where are receipts of the proprietors for the notices served and published in the *Bengal and Persian languages in Bengal and Orissa, and in the Persian language and the Hindostanee language and Nagree character in Behar?**

It has further been represented to the Society, that though a good title is now rejected as invalid, if it do not appear to have been registered, yet registration is not allowed to be pleaded as evidence that the title is good as respects the lackherajdar; while on the side of Government every possible use is made of it to the prejudice of the landholder. If the taidad declares a lackheraj to consist of 500 beegahs, which really consists of 250 beegahs only, (whether by error or for purposes of fraud, no matter) the officers of Government require of the zemindar of the Talook every beegah of the 500 in case of resumption, and select what lands they think proper where the boundaries are not defined; and this is done on a summary suit not appealable to the Sudder Dewanny or to the ordinary Courts of Civil Justice.

Impressed then, with a firm conviction, that the present course of inquisition into the titles to exemption from Government revenue, long enjoyed by the holders of lackheraj lands by right of prescription or otherwise, is not only conducted through channels and upon principles which the public must regard as little tending either to the ends of justice or to the credit of this Government; but also that no modification of the process of enquiry and adjudication would remove the objection on the score of equity, to the admission of claims

* Reg. XIX. of 1793 Sec. 25. "To prevent any pleas being hereafter urged of ignorance of the rule contained in the preceding section, the Collector of each Zillah, upon the receipt of this Regulation, is to cause the following publication, which shall be written in the Bengaly and Persian character in Behar, and attached with their official seals and signatures, to be fixed up in the principal Cutcharee of every proprietor and farmer of land in the Zillah paying revenue immediately to Government; and where the estate of any proprietor with whom a settlement may have been concluded, or the farm of any farmer or land held Khas shall consist of two or more whole pergunnahs or portion of pergunnahs, he shall cause the publication to be fixed up in the principal Cutcharee in each pergunnah or portion of a pergunnah comprised in such estate, farm or khas lands, and take a receipt specifying the date on which the publication may be fixed up, from such proprietor, farmer or native officer, who shall respectively be held responsible for the paper remaining so affixed for one year from the date of it."

(This follows the form of notice to be stuck up.)

to be investigated at all after the lapse of so long a period, the Landholders' Society beg to urge their humble request, in furtherance of the petition we have now the medium of submitting, that all proceedings in the measures of resumption may forthwith be suspended, and that the whole question may be referred again to the Honorable Court with a list of the cases already adjudicated, and a statement shewing the amount gained thereby to the public revenue, after a clear deduction of all expences incurred by the salaries of the Special Commissioners, Deputy Collectors, Aumeens and other settlement officers, including their establishments, and also all per centages allowed to pleaders and contingent charges of all kinds.

We have the honor to be, Sir,
Your most obedient servant.

Mr. Dickens now addressed the chair as follows.

Mr. Chairman.—I rise to address this meeting on the subject of the resolution which I hold in my hand, and which has already been read to all who could hear it, because I deem it absolutely incumbent on me to show that we have answers to give to the arguments that have been urged by the advocates of resumption and good and cogent reasons for our opposition. I will not be deterred from addressing you by the consideration, that with the exception of a few gentlemen immediately around you, there seems but little reason to hope that a single word that I shall say can be heard by the thousands of our friends and fellow subjects in this hall assembled. If they cannot hear me now, they can both hear me and read the words that I shall utter in another place and through the means of that first and most magnificent of the inventions of man—that almost godlike instrument, the Press. I shall speak not only to the thousands here gathered around me, but to the millions of India and of our own country. I do not regret that few can hear me that shall, when I consider the cause and behold the thousands of eager human countenances and heads around me, engaged in the same cause and animated by one sentiment. It is on the contrary to me a subject of infinite satisfaction, of cordial congratulation to you, Sir, and my associates in the Landholders' Society, who have convened this meeting. We have well appreciated the interest which the people of this country take in the measures we are about to protest against, and no one can say that we have reckoned in vain on popular support, or have been guilty of the smallest exaggeration, where we state in the letter addressed by the Society to Government on our own responsibility, the fact that the great bulk of the people

regard the measures in progress for the resumption of rent-free tenures, with alarm, with distrust, and will, if persevered in, regard them with hatred. It will be my study, as it is my inclination, my interest and my duty, to avoid all appeals to passion and to eschew all unnecessary allusions to topics that may create alarm or rouse anger; but there are some truths, which it is just as well as expedient to tell, and these I shall never hesitate plainly to vindicate or boldly to utter, at all suitable times to all persons, and in all places. I repeat that terror and distrust extensively prevail among the people of this country, and if these feelings subside in the certainty that there is no hope, that will but generate those other feelings which a rooted sense of wrong can never fail to produce.

I turn, however, from these considerations, and shall address myself, Sir, to the arguments which our opponents and that portion of the press which advocates the measures of resumption, are in the habit of urging in defence of what appears to be the present determination of the local Government.

We are informed, Sir, by these reasoners, that in the first place, however much in the right we may fancy the petitioners to be, and however cogent and convincing may be their arguments or ours, that the petitioners are too late in preferring their prayer, and that the mind of Government being made up to go on, it is useless to attempt to change a determination which has been so far proceeded in. I apprehend, Sir, that arguers of this stamp are incapable of perceiving with how little ceremony they treat the Government, of whom they constitute themselves the defenders, and the miserable compliments they pay to the object of their praise when they quietly assume that Government would be inflexible in keeping what it had once obtained, even if obtained unjustly. We forward this petition to Government in the midst of its career of resumption, because we believe in its capability of listening to reason, and in the possibility of its being impressed by motives of justice. Besides, Sir, as the persons who wield the powers of Government are not seldom changed, so may the policy of Government occasionally be mutable, and as what we contend to be the true policy of Government in this case is consistent with justice, and would be a return to its ordinary maxims, which have been violated, we may well hope for a change for the better. In this hope we are fortified by the recollection, that in the last general despatch of the Court of Directors of the East India Company, which has met the public eye, or of which I am aware, that honorable body,

in plain, perspicuous and most philosophical language, condemn, by anticipation, the present policy and the actual conduct of the local Government of Bengal. The Court of Directors admit, that the title of the holders of rent-free tenures is secured by prescription and long usage; they more than doubt, they deny the justice and the wisdom of disturbing these titles, and they point to the example of the Government of Bombay and the practice enjoined by the Court to that Government as a warning and an example. Nothing can be plainer. Why then, it may be asked, are we here, and what are we discussing and what has the local Government of this presidency done since the receipt of the despatch of 1831, if that be the purpose for which it was intended? I say, Sir, the words which are quoted in the letter of this Society, which will accompany the Bengalee petition, are as plain and direct as the imperfections of language will permit, and if there be any hidden and mystical meaning lurking within them, perceivable only by authorities conversant with the language of revenue letters, it is only long practice and refined art which can have taught the use of a double tongue which in one and the same paragraph says to the English public, the natives of India are to be exempted from disturbance on account of their rent free tenures and to the local authorities, resume them all. Believing, as I am bound to do, Sir, that no such machiavellian trickery lurks in this which sounds to me like a very honest letter, I count upon our petition receiving the support it deserves at the India House, unless there, indeed, new men shall have induced new maxims, and the principles of 1831 be forgotten.

I proceed to grapple with the arguments on which this measure has been based and defended, and to state our own. We oppose the anti-resumption law on the broad ground that the lapse of time since the acquisition of what is called the Dewanny (that is the grant of the management of the public revenues made by the then Mogul Emperor to Lord Clive.) and which acquisition dates so far back as 1765, making a period of 73 years, does confer a valid title by prescription and undisturbed possession on the present owners of rent free-tenures, and ought to confer such a title: that it does constitute, and that it ought to constitute, a complete bar under all rational legislation, and in fair legal construction to the inquisition set on foot by the officers of Government. Prescription, Sir, which is always accompanied by long possession, and which presumes an original and legal occupancy in the absence of knowledge to the contrary is the best of all titles; it is what if we reflect,

but a very little, we shall perceive all titles traced back must ultimately end in, and it is far better than most of those whose origin can be distinctly traced. If we are to moot points on moral equity and bandy objections to the general atlas of laud in this country with the ill-judging friends of power and those who seem generally most ready, like the *Friend of India*, for example, to bepraise the Government when its acts are the most questionable; if, I say, Sir, the natives of India are to be questioned by their English governors as to how they got property in their own soil free of rent, may they not well answer, your subjects acquired their estates 73 years ago, when you our masters acquired yours, and our titles are, we submit, in reality the better of the two. I speak these words with very little danger of being *heard* by many, but I speak them deliberately and with forethought, because I think the danger lies the other way and would exist on keeping silence, and lurks in every argument of these unlucky flourishers of the weapons of general principles, who do not know what dangerous tools they handle.

Our opponents urge against us, Sir, that no such prescription or possession of 73 years can be said to have existed or can avail the owners of rent-free tenures, because of what? The possession was broken and the land resumed by Government? No, indeed, but Government in 1793, by regulation 19, said they had a right to do it and would resume such tenures unless the owners registered them as rent-free tenures, and the grants and titles on which they rested and brought in and submitted these later to examination and verification. I boldly deny that this law, calling for registry was ever duly and honestly promulgated according to the terms of it. I boldly deny that it was ever duly and honestly carried into execution in any one important particular, and whose fault was it that it was not? Why the fault of Government and of its servants, and on their heads should fall the loss and the penalty. Instead of this, the people are to be made responsible for the defaults of Government and the Revenue Officers of Government as well as their own, while even their diligence and that of their ancestors is not allowed, as I shall shew hereafter, to avail them. I affirm, and I court and challenge denial, that no such thing as a complete, full, legal and authentic register, pursuant to the regulation in question is now in existence, nor (as I fully believe,) ever was in existence in any one collectorate of Bengal, Behar, and Orissa; and if this most notorious fact should be disputed, I could verify it by the minutes and writings of every well informed revenue officer of Government, for the last 12 years, including many

who are among the keenest of the hunters after rent-free lands. This fact, the non-existence of registers, by the fault of Government, ought to be decisive of the whole controversy; for if the fact be conceded, and I should be curious to see the bold man who denied it, there is an end at once of all pretence for saying that the lapse of time which constitutes a title by prescription has been broken by an intermediate assertion of adverse claims by Government and by the default of the people. The only defaulters were the Government who did not supply either honest or any means of registry, and who do not now blush to take advantage of their own wrong, and abuse the power which never has long co-existed with the practice of such maxims as we here behold in action.

Even in cases, Sir, in which Registration has been complied with, and the grant of the rent-free tenure is of undoubted authenticity, not only are the owners subject to have their titles unquestioned, but in one instance mentioned in the letter of the Society, where the *Sunnud* was not produced at the day assigned, from the accidental sickness of the manager, a decree to resume was passed for this default; and when application was made to oppose this decree on an explanation of the cause of default and production of the *Sunnud* for grant, the application was refused and the door of justice closed for ever.

But leaving the question of right aside, we maintain that the laws which are intended to authorize resumption of rent-free tenures, are inexpedient, because they will not produce the benefit to the revenues of the State, which it is alleged in vague and exaggerated language that they will do. We maintain that they will produce but a trifling accession of revenue, after making a fair deduction of the expenses of the machinery employed to carry these odious laws into execution, while the mischief that is done to the subject by the extortions and abuses of power of the minor agents employed, will weigh much more heavily, and create more discontent than the imposition of the tax itself will benefit the mass; and these abuses will create and do create a source of emolument to the collectors and minor agents, and of vexation to the subject, out of all proportion to the advantage derived by the State. We invite—(apart from all these latter and most important considerations, which I have only merely alluded to,) we invite, I say, nay we challenge, the production of a really fair and impartial financial statement, which shall shew the actual working and the practical results of these laws from their commencement to the present time. We wish to see resumption put into the form of an account-current, and to

have full and fair means of checking and examining that account. We do not believe that the balance would be found materially in favour of the State, but if it were so found, we should not admit the fact to be decisive of the question at all, as it would include neither the per contra of justice and general expediency, nor those ultimate political consequences which remain behind, and which I have done no more than barely to indicate. That the necessity of the state requires more money, and a larger revenue has been generally assumed. We deny this alleged necessity—we do not believe it to exist. Unnecessary wars apart, and with the exercise of a strict economy, we maintain that there is abundantly enough revenue drawn from the people of India for all essential purposes of good Government. We do believe that a profligate and spendthrift bargain was made by the Whig Ministry now in power, or their predecessors, with the proprietors of East India Stock. We believe that much money is now consumed in unnecessary home charges; that gross jobs prevail there as well as here, and that the whole system of a close and patronage service, somewhat overpaid perhaps in the higher branches, is calculated to produce bad subordinates, who being ill paid, repay themselves by extortion and corruption, and idle principals, who being secure in their privileges, are never really very efficient or content. We believe that an abundant fund of economy exists in the capacity of the people of this country for official employment, which will never be used until better maxims prevail, because the interests of the Corporation of the East India Company are supreme, and seem to have acquired fresh force and strength since the last act of Parliament renewing their Charter, which has been any thing but a Charter to us.

Permit me, Sir, to digress for a few minutes to examine, though but for a short time, the pretensions of that Charter, and to compare its promises with their performance. There were four prominent points put forward, for which its framers, professors of the creed of liberalism, even to its cant, took to themselves abundant credit. They said firstly, that they had made an advantageous financial bargain for this country, because the commercial assets of the East India Company were so valuable that they would form a permanent sinking fund of indemnification for extra charge and that the home charges should be kept in order. Now what is the result on this head? The assets in question have disappeared to the extent of full fifty per cent, and I conscientiously believe that the projected sinking fund on one pretext or other, will evaporate also. I know enough of former acts of Parliament, and of Indian History,

to know, what became of the yearly payment of £400,000 so long undertaken by the East India Company in Pitt's days, and so long enjoined by Parliament, so often excused, and so invariably unpaid, and so easily at last extinguished as an obligation; and I should have thought my Lord Glenelg and his coadjutors, ought to have been very well conversant also with these things.

The next prominent promise of this Charter was, that an extensive and searching enquiry should be instituted into the actual working of all the practice and the systems of law and judicature which prevailed in this country, and this has sunk into a patronage and corporation job, in which it seems to be the one thing needful, and sought for to keep out of the pale, every one who has not the passport of a covenanted servant. The third point, and that one on which perhaps the greatest stress of all was laid, was the pretence, that we, the uncovenanted and free Englishmen in this country, were the enemies of the natives and of its prosperity, and the persons to be guarded against with jealous care, and those who possessed undue power and domination against which it was necessary to protect the feeble natives. Now, Sir, I speak to you, as Chairman of a native meeting, and to an audience nearly all of whom around me are natives, and much better acquainted, I can very safely say, with the past and actual condition of India, its legislation and its effects, than the framers of this Charter; and I do not hesitate to say, that a more false, ignorant and fraudulent pretext was never urged in the face of an ignorant audience to sanction an assertion of corporation and ministerial power, stretched to assumptions until these days never hazarded nor known in the annals of the Colonial misgovernment or blundering local legislation of England. The pretence put forward by this Charter was, I was just about to say, that it would put you, Sir, and my native fellow subjects and friends who hear me, on a footing of equality with us of English birth and blood; on a footing of equality with respect to all rights and all things—comprised within the definitions of civil and criminal law and their administration, but I correct myself—all this meant that we were to be put on a footing of practical equality with you (a very different thing as you in the Mofussil know) with you to be—subject to a system by which our lives, our honour, our fortunes, our civil rights might be disposed of without trial by Jury, by Judges of a patronage service, appointed without reference to qualification and removed at the pleasure of the executive Government for any colourable and assignable cause. Now let me not be misunderstood;

if there is to be equality such as I am willing to submit to, and such as it is fitting for free-men to submit to. I for one will receive you all as brethren with open arms, and willingly acknowledge every man of whatever race he may be, Hindoo, Mahomedan, East Indian, as my equal in rights and rejoice in this conclusion. But if the whole powers of the executive Government, of the legislative Government, and of the judicial administration of this country over all men, are to be censured in four or five men, as they now practically are, I shall make a mock of this equality and make up my mind too, as we all do, not to submit to it. It is very easy for any man, in another place, when he cannot be met or answered, to say that the Government of this country has been and must ever be a despotism, and the worst of all despotisms is a partial despotism, meaning by such words to express that it is an evil that any right of men should here exist exempt from his power; but I can very calmly repeat here what I have said elsewhere, that if any countrymen of mine shall claim to be my master as a despot (because my lot is cast in this land.) I shall answer him, that by the rights bequeathed to me by my fore-fathers, and by the grace of God (as sovereigns are wont to say) he shall find, that he has not obtained a servant. Governed by my equals, I may submit to be; but such a man who claims to trample on my rights and those of millions in the fulness of his conceit and the pursuit of his own miserable self-interests, I do not admit to be my equal because I trust I am an honest man. The last promise with which this vaunted Charter was big, was said to be in consequence of this equality, and you, gentlemen, who are the natives of this land, were to be eligible for all employments, and even to enter within the pale of the Covenant, without distinction of caste or religion. How has this promise been fulfilled in practice? Well do I recollect that in January 1835, when the inhabitants of this place assembled to petition against the Charter, I, with those who acted with me, denounced all the provision supposed to be calculated to lead to the indiscriminate employment of natives, as illusory, false, hollow and fraudulent, as the cheap coin, which political canters and mountebanks and pretenders to liberalism, passed upon the ignorant and unwary; there was no difference of opinion amongst us at that meeting, all thought alike; but some advocates of the Government without those walls, and among them notably the organ of the press I have already mentioned, and others too, must needs cry out upon the injustice and prematurity of such attacks. Now, I ask you, Sir, and you around me, trying the promises of this Charter

by this last and perhaps most decisive test, what has been the result. One single native, Raja Ram Roy, the adopted child of Ram Mohun Roy, has been appointed to the civil service of the East India Company, and his appointment has been cancelled by the President of the Board of Control, who appointed him. Six years of the twenty granted to the Company have thus nearly passed away, and this has been the practical result! The policy of the Whig Ministry and of the President of the Board of Control, (if indeed this were ever their policy, or if any man can understand and define what their policy is or will be, beyond that of trucking to all power) has receded and bowed down before the better knowledge and the steady adherence to their own interests of the corporation of the East India Company; and what might have been once sincere intention, has become perfect treachery in execution, from the habitual cowardice of those who wield a power to which they are unequal, and which they only use to injure those who might have been their friends, I am tempted to illustrate this case by a reference to that book with which that small portion of my present hearers who are Christians, are all familiar, and with which some of you, my native friends, are perhaps not unacquainted. I think I perceive the blessing of the President of the Board of Control descending on one for whom it was not intended. I can fancy him submitting himself to the Court of Directors, and saying, whomsoever ye bring unto me, him will I choose; and when the candidate approaches, I think too I can hear him say, the voice is the voice of Jacob, but the hands are the hands of Esau; but yet he does as he is bidden, and thus the blessing is misdirected, and the son of an English mother sits in the seats and possesses the portion of Ram Roy. Now this, Sir, I denounce as moral and political cowardice in the person of the President of the Board of Control, if it be not, as I believe it is, the effect of the imbecility of a ministry, whom I heartily hope will soon be succeeded by better men, and who cannot have worse successors of any party if their successors shall possess energy and courage.

I return to the subject of the resumption of rent-free tenures. If the lapse of time were not a bar, if the neglect of Government to keep true and honest registries were not a bar, if expediency and state policy well understood were not a bar to the measures in progress for the Resumption of rent-free tenures in Bengal, still we should have a right to complain and good grounds to petition.

The whole construction of the courts of enquiry and adjudication, (courts of Justice I will not call them) is irregular, exceptional, and

illegal. The capacity of informer is combined with that of Judge in the Courts, if they may be so called, or rather in the persons of the Deputy Collectors, who are themselves called and constituted courts of primary jurisdiction. One example is worth a thousand reasons, and I may well illustrate the working of this system by an authentic fact and by one example. I do not the least fear to name names, when I am sure of general accuracy in the facts which I state. Well, I am informed, Sir, and I believe that a Deputy Collector of Government, Mr. Taylor, proceeded thus. Soon after an examination of the registry of the district in which he had been recently placed, and which happened to possess (not indeed a complete and authentic registry under the Regulations of Lord Cornwallis, for that does not exist) but a fragment of a registry of which use might be made, he discovered that between 700 and 800 estates were registered as rent-free tenures; this registry (such as it was) bore date above 45 years back, and without taking the trouble to enquire who were the present possessors of the lands in question, or even to ascertain the actual site of those lands, he issues a sort of proclamation or summons to all the ancient possessors of those lands, by the names inscribed in the registry, to shew cause why they should not be assessed within one month, and to meet him at a given place for that purpose! I am informed (but that fact as I do not hold on the same authority I do not wish to vouch for), that on the day assigned he was at another place, and this I do believe most fully, that neither adequate nor any pains at all were taken to serve the summonses on the parties in actual possession. The fated day arrived; and the whole of the unfortunate present possessors of these estates situated in villages known, but sites otherwise unknown, were decreed liable to assessment, and I am informed that more than 400 of such decrees were passed in a single day! Mark the sequel, gentlemen. This most ridiculous difficulty occurs that the Government possesses by the decree of Mr. Deputy Collector Taylor, nearly 800 estates liable to assessment, which neither the Deputy Collector nor Government, nor any of its officers know exactly where to find. In consequence after some trouble this matter is referred to the Board of Revenue, who in some sort modify rather than reverse the decisions of the Deputy Collector, and refer them to the decision of a special commission, which (to their honor be it spoken,) does reverse these decisions, and even goes so far as to censure the principles on which the Deputy Collector decided and acted. The decision of the special commission is transmitted to the local Government, and the Government in

turn, visits with its censure the decision of the special commission, and upholds the rectitude and propriety of the principle on which the Deputy Collector acted. Gentlemen, this was a lesson, and intended as a lesson to all in the like case offending, and it is one, which I will venture to say, will not fall to the ground nor be forgotten by those whom it may concern. We can now understand very well why the Government chose to distrust its own judicial tribunals, although far from being independent, and although most defective in securities against the influence of the executive power. We can understand why, by the Regulation III. of 1828, the Government choose to legislate in the teeth of an existing Act of Parliament, (21st Geo. 3d. c. 23) and create a tribunal of appeal, which was composed of a single man, and that man more conversant with revenue than judicial duty, and not only subject to perpetual removal, but practically perpetually removed, and to higher places, provided he gave satisfaction, with dependant judges removable at pleasure, but still bound by some judicial rules of procedure. The Government are dissatisfied in its own causes and what it thinks good enough for all that concerns the life, limbs and property of the subject, it does not think good enough for itself; need I say more. Yes, I will say that the revenue tribunals, which are so good for Government, are therefore not good enough for us, and that the whole system is a mockery of the sacred name of justice.

If, Sir, this appeal of ours should fail, then must we appeal further, and approach the Court of Directors; if that should fail, we must next resort to Parliament, and there, if our means are wisely and well employed, and we find able advocates to second our just arguments, I do not despair of ultimate success. If no more powerful voice should be heard within these walls, I hope one day to make my own be heard and attended to, by a body that ought to have the patience to listen, and the knowledge to understand the interests and the feelings of the millions for whom it does not hesitate to legislate, and whom it delegates the power to govern. Let me earnestly impress on you all here assembled, the paramount importance, the absolute necessity that you should create for yourselves an interest, and enjoy some representation in that assembly. You can easily obtain it there, on terms equally honorable to those who aid you and yourselves. Salaries I do not advocate, (as I for one would never receive one, were I in such a situation any more than I would give pledges of a general nature to my constituents, though the pledge that I would aid you in this cause, I might and would safely give)

but without salaries and for small sacrifices compared to those which impend over you you could, I repeat, in that assembly obtain efficient aid and advocacy, where at present apathy and ignorance prevail respecting all that concerns you and your rights and feelings. I trust I shall see the day when men of all classes in this metropolis and country, leaving aside the jealousies which exist, and which so much impede co-operation, will unite to secure an active and able parliamentary advocacy for the rights of all men, of whatever class or colour, and for all interests, political and commercial. Should our prayers and petitions here agreed to, fail of effect, it will be our part, and I trust a part well fulfilled, to set an example. I conclude, Sir, by moving the first resolution and recommending its adoption by this meeting.

Resolved,—1st, That the petition of the Landholders of Bengal, ought to be supported by the Landholders' Society, and to be accompanied by representations from the persons assembled at this meeting, and the letter which has been prepared by the committee be read.

During this speech the eloquent orator was frequently cheered, and at the conclusion, he was complimented by the most deafening plaudits.

Rajah Kali Kishen Bahadoor, in seconding the above resolution, made a speech in Bengali, of which the following is the substance:

Gentlemen,—I second with much pleasure Mr. Dickens's resolution, and I beg to make a few observations upon it. The Landholders' Society, which has been established for the benefit of our countrymen, will, I firmly believe, be productive of beneficial results. The principal object of the establishment of this association, is to draw the public attention towards the Resumption question; and I am glad to say, that *this day* has at last presented the happy and long-wished for opportunity to this vast crowd of our countrymen, of meeting here with great zeal and interest. This unusual union leads me to conclude, that our kind Deputy Governor, in perusing the petition bearing thousands of signatures of our much oppressed and distressed countrymen, will cast his indulgent eyes towards them, and will, I hope, generously feel disposed to lift them up from the depth of misery in which they are plunged. Otherwise, I fear, the subjects being in want of their livelihood, will be led to commit great injuries against each other and their country. Moreover, this circumstance will throw insurmountable obstacles in the thorny path of learning. The Government of a country may be compared to a tree,

the people to its root; and as no tree can thrive unless the root be well nourished, so the Government of a country cannot go on effectually unless the people be well protected.

Behold, gentlemen, in former times, Hindu and Musulman Kings used to recompense meritorious deeds with durable means of sustenance, by bestowing certain *rent-free lands*; and although they are no longer among the living, yet their actions and good names are tenderly remembered even to this-day. When those rulers lost their power, and the British nation became the sovereigns, all the inhabitants began to live in peace and happiness, and to pray for the increase of their Empire and wealth.

The English Government also, occasionally grant *jaigirs*, an example of which I now recollect. In the year 1835, the late Governor-General Lord William Bentinck, with the view to reward the successful endeavours of Krishna Rao, the Superintendent of the Sagor school, in cultivating his native language, bestowed on him the title of Rao, and a *Jaijir* for life, which yields 600 rupees annually. This evidently manifests that Rulers of all nations are perfectly aware, that there is no other permanent source of livelihood than that derived from the *land*; to seize it, therefore, will be totally ruinous to the holders. It may be questioned, whether or not persons should be brought to trial for evading the payment of Government. The answer is, that they must be held responsible for such conduct. The resumption officers, however, in administering justice, simply enquire after the *sanuds*, and Mr. Young's *charchitas*, &c. and their decisions, entirely depend on the production of these documents. The probability of accidents destroying such papers in the course of time, is never taken into consideration. A proprietor's grounding his claim on the length of his possession, is considered as totally idle; and on their failing to produce the required *Daveels*, they are at once deprived of their rights. It may be further observed, that zemindars have not the power to create *lakhiraj* lands. If any one grants certain lands free of rent within his own zemindary, he can thereby do no harm to Government, as he himself will have to pay the revenue of the whole. If such lands should be resumed at all, it can be so done only by the donor himself, and Government can have no manner of claim upon it.

Further more, the expence incurred by Government, in appointing the Deputy Collectors under Reg. IX. of 1838, if compared with their gain from this source for the space of a year, it may be computed to exceed the

latter by four times, which evil it is not within the power of the Covenanted officer to remedy, since the Deputy Collectors in resuming certain lands will take no less than a year to bring the circumstance to the notice of their Covenanted superiors. By this we see, that both the Government and the people become losers; the former by the entertainment of large establishments in direct opposition to the rules of *economy*; and the latter by the expences they incur in carrying on the suit, as also from their eventual loss of property. The idea of going to law against Government, where their officers are to administer justice, is truly singular. If it be the intention of Government to do justice, why not summon a *punchait*, or a jury of five respectable natives, by the consent of both parties, and both abide by its decisions.

If the present application to the Supreme Council of India be of no effect, and if it meet a similar fate in the Privy Council of Her Majesty, what remains for us but to repeat the *Sanscrit* Proverb

“ If endeavour fails, what harm may there be.”

The Chairman then explained the purport of the resolution in Bengali, and put it to the vote. Carried unanimously by a show of hands and acclamations.

Abboychurn Bonerjeah.—Gentlemen, being quite unaccustomed to speak in public, I beg the favour of your indulgence for any inaccuracy that may be observed in my address to you on this occasion. Gentlemen, the able and eloquent speech of Mr. Dickens, stating, amongst other things, the hardship and oppressions which the resumption laws entail upon the poor and helpless *lakherajdars*, and which are well known to all and every one of you here present, renders it impossible for me to say aught in addition to what that gentleman has represented to you; I have, therefore, only to express my unqualified assent to his observations. Gentlemen, the letter read by Mr. Hurry appears to me highly commendable, and I presume I am not singular in my approbation. Of the necessity of its accompanying the Landholders' petition, there can be no doubt. It enters fully into the subject, and leaves me no room for further comment. I beg, therefore, to propose—

That the letter now read be sent to Government along with the petition, and be adopted by this meeting.

This was seconded by Rajah Raj Narain Roy Bahadoor, and carried *nem. con.*

Dwarkanath Tagore.—Mr. Chairman, as I am about to give explanation regarding a secret charge that has been brought against

me in a secret letter from Government to the Court of Directors, on which I had no opportunity of vindicating myself before now, I beg your attention. The facts of the case are intimately connected with the subject now under your consideration. Myself, with several others, some of whom are now around me, presented in the year 1829 a petition on this very subject, which was approved by all, and signed by several respectable members of our community, some of whom are yet the living witnesses to vouch for the fact.

Of this petition the Local Government, in their despatch to the Court of Directors—dated 23d February, 1830, speak as follows:—

“ Among the petitions against Regulation III. 1828, which have been noticed in a preceding part of this despatch, there is one which we have stated to be anonymous; we have now to notice that an exact duplicate of that petition has since been presented to us, with the signatures of above 200 individuals annexed to it, accompanied by a letter addressed to our secretary in this department by four natives, named Dwarkanath Tagore, Kalinath Roy, Prusunnoo Komar Tagore, and Rammohun Roy.

“ The intelligence of the above-named individuals is acknowledged to be much superior to that of the native aristocracy in general; however much, therefore, we may doubt whether any considerable number of the petitioners are capable of understanding the arguments which it contains, we are not the less disposed to give due consideration to the expression of the sentiments of such individuals on a question which so generally affects the interests of the Native community as well as those of the State.”

This letter would not have been seen by us if the British Parliament did not make it a rule to publish all these correspondences. It is here stated, that the people understand not these matters, that they know nothing about these things, nor trouble themselves about the business. Are we to be told, that the people do not know when they are to be deprived of their possessions, that they do not understand what resumption means, and that they feel not when their very hearts' blood is about to be taken from them? The fact is, that it is a common practice with the local authorities here, to give such a coloring to every representation as may suit their purpose, to make the most weighty matters appear as light, and vice versa. That such is their common practice, may be known from what was said about the Black Act Petition, a knot of lawyers was said to have been the sole originators and movers of that measure, and thus it was made to

appear before the authorities in England; that it emanated from a small body, and was not worthy of attention. But although this Government made such an objection to our former petition, surely it cannot be said, that the one now before you has not your unanimous support.

But to come to the subject. You will perceive by the letter of the Court of Directors, in reply to the local Government, that in all resumption suits, they place the fiscal officer in the place of the complainant only, leaving the determination of the case into the hands of the experienced judicial officers. The case, however, is now changed. We are told that the regular judicial officers do not understand the Revenue Regulations, that there is a great pressure of business on their hands, and that, therefore, these cases must be disposed of by officers specially appointed for the purpose. I shall, however, read to you what the Court of Directors say on this matter.

Mr. Hurry here read the following extract from the Court's letter, dated 28th September 1831:—

"We see reason, however, for making a distinction between those cases, and the cases in which the Government is a party, and in which the collector, as the instrument of Government in the cause, is also apt to appear in the light of a party. We doubt not that, generally speaking, your collectors would act with a sincere desire of, deciding justly; but if we were assured of their deciding with perfect impartiality in all cases, something would still be wanting. The administration of justice has two ends; the one is, that justice should be done, the other is, that the people should believe that it is done; and this last is a point of the greatest importance.

"It cannot be doubted, that when a collector demands from an individual any sum as Revenue to Government, which that individual considers to be an illegal demand, a demand from which a just interpretation of the law would exempt him, and when, applying for this interpretation, he is remitted for the decision to the very man who has made the demand, and against whose act he is reclaiming, there is an appearance of harshness—the appearance of his being remitted not only to the man who is the party against him but a man who has already prejudged the question."

Now, gentlemen, in the face of all this, we still have our justice committed to the very party, who is employed to, inform against, us and to act as the complainant. In the letter above quoted, the Local Government also express their conviction, "that the just interests of Government have been very seriously

prejudiced by allowing cases of the nature under consideration to be tried and decided by the Court of Justice, indiscriminately, like all other cases which come before them." You have already heard the Court's opinion on this point; notwithstanding that clear expression of the Court's views, these cases are not decided in appeal by the regular Judges of the Sudder Court, but certain special Commissioners. What can be the reason of this? Is it because the Judges of the Sudder cannot be removed from their situation for passing sentences prejudicial to the interests of Government? Is it because that Court has its reports sent to the Court of Directors? or is it because the fiscal officers employed in the institution and disposal of resumption suits are more willing to promote their interests? The facts of the case speak for themselves, and they are well known to all of you. I shall, therefore, with the view to obviate the necessity of calling another meeting, and giving to the people the trouble of leaving their homes to come out so far, propose:—

That in case our representation fail of effect with the local Government and the Court of Directors, it is expedient to appeal to Parliament on the general question, and that the Committee of the Landholders' Society be instructed to carry such resolution into effect.

"We talk of the tyranny of the Mahomedan Government! but what are the English doing they are taking away from us all what the benevolence of the Mahomedans had given us. The just, the liberal, the enlightened English are depriving us of all what a tyrannical, bigotted, semi-barbarous Government has bestowed. Is this the boasted justice and liberality of our rulers? Seventy years have now elapsed since the people have had their lakshraj lands in their possession under the British rule, and now, after the lapse of so long a period, they are to be deprived of their possessions? It is not that we alone are of this opinion; even among the most experienced and able advisers of Government, I could mention a Prinsep, a Maddock, a Blunt, a Bird, and several others who do not approve of the resumption operations. But who are those that have advised these operations? a few young men, come out to India but the other day. These are the people who have been the cause of all this disgrace to the Government, who are in fact doing all they can to alienate the affections of the people from their Rulers. It is true Mr. Prinsep, one of the gentlemen just named by me, proposed a plan for these said obnoxious operations; but this circumstance has nothing to do with his opinion: he is a servant of the Government, and as such bound to obey its orders. Government has the right to regulate the way how

to cut the throats of the Lakherajdars, and he as an executive, did point out the most lenient method he could. But let us now trace the practical workings of this system to its root, which I say is bad. The Deputy Collector, who is the informer, and the complainant to his own tribunal, has the preparing of the case; he hears the witnesses, he examines the titles, and if he chooses, he can reject the evidence. The Commissioner, it is true, has to re-examine these cases, if appealed; but he judges only from the papers which the former has thought fit to place before him; and from these he can but little understand where the injustice of the case lies. The particulars of the case of Mr. Taylor, Deputy Collector at Burdwan, mentioned by my friend Mr. Dickens, are as follow. This officer, commencing on a wholesale system, took up his Tydat, or Registry Book, and found there, that about 2,000 tenures were registered in 1202, and ordered a proclamation to be issued requiring the personal attendance of several hundreds of individuals, long since dead; without enquiry whether the lands in question were in existence or where they were situated, or who the parties then in possession were; and passed his solemn judicial decree in favor of Government in default of the appearance of the parties not now alive, leaving the settlement officers to hunt out the lands so decreed in favor of Government. Mr. Low's, the then Commissioner, although by virtue of his office one of the guardians of the interests of Government, most strongly objected to the proceeding of Mr. Taylor, the resumption officer, and in that protest he was supported by Messrs. Pattle and Walters, members of the Sudder Board, on the ground that without proper service of the notice on the actual possessors of the tenure, or ascertaining the situation of the land, adjudicated by a decree, it was useless to all intents and purposes, not to say that it was illegal in the highest degree. But, unfortunately, the Government, instead of considering this improper proceeding illegal and unjustifiable, sanctioned it as just, equitable, and fair. Now, if the Commissioner had been less upright and lean more towards Government in cost than towards justice, and if Mr. Taylor had taken the precaution to submit these cases, one by one, instead of all in a lump, there is little doubt but that the whole would have passed off smoothly.

I have much more to say, gentlemen, concerning the tyranny carried on in the Mofussil; but I do not know if I am heard (at this time there was much noise in different parts of the house) I shall therefore conclude; but this

I cannot do without remarking, with reference to an observation which is always made, that these petitions and addresses are got up by interested parties, that it is nothing surprising that interested parties should petition. Who, I ask, is to complain, but he who suffers: albeit we can mention the name of Messrs. G. Prinsep and Dickens, who have night after night labored in the preparation of the documents now before you, but who are not in any way interested parties; they do not hold a bigah of lakheraj land. The community is therefore much indebted to them for their disinterested labors.

The speaker here resumed his seat in the midst of loud and continued cheering. The resolution was then seconded by Roy Bykanthnath Chowdhury, who thanked heaven on observing such unanimity amongst his countrymen; he adverted to the beneficial effects of rent-free holdings, especially in regard to education which people enjoying the grants can obtain and bestow without charge. Carried unanimously.

Dewan Ramcomul Sen now addressed the chair:—

The resumption regulation, to avert the consequence of which we have met here to-day, is not the only grievance under which the country labours; but there are great many others connected with the Revenue and Judicial system of Government, and in case the Society find it necessary to go before the superior authorities in England, such of them as may appear glaring and injurious, should be included in the memorial.

Resolved,—That it is also expedient to appeal such cases of peculiar hardship as the Landholders' Society shall select, to the Privy Council.

This Resolution was seconded by Joi Kisto Mookerji, and carried *nem. con.*

Dwarkanath Tagore again addressed the chair, and said, that so large a public meeting as this, and for such a purpose, had never before assembled in India. He complimented the chairman on having conducted the proceedings in so able a manner, and observed that the whole had been managed so peaceably, that even Captain Birch, the Superintendent of Police, who had come in during the proceedings, found so little occasion for his presence, that he had already retired. He, therefore, felt great pleasure in proposing a vote of thanks to the chair. This was seconded by Mr. Vint, and carried by acclamation.

The meeting dispersed after 4 P.M.

MEETING OF THE BENGAL AUXILIARY SOCIETY.

WEDNESDAY, 31st OCTOBER, 1838.

Annual meeting of the Bengal Auxiliary, to the London Missionary Society, held at the Union Chapel, Durrumtollah. Agreeable to notice given in the public journals for some days, the 20th Anniversary of this Society took place.

G. Alexander, Esq., C. S., in the chair.

The chairman opened the meeting in a suitable manner, after which the Rev. Mr. Boaz was called upon, and read the Report of the Committee for the past

year, which was very interesting, and several resolutions were moved and seconded by the following gentlemen, viz. The Rev. Mr. Yates, Mr. Cooke, the Rev. Mr. Macdonald, the Rev. Mr. Bradburry, Mr. Wals Byrn, the Rev. Mr. Lacroix, Captain Roxborough and Mr. Grant. A collection was made in aid of the funds of the Society which, with the former collections for the same purpose, amounted to about 600 rupees, besides what may be realized from blank cards put in by several gentlemen. The meeting was well attended, and all left the place apparently well pleased with it.—*Hark, November 2.*

THE STEAM COMMUNICATION.

The COMMITTEE of the NEW BENGAL STEAM FUND, have much pleasure in publishing for general information the following copy of a letter, dated 14th August to the Hon'ble Court of Directors from Lord Wm. BENTINCK.

The reply had not been received when the Mail left England, but the Committee hope to be able to publish it after the arrival of the October Mail.

The letter of Lord Wm. Bentinck speaks for itself. In as few words as it is possible well to embrace a subject of such vast importance, it comprehends the general bearings of the question, as they more particularly relate to its practical development. A proposal to carry out the perfect comprehensive scheme with all its attendant advantages, at a cost to the public authorities of, at least, one-third less than the sum now expended in the partial, inconvenient, and indeed harassing intercourse, guaranteed by such a man as Lord Wm. Bentinck, cannot fail to meet attentive consideration, as well by the Hon'ble Court as the Board of Control, to whose President a copy of the letter has been sent.

By this act Lord William Bentinck has placed himself in the van in bringing this great measure into practice. The importance of such a position on his part is incalculable. It is at once a guarantee to the authorities and to the whole of the public in Great Britain and India. To the former that there will be nothing in the proposition which does not tend to the mutual interests of the two countries; and to the latter, and especially to the people of England, that it is neither visionary nor illusory, but one to which they may unreservedly give their confidence.

It will be seen that Lord William Bentinck refers to his having presented the Calcutta and Madras Steam Petitions. By a letter from Capt. Barber, it appears that this occurred on the 1st August; but the mail of that month not having yet reached Calcutta, the committee are unable to make any communication on the subject.

By order of the committee of the new Bengal Steam Fund.

C. B. GREENLAW, Secretary.

Town Hall, Calcutta, 5th Nov., 1838.

6, Park place, Aug. 14, 1838.

TO THE CHAIRMAN AND DEPUTY CHAIRMAN of the Hon'ble EAST INDIA COMPANY.

Gentlemen,—The interest which I take in seeing to Her Majesty's Indian territories under the Government

of the East India Company the full benefit of Steam Communication, will, I trust, be received by you as my apology for thus trespassing upon your attention.

Having been entrusted with the charge of advocating the earnest and reiterated wishes of the British and native community for the full and complete extension of such communication to India, I feel no hesitation in addressing you as the heads of the executive branch of the home administration in the full confidence that the Court of Directors will receive with satisfaction any proposition calculated to attain this most desirable object.

The petitions which I have lately presented to the House of Commons, sufficiently attest the truth of the conviction expressed by the president of the Board of Control in his letter, dated 10th March 1837, addressed to the Chairman and Deputy Chairman of the Court of Directors, that any plan which does not embrace a communication with Madras and Calcutta, as well as with Bombay, will certainly fail to give public satisfaction, and to fulfil the just expectations of the people both of India and England. The greatest disappointment prevails throughout India in consequence of the delay in carrying out these intentions.

But, independently of the inadequacy of a communication, which has its terminus in Bombay, for either social, commercial or political purposes, it is impossible that it can be beneficially conducted by so many different authorities,* none of

1. The Calcutta dawk to Bombay.
2. The Bombay Packet to Suez.
3. The Egyptian transit, the conflicting interests of the public authorities and private agency.
4. The Admiralty Branch Packet to Malta.
5. The Admiralty's Branch Packet from Malta to Gibraltar.
6. The Peninsula Steam Navigation Company's Packet to and from Gibraltar to Falmouth.

The uncertainty of the departures from India, the defective arrangements in Egypt, the length of the quarantine, which ought to be avoided, and the delays on the European side are subjects of general complaint.

After maturely considering the question in all its bearings, and being fortified with the opinions I have formed, by the concurrent judgment of competent parties, I am convinced that Steam Communication, on the most comprehensive scale, may be extended to the

several presidencies, including also the Island of Ceylon, with the Red Sea; in the most satisfactory manner, and at far less cost than is incurred under the present incomplete arrangements.

I appreciate the disposition that has been manifested by Her Majesty's Government and by the Court of Directors, in the support hitherto given to this important measure; but the undertaking is more fitting the enterprise of a private Company than one legitimately falling within the province of the ruling authorities. At the same time, from the peculiar position in which British India stands towards England, no Company can be formed, with any reasonable hope of success, unless supported, for a time, by pecuniary aid from such authorities.

I beg, therefore, to ask, whether in the event of a Company being formed for carrying on steam communication between England and India, which shall afford the most complete means of conveying in the shortest possible period, all despatches, diaries, and consultations from the Governments of India, and conveying despatches from the home authorities to those Governments, as well as presenting ample accommodation to passengers, the Court of Directors and Her Majesty's Government will be prepared to pay an annual sum, certainly not exceeding two-thirds of the present charge, for a term of seven years, at the expiration of which period, the agreement to be open to revision, if it shall appear that reasonable grounds exist for a remission, by the Steam Company, of any portion of the aid now sought.

By this arrangement a large annual saving will accrue at once to the Government, whilst the anxious desires of the Indian community, so repeatedly pressed upon the attention of the Home Authorities, will be completely and satisfactorily met.

As I shall be prepared to take a prominent part in the conduct of such a Company, provided my proposition is favorably received, as I can confidently assert that the greater part of those with whom I am associated have exclusively in view the prosperity of India, I trust that in these motives will be found a sufficient guarantee, that the principles upon which such Company shall be based and carried forward, will be unexceptionable.

Being pressed to make known to India the steps which I have taken to discharge the trust reposed in me, I may be allowed to request as early a reply to this communication as your convenience will permit.

I have &c.

(Signed) V. C. BENTINCK.

(True Copy.)

C. B. GREENLAW,

Secy. to the Committee N. B. S. Fund.

Hurk. Nov. 6.]

At a meeting of the Home Committee of the New Bengal Steam Fund, held on the 22d June 1838.

A letter from the New Bengal Steam Fund Committee, dated 9th April last, having been laid before the meeting and being read.

It was resolved,—That the Secretary be required to report upon its contents, on the balance of funds and on the subject of remuneration for his personal services.

It was also Resolved,—That a deputation, consisting of
 Lord Wm. Bentinck. Mr. HARDING.
 Col. CRAIGIE. Mr. LARPERT.
 Mr. CRAWFORD. Mr. MACKILLOP.
 be requested to wait upon the Chairman, and Deputy-Chairman of the East India Company, to announce the

arrival of a petition or petitions addressed to the House of Commons from Calcutta, and Madras, in favor of a comprehensive plan of Steam communication, embracing all the presidencies, and to ascertain the views of the Court of Directors on the subject.

(Signed) W. BENTINCK.

16, Cornhill, 2d June, 1838.

To the Right Honorable Lord Wm. BENTINCK, G. C.

D. M. P. &c. &c. &c., and the Home Committee of the New Bengal Steam Fund.

My Lord and gentlemen,—In compliance with your instructions, as recorded upon the minutes of this day, I proceed to report upon the various subjects respecting which you desire to be furnished with detailed particulars.

The first of these subjects is the letter addressed to you by the Committee of the New Bengal Steam Fund, dated Calcutta, the 9th April last, and received by Lord William Bentinck on the 20th instant.

The principal object of that letter appears to announce the appointment of Capt. Barber, as the direct Agent of the Committee at Calcutta, and with reference to the anticipated course of the Steam question, various suggestions are made for putting Captain Barber in communication with your committee, for arranging his remuneration and for obtaining the services of Dr. Lardner.

The Calcutta committee advert to the deposit of £1,000 with Sir Charles Cockerell and Mr. Fletcher, to meet the expenses of the proceedings and express some surprise at the non-production of the statement of account, which was to be furnished. I need not inform your committee that the statement referred to, has long since been furnished, and that the delay in transmitting it during the successive months of December and January, was fully explained in private letters from Mr. Mackillop to Mr. Greenlaw.

I, therefore, pass on to the remaining points upon which you have called for information—the balance in hand and my claim for remuneration.

The amount of expenditure incurred under the authority of your committee is (as appears from the statement attached) £796 0 9, of which £300 was paid by your order to Captain Barber, for the use of the Provisional Committee, the balance consequently remaining in my hands, exclusive of the letter of credit of £1,000 on Sir Cockerell and Co., received by the 'Hindo', 14th Sept. 1837, is £193 19.

On my own claim to remuneration, I have little to say, nor should I have adverted to it at all, but in deference to your instructions.

Thus called upon, I may be pardoned for mentioning, that I have now been engaged in actively aiding the progress of the steam question for a period of nearly two years. How large a portion of my time during that period has been thus devoted, may be best estimated by those who, like yourselves, my Lord and Gentlemen, have had the means of observing the constant and unwearied attention I have bestowed upon the cause. I have sacrificed to it much lucrative employments, more immediately connected with my own business, and I have incurred various expenses which I could not bring forward as matters of separate charge. It is to be recollected also, that the duties which I have performed were not of an ordinary character, that they required not only habits of business, but for their efficient discharge a peculiar position in society and habits of intercourse with classes not readily accessible to all.

These circumstances I cannot refrain from mentioning, but as neither my labours nor my difficulties have been

appreciated by those with whom my connection with the steam question originated, it would not be accordant with my feelings of what is due to myself to make a charge for the performance of duties in which I have unfortunately afforded so little satisfaction.

I have already expressed my grateful sense of your kind approbation of my exertions, I have only to add that amidst much of bitter vexation and cruel disappointment, that approbation has ever been sufficient to sustain, support and console me.

I have the honor to remain, my Lord and Gentlemen, your most obedient servant.

(Signed) R. M. GRINDLAY.

At a meeting of the Home Committee of the New Bengal Steam Fund, held at the House of Lord William Bentinck, on the 26th June 1838.

The Secretary presented the annexed report, in conformity with the resolution of the last meeting.

The same was read, whereupon it was—

Resolved,—That this Committee see no reason to change the opinion respecting Capt. Grindlay, contained in their letter to the Calcutta Committee, under date the 16th February 1838, that in consideration of his services, and in reference to the state of the funds, Capt. Grindlay be requested to accept the sum of five hundred pounds, that the balance, amounting to £—, now in the hands of the Secretary; and be placed at the disposal of the Calcutta Committee of the New Bengal Steam Fund.

That the Secretary be requested to forward to C. B. Greenlaw, Esq., Secretary to the New Bengal Steam Fund Committee, a copy of the minutes of the day's proceedings.

That this Committee be now dissolved and is hereby dissolved accordingly.

(Signed) W. C. BENTINCK, Chairman.

Hulk Nov. 13.]

THE UNION BANK.

CALCUTTA, NOVEMBER 7, 1838.

At a Meeting held at the Union Bank, Calcutta, this day, November 7, 1838., R. Walker, Esq., in the chair.

Mr. Hulroyd, read the correspondence relating to the resignation and re-nomination of Mr. A. H. Sim.

The Chairman read extracts of proceedings of Directors on the subject.

A proprietor (Mr. Staunton) asked if Mr. Sim accepted the conditions.

Mr. R. S. Thomson stated, that he would accept them.

Moved by Mr. W. Patrick, and seconded by Dwarakanauth Tagore,

“That the nomination of the Directors be confirmed.”

Mr. L. Clarke rose and addressed the Meeting to the following effect:

Gentlemen, I beg to move the following amendment to the resolution which has just been proposed.

Resolved. That Mr. A. H. Sim, the late accountant of the Union Bank, having resigned, in consequence of a complaint against him, and the directors having nominated him again to the situation in order to enable him to take the sense of the Proprietors on his conduct, it is the opinion of this Meeting, that Mr. Sim having admitted to the Directors, that he communicated to Mr. Henderson, the Attorney, that a cheque of Mr. Joseph Patten, a proprietor, had been dishonoured, and also in particular of Mr. Patten's account; that Mr. Patten's bail was to be opposed, the nomination of the Directors be not confirmed.

Gentlemen, you have partly heard from the papers which have been read, the circumstances under which I brought this matter to the notice of the Directors. I had been out of town for twelve days, and returned for the express purpose of attending our last General Meeting. In the room, I heard of the report which was circulated, and on questioning our Secretary, he told me that the complaint had been made to the Directors, and that he knew nothing of the matter, but, from general conversation. To me it appeared, that our reputation on the credit of any officer of the Bank, ought not to be permitted to exist for one hour, and I wrote to Mr.

Patten, desiring to know if the report rested on his authority, and if it did, calling upon him to furnish me with the particulars, as I deemed it my duty as a Director, that the character of the Bank should be vindicated, or the conduct of its accountant cleared. Gentlemen, you have heard my letter read, and Mr. Patten's reply contained in his letter to the Directors. At a Meeting of the Directors the next day, Mr. Sim was called before us, and he admitted Mr. Patten's statement was substantially correct, but he denied that he ever authorized Mr. Henderson, the Attorney, to use his letter, or that Mr. Henderson had produced it. This qualification, however, was of little consequence; for he admitted that he gave the account to Mr. Henderson, the better to enable him to oppose Mr. Patten's bail, and that his letter to Mr. Henderson, contained the figures 320, being the amount of Mr. Patten's cheque, and 8-2, being the balance of his account.

It has been said, that this question has caused a difference of opinion among the Directors, but this I positively deny, in the presence of all my brother Directors. Acting as Directors we have been unanimous in every thing, with the exception of making a reference to Mr. Patten before we decided the matter ourselves; a difference which was rendered of no consequence, as Mr. Patten's reply compelled us to decide the matter. On Mr. Sim's admission, I moved that he should be dismissed, considering that the 48th section of the deed left us no discretion. It is this ‘That no shareholder of the Company, other than the Directors, Secretary and Accountant thereof, shall be allowed to inspect the accounts of private individuals, or co-partnerships, with the said Company, without the consent of such individuals or co-partnerships, and if any of the Directors, Trustees, Secretary, Treasurer, or any other officer of the Company, shall devolve, unless compelled by a Court of Justice, the transactions, or dealings of any such individuals, or co-partnerships with the said Company, the person or persons so divulging such dealings or transactions, shall be summarily dismissed from his office, and some other person appointed in his stead, in the same manner as hereinafter directed.’ Gentlemen, I withdrew my motion for Mr. Sim's dismissal, upon his resignation being tendered; and when Mr. Hulroyd proposed to nominate him for the purpose of having your opinion I cordially joined in that resolution. Mr. Hulroyd has

stated, that the resolution originated with himself; and not from Mr. Sim; but Mr. Sim knows of it, and has availed himself of it, and he has, therefore, strictly speaking, appealed to you on the question of his conduct. I can see no reason for altering the opinions I originally entertained. The facts of the case are not disputed, and nothing new has transpired to alter it in the least; and a more flagrant act, I can hardly conceive to have been committed by any person holding a responsible situation in a large public Bank. I need not appeal to the opinions of those, who inserted that clause in the deed. Common sense, and common honesty are quite sufficient to characterize the nature of the offence. In vain do I look for one redeeming feature in the whole transaction; every part of it is of the most aggravated nature. It originated in interested and vindictive motives: in interested motives, because it was an object with Mr. Sim to keep Mr. Robinson in prison; in vindictive motives, because when I put the question to Mr. Sim in the presence of the Directors, whether he would have dishonoured the cheque of any one other Proprietor of the Bank without applying to Mr. Storm, he admitted that he would not; adding, that when a constituent overdraw his account, he was always written to, and being on bad terms with Mr. Patten, he would not communicate with him. Here, then, Mr. Sim quarrels with Mr. Patten, and this is the reason that your accountant is not to do his duty towards your constituents; so much for the motive in which his conduct originated. Now mark the premeditated manner in which the whole plot is carried out. The cheque was dated the 13th, and therefore was not payable until that day. It was presented on the 17th, and it therefore ought not to have been paid, and consequently not being due, could not possibly be dishonoured. It was not only contrary to the routine of Banking business to dishonour it, but Mr. Patten might have sent in money to meet it before the time at which he made it payable; it was therefore untrue to say the check had been dishonoured on the 17th; and yet Mr. Sim, without any communication with the Secretary, and assuming an authority, which, as accountant he did not possess, deliberately sent it back on the 17th, and on the morning of the 18th, writes to the attorney to tell him, that Mr. Patten had overdrawn his account, and his check was dishonoured; when, according to the routine of Banking, no such circumstance could have occurred. I could pardon a hasty expression in moment of unguarded conversation, by which an account was disclosed. I could palliate indiscreet communications over the wine cup; but here is nothing of this sort; here we have a grossly improper act done on one day, as the foundation of a deliberate communication to be made in writing on the following, and that communication being an untrue statement. Now, gentlemen, let us look to the object of all this proceeding. It is to keep one man in prison, and to cast a stigma upon the solvency and respectability of another. Here you have a respectable tradesman keeping his Banking account with you, met in a Court of Justice, with a false assertion, not only that he is insolvent, but twitted with the intention to commit perjury; for Mr. Patten was prepared to swear, that he was worth a certain sum, and your confidential officer betrays the state of his private account with you, to establish that he was about to swear to an untruth. Look, therefore, at the whole transaction, the bad motives in which it originated, the premeditated manner in which it was carried through, and the scandalous object it had to achieve. Gentlemen, I state to you, without fear of contradiction, that it rests with Mr. Patten, or Mr. Robinson, to indict Mr. Sim at the next session, for conspiracy to get Mr. Patten's bail rejected on false pretences, and Mr. Robinson detained in prison. And this is the man whom you are asked to elect to the most responsible situation of this Bank, to whom all your accounts with all your constituents are to be entrusted. I ask what would be thought of this in London, or in any Commercial City? Would it be considered there for a moment,

and what will be thought of you for doing so? Would any partners in Coote's, or in Child's, permit a clerk in their establishment to remain for one single moment, who, taking his master's money, and being supported and maintained by him, betrayed the state of his accounts in order that he might be insulted, degraded, and twitted with perjury? No man who had any principle or any honor could have been guilty of such a deliberate breach of trust. It has cast a stain, and a tarnish on the character of Mr. Sim, which no vote of yours can remove; and it is due to the immense constituency and numerous absent proprietors of this great Bank, that a person who has been guilty of such an unprincipled act, should not be placed at the head of its accounts. In this city it becomes us to be more strict in matters of this kind, than is necessary in any other part of the world. Look at its immense native population; look at the number of natives in whom you are obliged to repose confidence, and receiving only small pittances for their services, and how can you blame any one of these for misconduct, if you again place confidence in one of your chief officers, after he has been guilty of so unprincipled an act. You are here but very few, as compared with the 250 or 300 Proprietors which constitute the Company. They have a right to demand from you, that principles of honesty be cherished in the Bank; but if you place at the head of your accounts, a man who has acted so, you are doing directly the opposite. While Mr. Sim remains here, never shall any account of mine be kept within these walls, nor shall any friends of mine, who may be influenced by my opinions, trust their accounts to his inspection. I deem it most unsafe, and entertaining that opinion, I fearlessly express it, and deem it my duty so to do. You may restore him, but you cannot wipe the stain from his character; and I believe that to bring him back will do incalculable mischief.

On the amendment being put from the chair, Mr. Dickens, in favor of the original motion, addressed the meeting as follows:—

Sirs,—I rise to oppose the amendment of my friend, Mr. Clarke, and to support the recommendation of the majority of the Directors, which is, that Mr. Sim's appointment be confirmed. On one point, the whole of the Directors were unanimous, and Mr. Clarke himself admitted before, as he admits now, that it was proper to moot the question whether there was any thing in the conduct of Mr. Sim, that for ever disqualified him from serving the Bank. The appeal of Mr. Sim which has been brought before you, gentlemen, by the majority of the Directors, and which is supported by their recommendation, is an appeal to your mercy. It is not, I apprehend, quite correct to say, that Mr. Sim, is here upon his trial before you; he has been already tried, convicted and punished and, as I think, most justly punished; but the question for your consideration, gentlemen, as proprietors of this Bank, now is, whether mercy should be extended to him after he has undergone punishment, or whether the door of pardon should be closed on him for ever, and his exclusion from your service be made permanent, to the serious injury of his character, and perhaps to the utter ruin of his prospects in life. I cannot but feel, gentlemen, all the while admitting, that he has been guilty of a very grave offence, and that the Directors have acted with propriety, [as it is clear they would have dismissed him from office had he not resigned it] and that he has suffered no greater penalty than he justly brought upon himself—I cannot but feel, I say, that in consideration of a valuable service of upwards of seven years, we ought to overlook this his first and sole offence; and that is the just application of the precept, which enjoins us to do unto others as we would be done by, in the like case, that we ought to asperse his restoration to office. I think, that otherwise we should exceed the limits of justice and meet out too heavy and disproportionate a punishment.

Although I am not here to defend Mr. Sim; although I admit that he committed a breach of his duty as a servant of the Bank, and a very serious breach of duty; although I admit he was very deservedly punished for it; yet I say, gentlemen, by no means intending, however, to constitute myself a defender of Mr. Sim) that it seems to me to be carrying matters too far, to charge him with not having an "unimpaired character." I do not consider that Mr. Sim has been guilty of any serious breach of moral duty or any grave moral offence. Our of anger arising from previous litigation and quarrel with other parties he has done what he was not justified in doing to one of the proprietors of this Bank, and broken one of its important rules; but there has been neither fraud nor deception in his case, nor what can be fairly called breach of trust nor in short any misconduct such as would render him altogether unworthy of trust hereafter, especially after the several lessons which he has received, and by which I doubt not he will profit. My conviction that he cannot fail to profit by this lesson, and that the Directors will profit by it also and look more closely to his conduct, makes me feel quite secure that no harm can arise to the credit or prosperity of this

Bank from his restoration to office; and I am satisfied my friend, Mr. Clarke, will, upon reconsideration, and twenty-four hours hence be inclined to be of the same opinion, and will end, I hope, by not withdrawing his confidence and support from the Bank, if he should find himself outvoted here; and that the majority of his co-partners are of opinion, after an investigation of the subject, that the step which the great majority of the Directors has recommended, ought to be adopted.

As I conceive that the offence of Mr. Sim, thought considerable, is by no means altogether unpardonable, and that the Directors, who must be the best judges of his character and fitness for office, have recommended him to our favorable consideration, I hope that the Meeting will concur in the propriety of the recommendation, and confirm his appointment.

On Mr. Clarke's amendment being put from the chair, it was lost and the original motion carried by a large majority,

After which the meeting dissolved.—*Hurk. Nov. 8.*

THE BLACK ACT MEETING.

Agreeably to the announcement in the public prints, a meeting of the inhabitants of Calcutta was held at the Town Hall on Sunday the 24th of November. The Sheriff took the chair precisely at 3 P. M., and the proceedings commenced a quarter of an hour after. The chairman entered upon the business of the day, by reading the requisition calling for the meeting, which appeared in the *Hukaru* of the 24th instant, and stated that he would make it a point to preserve order and secure impartial hearing for all parties.

MR. DICKENS.—Mr. Chairman and Gentlemen; it is my intention to propose for the adoption of this meeting the following Resolution, which I read now, in order that every one may hear and clearly understand the subject to which I shall apply myself, and I shall again read the resolution at the end of my address and propose it formally for your sanction.

I. Resolved, that it is expedient again to petition both Houses of Parliament to repeal or disallow the Act No. XI. of 1836.

Before I go on, however, to the main subject, it is necessary, in the discharge of my duty as Secretary to the Committee appointed by the former meeting on the subject of this Act, held in June 1836, to lay before you an abstract of the account of the Subscription fund raised in pursuance of the resolutions of that meeting, in order to shew the amount that has been raised and the manner in which the fund has been applied. The amount that was to be raised was left to the discretion of the Committee, and the amount of the remuneration to our agent was necessarily left subject to the same discretion and to the result of the subscription. The amount you may recollect that we desired to raise, was a sum amounting to Company's rupees 26,000 and not exceeding Company's rupees 30,000, and this was publicly announced by the Secretary.

The amount of Company's rupees 26,322 was easily raised, as the abstract of accounts I shall submit will shew, and when that was done it was considered that the subscription was complete, and no further appeal was made to the subscribers. In the minutes of Council which now lie before me, it has been alleged by Mr.

Macaulay, and statements to the like effect have been made in the House of Commons, that no part of these funds was subscribed by British Residents in the Mofussil. That is utterly false; a very large proportion of the subscription has been derived from the contributions of British Residents in the Mofussil; indeed, in proportion to their means, much the largest share; for I believe that full seven-tenths of the subscription has been raised from that source, and quite voluntarily raised. My public appeal through the newspapers, was readily responded to, others were needless. I now lay before you the abstract of the account, which I trust will be found satisfactory. The details, including the names of the subscribers, have long since been published in the newspapers, and I need not take up your time with them.

Abstract Account of the Committee against Act No. XI of 1836, in account current with T. Dickens, Esq., Secretary.

Dr.
 To amount disbursed by T. Dickens, Esq., for sundry expenses of all kinds, including Mr. Macdonald the Deputy Secretary's salary for some months, press wages, postages, stationery and petty charges, &c., up to this date, 24th November 1838, Nov. 24, 1838.—To amount remitted by T. Dickens, Esq., as under. By a set of bills drawn by Messrs. Cockerell and Co., on Sir Charles Cockerell and Co., at 3 months' sight, in favor of G. G. De H. Larpent, Esq., on account of Mr. Turton's salary and contingencies, for £600 at 2s. 2d. 10-16 per rupee and paid to Mr. Turton. Co's Rs. 5,760
 Jan. 24, 1837.—By ditto ditto drawn by Messrs. Hickey, Thomas and Co., in favor of Mr. Turton and paid to him at 6 months' sight, for £1,400, at 2s. 2d. per Rs. rupee is Rs. Rs. 12,000 or Co's Rs. 12,800
 March 20, 1837.—By ditto ditto drawn by Messrs. Wilson,

886 1 7

Frith and Co. on John Mason, Esq., London, in favor of Fletcher, Alexander and Co., on account of Mr. Turton, and paid to him through Mr. Larpent, at 6 months' sight, for £445-6-3, at 2 4/5 per sicca rupee, is sicca rupees 3,750 or Co.'s Rs.....	4,000		
By ditto ditto drawn by T. Dickens, Esq., on Messrs. Fletcher, Alexander and Co. in favor of John Crawford, Esq., at 3 months' sight, for £100 at 2s. per rupee.....	1,000		
		23,560	0 0
To ditto ditto at the Union Bank, for sircar's salary, &c.....		65	14 0
		24,211	15 7
To Balance in Mr. Dickens's hand....		1,810	6 7
Company's rupees		26,322	6 2

CR.

By amount realized by the Union Bank for subscription, from 18th August 1836 to 25th July 1837.....	23,372	0	10
1837.—By ditto ditto by Messrs. Cockerell and Co., and handed by them to T. Dickens, Esq., and afterwards sent by him to the Union Bank.....	1,157	0	0
1837.—By ditto ditto by T. Dickens, Esq., at sundry times, and sent by him to the Union Bank 153 5 4			
	24,682	6	2
By ditto ditto by T. Dickens, Esq., not sent to Union Bank.....	50	0	0
Nov. 1838.—By cash received from Messrs. Cockerell and Co. being balance of the amount of subscription realized as per their account current recently received and not sent to the Bank.....	590	0	0
Nov. 1838.—By ditto from T. Dickens, Esq., being the amount of his own Subscription not sent to the Bank.....	1,000	0	0
Company's rupees	26,322	6	2

E. E.

Calcutta, 22d November, 1838.

Having discharged this duty, which I felt it incumbent upon me, on behalf of the Committee and on my own behalf, as Secretary, to do in the first instance, I proceed to take notice of the arguments by which we have been opposed. A cry has been raised against the petitioners on the ground that they seek to obtain exclusive privileges at the expense of their native fellow-subjects and of their fellow subjects of every denomination, who are not British subjects. In the first place the former petitioners were not exclusively British subjects, very far from it, as the analysis of Mr. Crawford shews; in the next place, as far as the British subjects among the petitioners are concerned, the charge thus brought against them is utterly unfounded in every particular, as I pledge myself to shew. I must here remark, that this charge was first produced in England; it was never brought forward in any public or official form in India, until the publication yesterday of these Minutes of Council, which were intended to be secret. When the memorial of Messrs. Turton, Thackeray and Samuel Smith was presented to Government, which was the first step taken in opposition to the Black Act, the Government, by Mr. Secretary Macnaghten, answered in these words:—"The rescinding of the 107th Clause of the Charter Act will make no change in the rights

of British subjects. Its effect will be merely this, that what has hitherto been done by the Supreme Court will now be done by the Court of Sudder Dewanny Adawlut. The substantive law remains the same." There was not a syllable said in the reply of Government, to indicate that the British subject in claiming, when defendant, to be entitled to the benefit of English law, and in claiming an appeal to the only Court of English law in the presidency, claimed an exclusive privilege. If the charge had been brought forward, it would have been refuted here; it was not brought forward here, but reserved for Minutes of Council penned in secrecy here and intended to produce an effect in England, and of which, but for our opposition, we should have known nothing. If the opposition to the Black Act had produced no other result than publication of these Minutes, all the pains and toil and cost that have been bestowed by us, would, in my judgment, have been more than repaid. What we asked for in our memorial to England and our petitions to Parliament, was to preserve this right of appeal, but not as an exclusive privilege to the class of British born defendants, entitled, when sued, as such, to the benefit of their own law, just as when Hindoo sues Mussulman or Mussulman sues Hindoo, the defendant is entitled to the benefit of his own law, but as a *privilege* to all. What we asked, will be best shown by the prayer of our petition, which I will read to you.

"Your Petitioners therefore humbly pray, that the Act of the Council, No. XI. of 1836, be repealed, and that the Sec. 107 of the 53d Geo. 3d C. 153 be amended, if necessary, by inserting, that in all cases of debt, contract or trespass, in which one British subject may be sued by another British subject, or by any other than a British subject, for an amount exceeding (4,000) four thousand Government rupees, an appeal shall be given to the party against whom the decision of the Court shall pass (whether native or British subject) either to the Supreme Court or Sudder Dewanny Adawlut at his option; and that in all cases merely between British subjects, relating to marriage, divorce, inheritance to real and succession to personal estate, inasmuch as they relate to matters solely cognizable by the laws of England, the Courts of the East India Company be prohibited from holding plea thereof."

Thus you will see, gentlemen, that we asked for no privilege for British subjects exclusively to choose their own Courts, but the precise contrary. In cases solely relating to British subjects, they are entitled to the benefit of the law of England throughout the British territories in India: that is beyond dispute, in mixed cases, where one other than a British subject sues a British subject as a defendant, such defendant is entitled to the benefit of his own law, that is the general rule in India its application to mixed cases of Hindoos and Mahomedans is expressed by a prior Act of Parliament, its application to British subjects when sued by others was confined to them, as I maintain, by the 107th Section of the 53d Geo. 3d, which the Black Act professes to repeal. If that had not been so, the result would have been that where all other defendants in mixed cases, when the laws of the parties differed, possessed the privilege of having the case decided by their own laws, when ascertainable, until the absurd law of equity and good conscience was introduced, the Englishman in India alone was deprived of it. The 107th Section of the 53d Geo. 3d so far from being favorable to exclusive privileges of Englishmen, conferred, in fact, upon natives and all others, a privilege which Englishmen did not possess by it. That Section made British subjects resident in the Mofussil subject to the Local Courts in like manner as the natives were then subject; but it preserved, by an express clause to natives and all others, the right of suing British residents in the Mofussil or the Supreme Court, at the election of the plaintiffs. Thus a native could sue a British subject resident in the Mofussil, either in

the local Court or in the Supreme Court, but the British subject could not sue a native resident in the Mofussil any where but in the Local Court. The appeal lay in cases where the native was defendant and the British subjects the plaintiff to the Sudder Dewanny Adawlut, because the law was the law of Hindoos, Mohammedans, or some other foreign law which the Sudder Dewanny Adawlut, was as competent to administer as the Supreme Court, but it lay in cases where the defendant, being a British subject, chose to appeal to it to the Supreme Court, as the only Court competent to administer the law of the defendant. There was sound reason and justice in this, perfect fairness and equality, for I deny, gentlemen, that it could ever have been a privilege to the plaintiff himself to have the law of the defendant, which was to govern the case administered by a Court that did not understand it. The same individual, Mr. Macaulay, as I find in these Minutes, who has thought fit to call the 107th Section of the Act of Parliament of the 53d of Geo. 3d, c. 155, a law having the semblance of tyranny and partiality, and indicating a notion that Englishmen have a title to something more than justice, has thought fit to set up a construction of his own of the Black Act, and he states in the 16th, 17th and 18th paragraphs of a Minute without date, as I observe all Mr. Macaulay's are (for some reason which I should be glad to know) but which is the third in order of printing and, I presume, therefore, the last in order of date, various propositions of law and among them lays it down broadly, that he knows of no Court in the Mofussil that has power to grant a divorce to any party of any race or religion. This may be Mr. Macaulay's opinion, but here are the words of the Black Act, by which it is "enacted, that no person whatever shall, by reason of place of birth, or by reason of descent, be in any civil proceeding whatever, excepted from the jurisdiction of any of the Courts hereinafter mentioned," and then all Courts but Moonsiff's Courts are mentioned. I apprehend that questions relative to the validity of marriages, and the right to divorce are civil proceedings. I know very well that the Zillah Courts have express jurisdiction in such cases, in the cases of Mahomedans and Hindoos, and I know too that they exercise such jurisdiction in other cases, and in fact the construction of this, as of every law, is for the Courts who are to administer it, and not for Mr. Macaulay or the executive and legislative Government, which he seems to think has the right to decide such questions. When I saw that the Black Act made no distinction of persons and excluded no civil proceedings whatever from its operation, I circulated a memorial before it passed, which was signed by about 50 other most respectable persons, and couched in perfectly respectful terms, requesting to be informed by Government, what law, after the passing of the Black Act, it was intended (as there was no exception even of cases relating to marriage, inheritance and succession to real and personal property between British-born subjects) that the Provincial Courts should administer under it. To this the Government returned an answer, which in effect was the same thing as if couched in these words "the same law as before." In truth, Mr. Macaulay confesses elsewhere in these Minutes, that he could not answer the question, which I very well believe; but he has in the 16th, 17th and 18th paragraphs of the Minute, proposed to answer very summarily and authoritatively most of the points specified in the question, and has in every case answered them wrong.

He has stated that up to the date of his Minute no Englishman had a right to hold an estate of inheritance in the Mofussil. I utterly deny the proposition; it is contrary to law and fact. Long before the last Charter Act, Englishmen did hold estates of inheritance by English law in the Mofussil, and their right to hold them has been over and over again confirmed, both here and at

home. The 26th Section of the last Charter, which declares it lawful for an Englishman to hold lands for any term of years, in any part of India in which he may reside without license, is merely a declaratory Act, and no more specially concerns lands in any part of the Mofussil acquired before the year 1800, than it specially concerns Calcutta itself. Mr. Macaulay has never understood the Act any more than the President of the Board of Control. As I have said before, the clause is simply declaratory of the law. By declaring that in any part of India where he can reside without license, it shall be lawful for an Englishman to hold land for any term of years, it does not declare or imply that it shall be or that it was unlawful for him to hold land in perpetuity or as an estate of inheritance in the like places; it would have been odd indeed if it had so declared; we should then have heard a good deal more of it.

Mr. Macaulay having taken upon himself to decide that the Supreme Court has exclusive jurisdiction in cases of divorce in which British subjects are concerned, in the teeth of the words of the Black Act, which says in its general and sweeping terms the contrary, and which I believe the Mofussil Courts will construe according to its plain intent and phrase, and will construe rightly to give them concurrent jurisdiction, proceeds to say, that in cases of inheritance, marriage and succession to personal property and matters of debt and contract, the Supreme Court will have concurrent jurisdiction; and, what I must own fairly surprises and somewhat amuses me, seems to think this a sufficient answer to objections and a good thing in itself. While the 107th Section of the 53d Geo. 3d, c. 155, remained un repealed, the Supreme Court possessed the power of restraining double litigation beyond any question; now it may reasonably be doubted how far such power remains and whether it is not gone altogether. The result practically of the Black Act is, that every cause between two British subjects, one resident in the Mofussil, and the other in Calcutta, may be the subject of a double controversy by way of cross suit and new litigation in an independent jurisdiction not a concurrent jurisdiction. A, for example, if an in-ligo-planter give a bond and warrant of attorney to a Calcutta agent and judgment is entered up for a penal sum to recover a balance of account which the planter disputes, the planter, may, by showing that the cause of action (that is the debt), arose within the local jurisdiction, sue the agent before the local Court, and then the agent would be obliged to file his bill in equity against the planter, to restrain him from suing as plaintiff in the Zillah Court, or try the execution of a writ of prohibition addressed to the Zillah Court itself. Or the planter, knowing what was coming, might begin first in the Zillah Court and so try and stop the execution of the judgment entered up, or the parties might fight it out to an end in the Supreme Court, and then begin over again in the Zillah Court, which would lead infallibly to beginning over again a third time in the Supreme Court. One example, gentlemen, is worth a good many suppositious cases. This sort of thing is actually beginning and going on under our eyes. A gentleman of my acquaintance, Mr. Piddington, whose case I have liberty to name, but on the merits of which, as between him and the other party, you will observe, I am not going to pronounce any sort of opinion, is sued by a mercantile firm here for a balance of account. The plaintiffs prove a partnership and a contract of partnership, which the Court decide make their claim premature, and are nonsuited. A day or two after, the defendant, Mr. Piddington, finds himself defendant over again in the same case in the Court of the 24-Pergunnahs, at the suit of the same parties, and essentially for the same cause of action. I suppose that is going on still in the Zillah Court, and there can be no doubt that if Mr. Piddington chooses, he can become plaintiff in his turn in the Supreme Court again,

and file a bill in Chancery and apply for an injunction to restrain the Mofussil plaintiff from proceeding, or if he chooses, may apply for a writ of prohibition to stop the Zillah Court, though I beg you to observe, gentlemen, that I pronounce no sort of opinion or recommendation of any proceedings whatever. It only seems to me, gentlemen, that this Black Act is not likely to be disagreeable to such lawyers as are fond of fees above every other consideration, and that the opposition of such as oppose it and as live by professional fees, has not been very aroitly attributed to that motive. In fact the act in question is calculated to increase the causes of litigation between British subjects in the Supreme Court, and to encourage the experiment of double litigation in the Mofussil, by taking away the only check which existed before. The distinction between courts of concurrent jurisdiction governed by the same maxims, and rules of process and law and courts of concurrent jurisdiction governed by entirely different maxims and rules of process and law, is plain enough. The latter sort of double jurisdiction is productive of unmix'd evil.

The reference to this matter, brings me to the charge which has been brought by Mr. Macaulay against the profession of the law in Calcutta and the practitioners of the Supreme Court, in the Minutes which lie before me. In the Minutes the members of the profession who have taken part in the opposition to this Act, and indeed those who have taken no part, are charged in the most coarse and unqualified terms with having been actuated by the sole desire of increasing their fees. The tone and language of these state papers are so extraordinary as to have occasioned in my mind, great and unusual and even painful embarrassment. These Minutes of Mr. Macaulay were only published yesterday. It was no easy task for a busy man even to read through the whole Minutes of Government and prepare to reply at this meeting to them in the manner which I wished to do, and which, if time allowed, I would pledge myself to do paragraph by paragraph. I feel, I say, and I own it, very much embarrassed and doubtful how to deal with this part of the subject. I have determined, however, to state fully and explicitly to this meeting, the exact mode in which I am remunerated as an officer in the Supreme Court, and the amount of the remuneration. It is not on this point that I feel any difficulty, or hesitation at all, but simply on the question of whether I should take any further notice publicly of this portion of the Minutes of Mr. Macaulay.

By a plan for the remodelling of the offices of the Court, and a reformation of its expenses proposed in detail by the Judges to Government in April 1836, and before the passing of the Black Act and of which Mr. Macaulay was before its passing of course fully aware, and which plan was carried into execution on the 1st January 1837, the whole of the officers of the Court are now paid by fixed salaries and do not receive one rupee from fees in any one case whatever. I, as the Registrar of the Court, and ex-officio administrator of the estate of British subjects and others dying intestate or leaving effects within Calcutta, am paid partly by commission on the estates of such intestates. The amount on an average of 12 years, was found to be 54,000 Co's Rs- per annum, and the net average will not, I conceive, during my tenure of office, be exceeded. Out of my commission I pay my own charges of office and take the chances of gain or loss. This I think, gentlemen, is, as you will perceive, neither a tax upon justice nor upon justice, nor upon the people of India at large, it is purely an Agency Commission, paid in whole or out of the British subjects next of kin to intestates, and it is given to all Indian Executors or Administrators, whether private or public, by a usage of more than a century, which had its origin in the necessity and convenience of the case, in the impossibility of finding people when there were not near

relatives on the spot, to undertake the trouble and responsibility of administering to the estates of deceased acquaintances without remuneration, and which usage has from its utility grown into law and been sanctioned by Acts of Parliament, and by decisions of English and Indian Courts. The public officer gets no more than the private executor, and any one who does not like the administration of a public officer and prefers that of a private man, can, by appointing an Executor in India, put a bar to the interference of the Registrar. In consequence of the income derived from this source, I have undertaken and perform the duty of Registrar on the Equity, Ecclesiastical and Admiralty side of the Court, for a salary of Co's Rs 1000 a month, and I am under engagement to pay the whole amount of the fees I receive into the Government Treasury, to contribute to the expenses of the Court. My account with the Court fund for the first year of the system, viz. for 1837 stands thus:—my own salary costs the Court and suitors fund annually 12,000, the expenses of my Registrar's Office (not as administrator to estates, which is my own burden, but as Court Registrar) 19,000 in round numbers, in all 31,000; the amount earned by my labour and paid into the Government Treasury; including a balance of some few hundred rupees yet unreceived from the Solicitors; 81,000, leaving a clear surplus of 50,000 rupees earned by me as Registrar towards the expenses of the administration of Justice in the Supreme Court. Unless I had felt myself assailed in my honour and my feelings as a gentleman by these Minutes, I should have certainly not made this statement in any public assembly; but you will do me the justice, I trust, to understand the causes of my wish to keep silenced on such a topic. I have ever avowed, gentlemen, elsewhere, as I avow here, and have acted upon the principle, that the remuneration to a public officer ought to be commensurate with the service and labour performed, if the public service performed by me can be performed better, more efficiently and more cheaply in the judgment of those alone qualified to judge, I am ready to resign my appointment; but I am not ready to act for less than I receive, for this very plain reason that, I have always felt and still feel a confidence, which may be well or ill-founded, but which I possess, that either by my own professional labour at the Bar, or by employing my time and exertion in other pursuits, I could earn as large if not a larger income. One word more on this subject before I have done with it. The only men at the Bar or in the profession who, to my knowledge or belief, took at all a prominent part in the first opposition to the Black Act, or spoke at the Meeting, were my friend Mr. Clarke and Mr. William Grant; whom it is unnecessary I should defend from such a charge; they are here to defend themselves if they shall deem it in their judgment necessary to answer what has been alleged in these Minutes, never intended for the public eye.

I have discussed the question which I thought the most important, and I trust I have satisfied you all, that we neither asked for exclusive privileges as far as the class of British subjects are concerned, nor wished for them, nor should have obtained them, had either the law of 1813 been let alone or what we asked for in its stead been granted; and moreover, that by the law that has been substituted the class of British subjects has been injured, while no other class has been at all benefited. Let me now proceed to an examination of the other reasons which have been alleged in support of the law by its authors. I draw your attention to these paragraphs of Mr. Macaulay's Minutes, the British point of date, whatsoever that date may be.

The principle on which we proceeded, was that the system ought, as far as possible, to be uniform; that a distinction ought to be made between one class of people

and another, except in cases where it could be clearly made out that such a distinction was necessary to the more efficient administration of justice.

One such distinction, and only one, we thought it necessary to make. The general character of the moonsiffs is such, that we could not venture to intrust them with the decision of suits in which an European and a native might be opposed to each other. The functionaries are ill paid. They do not appear to possess the public confidence. Their courts require a thorough reform, and until that reform is effected, it would be highly inexpedient to give them jurisdiction in a class of cases in which the strong will very generally be opposed to the weak.

We, therefore, determined not to permit Europeans to sue or to be sued before the moonsiffs: in other respects we thought that we might safely put Europeans and natives on exactly the same footing in all civil proceedings. Nor did it appear to us that there was any reason for allowing a British-born subject to appeal to the Supreme Court, in a case in which a Hindoo, a Mussulman, a Armenian, a Jew, a Greek, a Portuguese, or an Armenian would have no appeal, except to the Sudder Dewanny Adawlut."

New, gentlemen, I shall read and contrast with these paragraphs, the 22d and 23d paragraphs of a minute of Mr. Macaulay, subsequent in date, but the date equally unknown.

"22. Since the foregoing pages were written, I have read, with great pleasure, Mr. Shakespear's valuable Minute on this question. I have been particularly interested by his remarks on the charges which the petitioners have brought against the native judicial officers. I am willing to believe that the view which he has taken of the character of that class of persons, is not too favourable; but if all that the petitioners say on the subject were true, I should still think the Act of which they complain a salutary Act.

23. In the first place, I think that nothing can be more pernicious or absurd, than, because a certain body of functionaries are corrupt, to exempt from their jurisdiction a very small class, distinguished by intrepidity and by hatred of oppression and fraud, accustomed to a pure administration of justice, and accustomed also to think little of the show of power; certain to complain whenever they think themselves wronged, and certain to be heard whenever they complain. Such a class the English settlers in the mofussil will be. To exempt them from the jurisdiction of the local courts, and to leave subject to that jurisdiction a vast population, timid, weak-spirited, the ready prey of every extortioner, the ready slaves of every tyrant, would, I think, be in the highest degree reprehensible. What is the great difficulty which meets us whenever we meditate any extensive reform in India? It is this, that there is no helping man who will not help themselves. The phenomenon which strikes an observer lately arrived from England with the greatest surprise, and which more than any other damps his hope of being able to serve the people of this country, is their own apathy, their own passiveness under wrong. He comes from a land in which the spirit of the meanest rises up against the insolence or injustice of the richest and the most powerful: he finds himself in a land where the patience of the oppressed invites the oppressor to repeat his injuries. Therefore it is that I am not desirous to exempt the English settler from any evil under which his Hindoo neighbour suffers. I am sorry that there should be such evils, but while they exist, I wish that they should be felt, not only by the mute, the effeminate, the helpless; but by the noisy, the bold, and the powerful. If, therefore, I thought that the mofussil courts were as bad as the petitioners describe them to be, I should still say, "put the English settler under them; then we shall know the whole; then we shall have set corrupt functionaries brought to shame and punishment for one who is detected now." Many abuses there

undoubtedly are in the Company's courts and therefore. I would give the English settler a common interest with the native in the exposing of these abuses. The more these courts require amendment the stronger are the reasons of giving those who have power to produce amendment, motives for producing amendment. Many a grievance which would pass unaddressed, because unknown while only some thousands of natives feel it, will be forced on the notice of the Government as soon as one of our countrymen smarts from it.

2dly. I conceive that if the Company's courts are corrupt, this is an additional reason why appeals from those courts should lie to the Sudder Dewanny Adawlut rather than to the Supreme Court. It is not pretended that the Sudder Dewanny Adawlut is corrupt; the Judges of that court stand as high in repute for integrity, higher it is impossible to stand, as the judges of the Supreme Court. Integrity, then, being supposed equal in these two Courts, which of the two is the more likely to detect corruption in a subordinate functionary? Which of the two is the better able to punish corruption when detected? Surely it cannot be doubted that a Sudder judge, who has been in India from his youth, who has himself presided in a zillah court in the mofussil, who has passed years in the mofussil, who has passed years in the daily transaction of business with native law officers, who is familiar with all the shapes which dishonesty takes at a mofussil cutcherry, must be more likely to discover malpractices than an English barrister, who, in the middle of life, has come out to this country, and who has probably never stirred beyond the limits of a town which may be called a British colony. Again, if corruption is detected by a judge of the Supreme Court, he has no power to punish, as the Company's law officers are not under his authority. If the Sudder Dewanny Adawlut should discover that a decision is corrupt, it should be their duty not only to set it aside, but to visit the offending functionary with condign punishment."

You will observe now, gentlemen, that upon his own hypothesis in his last Minute he admits, that all these Company's Courts are corrupt, at least he makes no exception that I can perceive. In his first Minute he says, that because the Moonsiff Courts are corrupt, for that reason he will not give those Courts jurisdiction over Englishmen; because the Englishman is too strong to be sued in those Courts with chance of fair play to the other side. In his last number he says, that if the Company's Courts are corrupt, he will therefore have the Englishman sued in them; because he will smart for it, suffer from the corruption, and therefore complain, and that then the Government will know the corruption and knowing it will be able and willing to remedy it.

Now let me ask what was the duty of this Government in such a case? I do not ask what, in the general and abstract, was the duty of any Government, professing to be civilized and to govern civilized men, but what was the special and appointed duty of this Government as pointed out by the Act of Parliament, the last Charter Act, under which they exercise power? I will refer to you the 53d Section of that Act, which ought ever to be borne in mind by us all.

LIII. And whereas it is expedient, that, subject to such special arrangements as local circumstances may require, a general system of judicial establishments and Police, to which all persons whatsoever, as well Europeans as natives, may be subject, should be established in the said territories at an early period, and that such laws as may be applicable in common to all classes of the inhabitants of the said territories, due regard being had to the rights, feelings and peculiar usages of the people, should be enacted, and all laws and customs having the force of law within the same territories, should be ascertained and consolidated, and as occasion may require amended; he it therefore enacted, that the said Governor-General in Council, shall, as soon as

conveniently may be after the passing of this act, issue a commission and from time to time commissions to such persons, as the said Court of Directors, with the approbation of the said Board of Commissioners, shall recommend for that purpose, and to such other persons, if necessary, as the said Governor-General in Council shall think fit, all such persons, not exceeding in the whole any one time five in number, and to be styled The Indian Law Commissioners," with all such powers as shall be necessary for the purpose hereinafter mentioned; and the said Commissioners shall fully inquire into the jurisdiction, powers, and rules of the existing courts of justice and Police establishments in the said territories, and all existing forms of judicial procedure, and into the nature and operation of the laws, whether civil or criminal, written or customary, prevailing and in force in any part of the said territories, and whereto any inhabitants of the said territories, whether Europeans or others, are now subject; and the said commissioners shall, from time to time, make reports, in which they shall fully set forth the result of their inquiries, and shall, from time to time, suggest such alterations as may in their opinion be beneficially made in the said courts of justice and Police establishments, forms of judicial procedure and laws, due regard being had to the distinction of castes, difference of religion, and the manners and opinions prevailing among different races and in different parts of the said territories."

I request to know whether, with due regard had to the rights, religious feelings, manners and opinions of the class of subjects of the crown in India, called "British subjects," the Black Act has been passed? But I will not dwell on our rights and feelings only; I wish rather to pass on to the general argument, and examine, armed with this clause, the extraordinary propositions laid down in paragraphs 22 and 23 of the Minute which I have last referred to.

You will take note of this, that Mr. Macaulay, admits the English settler to be distinguished by intrepidity, by hatred of oppression and fraud, accustomed to a pure administration of justice and accustomed also to think little of the frown of power; certain to complain who ever he thinks himself wronged, and certain to be heard whenever he complains. Very good for the moment; we have got this length. Upon the hypothesis of Mr. Macaulay, all the Company's Courts are corrupt; and the English settler is to smart from their corruption because of what? Why he will complain, and is certain to be heard. Mr. Macaulay does not say he is certain to be released. Let us examine the reason assigned for certainty of complaint. If the English settler be strong and the courts corrupt, how is it certain that he will have cause of complaint or that he will not warp or domineer over the decisions of these corrupt courts? The question answers itself, if, even on the premises of Mr. Macaulay, the question were not fully answered, as far as his opinion and that of Government goes, by what was said and done about Mooniff's Courts. But it is said that the English settler is certain to be heard. Is he? To what purpose then? I like to take an example, because I find these examples tell and are more to the purpose in life than general reasonings.

The Court of Sadder Dewanny A-lawut is the highest Appellate Court of this Government. Mr. Pringle, a Judge of a Zillah Court, and therefore a person of long standing in the Civil Service, was accused to the Government of a crime importing judicial corruption, of taking money in an indirect way from a person who had been, or might be, or was, a suitor in his Court, and contrary to the Regulations and the rules of the Service. I pronounce no opinion on the justice of the charge. The proceedings have been noticed in the public papers, the result is recorded in the archives of Government, which I have not seen. But this I know, that Mr. Pringle was absolved by the Judges of the Sadder

Dewanny Adawlut, and the proceedings were sent home. When they went home, the controlling powers, the Court of Directors and the Board of Control, agreed upon one thing, namely, that the party accused had been acquitted against evidence; had been unduly absolved. Nay, more. The despatch on the subject clearly indicates, as I am informed on good authority, the conclusion of the Supreme controlling power, the President of the Board of Control at least, that the supposed guilty had been acquitted from partial and undue and therefore corrupt motives. But the supreme controlling power, gives way to the secondary controlling power in one rather important point, and the despatch concludes with the most lame and impotent conclusion, that the supreme and appellate judges are not to be either tried or punished, but reprimanded, and the absolved judge, the guilty innocent, or the absolved guilty, which you will, is to be tried again. You who understand the language probably know the maxim "Judex damnatur cum nocens absoluitur;" all can see its force and application. But did I say the party was tried? Why, if he were tried by a competent tribunal and pronounced innocent, by what law or judicial reason is it that he can be tried again? Are those who tried him in reality punished? One of those Judges, as I am informed, with a full knowledge of the circumstances by both controlling powers, has, since all these occurrences, been appointed to a seat in the Council of India, from which we may judge of the quantity and degree of the punishment and the value for the example. The matter does not, however, end here. The accuser, a native Sadder Aumeen, was, in the first instance, as I hear, suspended, tardily restored, finally appointed to another station, and is now brought forward again, (I should be glad to know whether with his own consent, after the lesson which he has received) as the prosecutor of the twice accused.

Gentlemen, you will perceive by the minutes of Mr. Macaulay, that he professes, on his own hypothesis, to have a general belief of the existence of corruption in all the Company's Courts; you will perceive also, that by the 53d Section of the last Charter Act, the Government were bound early to enquire into this matter without any such belief or suspicion, doubly bound if such belief or suspicion were felt. In 1833, the Charter was passed, in 1834, the Government was organized on the new footing, and the Law Commission might easily have been organized too, and was organized quite in time enough before the Black Act to begin new enquiries, without the necessity of new laws. When Mr. Macaulay said then, that if you put Europeans under these corrupt Courts, the Government would find out the corruption, what was the meaning of that? Why, nothing but a pretext for evading the enquiry, for the Government upon his shewing, knew it already in the general, and upon mine ought to have known it, both in generals and particulars. Mr. Macaulay says, however, that if Englishmen smart from it in particular cases, they will complain, and that will compel Government, not only to redress the particular grievances, but to cure the general evil. This I utterly deny and pronounce to be a false and ridiculous error and assumption. The legislative and executive Government has no business to interfere with particular cases; it cannot deal with them without mischief; it can only refer them to its own tribunals. What encouragement is there to us to complain of those tribunals, where we perceive that the Government, knowing the general grievance and assuming the general corruption, declines to interfere and imposes its own duty not upon a class even, (for that is a fallacy, a class never complains of particular cases,) but upon individuals of a class who are first to be exposed to the hazard of ruin and the certainty of injustice on these principles, and then to work out the general good by complaint.

Gentlemen, it has been alleged by this same man, Mr. Macaulay, in these minutes, that the British-born residents in India, constitute a small white oligarchy; I mean, as he meant, the British born subjects not employed in the service of the East India Company, that against this oligarchy of Englishmen it is necessary for the local Government to have despotic power and for the Government and people of England to be on their guard. Let us examine this matter. The number of the heads of families of British-born settlers in all India unemploy'd by Government, does not certainly exceed 2,000 in number, if it reaches that number. The number of heads to families in the highest ranks of the Government service, the covenanted Civil Service, employed in this presidency, only probably reached 400. We have no privilege whatever: we ask to be governed by our own law in our own cases, and even that is denied to us by these Minutes to be our right in the Mofussil as far as it can be denied in argument with a shew of reason, and the prayer to have our own law administered to us by the single court which is here appointed to administer it, is denounced as a seeking of exclusive privileges. What we have, every native has, the benefit of his own laws in civil matters, and we have no more than they. We have the benefit of our own criminal law and so have they, for wherever it exclusively prevails, they have it without the least distinction. It is not our fault if they have it not every where. We, the British born subjects not in the service, are excluded from the possibility almost of getting into the covenanted service of the Government, and, therefore, from the Councils of Government from every higher employ, and so are the natives. But the Civil Service of the East India Company, which is a patronage and exclusive service, has almost the sole possession of all the higher employments of Government; is exempted by law from all civil responsibilities to law or to any one but itself, for acts done as Government servants; is exempted by law from all criminal responsibility for acts done in the like capacity, unless a malicious motive can be proved or enforced; and, finally, has, by practice, the sole judgment in the acts of its functionaries of all kinds, both high and low, which may be complained of by any one; for the fiscal and administrative, the legislative, the executive, and the judicial government is one and the same in this country, with one single exception, the existence of the Supreme Court. I ask you, Gentlemen, where is the oligarchy? We have no political power. Where, and in what class does this power reside? Gentlemen, in this cause I am satisfied we have judged rightly; we have opposed the first commencement of a system which, if we had not opposed, would by this time have been confirmed; great good has already been done, and if no other result had been obtained, the publication of these minutes would have been enough, for that in itself is a great benefit. There is only one thing more which it occurs to me just now to notice. It is admitted in these minutes, by Mr. Macaulay, as the opinion of others and well-judging persons, as he says, that this act ought not to have been passed at the time it was, indeed he almost indicates such to be his own opinion; but add, at the end of one of his minutes, "the satisfactory merits of this act are now the smallest part of the question. There is no want of arguments for passing it; but the strongest of those arguments is the manner in which it has been opposed." I want no better measure of the principles of the man than this confession. Its meaning amounts simply to this, any opposition to a measure of mine is the best reason in my mind for passing it. There was no public opposition to this measure before it was passed, but the memorial of Messrs. Turton, Thackeray and Smith, which was also signed by, I believe, about one hundred persons, that was the only direct opposition. My own memorial, which was signed by about 50 persons, many of whom

very moderate in opinions, simply asked a question concerning the law which it was intended hereafter to administer under this Black Act. Both memorials, I will undertake to say, were perfectly respectful in their language and legitimate in their objects. When I received the answer which was given, I admit I was not by any means ill-pleased, and I made up my mind (as I believe every body else did) that it denoted a foregone conclusion, and that it was useless to petition further here, and that we must prepare for the passing of the Act without amendments, and prepare for our opposition elsewhere. The inhabitants of Calcutta, I believe, felt that after the tone of the Government replies further memorials here were useless. At least I can say that I did. The British public in India is in no way responsible for what was said by the press, or for what it did not do, and we have here a practical proof disclosed to us in these state papers of the probable use of remonstrance. Gentlemen, we have done much good; if we persevere I am satisfied that we shall do more.

I move the resolution which I have read.

Resolved, that it is expedient again to petition both houses of Parliament to repeal or disallow the Act. No. XI. of 1836.

MR. C. A. FENWICK, begged to offer a few observations on the important subject before the meeting, which he believed would set the question at rest. It was not so necessary to dissent on the nature of this Government or the mode of legislation adopted by it, as to take into consideration the actual operation of the laws in the Mofussil, which could scarcely be done without being an eye witness of it. He had lately come from the Mofussil, the scene of the operation of the laws which were the object of this meeting's consideration. To enter into details would fill a volume; he would, therefore, content himself by stating, that he had not only been a personal observer of judicial proceedings in the Mofussil, but had conversed upon the subject with many Europeans, East Indians, as well as Natives; and he begged to assure the meeting, that one and all agreed with him in the opinion, that nothing could be worse for the country than the law against which the meeting had assembled to remonstrate. They all thought, that the Black Act, as it is called, took away from, not only Europeans, but all classes, every vestige of protection. The Government, Mr. Fenwick observed, had no means of becoming acquainted with what was passing in the Mofussil, but by means of their servants; and it was therefore upon information derived from this source, that they framed their laws and regulations. But then, if Government servants, being the executive party, were not the most unbiased to give an opinion on subjects which daily came under their executive cognizance; a Supreme Court, which held an independent station, was absolutely necessary; but of the benefits of this Mr. Macaulay's Act deprived the people, and it therefore left them without protection. The privilege of appealing to the Supreme Court, is the law upon which our liberty hangs; if you destroy this you at once destroy our liberty; for who without it can oppose himself to this Government. The only class of people who can at all withstand the encroachments of Government, are the Europeans; if they be laid low, who shall protect the interests of the country. It is a well known fact, that the natives are a timid and weak race, incapable of carrying any measure even for their own benefit into effect, without the aid of Europeans; these have always been the leaders, and no petition could be got up without being backed by them. He instanced the proceedings of the late Resumption meeting, in which, he said, Europeans had taken a prominent part. It was therefore, that he urged the Native as well as the East Indian population, to support the Europeans in a proper and independent manner.

This, gent. gentleman—this Black Act, is, I assure you, only a feeler put forth by the Government to ascertain how far the people will bear their yoke patiently. If this be allowed to pass unnoticed, further inroads will be made upon our liberty, until we shall not be able to boast of even its name. It must not, therefore, be suffered to pass, (hear, hear.) Who, I ask, are the makers of the law against which you are assembled to petition? Not the inhabitants of this country, not those who have made up their mind to continue here; but mere birds of passage; to-day they are here, making laws for the country—and drawing handsome salaries from the State, to-morrow they take their passage on board, and are gone to enjoy their earnings at home. They will never be subjected to the operation of the laws made by them, and they are in every respect the most irresponsible legislators the country could ever have. Their acts must, therefore, be regarded with suspicion. I call upon you, my native and East India fellow-subjects, to recollect the aid and support you experienced from Europeans at the late Resumption meeting: it is now for you to support their cause, and return that kindness which you have received from them. Recollect, if you allow this obnoxious law to remain uncancelled, your liberty is destroyed. Therefore, lose not this opportunity of giving your co-operation to the efforts now now making to gain the object. Mr. Fenwick concluded, by seconding the Resolution proposed by Mr. Dickens.

MR. SPIER merely rose to draw the attention of the meeting to one of the minutes, by which it appeared to be intended that hereafter Englishmen should be subjected to be tried in criminal as well as civil cases, by the Mofussil Courts. He had mentioned this to an Indian planter long resident in the country, and he would never forget his ghastly look at the bare idea that his life must be placed at the disposal of a Mofussil Court—and that without trial. Mr. Spier had hoped to have heard something on this important point from Mr. Dickens, and still trusted that either that gentleman or some one else, better qualified than himself, would give the meeting full information on a subject of such paramount interest.

MR. COCHON, junior, would ask a question. If the co-operation of East Indians was desired, and they were required to sign the petition, he wished to know in what manner their interest was to be subserved by so doing—what benefit would this confer on them?

MR. DICKENS.—To the question put by the gentleman who spoke last, I have no hesitation in giving a plain and explicit answer. When he asks me what peculiar benefit the East Indians in the Mofussil will derive if the prayer of our petition be granted, frankly I reply, the East Indian class will derive no peculiar benefit whatever, nor any benefit until there be a more complete change in the law. I speak of the class of East Indians born out of wedlock, but of British subjects and foreign fathers. Of those born in wedlock of British fathers I do not speak, because I maintain, and always have maintained, and pledge what reputation I may possess as a lawyer, to maintain it successfully any where, that the persons of that class born in wedlock and within the allegiance of the crown, are as much entitled to all the laws, rights, and privileges of British subjects, as if they had been born in England, or as Englishmen born in India.

If this gentleman asks me another question, and says ought the class of East Indians not born in wedlock to remain in the situation in which they are? As fully and frankly, and with my whole heart I answer, no. If he asks me ought not the Franco-Indians, Greco-Indians, the children of Danes or Hollanders, of Armenians, of Greeks, or men of Portuguese descent by Indian mothers, ought not these too, and all Christians similarly circumstanced, to be removed from the practical

outlawry to which they are all placed and to be admitted to the same privileges, and the same equal laws as their Christian fellow men of British birth and blood, or as the sons of British fathers born in wedlock, I answer again fully and frankly, and with my whole heart, yes, they ought. Nor, gentlemen, is this an answer prompted by the occasion on a matter in which I have taken no previous interest. Twelve years ago I gave much time and thought and labour to plead this cause and took a deep and anxious interest in the result. The petition on this subject, which was sent home in 1827, was originally prepared by me during the presidency of Mr. Wynn, and I did once hope that that excellent constitutional lawyer, that just and good man, who has been as warm, as steady and as able a friend as India has ever possessed in the English Government. I did once hope, I say, that he would have been enabled to aid the petitioners and effect their object. If any man could have done it he could; however he could not, the opposition was too great, the difficulties he found were then insuperable. No one, I will venture to say, was better aware of those difficulties than myself, and of the infinite intricacies and complications of the question considered merely as a legal question. On behalf of the petitioners I prayed Parliament to cut this gordian-knot, and in the spirit of statesmen anxious to conciliate those who had done no wrong and were subjects wholly unoffending, not to say most deserving, to overstep the barriers which the tribunals of the law could not; to admit once and for all time, all descendants of British and foreign Europeans and every other class of Christians of mixed descent and legal or illegal birth, to the fellowship and brotherhood of the sons of English fathers, by one comprehensive declaration.

Gentlemen, that was not done; but if that be their misfortune is it our fault? Do we not wish their cause success; are we not ready to do our best to aid them? We call upon them to aid us, on the principle that if this battle be ultimately gained its results cannot redound to our goal without bringing about the good of all without exception.

I am satisfied they will answer to that appeal in the spirit in which it is made. For my part, as far as my voice could aid, I have aided their cause; as far as the public feeling in Calcutta evinced in public meetings has been pronounced it has ever been favorable to their cause. They, on their part, have ever aided ours and I am satisfied that now there will be no division. But, gentlemen, had it been otherwise; had the class of East Indians been the former opponents of our endeavours to protect our rights from invasion, would I for that reason; or would you withhold your aid to their endeavours to procure for themselves a legal and recognized condition as subjects of the crown entitled to the laws of freemen? No, I am sure you would not, nor would I. If they were here to declare their determination to oppose our endeavours, to declare themselves our enemies in this struggle for our rights, would we for that reason and henceforward oppose their claims. No, gentlemen, we abjure such maxims and our practice shall be in conformity with our professions. Were the case to happen, as right sure I am it will not, we would say, in the spirit of the precept which commands us to do unto others as we would have them do unto us; we overlook your enmity, we forget your opposition; we look but to your ends and aims and these are just, and we will not be unjust and refuse to aid them,—we will aid them to the utmost of our power. In the same spirit of cordiality in which I have spoken to all without exception of classes, I now speak again to all of this class here present; and when I say I am sure that no one will withhold his support from the Resolution I have proposed, I am sure too that I shall not be disappointed.

MR. GRANT said, that he was anxious to make some observations in the early part of this discussion, because the Minutes of Council, which had been brought to the notice of the meeting by Mr. Dickens, had brought to light reflexions made by Mr. Macaulay on the motives of those who had interested themselves in promoting the opposition made in this country to the Act in question, which he, Mr. Grant, felt it due to himself to notice. He was one of those persons thus attacked. He had done his best, as an humble individual, to rouse and force upon the attention of the public and the authorities here, and the public and the authorities at home, an opposition to an Act, which Act he conscientiously believed to be mischievous, unconstitutional and illegal. Mr. Macaulay had presumed to arraign his motives for so doing, in a manner which was most indecorous, uncandid and ungentlemanly. He knew that he was using strong language and he meant to do so. He acknowledged that he was smarting under the attack that had been made on him; but lest the Meeting should think he was led away by passion, into expressions unwarranted by the offence he had received, he begged leave to read the words which had been used towards him by Mr. Macaulay.

In his first Minute, after giving his own account of the feelings with which the Draft of the Act had been received in the Mofussil, he says—

“In Calcutta the case has been somewhat different; and this is a remarkable fact. The British inhabitants of Calcutta are the only British-born subjects in Bengal who will not be affected by the proposed Act, and they are the only British subjects in Bengal who have expressed the smallest objection to it. The clamour, indeed, has proceeded from a very small portion of the society of Calcutta: the objectors have not ventured to call a public meeting, and their memorial has obtained very few signatures; but they have attempted to make up by noise and violence for what has been wanting in strength. It may, at first sight, appear strange, that a law which is not unwelcome to those who are to live under it, should excite such acrimonious feelings among people who are wholly exempted from its operation; but the explanation is simple. Though nobody who resides at Calcutta will be sued in the Mofussil courts, many people who reside at Calcutta have, or wish to have, practice in the Supreme Court. These appeals, indeed, have hitherto yielded but a very scanty harvest of fees; but hopes are entertained, and have indeed been publicly expressed, that as the number of British settlers in the Mofussil increases, the number of appeals will increase also. Great exertions have accordingly been made, though with little success, to excite a feeling against this measure among the English inhabitants of Calcutta.”

Again in his Minute of 9th May 1836, he says—

“In the meantime, a small knot of people in Calcutta, a knot of people who are not to live under this law, who know nothing about the administration of justice in the mofussil, and who are interested in the question only as practitioners or officers in the Supreme Court, have kept up an incessant clamour against the Government, and have done their best to conceal the smallness of their number, and the weakness of their cause, by the violence of their invectives and the audacity of their assertions.”

Again—

“The fact is, that the hostility to the proposed law, is confined to those who live, or wish to live, by the abuses of the most expensive court that exists on the face of the earth. The proposed Act, indeed, will directly affect their gains but little. There are not two appeals from the Mofussil courts to the Supreme Court in five years. But the persons to whom I refer in this measure, had begun of a great and searching reform. They see that we are determined not to suffer the high powers bestowed on us by Parliament to lie

idle. They have, therefore, attempted to stop us at the outset, and by interesting all classes of their countrymen in their quarrel, to prevent us from proceeding to the correction of those evils which, I firmly believe, have ruined more native families than a Pindarree invasion.

“All the reasons which have led these persons to oppose this Act ought to lead us to pass it instantly. It is a pledge of our determination to rescue our native subjects from a ruinous system of chicane: to do justice without distinction of persons: to defy interested clamour, &c.”

He need read no more to convince them, that Mr. Macaulay has attributed very base motives to him and those of the same profession with him, who publicly opposed this Act. He had had some experience of the mode in which discussions on public questions are conducted in England by persons of different opinions. Mr. Macaulay has had more, and he did not hesitate to say, that if he had had the honor of a seat in the House of Commons, and Mr. Macaulay had ventured in the heat of debate to impute to him such motives as he had imputed in these state papers, supposed to be written upon reflection, he would have been obliged to apologise to the house for his breach of decorum to it, or have been placed in custody of their Sergeant at Arms.

Mr. Grant did not deny, that as far as he was individually concerned, the Act could not affect him. He was not likely, while he remained in India, to be out of Calcutta even on a tour into the Mofussil, still less likely was he to have any commercial or pecuniary relations with the Mofussil, which would make it of any moment to himself individually, whether the law were good or bad. But he thought that he might be allowed to feel some interest in the welfare of a people among whom he had come to earn, not from the favours of Government, but by the honest exercise of an honorable profession, the means of present and future independence. In these endeavours he felt that he had been among the luckiest of those who, for the same ends, had left their native shores, and gratitude to those people to whom he was indebted for his success, would always induce him to do his best to advocate what he believed to be their cause.

He was known both to have written and spoken against the Act in question. Both what he had said and written was before the public. The signature under which he had written had never been attempted to be concealed, and was well known; and he challenged any man to point out a single passage which was personal to any one or which could by possibility give offence to any, the most sensitive, of the authors of this Black Act as it was called. In return, he had the mortification to find unmerited abuse, for the motives and manner in which he had conducted his opposition, heaped on him by Mr. Macaulay. It was contrary to his wish and to his custom to attack individuals who were opposed to him, and he wished always to deal rather with their arguments than their characters; but when a man ventured to asperse him, he owed it to himself to disregard such delicacy and to bring down from assumed superiority the person who had tried to degrade him.

Now, Mr. Macaulay, with talents sufficient to have ensured success in any profession to which he had chosen to turn them, had, in his outset of life, embraced the anomalous and in England not very highly thought of vocation of a professional statesman. In an early and shining part of his career, he had born certainly a considerable, it was said by some a prominent, part in the formation of the Act of 1833, by which a very lucrative office, but, as it was by many then and by more now thought, not a commensurately useful one, was created, to use his own language, not perhaps in reality but in semblance for Mr. Macaulay. Certain it is, that Mr. Macaulay was its first occupant and arrived here in the year 1834, with no very great stock of such Indian

knowledge as could make him useful in his avowed vocation of improving the people of this vast country, and to have the education necessary for this noble purpose completed at the expence of the people he was there after to benefit. He remained here long enough to fill his pockets sufficiently to ensure his independence at home, from the savings of the sums so lavishly bestowed on him here, and, having done in return, how much the gentlemen present all know, without any of those reasons which so often oblige men to desert their duties to this country, without having loss of health, or even a thwarting of his views by those associated with him, to plead for his abandonment of the task he was supposed so have undertaken, in the year 1836, he resigns his appointment, and returns home.

Surely this is a person whom it does not become to impute to others pecuniary motives for their conduct, and who would do well to remember the old adage, that they who have glass windows should not throw stones. He had to direct the attention of the meeting to some other parts of Mr. Macaulay's Minutes, in which such different conclusions had been derived from the same premises, as forced him, whatever respect he might have for Mr. Macaulay's talents, to attach no great weight to his opinions. Writing of the Supreme Court here, in the part of his Minute of the 9th May already quoted, he speaks of "the abuses of the most expensive Court that exists on the face of the earth;" of the attempts made to prevent the Legislative Council "from proceeding to the correction of those evils which he firmly believes have ruined more native families than a Pindaree invasion, and of passing the Act as "pledge of our determination to rescue our native subjects from a ruinous system of chicanery." The 25th paragraph of his last Minute was quoted by Sir J. Hobhouse, in his speech on our late petition, on which Mr. Charles Wyan, in the same debate, very properly, as I think, remarked, that he was very sorry to hear that it was quoted from a paper written by Mr. Macaulay, and very much astonished that any man who was a Legislative Counsellor of India, should use language of such rhetorical but vituperative description, without considering what might be the very serious effect of Courts being called on for a length of time to administer justice under such a stigma conveyed in those strongest possible terms.*

* 25. A sullied stream is a blessing compared to a total drought; and a court may be worse than corrupt: it may be inaccessible. The expenses of litigation in England are so heavy that people daily sit down quietly under wrongs and submit to losses rather than go to law; and yet the English are the richest people in the world. The people of India are poor; and the expense of litigation in the Supreme Court is five times as great as the expenses of litigation at Westminster. An undefended cause, which might be prosecuted successfully in the Court of King's Bench for about 8l. sterling, cannot be prosecuted in the Supreme Court under 40l. sterling. Where an English barrister receives a guinea, a barrister here receives two gold mohurs, more than three guineas. For making a motion of course an English barrister receives half a guinea; a barrister here receives a gold-mohur. Officers of the court are enabled to accumulate in a few years, out of the substance of ruined suitors, fortunes larger than the oldest and most distinguished servant of the Company can expect to carry home after thirty or forty years of eminent services. I speak of Bengal, where the system is now in full operation. At Madras the Supreme Court has, I believe, fulfilled its mission: it has done its work; it has beggared every rich native within its jurisdiction, and is inactive for want of somebody to ruin. This is not all: great as the evils of the Supreme Court really are, they are exaggerated by the apprehensions of the natives to a still more frightful magnitude. The terror with which it is regarded by them is notorious. Within the last few

The last sentence which Mr. Macaulay devotes to the Supreme Court, is that in which he is pleased to style the officers and practitioners in it as "a class of men who live by the worst abuses of the worst Court in the world." Mr. Grant left it to those who had more confidence in the accuracy of Mr. Macaulay's judgment than he had, and who thought it important that weight should be attached to his opinion on this matter, to reconcile their remarks with those in that gentleman's first Minute, in which, speaking of the same Court, he says, "I am quite ready to admit, that the Supreme Court, composed as it now is, would be a very good Court of Appeal," and in which he gives reasons for preferring the Court of Sudder Dewanny Adwalat in the case in hand, which Mr. Grant thought very extraordinary reasons for such a conclusion certainly, but not one of which affects the character of the Supreme Court, and in which he acknowledges the prevalence of the general belief, from which he takes no opportunity of expressing his dissent, that the justice administered in it is of "a superior quality" to that "coarse one" which the Company "keep for themselves."

But it was not only for the purpose of shewing up Mr. Macaulay's inconsistency that he had made these quotations from his Minutes, he had a graver charge to found upon them.

Every one would see, that, stripped of the rhetorical vituperation with which he had adorned them, his real objections to the Supreme Court came to this and to this only, that it was expensive. What would the meeting think of the candour of Mr. Macaulay, when they heard, that at the very time when he was writing these celebrated Minutes, he was in possession of letters and calculations and memoranda of the Judges of the Supreme Court, which shewed that they were zealously, honestly and earnestly employed in bringing about the means of reducing the expenses of that Court? What would the meeting think of the candour of Sir John Hobhouse, when they learn that at the time he used that memorable quotation from those Minutes, he was in possession of the fact that the Judges had succeeded in their laudable purpose, and had before him a copy of the very calculations upon which the saving was demonstrated and the rules of Court which had been passed by which it was effected? What would the meeting think of the man who, with the means before him of proving the injustice of Mr. Macaulay's invective, had published the slander and kept back the refutation, and had done so in a case such as this, where months must elapse before those affected by it could publish their defence, and at a time when it was clear that Sir John Hobhouse believed the question at issue was never likely to be stirred again?

The saving to the suitor which had been effected, Mr. Grant spoke under correction of a gentleman who knew the facts more accurately than any one. (Mr. Dickens,

months, in consequence of an attempt made by some persons connected with that court to extend its jurisdiction over the suburbs of Calcutta, hundreds of respectable and wealthy natives petitioned the Government, in language indicating the greatest dismay. To give to every English defendant in every civil cause a right to bring the native plaintiff before the Supreme Court, is to give to every dishonest Englishman an immunity against almost all civil prosecution. It is true that such appeals are scarcely ever heard of. There have as yet been only two actually brought to a hearing. But it is the opinion of some of the most experienced servants of the Company, that the threat of appealing has often been employed, and employed with success by dishonest debtors against honest claimants. And I am quite certain, from what I have myself seen of the dread with which natives regard the Supreme Court, and from what I myself know of the expenses of that court, that the threat would, in a great proportion of cases, be successful.

who assented) already amounted in the necessary expenses of Court to fifty per cent. They would hereafter, as offices fell vacant, be reduced further, and from the circumstance of all the officers being paid by salaries, would as business increased, be still further reduced. That the Court was still an expensive Court was very true. It necessarily was so, where its officers and practitioners were Englishmen and obliged to look to their gain in this country, not only for their present but their future livelihood, exposed to all the chances which this climate offered against a long continuance in it, and who had no pension to look forward to.

To compare the gains of such persons here with those of their own rank at home, would be unfair in any one, but was absurd in Mr. Macaulay, who himself as fourth Legislative Councillor in India, received three times the salary which his Master the President of the Board of Control gets at home.

Mr. Grant had thought it his duty to say thus much, and to enter into the detail which he had done, in order to caution the meeting as to the sort of opponents they had to deal with at home. He need not assure them that they were not asking for any privilege, or for any distinction, except where Mr. Macaulay himself admitted a distinction ought to be made, in a case such as they could clearly make out theirs to be, one where such distinction was necessary to the pure and efficient administration of justice. That a defendant of a large class of people differing in their laws, manners and habits of thinking from others in this country, should be tried by his own laws, is a law recognised in India as well for the Hindoo and the Mussulman subject of the Queen of England, as for Her British-born one. If an Englishman sues Hindoo, he must sue him according to Hindoo law. If a Hindoo sues an Englishman, or a Mussulman, he must sue him according to the law of England or of the Koran. No privilege whatever was given to British-born subjects by the provision of the Act 53. Geo. 3, which the Legislature here have attempted to repeal, the privilege there given was to the natives of India in the provinces, who were by that act allowed to sue British-born defendants in other Courts than the Supreme Court, where alone formerly such suits could be entertained. In every suit within the contemplation of that act the British-born subject was necessarily the defendant, it was only where he was defendant that English law could by possibility come in question; and the giving the right of appeal to the Supreme Court in those cases only in which the British-born subject was defendant, was in fact giving an appeal upon all questions of English law, and upon no other, to the only Court in India which pretends to understand them.

Mr. Grant concluded, by earnestly requesting the meeting to keep the true question steadily in view, and not to allow a word in their petition or their speeches to escape them, which the ingenuity and determined prejudice of their opponents could construe into the betraying of a wish for any exclusive privilege.

After some desultory talk about the lateness of the hour, and the quantity of business yet remaining undone, it was agreed, that the meeting be adjourned to 7 P. M. Monday next. The meeting broke up at about a quarter past 5 P. M. *Hark. Nov. 27.*

MADRAS, NOVEMBER 26, 1838.

Precisely at 7 P. M. the Sheriff took the chair, and having stated that this was the meeting which stood adjourned from Saturday last, he read the requisition by which it had been convened. Having done this, he stated that on Saturday only one resolution had been passed, which he read likewise, and concluded by stating, that thus far the business had proceeded, and he would now leave it in the hands of the gentlemen present to proceed on,

MR. W. C. HENRY thought it needless to enter into any arguments or lengthy observations, to prove that the people of England were neglectful of all subjects

connected with India, and ever required to be awakened on such questions; the meeting must be fully aware of this; he would not therefore detain them, particularly as there was much to be done, but conclude by moving the second Resolution.

2.—Resolved, that it is expedient to pray that the petitioners may be heard by Counsel at the bar of both Houses of Parliament, for the repeal or disallowance of the said Act.

MR. LOUQUEVILLE CLARKE said, that the employment of a Counsel in England had been found beneficial by all the colonies. He adverted to the case of Canada, which employed Mr. Roebuck who was not at that time a Member of Parliament; that gentlemen took up the cause before the House, and made one of the most luminous speeches that ever came from him. The bar of England, he said, embraced gentlemen of the highest talents, many of whom would be glad to take up our cause. On the occasion to which he had alluded, the Canadians had been heard in Parliament by their counsel; why then should not the same right be enjoyed by the residents in India

Mr. Clarke would not, however, recommend that our agent in England be bound to employ a Counsel; he would allow him to exercise a wholesome discretion, that as he found it advisable he might or might not entertain a Counsel. He would, however, strongly urge the propriety of putting or praying in the petition that the petitioners be heard by Counsel, and leave the agent to do as he liked. The employment of a Counsel had been found beneficial for the colonies, why should it not then be found the same for us.

The Resolution was seconded by Mr. Cullen and carried *nemine dissentiente*.

DWARKANATH TAGORE—Mr. Chairman and Gentlemen. Two years ago I had the pleasure of addressing you on this very subject, and in this very hall. I then explained to you at length the reasons why we, the natives of this country, take interest in these proceedings of Europeans. You are all aware of this, I will not, therefore, again enter upon them. But even supposing for a moment that we were not in any manner to be affected by your acts, could we not come here to support you in return for the support you have given us on various occasions. Let us consider some of those occasions. Some time ago we poor heathens were not permitted to sit on the jury. How, I ask, did we get in there? Was it not by the exertions of Mr. Dickens and other lawyers, who voluntarily came forward to make us partake of this important right enjoyed by Englishmen? What, are we to have no gratitude? What ungrateful wretches must we be, if we, now that they are to be degraded in the Mofussil, do not come forward to support them. Suppose the Europeans are turned out of the Mofussil by the Black Act, and other acts of that kind, what will become of the improvements that are there carried on by the interlopers? (hear, hear). What, I ask, has the Government done for the people of India? It was the lawyers, with Sir Edward Hyde East at their head, that established the Hindoo College, of the usefulness of which my friend Baboo Casper-aud Ghose, sitting here opposite, as a proof. Even the lac of rupees a year granted by Parliament for education, would have remained hidden if the Marquess of Hastings had not found it out. And when it was found out, what did the Government do with it but encourage Sanscrit, leaving the people in the dark?

Much, gentlemen, has been told to you about interlopers. I ask, is not our Chairman—a Law Commissioner, an interloper? (much laughter.) I wish all our Law Commissioners were interlopers, we would then have real Law Commissioners (hear, hear). The natives in the Mofussil, they say, do not trouble themselves about these matters, nor take any notice of these things, and that it is only the interlopers who agitate and give all the trouble. This is according to Mr. Macaulay's own showing; but this is the very reason why we should

support the interlopers ; for it is they who cause the improvement of the country, not the Civil Servants, who never care for reforms. It is true they all know where the mistakes and errors lie ; but never come forward to remedy the evil—it is the lawyers and the interlopers that do this, and it is those people that we are come to support (loud applause) A friend of mine has brought to my notice, a Black Act of a very different kind, a Criminal Black Act. In it, gentlemen, we find the following passage :

“ XXXIII. And it is hereby enacted, that whoever being in the employ of the Government in the Post Office department, or being in the employ of any person or persons who may contract with the Government to convey letters or packets by Post for hire, shall fraudulently appropriate any letter or packets which may have been entrusted to him or any thing contained in any such letter or packet, or shall open any such letter or packet, or any hangy box, with the intention of fraudulently appropriating any thing therein contained, shall be punished with imprisonment, with or without hard labor, for a term not exceeding seven years, and shall also be liable to fine.

By this you perceive that a Mofussil Magistrate is to have it in his power to punish any man, whether Native or European, with imprisonment for seven years, and the man thus convicted has not the right to appeal to any higher tribunal. The Black Act, against which you are come here to petition, is but the forerunner of such Acts as that which I have just read to you ; the mischief that has commenced will go on, unless we all come forward and support each other to put a check to it. (Hear, hear, and loud cheering.)

It has been said that the Mofussil Courts are better than the Supreme Court, but how can this be the case when we see that not only the interlopers, but, even the servants of Government—the Civil Servants, gentlemen, prefer the Supreme Court to those of the Mofussil ? I allude to the case of Pattle versus Patton. If Mr. Pattle, who is one of the oldest Civil Servants, and well acquainted with the Supreme as well as the Mofussil Courts, was not satisfied in his mind that the former was far better, why should he have sought a remedy there, and employ Messrs. Clarke, Osborne, and Grant to conduct his case ? It is not my intention, gentlemen, to coter into the merits of that case. Mr. Patton, for aught I know, might have been quite right ; but Mr. Pattle thought him to be in the wrong and accordingly applied to the Supreme Court. All I have to do with the case is the circumstance of Mr. Pattle applying to the Supreme Court instead of the Mofussil Courts, a circumstance which clearly proves from the opinion of one of the oldest and most experienced Civil Servants, that the Supreme Court is far better than the Mofussil Courts. (Cheers.) You have heard of the enormous expences of the Supreme Court. Did not Mr. Pattle know this, and does he not love his money as well as any body else ? (hear, hear.) Then why did he go to the Supreme Court ? The fact is, he knew justice could be had at some cost in the Supreme Court ; but he feared he could not at all obtain it in the Mofussil Courts. The question, gentlemen, is one which more particularly regards appeal cases. Now, it has been admitted, even by Mr. Macaulay himself, that the Supreme Court is free from corruption. Why not then allow a man to appeal to such courts if he chooses, instead of forcing him to appeal only to such courts as Mr. Macaulay himself admits, administer “ course justice ?” We do not ask to make it binding on defendants to appeal to the Supreme Court ; but only that it be left to their choice either to appeal to that Court or to the Mofussil Courts which ever they may prefer. (Hear, hear.) Why not then give us the privilege to make a choice.

Mr. Macaulay, who made that Act, came out from Europe, and without knowing any thing of the country,

immediately set about making laws. He sought information from no body ; and when any body went to him he was ready to inform them instead of endeavouring to learn any thing from them. (Hear) In fact, gentlemen, Mr. Macaulay was a perfect *sub jure** (Much laughter and cheering.) This Mr. Macaulay, gentlemen, makes a parade of his love for the natives of this country ; but I am a Native, and have had some experience in the affairs of my countrymen ; I know the nature of the Mofussil Courts, and of the Supreme Court too ; and I can assure you, gentlemen, that the conclusion to which I have arrived, is that whether poor or rich, you can get equal justice in the Supreme Court, but in the Mofussil Courts it is only the rich that can get justice. (Hear, hear.) This is an opinion which I express, not only here, but have expressed it elsewhere, I have distinctly stated all this in my evidence before the Police Committee, and then it is on record. The justice which Englishmen receives is stated to be pure and that which is administered in the Mofussil Courts is corrupt. Mr. Macaulay would equalize us by bringing down Englishmen to the level of natives, instead of raising the natives to the level of Englishmen. This is real equalization. The equalization of which Mr. Macaulay, with all his love for the natives, talks, is no equalization at all. It is taking away from us all that is worth possessing and giving us in return that which is worth nothing. The fact is, the Court of Directors have always been jealous of interlopers, and wish them not to interfere in the affairs of the country. they do not wish them to know the merits of their rule nor to look into their acts. The Charter has, it is true, allowed the colonization of India, but has colonization taken place ? No. How do we know, gentlemen, that the Court of Directors did not send out secret instructions to Mr. Macaulay, to prevent the practical workings of the provisions of the Charter. They are, believe me, very long sighted people—they can see far, and in time take care to put a stop to the progress of improvement and civilization of the country. Indeed, gentlemen, so many times have we seen principles fully and unequivocally allowed in public rendered nugatory by secret instructions effecting their practice, that even if Sir John Cam Hobhouse were to declare before the Parliament any thing in favour of the natives. I should not be certain if the boon would even then be actually granted.

I have now shown you, gentlemen, why we ought to support the cause of the Europeans, and I hope, I have proved to your satisfaction, that in doing so, we support not only their cause, which in gratitude we are bound to do, but our own. I should now proceed to read to you the resolution which has been put into my hand.

3—Resolved, that it is expedient to open a subscription to defray the expences of employing a permanent Agent and Council in England and of forwarding the petitions, and that John Crawford, Esq., be requested to act as our agent.

Gentlemen, in recommending the employment of Mr. Crawford, I do not recommend it only for the business now under your consideration, but as your permanent agent, who will be there to take up any public business you may require to be done in England. Such an agent there is absolutely necessary for the proper protection of our interests, against the intrigues and trickeries now going on ; an efficient check is indispensable, and in the measure I have proposed, I hope you will find it. If I be asked why the West Indians are better off than we, I reply, that in England and in the Parliament, there are numerous proprietors of large farms and plantations in the West Indies ; and that they protect the interests of the country in which they have so much property ; but that the case with us is very different ; there is no

* A native phrase which means a know-all.

one in Parliament, who has any personal interest in this country, and therefore no one to advocate her cause. Hence the necessity of appointing an agent and a counsel to protect our rights and interests. Even if our agent gains no great advantage for us; he will, at least, keep us informed of what is going on there.

Mark, gentlemen, Mr. Macaulay and his colleagues wish to deprive the Europeans in the Mofussil of the right of appeal to the Supreme Court under the pretence of placing them on a footing of equality. The Resumption operation, was another Government measure of equalisation. The principle on which they wished to proceed was to equalize all the tenures. They assess the rent-free lands in order to bring it on a level with the lands that pay revenue. But mark the tendency of this principle, observe where it leads you, if carried out to its full length (hear, hear.) The estates in Orissa and other parts of the country under temporary settlement, pay generally a higher rate of Revenue than the estates in the permanently settled provinces. Now, it might as well be argued on this equalizing principle of our Government that the estates under the permanent settlement ought to pay in the same ratio as those I have just mentioned, and lose the other advantages of a permanent settlement. If therefore this equalizing principle is not to be checked by pledge or any other consideration, there is an end to all certainty even in regard to the permanently settled provinces (hear, hear). These are the consequences likely to result from allowing the Black or equalizing Act to go unnoticed,—these the dangers which threaten our countrymen. I, therefore, call on them to come forward now and support the Europeans against the encroachment with which their rights are threatened. Support, I say, the lawyers and interlopers who have always advocated your cause (loud cheers.) Who came forward to protect the coolies from being carried away to the Mauritius? Not the Civil Servants (hear, hear) but the lawyers, gentlemen, the interlopers, with the Lord Bishop and other clergy. But surely these do not expect that the coolies will employ them in the Supreme Court, and fill their pockets with fees. They had no interested motives in coming forward with so much zeal in behalf of the poor coolies. (Loud cheers.) But I ask you, gentlemen, was there a single Civil Servant at the Cooly Meeting, as it is called? Not one; as servants of Government they said, they could not mix themselves up with these proceedings. But where was their conscience at that time—that tender conscience which would not allow them to pull down or build up a Musulman mosque (hear, hear). Was it asleep when the cause of humanity summoned them to this Hall in order to protect the poor coolies? I have known of their being here on St. Andrew's night; (hear, hear and much laughter) then their connection with Government was no obstacle to their meeting here: but when the cause of humanity required their presence, when Bishops and interlopers came here to rescue the poor coolies from slavery, then they could not come. Believe me, gentlemen, when I assure you, that the lawyers, who are always the first to get up these meetings to protect your liberties and interests, are your real friends! With what motive they came forward at the Cooly Meeting you all know, gentlemen, it was certainly not one of interest. Mr. Macaulay, too, may have motives, and the only motive that I can perceive in him, is the motive to keep the interlopers out of the country. I have done gentlemen.—(Loud and continued cheering).

Mr. MACKINNON mentioned the case of *Calder versus Halket*, and was not satisfied why that case had been thrown out of the Court altogether.

Mr. DICKENS.—Gentlemen; in reference to what has fallen from Mr. Mackinnon, perhaps that gentleman and the meeting will allow me to explain, that the case of *Calder v. Halkett* was decided without any regard to

the merits whatever, and was so decided, because the majority of the Court felt bound, (though they pronounced the defendant wrong, if I do not much mistake) by the terms of the 24th section of the 21st Geo. 3d c. 70.* by which section it is provided, that no civil action for damages shall lie at all against any Provincial Magistrates for any act done by them as such.

That I believe was the ground, and the sole ground, on which the majority of the judges decided that case, or rather pronounced that the statute decided it. The judges had simply to administer the law and to construe it: it was thought, I presume, that the terms of the statute were too clear and precise to permit a civil action for damages to be brought on any ground against a Magistrate for acts done by him in that capacity.

Criminal proceedings are not touched by the statute, and if a Magistrate does wrong, he may certainly be indicted, but unless an expressly malicious motive can be proved or inferred, in ordinary cases, it would be of little use, and there would be no reparation to the prosecutor in any case for his costs and trouble.

Mr. MACKINNON made a few more observations, which we could not take down, and concluded by saying, that what he had been alluded at, was not the Black Act now under consideration, but the Act read by Dwarkanath Tagore in his speech. (Loud cheers.)

Mr. GRANT would not detain the meeting beyond a few moments. This was the first time he had ever appeared before a public meeting to utter a recantation; but he felt it his duty to do so, and begged the meeting would give him a hearing. Some time ago he had entertained an opinion, and had declared it openly, that there was no necessity of employing an agent in England; for he trusted that the cause would there be in safe hands; but he had been deceived in Sir John Campbell's case, and could no more trust people from whom such unconstitutional measures emanated. We have now tried them and found them out, and he had therefore, changed his opinion on the subject of employing an agent in England, and was now anxious that we should have an agent there, and pay him well. He had not come here to support the measure with words only, but he was ready to open his purse-strings in support of an agent in England (cheers).

The resolution moved by Biboo Rustomjee Cowasjee, was now carried unanimously.

Mr. SPENCER.—The resolution put into my hands regards the re-election of the Committee previously appointed. As you did me the honor to nominate me on that Committee, there might seem an impropriety in my recommending you such a resolution; but having the prospect of soon quitting India, I am at least not interested in the recommendation, although I shall never cease to be interested in the cause. I shall never cease to be interested in opposing not only this Black Act but the black system of which it is the commencement.

We have been twitted, gentlemen, with the notion that we are led on this occasion by Lawyers interested in the emoluments of the Supreme Court; my friend Dwarkanath Tagore has happily disposed of this idea, but I will ask you in addition to what he has said, if these are not the very men whom we have seen so recently battling with us for and triumphing in the Freedom

* We subjoin the section of the Act in question—**ED.**
AND WHEREAS it is reasonable to render the provincial magistrates, as well natives as British subjects, more safe in the execution of their office, be it enacted, that no action for wrong or injury shall lie in the Supreme Court against any person whatsoever, exercising a judicial office in the country Courts, for any judgment, decree, or order of the said Courts, nor against any person for any act done by, or in virtue of the order of the said Court.

of the Press, and having stood here conspicuous on every occasion of public utility, is it fair to attribute to them in this one instance interested motives? As to the disposition of the British Residents in the Mofussil, I can only judge from what has come before myself. I have conversed with none who have approved of this Act, but with many who view it with abhorrence. If deeds be at all a proof of sincerity, I might refer you to Mr. Dickens to show the liberal manner in which they came forward with their assistance in the cause. From the subscriptions which fell particularly under my own observation, I can state that three planters gave 100 Rs. each, two gave fifty each, and by 26 planters no less a sum than 700 Rs. was subscribed, to obtain the repeal of this obnoxious act.

But we are a small body, and we are cavalierly told that if we are not satisfied with the laws which are to be imposed upon us, we may withdraw ourselves from the country, and stay at home. We are a small body it is true, but we are an influential body! We may be few in numbers but we are Englishmen, and have the spirit of Englishmen, and it is neither for the interest of India nor of England that we should be so superciliously dealt with. The British Capital at risk invested and circulating in the Mofussil within the range of the Supreme Court, is of no small amount. In the production of one article, indigo, alone, no less a sum than three and a half million sterling is employed one and a half million of which is in annual circulation, expended in cultivating the soil and returning in produce to Calcutta where it is exchanged for an equal amount of British manufactures and products. A large revenue accrues to the Government from these operations, in the shape of land rent, and not only so, but duties are again levied on the produce to the extent of 3 lacs annually on indigo alone, and this doctive tax is paid without a murmur. Payment is largely to the state, we surely are entitled to the benefits of good Government, to the protection of a just and pure legal administration? but no, we are perforce to be made the subjects of the oppression of the law. We are to be worked a great deal of reform, though the injustice we are to suffer and complain of, to purify, at the hazard of our ruin, a legal administration known to be corrupt. Englishmen are to be made besoms of by these legislators to sweep out the dirt of their Mofussil Courts. I trust they have themselves met with a broom (Brougham) that will sweep them out.

But, gentlemen, all this will be labour in vain; no sufferings of ours will ever implant a principle of honesty in a dishonesty Ameer, nor in the class of Ameerus. It is beginning at the wrong end. We must educate and enlighten the people and elevate their character. We cannot expect to find a pure, isolated class of legal functionaries springing up in the midst of a corrupt people; we cannot draw an enlightened Ameer out of a corrupt mass. The natives of India are lost in ignorance, and of all kinds of ignorance the ignorance of a civilized people is the worst, the most prolific of crime. Bands of Thugs are at this moment peivading the plains of India, who believe murder to be an acceptable worship of the deity. In the mountainous parts another race rush with the blood of human victims to their fiends, believing it will give them a larger harvest. Greed and pestilence have desolated the country. The works of great national improvement are neglected, and by similar neglect the great moral laws of the country are broken down and sunk in one general abandonment of all that is great, public-spirited and virtuous in a people. Yet this is not the fault of the natives; they are eager for and highly capable of receiving instruction. It is not the fault of the Government; for one with more paternal feelings towards the country does not exist, nor of the civil servants, the best of whom are over-wrought, and have little time to devote to matters of general improvement. The fault—

the crime, lies with the Directors and with the British Government, in not having provided, and in not providing what he means for the education of the people. This is the bounden duty of every Government. It is by the discharge of this high moral duty, that Prussia has raised her character among the nations; but not without a large and necessary expenditure. I find in Berlin seventeen shillings and sixpence allotted for the education of every child that would not be otherwise educated, and what is the amount annually allotted for the education of India? Gentlemen, you have just heard it from Dwarkanath Tagore, it is a lac of rupees—it is not a farthing for every child that will not be otherwise educated. Let us take one-fifth which is given by one Mr. Adam's tables as the proportion that children between 4 and 15 years of age bear to the whole population reckoned at 100 millions. This gives 20 millions of children capable of receiving education. Now take the numbers as found by Mr. Adam, say an average of seven per cent., the proportion of children actually receiving to children capable of receiving instruction. Deducting this 7 per cent., we have 13 millions of children now existing in India, who are allowed to remain and will be allowed to grow up in utter ignorance, unable to read or write and without any kind of education whatever. The Government allowance, £10,000 sterling per annum, is not, therefore, a farthing for each child, and it will amount to little more, even although increased by all the sums placed at the disposal of the Committee of Public Instruction. It may be thought that this is foreign to the object of our meeting, but if Englishmen are to suffer so long as the Courts of Justice are corrupt, it surely behoves us to enquire at what period we may expect an end to our sufferings which can only be effected by education, and here let me put the words of Mr. Adam, then whom India has not a truer, a more judicious, or a warmer friend:—"While ignorance is so extensive, can it be matter of wonder that poverty is extreme, that industry languishes, that crime prevails, and that in the adoption of measures, of public policy, however salutary and counteracting their tendency, Government cannot reckon with the silence on the moral support of an intelligent and instructed community?" Is it possible that a wise, a just government, can allow this state of things longer to continue?

There is no other means than by education of elevating the character of the people, without it years may roll on pregnant with the suffering of Englishmen, and the sadder Ameerus and Omdanas more corrupt as ever, and I see little prospect of any other better result. A sum of for each uneducated child would require annually a crore of rupees, so destitute of other resources is the country, that nothing less it seems to me, will meet the exigency. You can judge whether this sum is likely to be obtained while it is reckoned cheaper, a sad mistake, to educate the millions by the suffering of Englishmen; and what is the pretext, a political dogma, that the laws which are good enough for the greater number are good enough for the few. I deny the truth of this. Like hundreds of political theories, it is true in the abstract, but like these theories, which, if acted upon, would overturn every Government in the world, it is premature and impracticable. Enlighten and elevate the mass of the people, then the syllogism will hold true, and the free institutions adapted to the larger number, will be equally applicable to the smaller; and until this be accomplished, the dogma is false, is premature, and consequently pregnant with mischief.

4.—Resolved, that the former Committee appointed at the Meeting, held on the 24th June 1836, be re-appointed with liberty, as before, to add to their members, and that such Committee be made permanent to watch over our own and the interests of all classes of the governed in British India.

MR. FERGUSON rose to second the resolutions. He was engaged in various parts of the country in raising its produce, and was largely interested in these operations. He had many opportunities of conversing with the planters and other classes of people residing in the mofussil, and from all he had heard or experienced, he arrived at the conclusions, that the account given by Mr. Macaulay was false. Mr. Macaulay, he was sure, had in his possession returns and documents which must have shewn to him clearly, that the European settlers in the interior were but few and scattered over a large tract of country that had no good roads for easy communication; which, added to the effects of a tropical climate, rendered it quite impossible for these people to see each other often or to be informed regarding the affairs of each other. These few settlers were on all sides surrounded by natives, and the only courts they had in their neighbourhood, were the notoriously corrupt courts of the mofussil. The only check on these courts and the natives, was the Supreme Court, to which an Englishman could appeal (hear, hear). The people in the mofussil, therefore, looked to the removal of the privilege of appeal to the Supreme Court with dread. They were all of opinion, that the expences of the Supreme Court were twice what it now is, it would still be cheap as a check on the Civil Servants, than whom he did not no of a more proud and inaccessible oligarchy.

DWARKANATH FAGORE begged to be permitted to add a few words to what he had said before. In support of the disinterestedness of the lawyers, he would refer to their exertions against the Stamp Regulations, in which cause they labored for several days, and would accept of no remuneration. He would also call to mind the act by which it was intended to deprive Armenians, Moguls and other foreigners from holding land in this country. On that occasion, Mr. Clarke went from house to house to obtain signatures to a requisition for a public meeting. Had he allowed the act to pass it would have been of great advantage to the lawyers, as it would have increased their work, but he would not do that. There are many other instances of disinterested acts of the Calcutta lawyers, which plainly prove that they are not such horse-leeches, as Mr. Macaulay would fain make them out to be. (Much laughter and loud cheers.)

MR. FENWICK—Mr. Spier had alluded to the relative position in which the Planter and the Civilian stand in the mofussil. He had lately come from the Mofussil and could speak on this point. He knew that among the Regulations of Government, there were many which protected the ryots but there was none which afforded the least protection to the planter (hear hear.) The Supreme Court was their only protection, and if that be taken away, their liberty is at once destroyed. The Supreme Court had been called an expensive court; but he knew what mofussil courts are, for he had considerable experience in them. Out of several instances of injustice which he recollected, he would mention but two. In one of these he acted as the legal adviser of the defendant, (some laughter, principally amongst the members of the Bar) and having explained certain points, the Magistrate fully agreed with him! Yet the Magistrate was determined to carry things with a high hand, and ~~the~~ order accordingly, stating that this was not a King's court, that he should be bound to act according to fixed principles and rules, but that he would do what he liked. The other instance was produced by an altercation between a police peon and an indigo-planter. The latter, it seems, provoked by the insolence of the peon, had given him a thump or two. The peon complained to the Magistrate, and the planter, without even being called upon to make his defence, was fined 100 rupees. He, however, waited on the Magistrate to ask why he had passed such an ex parte decision, and was coolly told by his worship, that it was to save him the trouble of coming to the Court.

The equality sought by Mr. Macaulay is all a farce; there can be no real equality until the people of the country are made eligible to sit on the bench of the Courts under the protection of which they live. Without this equality the equality offered by Mr. Macaulay is not worth having. Mr. Fenwick would again urge on the attention of the meeting, the necessity of opposing this Black Act, and he would assure them, that if this Black Act be suffered to pass without very strong opposition; we would soon have other acts not only black, but red as blood itself.

MR. SPIER'S resolution was now put from the chair and carried *non. con.*

MR. LITTLE rose to move the 5th Resolution. He would not enter upon the general question which had been so ably discussed by his learned friends, who had addressed the meeting before him. He would only impress upon the minds of the meeting, that if this act were allowed to pass without the expression of our strongest dislike, it would form the commencement of a series of such acts, which would ultimately crush the liberties of every class of the people of India. He then read the following resolution:

5—Resolved, that it be referred to the Committee to prepare the draft of a petition to both Houses of Parliament, with liberty to call in such assistance as they may think advisable, and such draft petition be published in all the newspapers of this presidency.

This was seconded by Roy Calinauth Chowdhury.

MR. C. POTE, who stood at some distance from the table, spoke to the following effect. Mr. Chairman and gentlemen. Before you proceed to put to vote the resolution that has been read, I beg to be allowed an impartial hearing. I hope and desire, gentlemen, that you will feel that you are not exempted from the laws under which your native fellow subjects are placed; you ought not to desire such an exemption; you ought not to wish to exempt yourselves from the penalties to which the natives of the country are liable. I see you desire to be exempted from the general law of this country. To this I say you have no right. (Hear, hear and much laughter. Order, order, from the chair.) I desire then to say, that you who have arrived in this country have no right to exempt yourselves from the laws of this country (a great deal of noise and hisses from all sides.)

MR. DICKENS here begged to be heard, but Mr. Pote called out to Mr. Dickens, order, order. Mr. Dickens, however, raised his voice to its highest pitch, and was heard to say:—gentlemen, I beg of you—I entreat of you to let Mr. Pote proceed, and give him an attentive hearing. Mr. Pote then resumed his speech. If the Mofussil laws are wrong, I wish Englishmen to be subjected to it (hear, hear.) I wish that they may feel the injustice of those laws, and that they may remonstrate against them. I particularly wish Englishmen to be subjected to those laws, because I know they are the strongest, the most energetic class in this country. I wish the strongest to be subjected to these laws, that they may overthrow them (hear, hear and loud cheering.) I know there is a great difficulty in subjecting Englishmen to injustice; but I ask and pray for it. I do not think there is any barrister here, except Mr. Dickens. (A cry of, "there are several others besides him," from different parts of the house.) He will explain to you the advantages of the Supreme Court (This has been already done, from the crowd, and order, order from the chair.) Recollect, gentlemen, what Mr. Canning, that immortal man, said in regard to English Courts of law. He advised all rather to compromise by giving up even the half of their claim, than go to law. I talk not of this but of the courts of Great Britain. Has not the Supreme Court a supremacy over the other Courts of the country? But you say that the nay tive courts are corrupt; now if the Supreme Court has a supremacy

over those Courts, and yet cannot reform them, of what use is that supremacy? I have just heard a learned barrister address you in a long speech about his own Court. I think this is all done to save Mr. Turton some inconvenience. Who, I ask, is the originator of this meeting? (a great deal of noise and confusion, followed by calls of order from the chair.) I admit that the Mofussil Courts are very bad, (hear) yet they are much better than the Supreme Court. (Mr. Hurry here rose to order, on the ground, that Mr. Pote was speaking irrelevantly, Mr. Pote was, however, permitted to go on.) The Supreme Court is a nuisance in Calcutta. You should never enter it: you know it is far better to compromise than to enter the Court. You talk of the corruption of the Mofussil Courts; all that was most ably discussed by AMICUS CURIAE, and to this moment remains unanswered by Mr. Turton and the other lawyers. What I propose, gentlemen, is that the Mofussil Courts are the best in the country; "if you fall in with the interests of this meeting," I entreat you to send no body to England. (Here Mr. Pote made a pause, and was asked by the Chairman if he moved any amendment to the resolution before the meeting.) The amendment I have to propose, Mr. Chairman, is that this meeting be forthwith dissolved. (Much laughter and shouts from all sides, which having subsided, the Rev. Mr. Morton addressed the meeting.)

THE REV. MR. MORTON.—Mr. Chairman.—I solicit your indulgence, and that of the meeting, whilst I offer a few observations on the question now before us. I can most truly assure you, Sir, that I had not, when I entered this room to night, the remotest idea that I should be led to utter one word within its walls. But some how or other, as on other occasions so on this, I have been carried away by feelings I can ever but ill restrain. I am an Englishman, Mr. Chairman, although an Irishman—the blunder may be allowed to pass, I hope, in consideration of my country—though a native of a the soil of Ireland, Sir, I am a British citizen; and, the spirit of a free-born Briton glowing within me, I feel it ever difficult to repress the expression of my love for freedom, personal, civil and religious, *all over the world*. Mr. Pote has asked why Englishmen in India should even *desire* to be exempted from an equality in sufferance and disadvantages with the natives of the soil; and why, indeed, if that were the sole alternative? But, if I judge aright, the object contemplated in the measure proposed to night, your high and noble aims, not to degrade Englishmen to a level with any class of natives in civil or any other disabilities whatever, but to elevate every class amongst them to an equality with Englishmen in all social rights and civil privileges, in all the blessings which follow in the train of knowledge and civilization to a free people. And for my part, Sir, I cannot for one moment entertain the monstrous, nay the impious, supposition, that the Great God, the ruler of the destinies of nations, whose univereal Providence pulls down one power and exalts another, should have in a most remarkable manner called the most highly civilized, the wisest, the most powerful, most virtuous of the nations of Europe, to exercise a paramount dominion over the vast extent and countless population of Hindustan, to serve no higher a purpose than the replenishing of an India Company's Exchequer, the augmenting of the dividends of a few princely merchants in Leadenhall Street? No, Sir, far holier and more benignant was and is the design of the Eternal in giving the sovereignty of India to Great Britain; it was to extend, as I firmly believe, to the many millions subjected to her rule, the inestimable benefits of enlightened education, of civil liberty, of perfect morals, of true and pure religion. England has not, however, done her duty, to the extent she might, in fulfilling this glorious behest; nor has the Government of this country been adequately faithful to its sacred trust. Not altogether, I hope and believe, from any express design at any time to impede the designs of Providence,

but from a defect of information, from a most timorous and unnecessary apprehensiveness of the danger of untried experiments, from long continued inadvertence to the positive responsibilities resting upon them to *govern a India for the benefit of India*. Who can for a moment suppose, that the natives of this great country are for ever to continue an untaught, demoralized and but half-civilized people? are to continue for ever unqualified and unpermitted, in short, to govern themselves? Doubtless it is but given to us, Sir, to the English Government and the English people, to train and educate the natives of India for becoming a great and free and good and happy people. This is the consummation we all, I trust, desire for India, and with this desire it is I support the measure now proposed, as aiding in its accomplishment.

For the rest, however, I honestly and candidly avow, that I have as yet no distinctly formed opinion upon the individual question of the Black Act so termed; and that simply because unpossessed of the information necessary to enable me to form a settled judgement. I hold it most inopportune and unjust to take up with warmth any view of a question of such grave moment, before one has been qualified for a decision thereon by competent acquaintance with its bearings and merits. But, for this very reason, if for no other, Sir, I should vote for the perpetuation of a committee, because agitation is the life of civil freedom and must elicit the information that should guide our judgement and our measures; and because such a measure pledges no man to any unreasonable partizanship. It simply calls upon every one who loves the blessing of equal laws justly administered for himself, to *show* that he is worthy to enjoy it by doing whatever in him lies for its ultimate extension to his fellow subject of this country. For me, Sir, I see in the meanest native who supports my palkee, a man like myself, created and born, and having therefore a *divine* right to every enjoyment and privilege with which I myself am blest; and I should be a traitor to my fellows and an apostate from God, if I were indifferent to his final realization of them.

It has been said to you, that the Parliament of England is an *unrestricted* body; it is so, doubtless, as to the interests of our father land; but on Indian affairs, I need not say that it is proverbially rather *uninstructed*; most profoundly in the dark; lamentably, nay ludicrously, uninformed upon almost every question having reference to this country.

I delight, Sir, to hear such sentiments as were uttered to-night by Dwarkanath Tagore. Myself engaged in promoting the education of the people of India, and in communicating direct religious knowledge amongst them, in the measure in which my voice or my pen can reach them. I am a warm friend to the diffusion of all knowledge; because knowledge is the food of virtue, and the hand-maid of true and pure religion. Well am I convinced too, that in exact proportion to the extension of a sound education will be the progress of our divine faith among our Indian fellow subjects.

We have heard it stated, that whilst the Government of Prussia, a comparatively insignificant and feeble European state, expends no less a sum than *seventeen shillings and six-pence per head upon the education of its youth*, the mighty Government of British India, under the direction of the British Parliament, disburses from its vast revenues, for the same paramount and all-important object, not even one *solitary farthing* per head! But whence arises the difficulty, admitted on all hands, of administering impartial justice through the medium of our Mofussil courts? It is not said that the laws are altogether partial or inapplicable; it is not said that the European Judges and Magistrates are wanting in acquaintance with the regulations or in intelligence and liberality of sentiment and integrity of principle; no, the chief of the acknowledged obstacles is ever the absence of probity and in corruption in the *natty officials, omrah, ameen*

mooniff and other subordinate functionaries; and the impossibility of securing, by any Government regulations, the services of an honest and active native police. And whence this difficulty, this impossibility, but in that the people are uneducated, and therefore necessarily without principle, without public spirit, without private and social virtue? Till, therefore that consummation so devoutly to be wished for, the mental improvement and moral regeneration of the nations of India, be effected, the Mofussil Courts must continue to be every way immeasurably inferior to the Supreme Court, (with all its delays and its expensiveness,) as resorts for an equal, enlightened and uncorrupt administration of justice. It is too well known to be at this day a matter of question to any man, that whatever the intelligence, the probity, or the watchfulness of a Mofussil Judge or Magistrate, he cannot certainly, if it all be reached, nor can right, however clear, be certainly established in these Courts, save through bribery. But can bribery be even attempted in the Supreme Court of Calcutta? The question answers itself.

With the gentlemen of the Calcutta bar, I have no personal acquaintance in a single instance; but I do know something of their public acts; and this I know, that on very many occasions involving the highest interests of all classes of the community; in the advocacy of measures of public utility, enlightenment and humanity, they have ever stood prominently forward, and for this I honor and applaud them. We have been told they are munificently remunerated for their legal services: and why should they not, Sir, when half a life has usually been expended in acquiring, by a mental drudgery that would prove intolerable to most minds, the knowledge and information requisite to guide them in defending the rights and liberties, the persons, properties and lives of their fellow-citizens? Is the benefit of the vast learning and uncorrupt, impartial judgment of British Judges, the advocacy of enlightened, talented and liberal British lawyers, too dearly purchased at any cost?

It is a maxim of the Christian religion, Sir, that "the law was not made for a righteous man." He will be just without, and therefore needs not its restraints; but where universal ignorance and civil degradation, a mental and moral slavery of ages, have entailed universal baseness of sentiment and laxity of principle, it is chimerical to think of finding agents for a wise and honest administration of justice. Nor is the general influence upon society of our divine religion, (I speak to Christians) to be lightly estimated; it is great even when it has had but small operation in the production of individual piety. Happily in that elevating, ennobling and generous influence, our lawyers must and do very largely participate. We can trust them with confidence, we can rely upon their honor, their impartiality and their love equally of freedom and of justice. I should blush, therefore, Mr. Chairman, for myself, not as a Christian only; but as a man and as a Briton, I should blush for my country, if it could be said with truth that there was a man amongst us who should, who could be backward with hand and voice, and, last not least, in opening his purse strings, as the expression has been used, in contribution to the improvement of our fellow-subjects of India, in supporting and aiding any measure aimed at calculated to extend amongst them the benefits of just and equal laws, a pure administration of law and all the other advantages of civil freedom, of good and liberal Government. I fear, Sir, I have too largely trespassed upon the patience of the meeting, and shall therefore now conclude, by giving my cordial support to the motion.

Mr. Pote's amendment, "THAT THIS MEETING BE FURTHER DISSOLVED," which was put by the Chairman, amidst roars of laughter from all parts of the room, not being supported, was dropped, and the original motion unanimously carried. Mr. Pote, apparently on reconsideration, also supporting it.—*Hurkatu, Nov. 28.*

Moved by Mr. D. Hare and seconded by Baboo Caspersaud Ghose.

6—That the thanks of the subscribers to the former petition, and of the inhabitants of Calcutta in this and the former meeting, on the subject of Act No. XI. of 1856, in Town Hall assembled, are due to Lord Brougham, to Mr. Ward, the Member for Sheffield, and to the Members of both Houses, who have supported the prayer of the former petitioners and shown themselves friendly to our cause. Carried unanimously.

MR. CLARKE—Gentlemen, - I have been requested to move the next resolution, and before I conclude I will explain to you, why it has been put into my hands, and the reason which has influenced the framers of the motion, to select me in particular to bestow the induction it administers. You, gentlemen, have just voted thanks to Lord Brougham and Mr. Ward, as the tried and staunch friends of the best interests of this country, and now I have to call upon you to denounce its greatest enemy, Thomas Babington Macaulay. (*Loud cheering.*) At our last meeting Mr. Cook proposed an address to the Legislature, to recall Mr. Macaulay. That he deserved to have such a resolution passed, was, I believe, the unanimous opinion; but Mr. Turton, Mr. Dickens, and Interfered. — (*Mr. Dickens, and Mr. Grant.*) Yes, and Mr. Grant, interfered, and stated that we had no positive proof against him. General report gave Mr. Macaulay the credit for this measure, but we could not fix this man. Now his own minutes are published by Parliament. We have his very words, his political dogmas, his false assertions, his wilful misstatements, his machinations for the future, bare, unmasked, laid open and exposed to all, and this on the highest authority. Now we have him on the hip, before we had not, and now is the time to send abroad among men, the opinion of the people of India of this Indian Legislator. Gentlemen, this resolution entirely corresponds with my views on this important subject, but I have only recently seen it, and not having taken any part in framing it, I can, without impropriety, say, that I consider it to be admirably drawn up. You will find when I read it to you, that it contains the reasons for the resolution which you pass. Those reasons are Mr. Macaulay's own words, they are indisputable, and on these indisputable facts, we call on our brethren in England to say, are we not right in denouncing this man as the enemy of India? (*cheers*) Gentlemen, I shall now read the resolution to you; but in reading it, I shall make a running commentary on Mr. Macaulay's minutes, which are embodied in it. The resolution is this.

"Resolved, because we find that Thomas Babington Macaulay, while holding the high trust and offices of fourth ordinary Member of the Council of India, and an Indian law Commissioner, in a minute without date, printed by authority of Parliament, and written by him as such Councillor, used the words following." "We know that India cannot have a free Government, but she may have the next best thing; a firm and impartial despotism." (a)

Mark you these words, gentlemen—mark ye these words I say—that the next best thing to a free Government, is a firm despotism. Good God! has any Englishman dared, hired and bribed as he may have been,

(a) Mr. Pote, who had frequently interrupted the Revd. Mr. Morton during his speech, and had been as often called to order, continued his interruptions, and about this part of Mr. Clarke's speech, called the speaker to order on the ground of irrelevancy. The chairman said, Mr. Clarke was reading a resolution and could not be considered out of order.

to utter language like this? (*Loud cheers*) I blush that such a man should be my countryman. (*Loud cheering.*) A man who could dare to send forth in an era like this, that all must be slaves or all must be free! Yet this Mr. Macaulay has done, and of his language there can be no dispute. Well, then, this resolution proceeds.

"The worst state in which she can possibly be placed, is that in which the memorialists would place her. They call on us to recognize them as a privileged order of freemen, in the midst of slaves."

Indeed! Where did Mr. Macaulay learn this? I know more of India and its natives than he possibly can. Sixteen years practice at the bar of its metropolis, has given me no small insight to the laws, the habits, the customs, the language of the natives, to no knowledge of which can he pretend from his short and secluded residence here (*b*)

I have yet to learn that Englishmen are in the midst of slaves. I have yet to learn where slaves in India are to be found. (*Loud cheers.*) Certain am I that when an attempt was made to enslave the Hill coolies,—when an attempt was made to carry the free peasant of India to the slave colony of the Mauritius, when Mr. Macaulay's competers, the Indian Government, stated, all Calcutta rose. Our Bishop, his Clergy, every independent man in Calcutta, assembled in this Hall and denounced the infamous traffic. We said it may be true that the coolie is wretched,—he may want some clothes, and food, but he shall not be trapped into slavery, by selling him to slave owners and exporting him for that purpose. (*c*) Then, I ask you, in the face of this great and public act of the citizens of Calcutta, can it be said that we live in the midst of slaves. I say the assertion is false. (*Cheers*) I say it is a libel by Macaulay on his own Government, and his countrymen. (*Loud cheers.*) But, gentlemen, suppose it true, Mr. Macaulay's position is infinitely worse, (*laughter.*) Aye, worse, and I will shew you how. Mr. Macaulay says we, the English, are in the midst of slaves, and Englishmen are not to be a privileged order; that is, in my simple understanding, that living among slaves, we, the English, are not to be privileged but to be slaves also. What other possible construction can be put on those orders? there they are, they speak for themselves, and Macaulay came to India to write down that Englishmen ought to be slaves (*Loud cheers*) Well, gentlemen, to stop my running commentary, and proceed with my resolution, it continues this.

"It was for the purpose of averting this great evil, that Parliament, at the same time that it suffered Englishmen to settle in India, armed us with those large powers, which, in my opinion, we ill deserve to possess if we have not the spirit to use them now. And in another minute, also without date and printed by like authority, used (in speaking of the draft of an Act called No. XI. of 1836, which had been published for general information, and against which certain Englishmen and others had presented a respectful memorial) the words following. But its intrinsic merits are now the smallest part of the question. There is no want of argument for passing it,

(*b*). Here Mr. Pote again called out "that is nothing to the purpose, or words to that effect. "Turn him out, turn him out" from all sides, with groans and hisses. Order, order from the chair.

(*c*) Here Mr. Pote again interrupted the speaker and was again called to order. The chairman begged of him to keep quiet, and as he had been permitted to address the meeting, the chairman hoped, he would now permit others to do the same without interruption Mr. Pote to the chairman, "Am I out of order, Mr. chairman?" The chairman, "Yes, you are out of order, Mr. Pote, and I beg of you to stay quiet."

but the strongest of those arguments is the manner in which it has been opposed."

The manner, gentlemen—! the manner—! Judge on the importance, the necessity of the measure, that, according to Mr. Macaulay, is a secondary reason! the strongest argument of all is that Mr. Macaulay, toisooth, has a distaste to our manners.—(*laughter.*) And this is the fourth ordinary Member of Council, the great Legislator for India! (*laughter.*) To what is it that this monstrous doctrine would lead? To passive obedience (*cheers.*) No matter how the free spirit of man may be killed—no matter to what he may be worked up, by finding his constitutional rights, aye, his very birthright taken from him, let the manner of his resistance not be palatable to his oppressor, and Thomas Babington Macaulay propounds, that the offence of resistance justifies the oppression (*cheers.*) Gentlemen, I proceed with my resolution (*d*)

"And in a certain other minute, also without date, and printed by like authority, used the words following. "In the first place I think that nothing can be more pernicious or absurd than to allow certain bodies of functionaries are corrupt, to exempt from the jurisdiction a very small class distinguished by intrepidity, and hatred of oppression and fraud; accustomed to pure administration of justice, and accustomed also to think little of the frown of power; and certain to complain whenever they think themselves wronged, and certain to be heard whenever they complain. Such a class the English settlers in the Mofussil will be."

Gentlemen, I shall reply to this, by reminding you of the admirable answer which it has already received in an editorial of the *Hurkum* newspaper. Suppose, the writer says, when the Patee plague was raging the Governor-General had driven into that infested district all the Europeans over whom he had control, alledging that as their habits were cleanly and their exertions strenuous, all the drains and sources of filth would be speedily cleansed, and the evil itself be removed; would that inevitable sacrifice of life,—that violation of the plain moral axiom not to do evil that good may come of it, be tolerated for a moment? No, I say. (*Cheers.*) Yet this is the plain, obvious, common sense result of Mr. Macaulay's doctrine. Is it not? (*Loud cheers.*) But I proceed with the resolution. (*e*)

"And in another part of the last-mentioned Minute, used the words following. "If, therefore, I thought that the Mofussil courts were as bad as the Petitioners describe them to be, I should still say, put the English settler under them; then we shall know the whole; then we shall have ten corrupt functionaries brought to shame and punishment, for one who is now detected. Many abuses there undoubtedly are in the Company's courts, and, therefore, I would give the English settler a common interest with the Native, in the exposing of these abuses." (*f*)

(*d*) About this part of the speech, Mr. Pote became so noisy and disorderly, frequently putting questions and calling out, that Mr. Clarke was obliged to sit down, in the midst of roars of turn him out, hisses and groans. The Chairman again begged Mr. Pote to be quiet or to leave the room. Mr. Pote "You may laugh at me, but I despise you—I laugh at you all." The Chairman:—"Mr. Pote, if you laugh at the meeting you must leave it." Mr. Pote, "I will not leave the meeting." Some little order being produced, Mr. Clarke got up and resumed his speech.

(*e*) Here Mr. Pote again interrupted. We saw him speaking to a constable who had placed himself near Mr. Pote. The chairman on again receiving interruption called out "constable be ready."

(*f*) Mr. Pote was again out of order and noisy, which conduct having been repeated so often, the meeting at

Why, how profoundly ignorant this man is! how utterly unconscious—must he be of the real state of the country! or if he does know it, how he purposely misrepresents it!—(Cheers.) This is an important point of the question, and suffer me, by undoubted facts, to show how erroneous Mr. Macaulay is. Mr. Macaulay says—“If, therefore, I thought that the Mofussil Courts were as bad as the petitioners describe them to be.” Now the meaning of this is that Mr. Macaulay doubts that they are so bad as we describe them. I will go to the proofs. I will go to facts—facts into which he never enquired, but which the slightest enquiry would have brought before him thousands of more instances, than your time will permit me to mention. Let me introduce these facts with a slight *exordium* taken from Sir J. C. Hobhouse’s speech on the 22d March last,

“Now, Sir, the hon. gentleman has devoted much of his address to night in going into what he doubtless considers a just description of the Provincial Courts. He tells you they are corrupt and ignorant—that they have no means of knowing the facts of the cases brought before them, and that in point of fact they are such tribunals as no Englishman ought to consent to be tried by. Now, Sir, is the honorable gentleman’s description of these Courts correct?—if it be so, if what he has stated be true, then I say, shame on England that has governed that country for upwards of a century; more shame upon this country for allowing the tribunals of that vast Peninsula, which has been a source of opulence and fame to us, to remain in such a disgraceful state of ignorance and incompetency; but, Sir, I beg to deny the fact, and if time would serve me, I could shew that although those courts are not such as they ought to be—although justice is not administered by them as well as it might be, still I can prove that we have no right if the law be considered good enough for our Indian subjects to exempt a privileged class belonging to our own country from its operations.”

Why, what untrammelled Englishman, who ever lived in India, thought Mofussil law was good enough for Indian subjects? Make your laws good, you will make your subjects good. What we say is, give the Natives English law, not Mofussil law; raise them to our level, and you will consult the interest of both Great Britain and India; but if you give them only Mofussil law, you merely consult the interests of the East India stockholders. Now I come to my proofs, and I will but adduce a few of what the Company’s courts really are. For my first instance I will turn to the fact related by Mr. Ward, on the very debate in which Sir J. C. Hobhouse said it would be a shame on England if justice were so badly administered.

Mr. Ward, in that debate stated—I cite his words from the *Mirror of Parliament*—

“Then there was the case in which a friend of mine was connected, Mr. Thakeray, who having delivered a judicial opinion contrary to the interests of the Company, was suspended from his high functions and was forced to apologise for the expressions he had made use of. He states distinctly that he was suspended, because he had given an opinion which was supposed to interfere with the Company’s interests and—(in the petition which he sent to this country) he adds that no Englishman can efficiently exercise the functions of a judge, whilst he is so dependant on the Company.”

last appeared to be aigh going to turn him out. All eyes were directed towards the chair and Mr. Pote, who unmindful of all, continued talking and interrupting; when the chairman called out, “constable remove that gentleman.” Hereupon Mr. Pote was laid hold of by two constables, who, notwithstanding his struggles, succeeded in taking him out of the room. The business then proceeded without interruption.

Such, gentlemen, was the accusation against the mode of administering justice in the Company’s Court, by one of their highest Judges. Conscientiousness may be very good in its way, but all notions of justice are to be lost, when the Company’s interests intervene, and the highest judge in the Empire is to be disgraced, provided his notions of rectitude, cost the people in Leaden Hall Street, one single rupee. (Cheers.) But the case of Mr. Courtney Smith is familiar to you all. He was the most distinguished judge who ever adorned the *Sudder Dewāny Adawlut*; such at least is my opinion, and I believe the opinion of all India. (Loud cheers.) Yet, gentlemen, was he menaced with dismissal because he was not subservient. All Calcutta, all India knows the story—(Cheers.) I need not, therefore, detain you. But, gentlemen, if such be the conduct that the Indian Government has exercised over their highest judicial functionaries, if you find the Government compelling their highest judges to be corrupt, or to be deprived of their bread, what becomes of that reliance which a nation ought to have on judicial authority? I have told you of two cases where intimidation has been used; I will not further mention Mr. Pringle’s, as that has been already detailed, except by reminding you, that the authorities at home, have pronounced some of the present Judges of the *Sudder*, and a present Member of Council, is sanctioning corruption, and oppression, and yet have left the supposed offenders—(supposed I call them) in the full plenitude of power for the commission of further guilt. And now for another specimen of the Company’s Courts. But let me first, in justice to myself, assure you that in alluding to the *Culua* and *Burdwan* transactions, I shall not say one word regarding any conduct which was recently investigated in the *Supreme Court*, or which yet may be under trial; and I believe that no one here will for a moment suppose, I could be guilty of so gross an impropriety. It is of the system of conducting business, adopted then, and long and still existing, of which I speak. You know, gentlemen, that a most serious accusation was preferred at the *Calcutta Police* against Mr. Ogilvie, the Magistrate at *Burdwan*, regarding the loss of life at *Culua*; that the case went before the Grand Jury, who returned a true bill; now, I tell you, that at the very time the *Calcutta Police* were investigating the charge, Mr. Ogilvie, the person accused, was employed, under the orders of Government, to take evidence at *Burdwan* regarding the same transaction. Mr. Smith, the Superintendent of Police, was nominally, and farcically directed to investigate, but he was not permitted to examine a witness. The gentleman against whom this heavy charge was pending, and while the legal proceedings were in progress, was the person whom this Government order to take the depositions, and by him the whole of them were taken, not in open Court, not in his *Cutcherry* or Justice room, but in his private house, with closed doors, and guards upon them to exclude all intruders. It is of the Government only that I speak, for Mr. Ogilvie did but obey their orders. Does any man believe, that this would be credited for a single moment in England? (Cheers.) It would be laughed at as an idle tale, yet every man who hears me, and was in India in the month of May last, knows that it is true. (Cheers.) Bring the case home to yourselves. Suppose any one of you had his life, liberty, or fortune at stake, arising from the acts of some person whom you looked on as the author of your peril, what would your terror, your feelings be, if the power from whom you sought your redress, committed the investigation of your case, to the person whom you accused? (Cheers.) But monstrous as this is, yet so peculiar is the system in this place, that I have only met with two gentlemen in the civil service, of this large number with whom I am acquainted, who could be brought to comprehend that the proceeding was improper. Gentlemen, the next case I have to notice, I brought before the *Supreme Court* the other day, in

moving for a certiorari to remove a criminal conviction which had been made by Mr. Allan, the Joint Magistrate of Nuddea, for errors apparent on the face of the conviction. He had fined Mr. Russell, a most respectable indigo planter, 100 Rs. for an alleged assault, and by the Magistrate's own albedo, or conviction, it appeared, that Mr. Russell, not having any witnesses there being only the prosecutor's wife and servants present, desired that the lady's evidence might be taken, and the more especially, as he was accused of having insulted her; whereas he insisted that he had behaved to her with marked respect, and felt assured she would do him the justice of stating so. No, no, says the Magistrate,—mind, gentlemen, I give you the words of his own albedo—of what service can the evidence of a woman be to the accused party? (*laughter*) Beside the disposition of the defendant is manifest, he would degrade her more by bringing her into Court, the requisition for the same salub is therefore inadmissible, Mrs. Egelbight, gentlemen, not being either a Moolahmoodan or Hindoo, nor enobled by the honors of the purdah. (*Laughter*.) But this was a trifle to what followed. Mr. Egelbight had sworn, that Mr. Russell had given him a shove, but his servants, like stout Bengallee oaths-men, swore to three severe blows; here was a discrepancy, but to a Mofussil magistrate the obstacle was slight. It does not at all, says the ingenious justice, in his albedo, impeach the credibility of any of the witnesses, for, doubtless, the grief and indignation of the gentleman at the insult was so overwhelming, that he did not perceive or feel the blows. (*Loud Laughter*.) Well, I need hardly tell you, that the Supreme Court did take the case out of the Mofussil magistrate's hands.

I am aware of that case, mentioned by Mr. Fenwick, and it is perfectly true, that when a most respectable gentleman was called upon to pay a fine, which had been imposed on him, and he inquired of the magistrate why no notice of any proceedings had been sent to him, he was assured, with all possible politeness, that the worthy justice only deemed that he was consulting the defendant's convenience, by requiring him to pay the fine at once, instead of being put to the trouble to defend himself. (*Laughter*.) You have heard, gentlemen, of the delays of the Supreme Court; but they are trifling to the lengthy journeys of a Mofussil suit. In one case, I know a person in the Sudder, well versed in the arts of litigation, coolly tell a client of mine, you had better take half the debt and give me a release in full, or as I am not subject to the Supreme Court Jurisdiction, I will, by successive appeals, keep you out of your money for twelve years. I considered the advise prudent, and the terms were complied with. But if they talk of the expenses and delays of the Supreme Court, what will they say to the case of Bhiv Jha and his son Rajleh Beghagovind Sing. In 1807 it was, that the Court of Moorshedabad pronounced its first decree, and in 1838, the appeals are now pending in the Judicial Committee. None can tell the costs of this suit. I have heard them estimated at twenty lacs, but this I do know, that Mr. Charles Reed claims, as a remuneration for his work and labor, as legal mooktear or attorney in the suit, 42 lacks of rupees, (*loud cheers*) secured to him by deeds, which may be good by Mofussil practice and Hindoo law, but which, by English law, would never be tolerated. Well, gentlemen, 32 years of litigation, and £4,20,000 British for the work and labor of the plaintiff's attorney only, to say nothing of the £200,000 estimated expenses of the proceeding, is a modest example of expedition and economy in the administration of Mofussil justice.

Let me give you another instance, gentlemen. A client of mine was opposed in the Insolvent Court the other day, because he would not state what had become of a sum of money which was known to have been in his possession; he dare not tell the Court openly what he

had done with it, and was therefore sent back to prison. He was brought up again, was not opposed, and was discharged, for in the mean time he had satisfied his creditors and his assignees, that to preserve his estate from the plunder of a Mofussil decree he had been obliged to buy justice,—give *buckshees* and salamee to the native omlah, and that the money had actually been laid out for the benefit of the creditors. I tell you, that no man knows this better than the Assignees of the great involvent firms, and I assert, that had they not winked at the application of large sums of money by their Agents in the Native Courts, the inevitable consequence would have been an enormous loss to the creditors. You know it, and you know it well, that excepting in our Queen's Courts, unless justice be paid for, it can never be obtained in India. (*Loud cheers*.)

Gentlemen, this has been a long digression, occasioned by my comments on the last of Mr. Macaulay's Minutes, which have been recited in the resolution which I am now proposing. I now proceed with the rest of the resolution.

“ And because we find that the said Thomas Babington Macaulay, by the said last mentioned words, and by the words used in a letter addressed to the Government, and signed by him amongst other persons, and prefixed to the draft of a penal code, expressed a deliberate opinion and advised the Government that British subjects ought to be deprived, and can be deprived of trial by jury when resident out of the limits of Calcutta, Madras and Bombay, we therefore resolve, that the said Thomas Babington Macaulay hath, as such Councillor and Commissioner, wilfully, maliciously, and in breach of his duty as such Councillor, advised the Government of India to make laws contrary to the unwritten law and constitution of the United Kingdom of Great Britain and Ireland, whereon both depend in a high degree the allegiance of all British subjects to the crown of the United Kingdom.

And we record it to be our solemn and deliberate conviction, that the said Thomas Babington Macaulay, has forfeited all claim to the confidence of his countrymen has disgraced his country, and has proved himself the enemy of India.”

Such, gentlemen, is the resolution which I have the honor of proposing to you, and I think it has been cautiously and wisely framed. It is a serious matter for so very large and so highly respectable a meeting as this, to brand a man with the stigma of being a disgrace to his country, and to denounce him to be the enemy of a vast nation. Such things should not be hastily or rashly done, and the most convincing testimony should be adduced of the absolute justice of the accusation—(*cheers*.)—What is our testimony? Mr. Macaulay's own words, and of their genuineness no man can doubt; and that they assert untruths, and breathe principles a thousand times worse than this his Black Act, no real Englishman will dare to deny—(*loud cheers*.) Again I ask, where are the slaves in the midst of whom he represents the English to be? It is untrue, a false assertion, wilfully framed to work out his purpose; but if that be true, what think you of this Statesman's reason for reducing and condemning freemen, and his own countrymen, to slavery? This resolution contains the over acts of Mr. Macaulay, and as men not destitute of understanding; as men who know their rights; as men who will resist oppression, aye, and war with their oppressor, I call on you to brand him as the enemy of India. Gentlemen, here let me explain to you how this man is in the most literal sense of the expression, the enemy of India. Where the advice he has given to be acted on, there would be, or at least ought to be, an immediate rebellion, for the tie of allegiance between the Sovereign and the subject would be broken. The Queen has duties to perform, as well as we her subjects, and if she violates those duties, we are no longer bound to obey her, and

have a right to expel her, and place another sovereign on the throne. This was what was done when our sovereign's own ancestors attained the British Crown. The second James would have destroyed the British constitution, and trampled on his subjects' rights. Then came the glorious and bloodless revolution, which banished him the realm, and placed his sceptre in the hands of his child, guiltless of his acts, and constitutional in her principles. But James never attempted anything so tyrannical as what Macaulay recommends to our Sovereign, to establish a firm despotism - to reduce the English to the same state as the slaves whom he falsely asserts surround them, and to hand eighty millions of people over to corrupt Courts of Justice. (*Cheers*) I quote his own words gentlemen, (*Cheers*) I say on constitutional principles, acknowledged by all, questioned by none, that the British Sovereign who does this, forfeits the allegiance of the British people, (*Loud Cheers*.)

But this has not been done, and by our Sovereign never will be done. (*Cheering*.) Now let Macaulay, who has dared to give the advice, who for the sake of the Masters who hired him has striven to re-establish their rule, by breaking the tie of allegiance between the Sovereign and her subjects, be denounced and held up to scorn and contempt. (*Loud Cheers*.) Gentle men, it may be asserted, that the people of Calcutta are factious: but never was assertion more false. They are patient, they are enduring, forgiving, and to prone to lend and attach themselves to their rulers. Never has one left us, with the solitary exception of Macaulay, but all that he may have done ill, has been forgotten, and all his good acts have been commemorated and extolled. I appeal, gentlemen, to the friends of Lord Hastings, to Lord Amherst, Lord Bentinck, and Sir Charles Metcalfe, for the truth of this. Nay, more, I assert, that there is an extraordinary proneness to foster the fondest and kindest anticipations of the future popularity of our rulers, when they first arrive. Never was this feeling more marked, than on the arrival of Mr Macaulay. His speeches, his best essays in the *Edinburgh Review*, nay, the poetry of his lighter hours, crowded the columns of the public press; all hailed and received him with delight, and his Scottish descent was eagerly caught at, to place him in the chair at the national festival of St. Andrew. But, oh! what a change was wrought, wrought by himself alone. Remember ye the hour of his departure, the manner of his departure, the stern silence of contempt and detestation under which he slunk away. We have not been hasty or rash in our judgments: we refrained from condemning till we had our proofs, but now that they are attained, fearlessly pronounce your sentence. I have told you, gentlemen, when I began, that I would state to you my belief, of what the motives of the gentlemen were, who placed this resolution in my hand. When the long official labors, the admirable public conduct, the private virtues, and that great patriotic work which freed the press of India, excited for Sir Charles Metcalfe that burst of gratitude under which he left our shores, mine was the proud lot to be called on by my fellow citizens to preside in the chair at the festival given to him. Presiding at a banquet unexampled for the numbers attending, it became my duty, I say, my proud duty, to express the feelings of gratitude to the assembled crowds to that eminent statesman, for his Act No. XI of 1835, the Charter of Freedom to the Indian Press. Now, be it my proud duty also, in the same hall, and within one little year, for the Macaulay Act No. XI, of 1836, to brand its author with the execration of his fellow-citizens. Metcalfe, the patriot, won your gratitude; Macaulay, the world-enslaver, must wither under your contempt. (*Loud cheers*.) The feelings of gratitude, and the feelings of courage, should reign in the same bosom. Be prompt to honor those who have claims on you, and shrink not

from denouncing your enemy. (*Cheers*.) Let me be the appointed one, to meet out equal justice which springs from gratitude, not from subserviency - justice which springs from fearlessness, not from faction. Metcalfe did you a lasting service, let your gratitude be unbounded; Macaulay has done you lasting wrong, brand him with your execration (*Loud cheering*.) Mr. Clarke then re-read and moved the resolution.

7.—Because we find that Thomas Babington Macaulay, while holding the high trust and offices of fourth ordinary member of the Council of India, and India Law Commissioner, in a minute without date, printed by authority of Parliament, and written by him as such Councillor, used the words following:

“We know that India cannot have a free government; but she may have the next best thing; a firm and impartial despotism. The worst state in which she can possibly be placed, is that in which the Memorialists would place her. They call on us to recognize them as a privileged order of freemen in the midst of slaves. It was for the purpose of averting this great evil that Parliament, at the same time at which it suffered Englishmen to settle in India, armed us with those large powers, which, in my opinion, we all deserve to possess, if we have not the spirit to use them now.”

And in another minute, also without date, and printed by like authority, used (in speaking of the draft of an Act, called No. XI. of 1836, which had been published for general information and against which certain Englishmen and others had presented a respectful memorial) the words following:—

“But its intrinsic merits are now the smallest part of the question. There is no want of arguments for passing it. But the strongest of those arguments, is the manner in which it has been opposed.”

And in a certain other minute, also without date, and printed by like authority, used the words following:—

“In the first place, I think that nothing can be more pernicious or absurd, than, because certain bodies of functionaries are corrupt, to exempt from their jurisdiction a very small class, distinguished by intrepidity and by hatred of oppression and fraud, accustomed to a pure administration of justice, and accustomed also to think little of the frown of power; certain to complain whenever they think themselves wronged, and certain to be heard whenever they complain. Such a class the English settlers in the Mofussil will be.”

And in another part of the last mentioned minute used the words following:—

“If, therefore, I thought that the Mofussil Courts were as bad as the petitioners describe them to be, I should still say, “Put the English settler under them; then we shall know the whole; then we shall have ten corrupt functionaries brought to shame and punishment for one who is detected now.” Many abuses there undoubtedly are in the Company's courts; and, therefore, I would give the English settler a common interest with the native in the exposing of these abuses.”

And because we find that the said Thomas Babington Macaulay, by the said last mentioned words, and by the words used in a letter addressed to the Government and signed by him amongst other persons and prefixed to the draft of a penal code, expressed a deliberate opinion and advised the Government that British subjects ought to be deprived and can be deprived of trial by Jury when resident out of the limits Calcutta, Madras and Bombay, therefore we resolve, that the said Thomas Babington Macaulay hath, as such Councillor and Commissioner, wilfully, maliciously, and in breach of his duty as such Councillor, advised the Government of India to make laws contrary to the unwritten law and constitution of the United Kingdom of Great Britain and Ireland, whereon

both depend, in a high degree, the allegiance of all British subjects to the crown of the United Kingdom.

And we record it to be our solemn and deliberate conviction, that the said Thomas Babington Macaulay, has forfeited all claim to the confidence of his countrymen, has disgraced his country, and has proved himself the enemy of India.

MR. DICKENS.—Gentleman.—I rise to second and support the motion of my friend, Mr. Clarke. The grounds of the resolution on which we pronounce the condemnation of Mr. Macaulay, are clear and precise, they speak for themselves. After what has been so well said by Mr. Clark, after what is expressed in this Resolution, which I have distinctly read to you, and feeling as I do towards this man, I should disclaim to add one word in support of the Resolution, unless indeed it should be opposed.

The Resolution was then duly put from the chair and carried unanimously.

Mr. T. DICKENS rose to move the following resolution, which he prefaced by a few appropriate remarks.

8.—That the thanks of this meeting be given to T. E. M. Turton, Esq., the Agent of the Petitioners, also to John Crawford, Esq., who has acted on our behalf during the absence of Mr. Turton in Canada,

Dwarkanauth Tandon, in rising to second the above resolution, stated, that he had received several letters from Mr. Turton, which enabled him to explain, that the departure of that gentleman from England to Canada, in company with Lord Durham, so far from being any way detrimental to the cause with which he had been entrusted, was likely in a great measure to advance it. In the first place, Mr. Turton had left the business in

such hand—that it could not possibly suffer, and secondly, it was not improbable that the official connexion of Mr. Turton with Lord Durham, would open for him a way to the British Parliament or some other post of consequence, in either of which situations his advocacy of our cause would be invaluable. He, therefore, thought that the step Mr. Turton had taken, was very judicious and favourable to our cause.

He would take the opportunity of being on his legs, and state to the meeting, that on the occasion when they had met before on the same business, there was some disorder caused by a humorous gentleman, (Captain Bieden) giving three cheers to the Duke of Wellington, which Mr. Macaulay had not forgotten to notice in a manner so as to cast a slur on the whole proceedings of that meeting. That was no doubt unfair on the part of Mr. Macaulay, yet as such notices may create an erroneous bias, unfavorable to the proceedings, he (the speaker) felt himself obliged to state, in reference to the disorder created by Mr. Pote, and his subsequent expulsion from the meeting, that such an occurrence was neither extraordinary nor unexpected when Mr. Pote was present. He (the speaker) had often been at public meetings held here, and he could say, that whenever he saw Mr. Pote, whether it was morning, noon or night, he was sure to make some display of his talents. He was sure Mr. Pote had not come with any wish to create a disturbance, and that what he had done, originated from nothing but a habitual desire to make a speech and take a share in the proceedings.

The usual vote of thanks to the chair was then moved by Mr. Clarke, and carried by loud acclamations, and no chairman could have better deserved them. The Meeting broke up at about 10 p. m.—There were about 500 persons present.—*Hark, Nov. 29.*

BENGAL BONDED WAREHOUSE ASSOCIATION.

Report by the Directors of the Bengal Bonded Warehouse Association, submitted to a General Meeting of the proprietors held on the 19th of November 1838.

On the present occasion, we have not to occupy your time with any lengthened communication.

The accounts before you shew the receipts and disbursements of the past half year to be as follows :

<i>Received..</i>				
Subscriptions.....	Co's Rs.	2,15,050		
Warehouse rent (not less than 13,000 Rs. more were outstanding on 31st ultimo,).....		3,946	10	9
Interest.....		949	14	3
Price of some o'l materials.....		250	0	0
	Co's Rs.	2,20,196	9	0
<i>Disbursed.</i>				
Building the warehouses..	Co.'s Rs.	1,27,394	2	7
Building the offices.....		18,842	11	0
Dead stock.....		993	6	0
Warehouse rent.....		1,608	0	6
Charges General.....		4,458	9	3
Establishment.....		4,143	2	0
Amount received by the Union Bank beyond the sums drawn from it..		62,466	11	2
		2,19,906	10	6

Balance carried to debit of Nov. 302 0 5	
Less the balance of former half year placed to debit of	
May.....	121 11 289 14 C
	Co.'s Rs. 2,20,196 9 0

The progress of the building has of late been tardy. We found room to feel considerable dissatisfaction; and, after some ineffectual attempts to correct what was faulty, and to provide for the sequel of the work being executed without the occurrence of difficulties, and free from all objection, we judged it advisable to solicit the Government to allow the Association the benefit of the aid and advice of an Engineer Officer to such extent as might not interfere with his Official advocations. Government, in that spirit of favor which they have uniformly manifested to this undertaking, promptly accorded our request; but we are constrained to state that, as yet, circumstances have prevented our securing the assistance we so much desired.

We place on the table four letters, which were brought by the late Overland Mails, from Mr. Anderson and Mr. Speir, under dates 3d and 31st August, and 1st September.

By these you will learn, that about 550 tons of the iron work had been shipped in the *James Ewing*, (already arrived,) *Allerton*, *Elizabeth*, and *John Knox*, which had sailed in July and August; that 105 tons were loading in the *Nerva*, advertised to sail on 10th

September ; and that they expected to despatch the remainder of the castings in the course of September, so that all will be here before they can be required.

That you may understand the extent of that remainder, as well as the particulars of the whole commission,

allow us to explain that, of 442 columns ordered, there had been shipped.....	310
112 Sole Plates, ditto.....	112
480 Flooring Beams, ditto.....	339
117 Roofing Beams, ditto.....	none
24 Wall Plates, ditto.....	none
896 Hoops, ditto.....	238
32500 Bolts and Nuts, ditto.....	27,000
1080 Stay Bolts, ditto.....	none
1332 Coupling Bolts, substituted for the residue of the Hoops, ditto.....	none
It may not here be inopportune to remind you, that the estimated costs of the iron work was	£ 8550
Freight and Insurance say.....	1500
	£ 10,050

A sum of £6,000 was remitted long ago ; and a further remittance of £4,000 was made last June, to be

forwarded by the Steamer from Bombay on the beginning of July. Had that Steamer not been compelled to put back the remittance would have been in England by the date of our last advice.

From the rise in the market, and the course of trade, a great deal of merchandise has been removed from the warehouse since August. We look to this being compensated ere long, the chief season of importation being at hand. And we continue, notwithstanding, to expect that some dividend may be made by the end of the cold season, from the limited operations conducted in the old godowns on these premises. It is not necessary, we presume, to inform you, that the business which the compass of the present accommodation permits to be transacted, is no test nor measure of what may be called into operation whenever you have even the present range of warehouse erected.—*Harkaru, November 24.*

GEO. DOUGAL.
J. CHURCH.
JOSEPH WILLIS.
J. CULLEN.

MEETING OF CATHOLICS.

In pursuance of a requisition sent round by the Vestry and the Trustees of the Church of Nossa Senhora D'Rozario, alias the Principal Roman Catholic Church of Calcutta, to some of the members of that communion, a meeting was held at the parochial house on Saturday last, the 24th instant. The Reverend Vicar of the Church, Fre Antona De Santa Maria, took the chair at about half past 7 o'clock, and opened the proceedings by reading the requisition for the Meeting

Mr. M. Crow addressed the chair, and called to the recollection of the meeting, that 6 years ago they had met at the Trade Rooms to petition the Holy See of Rome for British Pastors, that this prayer had been granted, and that the Most Reverend Dr. St Leger, with several English Clergy, had come out in consequence. Six years, he said, we had laboured, in it, the cause of the reforms consequent on that measure, and which were well known to all ; but that now, Rome had appointed a foreign Dignitary to succeed Dr. St. Leger in the important Vicariate of Bengal, and it was thus likely that the whole of our labours for so many years, would come to nothing. It was not his intention, however, to oppose the mandates of Rome in any manner, and he trusted there was not one present who would differ from him in that respect. "Rome has spoken - the cause is finished." The newly appointed Vicar Apostolic must, therefore, be received with every mark of respect and submission ; but that did not prevent the Catholics of Calcutta from petitioning the Holy See for a British Prelate to preside over the Vicariate of Bengal—a Prelate who spoke the language that we all speak, and who could instruct us and conduct our public meetings and other affairs in a language we all understand. He felt it his duty to state, that he received the news of Dr. St. Leger's succession with the deepest regret ; but as the present meeting had not been convened for the purpose of expressing our sentiments in regard to Dr. St. Leger, he (the speaker) would not then enter upon that topic, but reserve the expression of his sentiments for another opportunity, which he hoped would soon offer. He concluded by moving the first Resolution, which was to the following effect,

That a petition be submitted to the Holy See, praying

for the appointment of a British Prelate to the Vicariate of Bengal, instead of a foreigner.

This resolution was seconded by Mr. T. Gregory.

Mr. R. Dias regretted the necessity he was under of taking a part in the proceedings of the evening, which were to him exceedingly painful. He was, however, glad to meet so many who were zealous in the cause in which, as Mr. Crow had said, we have laboured now for six years. Mr. Dias then adverted to the various benefits which the Most Reverend Dr. St. Leger had conferred on the Catholic community, in bringing to a close the very vexatious lawsuit which had for years divided the community, in reconciling differences among the people, and in various other ways. In Dr. St. Leger, we had all that we could require in a gentleman and a prelate ; but what return had he received for the obligations he had conferred on us ? Nothing but gross and barefaced ingratitude ! but, happily, only from a few, very few, indeed. Mr. Dias then adverted to a rumour which he had heard, that there was an intrigue on foot to deprive this church of the ministry of British pastors, which rumour he thought received confirmation from the appointment of the Bishop of Cochin China, who is certainly not suited to this Vicariate in which nine-tenths of the people understand only the English language. Under such circumstances no time, he thought, ought to be lost, in petitioning the Holy See.

Mr. P. S. D'Rozario here stated, that he had learnt, upon the authority of the Bishop of Cochin China, that his Lordship's appointment was but temporary ; and under that circumstance he thought it premature and disrespectful to the Holy See to petition.

Mr. Crow wished to know from Mr. D'Rozario and all who were assembled, whether he and they did not wish for British instead of foreign pastors. (Mr. D'Rozario.—We certainly wish to have British pastors.) Then, proceeded Mr. Crow, if there was any disrespect to the Holy See, it was in that wish ; and he thought there could be no aggravation of the crime to lay that wish before the Holy See, the source from whence all ecclesiastical appointments flowed. But if the measure in itself was right, as had been admitted, he did not see why it should not be prayed for ; if the Holy See had it in

contemplation to appoint a British prelate to this Vicariate, the petition could only convey the intelligence that our wishes were perfectly consonant to the views of his Holiness. If such, however, was not the intention of the authorities at Rome; the petition was to all intents and purposes a most reasonable one. He would not, therefore, advise that the petition be dropped; and as he had been given to understand that a draft had been prepared, he would propose further that it be read, and adopted, and forwarded to Rome.

After a good deal of desultory conversation and some warm discussion between Messrs. Dias and D'Rozaio, Mr. Crow's resolution was put and carried, with one dissentient voice.

The following petition was then read and adopted.

TO OUR MOST HOLY FATHER, POPE GREGORY XVI.

MAY IT PLEASE YOUR HOLINESS,—We, the undersigned Roman Catholic Inhabitants of Calcutta, with due deference and submission, beg most respectfully to approach the apostolical throne, and earnestly to solicit the attention of your Holiness to our urgent prayers.

We beg leave, in the first place, to apologize for the unusual mode we adopt of directly addressing your Holiness, and respectfully to state in extenuation of so apparently presumptuous a measure, that our earnest supplication on another occasion (14 Feb. of the present year) forwarded through the sacred congregation, proved ineffectual.

We beg respectfully to assure your Holiness, that we feel deeply grieved at being deprived of the spiritual Government of Dr. St. Leger, our late highly esteemed and beloved Vicar Apostolic, a man of such distinguished virtues and talents as made him universally respected, even by those who conscientiously are opposed to the Catholic religion.

We further beg to assure your Holiness, that our regret has become doubly great, by the appointment of a foreigner in the person of the Right Reverend Bishop of Isauropolis to succeed a British subject (the most Revd. Dr. St. Leger) as Vicar Apostolic of Bengal, while it is manifest that neither the British Inhabitants of Calcutta nor the Supreme Government of India, can possibly entertain the same degree of interest in a foreigner as a Briton. We are the more convinced of this important truth, from the circumstance of the Government of India having, in one of its official addresses to our late respected prelate, expressed their being highly gratified at the nomination of a British-born subject to preside over the Catholics, who owe allegiance to the British Government.

We further beg leave to state to your Holiness, that by the appointment of the Bishop of Isauropolis (a foreigner) to the important Vicariate of Bengal, we, your faithful children, the greater portion of whom are conversant with only the language of our rulers, shall be deprived of hearing spiritual instruction from the mouth of our Bishop, a privation which we deeply feel to be of no small importance. Further, that the public Institutions hitherto supported by Dr. St. Leger, viz. the Martiniers and the Catholic Free Schools, as also the Catholic Public Meetings presided over by him, can now hope for no such assistance from his Right Reverend Successor, inasmuch as all the matters connected with these are entirely transacted in the English language.

We beg leave in this place, most earnestly to assure

your Holiness that as obedient and affectionate children, we are willing and prepared to receive any boon from your paternal tenderness; that our implicit obedience will be rendered to every mandate of the Holy See; and that with reference to our present humble address, we beg it to be distinctly understood, that we entertain not the slightest personal feeling against the Right Rev. Bishop of Isauropolis, whom we shall respectfully receive as the Spiritual Pastor appointed by the Supreme Head of the Catholic Church. But in the meantime we think, that our ready obedience to the Holy See does not deprive us of the right of representing our wants and wishes to the paternal care of your Holiness, whom we accordingly humbly supplicate to send us a British Bishop, who may be accompanied by an adequate number of British clergymen, to discharge the heavy duties of the mission in Calcutta and to afford spiritual aid throughout its extensive dependencies to a vast number of Native Christians, some thousands of whom are now left without a Pastor, and to attend the many regiments, the major part of which are composed of Irish Catholics. And here we cannot refrain from presuming to make known to your Holiness, the deep humiliation we feel at the marked distinction which has been made between us and the Catholics of Madras, which, although an inferior Presidency, has been supplied with two British Prelates and a great number of British Priests, while the metropolis of British India and the seat of the Supreme Government, is destitute of even one.

Being conscious that conflicting statements have of late gone to Rome, regarding the mission of Bengal, we are fearful that your Holiness may be led to consider this our humble application as the result of prejudice or party spirit. If our apprehension be well founded, we earnestly implore, that in justice to your petitioners and in consideration of the interest of this important Vicariate, your Holiness will be graciously pleased to send hither a Visitor Apostolical, empowered to investigate our case.

In the ardent expectation that our humble request will be complied with, and while prostrate at your sacred feet, we devoutly implore the Apostolical Benediction."

Mr. Dias proposed, that the present meeting continue embodied as a committee until the return from Rome of the answer to the petition; but this proposition not being supported, fell to the ground. It was then ordered, that the petition lie for signature at the Parochial house, and the meeting dissolved, at about 9 P. M.

Last Sunday evening the Revd. Mr. Mascarenhas, announced from the pulpit, that the Bishop of Cochin China intended to be regularly installed in his new office next Sunday.—*Herk. Nov. 27.*

CATHOLICS OF MADRAS. --

We learn from unquestionable authority, a piece of intelligence, which will doubtless prove highly gratifying to our Catholic readers, viz. that the Vicar Apostolic of Madras having, in consequence of ill health, applied to the Holy See for a Coadjutor Bishop, the Right Reverend Dr. Carew has been appointed to that office, and was consecrated in June last. His Lordship was Senior Professor of Divinity in the Royal College of St. Patrick, Maynooth, and was to have set sail in the *Lady Flora* on the 25th of September, accompanied by six British Clergymen, and six clerical students.—*Ibid.*

THE METCALFE LIBRARY MEETING.

A meeting of Subscribers to the Metcalfe Library Building was held yesterday afternoon, at the Town Hall, when it appeared, that the amount of subscriptions realized, was Co. Rs. 10,782-13-3—unrealized about Co. Rs. 1,200. Allusion was also made to a sum of about 4,000 Rs. from the vested fund of the Public Library Society.

After some discussion, the following resolution was proposed and carried unanimously.

Resolved.—That the Committee shall place itself in communication with the Public Library Committee, to ascertain whether the Public Library Society will transfer their vested funds for the purpose of assisting in the erection of the Metcalfe Library Building, on the terms of the Resolution of the first public meeting held at the Town Hall on Thursday the 20th August 1835.

That in the event of the Public Library Meeting assenting to the above proposition, application be made to Government for the necessary extent of ground on either side of and to the north of the building which contains Lord Hasting's statue.

That in the event of Government refusing the ground applied for, the money subscribed to the Metcalfe Library Building be returned to such subscribers as may apply for their subscriptions within one year from the date of a regular notice to that effect.

That the Committee be instructed to appropriate any unclaimed amount to some public testimonial in honor of Sir Charles Metcalfe, and of the occasion of the subscription, as may appear to them advisable.

P. O'HANLON, *Chairman.*

Thanks were voted to the Chairman and the meeting dissolved.—*Harkuru, November 30.*

MR. DAMPIER AND RESUMPTION.

To the Editor of the Bengal Harkuru.

SIR.—While the important matter of the Resumption Petition is occupying the attention of Government, it will be interesting to the public to know, that some of the abuses in the mode of prosecuting investigations in the Mofussil have not escaped the observation of the District Commissioners. The subjoined copy of a letter of instructions from Mr. Commissioner Dampier, is highly creditable to that excellent officer. But why are not such documents, affixing, as they do, the interests of an extensive population—I say, why are they not published by Istahar in every pergunnah? *Adi neste*, I cannot but perceive in these directions a pretty complete confession of the evil working of the system. Orders are not issued to control extortion and injustice except when well grounded complaints have shown good cause for their issue. May it appear that other Commissioners have been equally vigilant and equitably careful to protect the Zemindars from the oppression of the subordinate authorities!

I hope the obliging Editor of the *Durpan* will copy this letter into his journal for the benefit of his native readers.

A ZEMINDAR.

No. 225.

To the Special Deputy Collector and Superintendent of Khas Mehals, Hooghly.

Miscellaneous Revenue Department.

SIR,—I have the honor to transmit to you the accompanying copy of a letter from the Sudder Board of the 9th instant, No. 492, and its enclosures, conveying the Sanction of the Hon'ble the Deputy-Governor of Bengal to the proposed revised establishment for your office, and the appointment of four New Deputy Collectors, and the removal of four others, to be employed under your control.

2d. I trust these arrangements will enable you to proceed rapidly in your operations, and at the same time to hold that check over the Aumeens and Tuh-eeldars whom you employ, so as to prevent the loss which must arise from the uncontrolled rapacity of that class of

officers. In several personal communications which I have had with some intelligent zemindars of Hooghly and Burdwan, they have stated to me the grievances they suffer from the demands which have been made on them by the aumeens deputed to examine the lands; at the same time fairly admitting, that their own amlah or zemindaree servants have colluded with the public servants, and shared in the sums which have been procured from them.

3d. These persons have all owned to me, that they know no check which can be placed over this class of officers (including their own servants) beyond the personal supervision of a superior, and now that you have obtained the full complement of native Deputy Collectors, I see no reason why this most important point should not be conceded to the landholders. I request that in instituting enquiries as to the existence and situation of the rent-free lands, and in the settlements, you will place a certain number of villages under a Native Deputy Collector, acquainting him that he will be held strictly responsible for the good control over his subordinates, and be expected, in the institution and decision of his cases, to be most impartial as to the lands he may fix upon as liable to assessment.

4th Of course the lakherajdars, who state themselves to have been ejected from the rent-free tenures, will point out the best lands in the villages as those which formed their tenures; (their object being to recover possession hereafter by a regular suit) but on this assertion only you must not call on the zemindar or talookdar to prove these lands being a part of their perpetually settled estates; but after parole evidence insist on the alleged lakherajdar bringing forward proofs in the shape of old *Dakhelas* or other Mofussil papers which he must have, if his assertion is correct, to shew that these lands once did form a tenure separate from the zemindaree.

5th. You will also cause it to be made known, that in case the zemindars in possession, after the definition of the lands by you, should refuse to engage for the same on settlement, the alleged lakherajdars will not have the next option of engaging for them; but that the estates will be put up for farming offers in such portions

and manner as I may hereafter settle in communication with you, and that the zemindar will receive the malikana until the lakherajdar has proved his right to the lands in a Court of Justice.

6th. I also wish you most particularly to address the Special Commissioner for leave to make use of the punchayet system in the execution of your decrees according to the mode laid down in the instructions of the Sudder Board in the Western Provinces, para. 10 to 18, 49 and 50, included in the Circular of the Sudder Board for the Lower Provinces, of the 12th November, 1833, No. 29; as I am certain that this mode of adjusting the claims of Government to assess lands, the right to do which is disputed by the malick, will not only be most satisfactory to the people, but highly conducive to the ends of justice.

7th. Whenever any zemindar, talookdar, or other holder may have filed in your office, a general or even, I should say, a common Power of Attorney, he is entitled to have his petition (through the agents named therein) taken by any or all of the Deputy Collectors employed under you; for these are not holding separate offices and passing final decisions; but merely preparing cases for your final decision and orders. The simplest plan to adopt will be to notify this to the parties who may give in the Powers of Attorney; telling them that the production of a copy, not to be filed on the Deputy Collector's proceedings, but retained by the Deputy, to see that it is correct, will enable his agents to transact business with all the Deputy Collectors without interruption.

8th. I also think, as you must be in many cases moving about the district, which will render an appeal from or petition against any proceedings of the Deputy Collector extremely difficult to be made in person, which if not remedied, will amount almost to a dismissal of appeal or redress of alleged injury, that you should not refuse the receipt of petitions by dawk, referring them

to the native Deputy Collectors against whose acts they appeal, to be sent up with the papers or you might authorize the Deputy Collectors to receive petitions to be transmitted to you with their proceedings, the parties to be warned that they must appear before you when the case comes on for final hearing and decision on the Deputy Collector's proceedings.

9th. It appears to me a great object that the zemindars or talookdars should not be deprived of the power to collect from the hands in their possession (the right to assess which on the part of Government they dispute) whilst the question as to right is pending; for a contrary course might in the end prove extremely injurious to the possessor, by taking away from him the means of paying his revenue to the Government and forcing him into usurious loans to keep his estates.

10th. If, therefore, any zemindar or talookdar is willing to retain possession of his lands in dispute, by entering into an engagement to make good whatever revenue may ultimately be adjudged to be the right of Government, I think you would do right to accept the terms, as you would not in the least impede your own proceedings; whilst you would take away from the possessor very considerable grounds of complaint, and prevent all oppressions on the part of a talseeldar.

11th. In conclusion, I beg to transmit to you an original letter with its enclosures, addressed to me by Baboo Joykissen Mookerjee, and to state my opinion that you should have directed the Deputy Collector subordinate to you to have received those and all other petitions regarding claims in cases where he was executing decrees, or settling the Government assessment, and you should not have referred the party through your head Clerk, he having no authority to communicate on your behalf with any person.

I am, &c.,

(Signed)

W. DAMPIER,

Commissioner.

Jessore, Commissioner's Office, 18 Division, at Alipore, October 18, 1838. } Hukaru November 15,

THE NEW CHURCH.

Many persons, both European and Native, assembled this day at the appointed time and place, to witness the ceremony of laying the first stone of the new Church in Cornwallis Square. The arrival of the Bishop, however, was, from some cause or other, delayed till after twelve o'clock, when he proceeded with the ceremony. By this hour many individuals who had been on the spot at the appointed hour of half-past ten, had departed, but still a great concourse, of natives principally, were present. His Lordship opened the business of the day by a very neat and appropriate address of the assembled multitude; he then delivered a prayer and subsequently read the following paper which, together with one or two newspapers of the day and a few coins, were afterwards placed in a bottle.

CHRIST'S CHURCH.

The foundation stone of this building, for the purpose of the service of Almighty God, according to the doctrine and discipline of the United Church of England and Ireland, was laid this twenty-eighth day of November, in the year of Christ one thousand eight hundred and thirty-eight, the Right Honourable George Lord Auckland being Governor-General of India, by the Right Reverend Daniel, Lord Bishop of Calcutta, under the direction of the Trustees of the Old Church and Members of the Evangelical Fund.

Consisting of the following gentlemen:

The Venerable Thomas Dealtry, Archdeacon of Calcutta.

The Reverend Richard Bethell Boys, Bachelor of Arts and Chaplain of the Old Mission Church of Calcutta.

George Samuel Huttenan, Esq.,
William Wilks, Esq. and
Thomas Seddon Kelsall, Esq. } of Calcutta.

The building is to be styled Christ's Church, was designed by Mr. John Michael Vos, Architect of Calcutta, and erected by him.

Psalm 48, Verses 11 to 14.

Let Mount Zion, let thy daughters of Judah be glad, because of thy judgments.

Walk about Zion, and go round about her: till the towers thereof.

Mark ye well her bulwarks, consider her palaces; that ye may tell it to the generation following.

For this God is our God for ever and ever: he will be our guide even unto death.

Psalm 122, Verses 7, 8, and 9.

Peace be within thy walls, and prosperity within thy palaces.

For my brethren and companions' sakes, I will not say, Peace be within thee.

Because of the house of the Lord our God I will seek thy good.

The mouth of the bottle having been closed, the necessary ceremonies of the laying of the stone were then

gone through by the Bishop; his Lordship delivered a second address, followed by a prayer; the Archdeacon also gave an address and prayer, and Mr. Sandys delivered an address to the natives in the Bengallee language. Before one o'clock, the whole ceremony was concluded and the audience returned to their homes.—*Calcutta Courier*, Nov. 28.

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's apartment, the 3rd November, 1838.

The following letters were read:—

From J. Bouton, Esq., Assistant-Surgeon, Jessore, stating his wish to re-enter the society from which he had withdrawn solely from pecuniary motives.

From G. King, Esq., Superintending-Surgeon, Cawnpore, requesting to be again enrolled among the list of members.

From A. Smith, Esq., M. D., Hidgelee, to the same purport.

From R. Guise, Esq., Assistant Surgeon, 75th Regiment, N. I., requesting to join the society. He was accordingly proposed by Dr. O'Shaghnessy, seconded by Dr. Wallich.

From C. Fuller, Esq., Assistant Surgeon, Kishnaghur, to the same purport. Dr. Goodeve proposed and Dr. Spry seconded the nomination of this gentleman.

From J. H. Palsgrave, Esq., Surgeon, to the same purport. He was accordingly proposed as a member by Mr. Egerton, seconded by Mr. Chapman.

These letters were in reply to the circular of the President, requesting the Members of the Medical service to support the society.

The following communications were presented. Some observations on the treatment of Cholera, by W. Batson, Esq.

Two cases by J. W. Knight, Esq. The first was an instance of abscess of the heart, discovered after death, the patient during life having shewn no sign of severe disease of any description, much less indication of cardiac affection.

The other case was that of a man who had been struck on the pit of the stomach in a quarrel—he walked home, but some hours afterwards became insensible, and in the course of the night he died. Upon dissection the mesocolon and cellular tissue covering the pancreas were found of a deep purple color. The pancreas itself was soft, pulpy and dark colored; but Mr. Knight could not detect rupture of any blood vessels. The minute ramifications of vascular in the pancreas were remarkably distinct, forming elegant net work. All the other organs of the abdomen were healthy. There was slight effusion between the membranes of the brain and congestion of the choroid plexuses.

Dr. Goodeve's case of paralysis, caused by improper feeding an infant, with remarks, was then read and discussed.

H. H. GOODEVE., M. D. *Secretary to the Medical and Physical Society*

Hurk. Nov. 12.

AGRICULTURAL SOCIETY OF INDIA.

Nov. 14. 1836.

PROCEEDINGS.

A General Meeting was held in the Society's Apartment, Town Hall.

The Hon'ble Sir F. RYAN, PRESIDENT, in the Chair.

President.—Messrs. C. K. Robison, A. Colvin, D. Hare, Chas. Huffleagle, Baboo Sreekissen Mullick, Messrs. G. A. Prinsep, R. Campbell, D. McPherson, W. Speir, A. Harris, D. C. Low, W. F. Gibbon, Jas. Stewart, W. K. Ewart, A. Dunlop, F. L. Beaufort and Dr. Wallich.

Dr. Wallich intimated, that in consequence of Mr. Bell's illness, he had been requested to act for him at this Meeting.

The proceedings of the last Meeting, were read and confirmed.

MEMBERS ELECTED.

The following gentlemen, proposed at the October Meeting, were elected Members of the Society, viz. W. F. Campbell, Esq., Major R. Becher, A. A. Dunlop, Esq., Alexander Stewart, Esq., M. D., and Geo. Test, Esq.

MEMBERS PROPOSED

The following Gentlemen were proposed as Members:—

John Lyall, Esq., proposed by the Secretary, and seconded by Dr. Wallich.

Dr. J. W. Helfer, proposed by the Secretary, and seconded by Dr. Wallich.

Robert Watt, Esq., (Dacca) proposed by the Secretary, and seconded by Dr. Wallich.

C. Steer, Esq., C. S., proposed by the Secretary, and seconded by Dr. Wallich.

F. Bellairs, Esq., proposed by the Secretary, and seconded by Dr. Wallich.

W. McDowall, Esq., (Kisheregunge, Rungpore) proposed by the Secretary, and seconded by Dr. Wallich.

A. Pryce, Esq., (Belnabarry, Jessore,) proposed by the Secretary, and seconded by Dr. Wallich.

John Cowie, Esq., proposed by A. Colvin, Esq., and seconded by the Secretary.

Thos. Latter, Esq., 67th Regt. N. I., proposed by Dr. S. W. Clarributt, and seconded by the Secretary.

J. P. Hermanson, Esq., (Rangoon) proposed by T. H. Gardner, Esq., and seconded by Dr. Wallich.

Jas. Cowell, Esq., proposed by the Secretary, and seconded by D. B. Syers, Esq.

S. Finch, Esq., (Gorakhpore) proposed by the Secretary, and seconded by A. Colvin Esq.

R. DeCoutcy, Esq., (Harrah, Kishnaghur,—Proposed by the Secretary, seconded by W. Storm, Esq.

J. Meliss, Esq., (Nautpore, Purneah,) proposed by Charles Huffnagle, Esq., seconded by D. Wallich.

P. J. Sarkies, Esq., proposed by Charles Huffnagle, Esq., seconded by G. A. Prinsep, Esq.

Capt. Wm. Allen, proposed by W. F. Gibbon, Esq., seconded by W. K. Ewart, Esq.

Motion of which notice was given at last Meeting. Mr. Bell's motion to present a gold medal to the Commander of the French ship *Aicde*, for having been the first successful importer of the true *grana lina* from Bourbon, was brought forward, and carried unanimously.

Dr. Wallich, brought to the notice of the Meeting the injury which the Society's sugar cane plantation had sustained by the late storm, and stated, that with the sanction of the Committee and in accordance with the Secretary's advertisement, such portion of the cane as was broken and laid, had been distributed without loss of time.

Dr. Wallich also drew attention to a minute of the Agricultural Committee, who had visited the nursery on the 12th instant, recommending that the cane, the whole of which has now arrived at maturity, be distributed immediately to the applicants whose names have already been registered, instead of delaying its disposal till December next, as originally proposed.

The sense of the meeting having been taken, as to the recommendation of the Committee, it was resolved, that it be adopted.

In connexion with the subject, the President proposed, and it was resolved—That it be referred to the Sugar Committee to consult and report at what periods it would be desirable the canes in the Society's nursery should be cut hereafter.

(On the departure of the president, at this period, the chair was taken by Mr. Robinson.) V. P.

Read the report of the Committee appointed by a resolution of the Society, passed at a general meeting on the 12th September last, to revise the conditions on which medals shall be offered for encouraging improvement on the staple products of India, for the ensuing year.

In consequence of a difference of opinion among the members of the Committee, with respect to the description of sugar for which medals shall be offered, it was, after some discussion, moved by Mr. Hare, seconded by Dr. Huffnagle, and resolved, that the report be confirmed with the word "unrefined," substituted for "Mus-cavado or raw" in the 1st and 2nd prizes for sugar.

The following communications were read :—

From Dr. K. M. Scott, Secretary to the Agricultural Society of Assam, dated Gowhatti, Oct. 29th 1838, returning thanks to the parent institution, for the offer conveyed in the Secretary's letter of the 15th June last, to award medals and prizes, to encourage the growth of European vegetables in their district.

Enclosing a copy of the regulations of their Society and of proceedings of a meeting held on the 16th of August 1838, and with reference to the 4th resolution passed on that occasion, advises despatch of 6 specimens of grain for this Society.

From F. O. Crane, Esq., Secretary to the Agricultural Society of Singapore, dated October 9th, transmitting a box of mangosteen plants.

From Messrs. Willis and Earle, enclosing a note from J. Finch, Esq., of Tirhoot, and forwarding 8 English apple grafts, presented by that gentleman for the Society's fruit tree nursery.

From Captain O. Bell, dated Prince of Wales Islands, 8th September, 1838,—transmitting 2 boxes, containing several varieties of fruit trees.

From T. H. Maddock Esq.,—presenting a few seeds of a pear tree, which flourishes in Nepal and Tirhoot.

From H. Piddington, Esq.,—dated Chandernagore, 12th Nov., presenting a cob of a fine description of maize grown at Bourbon,—termed "maïs rouge"

From Dr. Wallich, dated October 24th,—presenting to the Society on behalf of Major Archer, a quantity of a beans called "pois noire," the produce of the Nanius, much valued in that Island, as an excellent fodder for cattle.

From Messrs. W. and J. Noble, dated London, May 29th 1838.—acknowledging receipt of Secretary's letter of the 12th of January last, enclosing an order for the despatch of a trial assortment of vegetable and flower seeds.

They state in reply, that the order reached too late to enable them to transmit the seeds so as to have arrived by the period to which he was limited,—viz. the 1st of September; and request to be informed if an assortment may be prepared for the Society, for the next season.

From Jas. Cowell, Esq., enclosing extract of a letter to his address from a resident of Jamaica, dated June 23d, 1838, which gives some information as to the mode adopted in the West Indies, for the culture of ginger.

From E. A. Blundell, Esq., dated Moulmein, October 2d, mentioning the safe arrival of the plants and seeds lately forwarded. Gives a short account of the cultivation of rice, which is the only species of grain grown in those parts.

From Captain H. Macfarquhar, dated Tavoy, September 21st, 1838, promising to transmit some specimens of gamboge, collected from trees growing in abundance at that province. States, that the specimen of cotton lately forwarded to the Society, is the produce of *Sea Island* seed, and not of *South Sea Island* seed, as mentioned in a former letter.

From J. W. Payter, Esq., dated October 16th, forwarding a few pods of cotton grown in 1837, from New Orleans seed received from the Society.

From Dr. J. W. Helfer, dated October 12th, acknowledging receipt of an assortment of seeds for introduction in the Tenasserim Provinces.

From Dr. Wise, Secretary to the Branch Society of Hooghly, intimating their wish to accept of the medals and prizes offered to encourage the growth of European vegetables.

From Colonel L. R. Stacy, dated Dacca, October 14th, promising to send a quantity of the seed of a variety of African grain.

The following proposition was moved by Mr. Harris, seconded by Mr. D. McPherson, viz.

"That half an anna be the price of each Otahaitan cane, instead of one anna, as fixed at the last meeting of the Society."

On being put to the vote, the above proposition was negatived.

The thanks of the meeting were ordered to be offered for all these communications and presentations.

N. WALLICH, M. D. for the Secretary,

Hurkuru, Nov 17.]

CHOWRINGHEE THEATRE.

MR. AND MRS. VALADARES' MUSICO-DRAMATIC SOCIETY.

We take some blame to ourselves for having neglected yesterday to give some account of Mr. and Mrs. Valladares' Musico-Dramatic Society at the Chowringhee Theatre, which "came off" with due punctuality and deserved success. It is not, however, too late in the day, or rather in the week, even at this eleventh hour to say a very few words, lest the worthy and industrious beneficiaries may imagine their praiseworthy endeavours to please have passed unnoticed. Scribe's Opera, "La Vieille," is a clever and spirituelle little piece such as one is accustomed to expect from the piquant heir of that prolific favorite of the play-loving Parisians. The Music by FETIS, a young composer, is light but pleasing, and as a composition, more correct and severe than modern opera music in general. One Trio, however, deserves more marked praise and was executed in a very pleasing manner by Mesdames De Ligny and Nouveau, and Monsieur Charles, who made his appearance on this

occasion, for the first time that we remember, in the character of a tenor singer, and very successfully. The ladies acted their parts with their usual spirit, and Madame DE LIGNY'S transformation from an ancient dame to an elegant young widow, was excellently accomplished.

The Vaudeville of the TROIS SUITANAS went off rather heavily, notwithstanding a clever pas by Madame Nouveau and a very successful Aria of Paolini's by Madame Valladares.

The concert *entre acte* was on the whole sufficiently agreeable. Mr. Linton sung Handel's sublime composition from Sampson—"Total Eclipse," with great pathos and taste, and Mr. Valladares executed his violin solo cleverly. The performances were enriched by the kind assistance of two talented amateurs, and the numerous audience departed, apparently well pleased at a late—too late—hour.—Hulk. Nov. 24.

POLICE.

NOVEMBER 22, 1838.

During the past week another case of kidnapping coolies, involving circumstances of considerable interest, was under investigation before the Magistrate of the 2d division. On Friday, the 16th instant, Mr. David Hare called upon the Magistrate with his servant Sewchurn Doss, who swore to the following affidavit.

Sewchurn Doss of Fenwick's Bazar, a khedmutgar in the service of David Hare, Esquire, of Calcutta, maketh oath and saith, that about the hour of half past eleven o'clock, on the morning of Wednesday, the fourteenth of November instant, as this deponent was returning home from his said Master's house, he met his cousin Phakun Babbah at a place called Hydra Bagan, lying to the north of the Old Post Office, on the Chowringhee Road, who told this deponent, that while he, the said Phakun Babbah, had been on his way to Calcutta from up the country, certain duffadars, or procurers of coolies for the Mauritius, about twenty-one days before offered to procure him, the said Phakun Babbah, employment, and he accordingly accompanied them to Calcutta; but he had now discovered, that their intention was to ship him for the Mauritius, to which place he was unwilling to go. And he, the said Phakun Babbah, requested this deponent to give him some money that he might pay the said duffadars for the food with which they had supplied the said Phakun Babbah during the time that he had been with them. And this deponent further saith, that the said Phakun Babbah informed him, that he was detained there by the said duffadars against his will and that the names of the persons who so detained him are Soorutram, Ramsahyram and Lalaram. And this deponent further saith, that he believes that the said Phakun Babbah is still in the custody of the said duffadars and detained by them against his will. And this deponent further saith, that while the said Phakun Babbah was so speaking to this deponent, this deponent saw that there were twelve or thirteen other persons who had been likewise detained by the said duffadars, and the said duffadars had small huts at the aforesaid place in which they kept the said coolies, and did not allow them to stir without some of the duffadars going with them as a guard. This deponent further saith, that he saw his cousin Phakun Babbah this morning in

Haikattah lane, and that he believes his cousin is still there, and had been removed from Hydra Bagan near Old Post Office.

The necessary process was immediately issued and three duffadars, Lalsah, Sookharee and Soorutram, the individuals he alluded to, were soon after brought before the Magistrate, together with several coolies. It would appear from the evidence adduced, that two of these duffadars, namely Lalsah and Sookharee, proceeded to the upper provinces, where they persuaded several ignorant natives, viz. Phakun, the brother of Mr. Hare's khidmutgar, Mahabur, Ihurree, Nundo, Bausoo and Moongya, the wife of the last named person, and their son Nobole, a little boy, to leave their homes (near Hazareebaug) under promises of employment in Calcutta, and came down with them.

When they came near Budwan, they were put under great restraint; in so much, that they were not even permitted to relieve the calls of nature, without being watched and guarded by the duffadars and their servants; and they were so narrowly watched, that they could not get away. They were made to proceed by night only, and it appeared to them that in the route which the duffadars took, they avoided all Police stations. They arrived at Calcutta on the night of Tuesday the 13th instant, about 11 o'clock, when they were taken to the house of the duffadar Soorutram, and kept that night under strict watch. It was on the morning of the next day that Phakun, while in Soorutram's house, happened to see his cousin Sewchurn, Mr. Hare's servant, passing along the street. He called him and stated what had happened. Sewchurn desired him to come away with him; he was doing so accordingly, when several men (among whom was Seivdoyal, who has since been taken into custody) by order, and under the direction of Soorutram, rushed upon Sewchurn, beat him and drove him away, and seizing Phakun took him back by force into the house. From this place the coolies were taken the same day to the house of one whom they called Poyumber Baboo, but whom none of them knew. Here they were detained until Friday; when, as they were being taken to some doctor's for the purpose, as we understood, of being vaccinated, they were met by the Deputy-Superintendent of Police, Mr. Hare

and another Sahib, who took the duffadars into custody and liberated the coolies. The proceeding in the case were this day closed.

The charge of kidnapping, false imprisonment and assault being clearly established against three the duffadars and their assistant, Seivdyal, they were sentenced to be punished in the following manner.

Upon the complaint of Phakun, —Soorutram, Sookharee and Lalsa, to pay a fine of 20 rupees each, or be imprisoned for two months in the house of correction; and Seivdyal (for a simple assault) to pay a fine of 5 rupees, or be imprisoned for one month in the house of correction.

Upon the complaint of Jhurru, —Sookharu and Soorutram to pay a fine of 20 rupees each, or be imprisoned for two months in the house of correction, and Lalsa (who in this case was not equally criminal with the others) to pay a fine of 10 rupees or be imprisoned for one month in the same place.

Upon the complaint of Mahaber, —the three duffadars, to pay a fine of 20 rupees each, or to be imprisoned, for two months, in the house of correction.

The same upon the complaint of Nundo.

Upon the complaint of Bausoo, who, with his wife and child, was cruelly deceived and brought to Calcutta where the defendants promised to procure the woman an employment as an Aya, the circumstances in this case appearing peculiarly distressing, the poor duped persons being now left without any means of support, the punishment of the three duffadars was enhanced, and they were sentenced to pay a fine of 25 rupees each or be imprisoned in the house of correction for three months.

A Sheriff of Pittumber's stated, in giving his evidence, that eighty coolies were at that time in Mr. Dawson's veranda. We hope means will be taken to ascertain whether they are all there with their consent.

Too much cannot be said in praise of the unwearied exertion of Mr. O'Hanlon in the investigation of this nefarious transaction, by which eleven of our fellow creatures have been rescued from slavery. Four of these men could not find out the persons who had kidnapped them, and they consequently escaped the punishment which would most justly have been awarded them, had they been caught. —*Hulk*, Nov. 26.

SUPREME COURT.

WEDNESDAY, OCTOBER 31.

FOURTH TERM OF 1838.

(Before Sir E. Ryan and Sir J. P. Grant.)

RAJAGOVIND BONNERJEE AND OTHERS V. TARRINACHURN BONNERJEE AND OTHERS — AND THE OTHER CAUSES.

The Court this day gave judgment upon the exceptions filed to the last Report of the Master, made in this long pending cause. The suit was originally instituted by the members of a wealthy Hindoo family, to settle their respective rights to the patrimonial estate and reports in our columns have appeared at different times, of the cause in its different stages, under the title of "Bonnerjee v. Bonnerjee." The question now before the Court under the exceptions, related only to the right to a certain fund claimed by a collateral party, Mr. Charles Reed (very well known indeed in the Supreme Court.)

By *Edward Ryan*. The amicable adjustment which the Court for many reasons so earnestly recommended in this suit, has entirely failed, and it only remains for us now to pronounce our decision. By an order of this Court of October 1820, the Accountant-General was directed to pay out of a certain fund, called the Bhya Jah fund, the sum of Sa. Rs. 900 monthly to Mr. Charles Reed, (appearing to be due to him by virtue of certain agreements produced in the cause), but not to make any other payments whatsoever thereout. This was certainly a singular order to make in the then stage of the cause, as Mr. C. Reed was not even a party to the suit; but the Court have long expressed their opinion that the order must be taken to be binding upon us unless solemnly set aside, and that it was necessary, therefore, to carry it into effect, if the Master should report the fund in question available. In 1834, an application was first made to the Court to carry this order into effect, and it seems that for some cause or other not very apparent, Mr. Reed had never received any of the monthly sums due, and he appears to have remained ignorant of the very existence of the order. I was then absent from the Bench, but I learned that it was objected and so, held, that Mr. Charles Reed, and one Rajagovind Sing, who also claimed as a creditor, were not parties to the suit. In September 1834, how-

ever, they were allowed to come in, with all other creditors, before the Master, and the Master was directed to inquire what monies were standing in the Accountant-General's name to the credit of the Bhya Jah fund. The Master made his report in 1837, and eleven exceptions were filed, Mr. Reed, himself, being then the excepting party. The Court did not at that time enter on the merits, as the report was inaccurate on a question of figures, and was referred back accordingly. A fresh order dated July 1847, was then made, to the report upon which the present exceptions were filed by Raja Bejoy Govind Sing. The only object of the last mentioned order, was to ascertain the rights of the claimants to the Bhya Jah fund, and the Master was directed to take only so much of the accounts as should be necessary for that purpose. The exceptions are ten in number, and I must confess I do not quite understand the tenor of the first eight. The Master found that the said Charles Reed had a clear, certain, and prior claim to the said fund called the Bhya Jah fund, and that he was entitled to his monthly payment of Sa. R. 900 thereout, and that the arrears due to him amounted Sa. Rs. one lac, and 62,000. We disallow. Exceptions 1st, 2nd, 3rd, 5th, 6th and 8th, because they virtually except to the order of 1820. The 4th and 7th have been abandoned. The 9th exception is that the Master ought not to have reported that Mr. Charles Reed had a prior and certain claim to the fund because no evidence was offered upon the said matter. Now we are of opinion that the Master ought not to have found this matter in his report, not for the reason assigned, but because it was not referred to him. We do not think it necessary, however, to send the report back to the Master upon this point, but we shall amend it ourselves, by striking out this part of the finding as surplusage. The 10th exception is well taken: for the report refers to the report of the preceding Master, and the schedule thereto annexed; but as that preceding report was never confirmed, and is not now in existence, the reference is certainly irregular. The reference, however, was unnecessary, and we shall, therefore, strike it out, as on the preceding exception. We therefore disallow all the exceptions, but not with costs.

Sir J. P. Grant concurred.

Exceptions to the Master's Report disallowed, but each party to pay their own costs—Hark., Nov. 1.

SANDEF V.

Mr. Clarke moved in this case, that judgment might be signed as for want of a plea. The defendant had pleaded a special plea, concluding of course with a verification, to which there was no signature of Counsel as required by Rule 32. The learned gentleman submitted, that this plea was a nullity, and he cited *Maclvor v. Billing*, 1 Compton, Meeson and Roscoe's Reports, p. 577.

Sir Edward Ryan.—Has the prothonotary refused to sign judgment?

Mr. Clarke.—It cannot be signed without a certificate of no plea filed.

The Advocate-General begged to be allowed a single remark.

The Court.—Do you appear to shew cause?

The Advocate-General.—Yes, my Lord; I have just this instant received instructions to oppose this application. I admit we are in default, but I submit that the Court may exercise a discretion. We are ready to accede to any terms offered, and if the other side are put *in statu quo*, I do not see how any reasonable objection can be urged against the defendant being let in.

Mr. Clarke offered to consent to the defendant being let in, provided he would agree to submit the case to arbitration.

Sir E. Ryan said, that in matters of practice, the Court had resolved to adhere strictly to rule. This was a mere question of time, and the defendant was now too late, as he had put in a plea which was a nullity, and the time for pleading had expired. If the offer to arbitrate was not accepted, the defendant would be barred.

The Advocate-General at first assented; but afterwards, in the course of the morning, he moved for an order nisi to set aside the judgment.

Sir E. Ryan.—Are you prepared with an affidavit of merits?

The Advocate-General.—We are, my lord.

Sir E. Ryan.—Are you prepared to undertake to pay all the costs of the judgment and of this application, to plead as usually *instantur*, to take short notice of trial if necessary, and to give judgment of the term?

The Advocate-General.—All, my lord.

Sir E. Ryan.—Then you may take your rule nisi.—*Ibid.*

THURSDAY, NOV. 1.

Equity Side.

MOHA RANEE BISSAAT COOMARREE *versus* MUDDEN-MOHUN COOPORRAI.

The Advocate-General (with whom was Mr. Prinsep) moved, that the complainant might have leave to amend her bill of complaint. By the 6th Equity Rule the time for applying for an order to amend after the filing of the answer is limited to six weeks; and in the present instance a much longer time had certainly elapsed, but the question was whether the special circumstances did not take the case out of the general rule. The answer was filed on the 16th of June. Exceptions to the answer were filed on the 13th of July, which exceptions were allowed by the Master. The defendant then filed his exceptions to the Master's report, and by an order of the 29th October, the Court allowed the exceptions to the report and thus overruled the complainant's exceptions to the answer. Now from the 44th and 45th rules of "the rules for the Master's office," it may be gathered,

that whether the Master, upon a reference, find the answer sufficient or insufficient, the time is intended to run, for amending the bill (if necessary) in the former case, or for putting in a further answer in the latter case from the date of his report. The learned counsel contended, that in the present case, the complainant's hands had been tied, first by the exceptions to the answer, and then by the exceptions to the report, and that the application therefore was made in time.

Sir E. Ryan was of this opinion. The time was suspended during the pendency of the exceptions to defendant's answer, and the Master's report, and began to run again from the date of the order of Court of 29th October. The complainant, therefore, was then entitled to all the time which remained unexpired at the period of the filing the exceptions to the answer.

Order granted.—Hark., Nov. 2.

MONDAY NOV. 5.

IN THE MATTER OF RUSSELL.

Mr. Clarke moved for a writ of *certiorari* (under 53 Geo. III. c. s. 115, referring to 33 Geo. 3 c. 52 s. 143) to remove the proceedings of a Mofussil Magistrate into the Supreme Court. In the Ballyjunge case, it was a question whether the conviction was by a Justice of the Peace, or a Magistrate, but in this case the Magistrate had acted expressly as such. The name of the Magistrate was Mr. Allen, of Palna; and Mr. Russell, the party named in the conviction, was an indigo planter residing in the district.

Sir E. Ryan. What are the grounds upon which you move?

Mr. Clarke. I move upon the ground of error apparent upon the face of the conviction; but I apprehend that the party is entitled to the writ as of right both at common law and under the statute. At all events the error here appears upon the *roobicaree*.

Sir E. Ryan. Is the *roobicaree* the record of conviction?

Mr. Clarke. It is, my Lord. The whole proceedings before the Magistrate, and the grounds of the conviction, are stated upon it. From this it appears, that the charge against Mr. Russell was the having assaulted his assistant, Mr. Englebright, and used insulting language to Mrs. E. The defendant wished to have the lady examined as a witness, which the Magistrate refused, assigning no other reason than that her testimony could not possibly benefit the defendant, and that his application must have been made solely in order to annoy the lady, and hurt her dignity! Again, there appeared to be a discrepancy between the complainant's own statement and the testimony of his witnesses, which the *roobicaree* specially alluded to, and proceeded to reconcile after a very ingenuous fashion. The complainant complained of having been pushed, but his witnesses swore to three or four distinct blows; but, says the Magistrate, the complainant was probably so excited with passion that he did not feel the blows! The upshot was, that Mr. Russell was convicted and sentenced to pay a fine of Rs. 200.

Sir Edward Ryan. In this case you may have your writ. The Court are of opinion, that sufficient appears upon the face of the conviction to entitle you to the writ; but you are not to suppose it is a matter of right on behalf of a subject. At the instance of the crown, indeed, a writ of *certiorari* is always grantable as of course, but on the application of the defendant it is entirely in the discretion of the Court. The Queen's Bench at home constantly refuse the writ I wish merely to mention another matter, upon which the Court express no opinion now, but which must be discussed whenever

this question is brought regularly before us. By the 9 Geo. IV. c. 74. s. 48, it is enacted, that in all cases where the punishment is greater than a fine of Sa. R. 50, or imprisonment for one calendar month, the appeal shall be to the next Court of General or Quarter Sessions, and by section 49 of the same statute, it is provided that no such conviction or adjudication made on appeal therefrom, shall be quashed for want of form, or be removable by *certiorari* or otherwise into any of Her Majesty's superior Courts of record.

Rule nisi for a certiorari.—Hark., Nov. 6.

JOHN DAVIDSON SMITH *versus* WILLIAM WOOD ROBINSON.

This was an action brought on a common money bond, bearing date January 1836, in a penalty of Co. s. R. 36,000. It appears that Mr. Smith, the obligee, shortly before his departure for England, had given a general power of attorney to Messrs. McDonald and Fraser, to prosecute and defend all suits and actions in his name. This power, which was joint and several, was dated 16th December 1835, a period antecedent to the execution of the bond. Mr. Smith afterwards executed a special power of attorney in reference to this bond, bearing even date therewith, by which he appointed Messrs. Fraser and Sim his joint attorneys for suing upon the bond. The present action was brought under the first mentioned power of attorney, and the defendant wished to raise the question whether it was properly so brought. The same point in effect arose upon the recent application made to the Insolvent Court to set aside the adjudication of insolvency against the present defendant (W. W. Robinson) when it was successfully contended on behalf of the Insolvent that the subsequent special power of attorney revoked the former general power *pro tanto*, and the adjudication accordingly was set aside. After the decision in the Insolvent Court, a *rule nisi* was obtained to set aside the whole proceedings in the present action at law, and to take the warrant off the file.

Mr. Prinsep, on behalf of the plaintiff, shewed cause. This is an application of rather a novel character, and one, I must confess, for which I am unable to find a precedent. The defendant (the obligor) applies to the Court to set aside the proceedings in the action upon the bond, and to take the warrant off the file, on the ground that sufficient is disclosed upon the face of affidavits, office-copies of which have been obtained from another Court, to shew that there is no authority to maintain the action.

Sir Edward Ryan interrupted the learned Counsel, and suggested, that it would be advisable to wait for a full Bench. This question must decide the matter raised in the Insolvent Court as effectually as if that decision itself were appealed from. Now he (the learned Chief Justice) had already expressed his opinion upon the point, and even if his learned colleague (Sir J. P. Grant) should unfortunately differ from him in opinion, this in the present state of the Bench would not affect the decision. It seemed quite useless, therefore, to press the matter now.

Mr. Prinsep said, that he only waited for this intimation from his Lordship. He thought it certainly ought to stand over, but of course it was his duty to be in readiness to shew cause.

The Advocate-General had no sort of objection.

Sir E. Ryan. Then let the matter stand over by consent. Of course all proceedings will be tied up in the interim.

Stand over.—*Ibid.*

RUSSICKCHUNDER NEOGHY *versus* HURRIPERSAUD GHOSE.

In this case a motion was made by the Advocate General, last Thursday week, (See the *Hurkaru* of Friday,

October 26th) for a special order to the Sheriff to sell or otherwise dispose of, certain Company's paper which had been extended at the suit of the plaintiff in the hands of the Accountant-General of this Court, and to pay over the proceeds to the plaintiff in satisfaction of his debt. When the motion was made, the Court intimated, that they should direct a search for precedents.

Sir E. Ryan, this morning said that their Lordships were clearly of opinion that they could not interfere to grant this order, and that it rested with the plaintiff to take any steps he chose at his own peril and discretion, to obtain the property from the Sheriff. A search had been made for precedents and one similar case had been found. No order whatever was there made:—the paper was merely indorsed over by the Sheriff to the plaintiff in the action, in satisfaction of his demand. There was one distinction, however, that in that case the Company's paper was for a smaller amount than the debt, whereas here it was for a larger.

Refused.—*Ibid.*

TUESDAY, NOV. 6, 1838.

WEDDEN THOMAS DAVES AND OTHERS, *v.* THOMAS HOWATSON AND OTHERS.

In this case the Bill was filed in December 1837, and prayed, that the trusts of the will of the testator in the pleadings named, might be carried into execution, under the direction of the Court, and that it might be referred to the Master to take an account of the state, and of the debts and legacies, and that an alleged *decurtavit* committed by the executors, might be decreed to be made good by them. The testator was one William Graham, a retired *Brevet Ensign*, who died in August 1829, leaving very considerable real and personal property. The will bore date of February 1821; and J. Palmer, (since deceased) of the firm of Palmer and Co., E. M. Sandford and Thomas Howatson, were appointed trustees and executors thereof. The present bill was filed by certain legatees, entitled under the will to one-third portion of the residuary estate, against the two surviving executors and the administration of the deceased executor, with whom were joined as a co-defendant, one Catharine Lemondine, another legatee entitled to one third of the residuary estate under the will:—the legatee entitled to the remaining one-third portion was a native of India not resident within the local limits of the Supreme Court's jurisdiction, and therefore not made a party to the suit. An answer was put in by the administration of the deceased executor, and an answer was also put in by the defendant, Mrs. Lemondine, admitting all the facts stated in the bill. The two surviving executors had not answered, and the bill was taken against them *pro confesso*.

Mr. Prinsep and Mr. Nutt, appeared for the complainants.

The Advocate-General and Mr. Sandes for the administrator of the deceased executor.

Mr. Cochrane and Mr. Jieth for the defendant, Lemondine.

Mr. Prinsep said, that in the present stage of the cause, all he should ask for, was, that an account might be taken of the estate of the testator, and that the Master might be directed to enquire what was the amount of the *decurtavit*, and by which of the executors caused. It would be necessary to advertize for creditors; but he believed that in point of fact there were no debts whatever.

The Advocate-General said, that he had peculiar grounds for asking the Court to delay decreeing the liabilities of the executors, until the accounts had been taken and the cause came on for further directions. Appearing, as he did, for a different party, he had of

course no legal interest in making any application on behalf of the surviving executors; but the fact was, that he had been consulted for them, and he had then formed a strong opinion that they had a good defence. The learned counsel believed that it was only through some mistake that their answer had not been filed, and he thought they might yet in some way be let in.

Sir Edward Ryan said, that it was quite impossible now to listen to such a statement:—The facts of the bill had been admitted by such of the defendants as had put in an answer, and the bill taken *pro confesso* against the rest. The Court could only make the usual interlocutory decree.

Decree accordingly.—*Hurkaru, Nov. 7.*

Note—In the matter of *Russel*, moved yesterday by *Mr Clarke*, the Court granted a rule absolute in the first instance, for a certiorari and not (as we reported) a rule nisi.—*Ibid.*

THURSDAY, NOVEMBER 8, 1838.

W. W. ROBINSON *versus* A. H. SIM AND ANOTHER.

The *Advocate-General*, made an application to the Court upon notice of behalf of one of the defendants in this suit that six weeks further time might be allowed for filing his answer to the Bill. There was an affidavit, shewing special grounds for the indulgence claimed. The grounds were that during the pendency of the proceedings touching the adjudication of insolvency (afterwards set aside) against the complainant, the defendant had been advised not to go to the expence of consulting Counsel and putting in an answer. The adjudication was only set aside about ten days ago so that the defendant had in effect but a very short time to put in their answer to a bill of some two hundred folios.

Mr. Prinsep made the same application on behalf of the other defendant.

Mr. Leith opposed the motion, and called the attention of the Court in the first instance to the irregularity in the grounds, the notice of motion not having been given by the attornies on the record.

Per Curiam—The irregularity would be cured by your appearing to shew cause.

Mr. Leith then reminded the Court, that it was only the preceding day that an attachment had issued against the defendants for want of an answer.

Sir E. Ryan.—The special grounds take this case out of the general rule. Under the circumstances the application is very reasonable.

Mr. Leith.—But they are not even in time in making the application:—the time for putting in their answer has already expired. The application for further time might at all events have been made sooner. There was nothing to prevent it from being made the very day after the adjudication of insolvency against the complainant was set aside.

Sir E. Ryan.—Undoubtedly the application might have been made earlier, but you are not prejudiced if they pay the costs of the attachment. The Court will allow four weeks' further time for answering,—the defendants paying the costs of the attachment and of this application.

Time allowed.—*Hurkaru, Nov. 9.*

MONDAY NOVEMBER 12, 1838.

HOLROYD, ASSIGNEE OF CRUTTENDEN AND CO. v. CAPE AND OTHERS.

Mr. Prinsep moved to enlarge the time for the return of the Commission to take the answer of the defendant, *Major Cape*, until the first day of next term. The defendant was in England, and there was an affidavit that when the last accounts were received, he was undergoing an operation for a cataract in his eyes, and was totally unable to attend to business. He was 80 years of age

and the complaint affecting his eye-sight was likely to prove incurable.

It appeared that the time granted by the Court for taking the commission had already expired, and the motion was about to be dismissed as a nullity, on the ground that it was absurd to apply for the enlargement of time which had actually run out before the application was made; but it was stated that the opposite side had consented to the matter standing over, and the Court, therefore, allowed the application to be made as of prior day.

The *Advocate-General* shewed cause in the first instance. His learned friend had shewn no satisfactory reason for the delay in taking the answer. If *Major Cape* had the perfect use of his eyesight, it was not probable (and certainly not necessary) that at the age of eighty, he should actually read over a voluminous bill and answer. Total blindness would not prevent the papers from being read over to him, and that was all that was necessary.

Mr. Prinsep suggested, that during the operation, and for some time afterwards, the patient would not merely be unable to read, but totally incapacitated from attending to any kind of business.

The *Advocate-General* supposed, that the operation and its consequent effects in incapacitating the patient, might last altogether about ten days at the utmost.

Sir J. P. Grant said, that the Court, not being oculists, could not precisely determine that point, but they saw nothing unreasonable in the application.

Time enlarged. *—*Hurkaru, November 13.*

WEDNESDAY, NOVEMBER 14 1838.

ROBERT GILFIES *v.* MUTVILOEL SEAL.

Mr. Leith moved on behalf of the defendant, for a rule nisi to postpone the trial of this cause. The action was brought by the master of the ship "Asia" against the owner of the ship "Bahoo," for an injury caused by a collision between the two ships in the river Hooghly. He had affidavits from which it appeared that the "Bahoo" would not arrive at this port before January, and as the defendant's material witnesses were on board that vessel, it was impossible for him to go to trial earlier than next term.

The Court granted a Rule nisi.—*Hurkaru, Nov. 15.*

CAIR AND TAGORE *v.* MACDONALD.

Mr. Leith moved to amend a clerical error in the plaint, by inserting certain words which had been omitted in copying the draft. The action was on a guarantee, and the omission rendered absolute non-sense of the plaint, as it did not appear but that the money had been duly paid by the surety. No plea had been filed, and no appearance entered, and the cause was coming on to be heard *ex-parte*.

Sir J. P. Grant, Why the error goes to the cause of action itself.

Mr. Leith. It certainly does, and I confess it is an awkward matter.

Sir E. Ryan. I do not see how the Court can allow such an error to be amended. You must move to discontinue the action, and commence *de novo*.

Mr. Leith. I am afraid, my Lord, that would be equivalent to barring us altogether, as the defendant has since taken himself out of the jurisdiction of the Court.

Sir E. Ryan. Probably he was so advised!

Rule refused.—*Ibid.*

* A Gentleman at the bar suggested (as *amicus curia*) that a case in point was happily furnished by a letter of *Miss Fanny Squyers*, in a recent number of *NICHOLAS NICKLEBY*, where the young lady describes her father as having lost the use of his legs, and having become thereby incapacitated from holding a pen!!—*Miss Breen* might have so pleaded specially, and the plea would have been good on demurrer!

FRIDAY, NOVEMBER 16, 1838.

(Before Sir E. Ryan, Sir J. P. Grant, and Sir H. W. Seton.)

RADAGOVIN MOYTRO V. MEERTUNJOY DAY.

Mr. Mortan opened the pleadings.

Mr. Clarke stated the case for the plaintiff. The action was to recover the value of certain silk and other goods alleged to have been received by the defendant from the plaintiff for the purpose of sale on commission. A written account acknowledged by the defendant, would be put in, and it would appear from the evidence, that there still remained in his possession the proceeds to a considerable amount of these commission goods. The total amount specified in the bill of particulars, was Co.'s rupees 3,887.

A gomastah formerly in the service of the plaintiff, was then called as a witness, and he proved the adjustment of the account, and the signatures of the defendant himself, and of certain of his agents by his authority.

After the plaintiff's case had been closed, a question arose upon the pleadings. The first count was to recover the proceeds of goods alleged to have been sent to the defendant for sale on commission, and to have been actually sold by him. The second count was for the value of the same goods with the allegation that the defendant, as commission agent, had never accounted according to his undertaking and agreement. The third count was for money had and received—(upon which no evidence was offered). The defendant pleaded as follows:—1st Plea, as to part of the 1st count, that a certain portion of the goods were re-delivered to a third party as agent for the plaintiff, and that the plaintiff had accepted such re-delivering in discharge and satisfaction; and as to the residue of this 1st count, that the remaining goods therein mentioned *remained still unsold* in the possession of the defendant. As to the 2d count, the defendant pleaded that he had duly accounted.

No evidence was given on the part of the plaintiff, to show that any of the goods sent for sale on commission, had been actually sold by the defendant, and upon this ground.

The Advocate-General, (with whom was Mr. Leith) submitted that the plaintiff must be non-suited. There was no case made out at all. As to the first count, the contract was admitted indeed, but the breach was denied; the whole case depended on proving that the defendant had effected the sale of the goods, for until this was done, there could be no breach of the contract. Then, with reference to the second count, the defendant had pleaded that he had accounted, and this was proved for him by the account put in by plaintiff himself.

Mr. Clarke contra, submitted, that, at all events as far as the special plea went, in which the defence set up was, that the goods had been re-delivered, the objection of his learned friend was quite untenable. The affirmative of that issue was upon the defendant; and the only question there was whether the goods were delivered or not. That plea did not raise the question whether any sale had been effected by the defendant; for at the utmost it was but an *argumentative and inferential denial*, and of such a denial the plaintiff was not bound to take any notice. It was not necessary for the plaintiff to prove anything which was not directly denied. The case did not fall within the New Rules, for according to the first principles of pleadings the defendant can avail himself of no other defence under a special plea than what the plea itself affords.

The Court, after some deliberation, were of opinion, that a nonsuit was clearly out of the question, because under this plea, the whole question related to the alleged redelivery of the goods, and the affirmative of that issue lay in fact upon the defendant.

The counsel for the defence then went into their case, and put in a later account, from which it appeared (it

genuine) that the plaintiff had himself acknowledged the receipt of the goods. The counsel for the plaintiff put in further evidence to contradict the defendant's case.

Mr. Clarke claimed the right of general reply: his learned friend would of course have the privilege of commenting upon the fresh evidence first.

Sir E. Ryan at first doubted, whether the plaintiff's counsel was entitled to the reply, as he thought they ought to have called upon the other side to begin.

Mr. Clarke said, that the rule laid down in *Chitty* was, that where the general issue was pleaded to *any portion* of the declaration, (which was the case here) the plaintiff ought to begin, although the affirmative of the other issues might be upon the defendant.

Sir E. Ryan allowed him the right of replying generally.

There was much contradictory evidence, and cross-swearing, and the Court ultimately found a verdict for the defendant upon all the issues. The Chief Justice, twice or three during the progress of the cause, suggested the propriety of referring the matter to arbitration; but to this the defendant's counsel said, that their client could not be brought to accede. The case occupied the Court nearly six hours.

Verdict for the defendant.—Harkara, November 17.

To-morrow, Saturday (this-day) is the last day of Term. The Chief Justice will sit at eleven o'clock. One cause on the common law board stands over.

The Insolvent Court will sit to-morrow, (this day.)—*Ibid.*

SATURDAY, NOV. 17 1838.

PIDDINGTON V. HARDING.

The Advocate-General moved in this cause, for an attachment for contempt of Court, against Mr. Roger Dias. From the affidavit of grounds, it appeared that one Pan-shoonang, a waiter in the office of Mr. T. Saundes, the Solicitor, went to the house of Mr. Dias, to serve a subpoena in the above cause. Mr. Dias snatched the subpoena out of his hand, threw it upon the ground, and desired the unfortunate process-server to eat it! The man naturally enough declined the pleasure of making a meal of the parchment; whereupon Mr. Dias called his servants and gave orders that they should throw him into the tank, and sent for his dogs in order to indulge in a novel species of *duck-hunting!* The threat of plunging him into the tank, and hunting him with dogs in the water, Mr. Dias certainly did not venture to carry into execution; but he summoned several chokeydars, and gave the man into custody upon a charge of theft, which it was needless to say was quite unfounded. The learned Counsel said, that he could scarcely conceive a grosser case of resistance to the power and authority of the Supreme Court, and gratuitous contempt of its process. He would leave it to their Lordships to grant either a rule *nisi* for an attachment or a rule absolute in the first instance.

Sir E. Ryan.—Have you any other affidavit than that of the party complaining?

The Advocate-General.—No, my Lord; it would have been difficult under the circumstances, as, probably, no one disposed to give testimony against Dias, witnessed the outrage complained of. Upon the matter of the giving the man in custody upon a charge of theft, the affidavit of the darogah of the chokeydars may be procured; but he was not present at the first part of the transaction.

Sir E. Ryan.—In general no order *nisi* for an attachment is grantable on the last day of term, although a rule absolute in the first instance may be moved for. In the present case we should be reluctant to grant a rule absolute on a single affidavit of the circumstances, and that too the affidavit of the party complaining. We think the justice of this case will be best met by giving

TUESDAY NOV. 20.

you a rule *non*, with liberty to the party to shew cause in the sittings as of this term.

Mr. Clarke (who had been retained by Mr. Dias) remarked, as *amicus curiæ*, that it must be at the option of the party to shew cause during the sittings, and that he could not be compelled to appear until the first day of next term.

The Court assented.—*Hulkarn*, Nov. 19.

Monday (this day,) is the first day of the Sittings;—there are fourteen causes on the common law board for trial during the Sittings, and one a *remnant* from the Term. As there are some motions and demurrers standing over, the Court intimated that these would be taken on Monday (this day,) and that the common law board would not be gone into until Tuesday (to-morrow).—*Ibid*.

NOVEMBER 20.

In re Soodasun Sein.

The Chief Justice said, that having looked into the affidavits in the matter of Soodasun Sein, (who has been for some time confined as a lunatic in Mr. Beardshore's asylum) he did not think it necessary to order that individual to be brought up for inspection, and informed Mr. Prinsep that he was entitled to the *supersedes*, which he applied for on a former day.

The Advocate-General moved for an attachment for contempt against Bissumber Holdar, who had resisted the process of the court. When the bailiff had proceeded to execute a writ against him, Bissumber Holdar had thrown himself on the ground and called out for help; and about fifty people, armed with sticks, had rushed out from various parts of the premises and beaten and maltreated the bailiff.

The Court granted a rule for an attachment absolute against Bissumber Holdar, and also, on a subsequent motion of the Advocate-General, a rule for an *alias* commission of rebellion against the same person.—*Englishman*, November 2.

CORRECTION OF ABOVE.

(Extract from the *Englishman* of 21st November, 1838.)

20th November, 1838.—*Memorandum*.—In re *Soodasun Sein*. The Chief Justice said, that having looked into the Affidavits in the matter of *Soodasun Sein*—(who has been for some time confined as a Lunatic in Mr. Beardshore's Asylum) he did not think it necessary to order that individual to be brought up for inspection, and informed Mr. Prinsep that he was entitled to the *Supersedes*, which he had applied for on a former day.

In reference to the above, a communication was forwarded to the *Englishman* Office, a copy of which is herewith subjoined.

21st November, 1838.

MY DEAR SIR,—Be good enough to correct an error which I perceived in the *Englishman* newspaper of this day's date.—*Soodasun Sein* is not now, nor ever was, confined in my Asylum—he has been from first to last, an out-patient under my especial care and professional treatment.

Your's truly,

Courier, Nov. 23. (Signed) J. BEARDSHORE.

PITTA SIDE,

Rajnarain Mookerjee v. Oonopournah Dossee.

This was an action on promises brought to recover the sum of one thousand rupees, with interest at twelve per cent, on a loan secured by a Bengallee instrument or receipt granted by the defendant to the plaintiff bearing date the 18th of June last. Plea—General issue.

The Advocates-General and Mr. Prinsep appeared on behalf of the plaintiff, and the execution of the instrument was admitted by the defendant's counsel.

Mr. Clarke, with whom was Mr. Leith, on the part of the defendant, submitted that, as the instrument carried interest, and was payable at a certain time, namely, the month of Assu, it ought to have been declared on specially.

The Court over-ruled the objection, stating that they had been in the habit of entertaining suits on Bengallee bonds and receipts in this manner for some time, and would be likely to do so for some time longer.

The defence then set up was, that the instrument had been obtained by the plaintiff from the defendant without consideration, and solely for the purpose of raising money on her account, and that the plaintiff had been only employed as her mooktear for this purpose; that she could not have required the money for the purpose alleged by the other side, *viz.*, the payment of certain costs due to her attorney, as the money for that purpose had been obtained and paid from other sources; and the inference attempted to be drawn was, that the instrument had been obtained by the plaintiff on fraudulent pretences.

On behalf of the plaintiff it was sworn, that the money had been actually paid to her, and that she had given a receipt for the amount, and also executed a mortgage; and, on cross-examination, that one Luckeynarain Mookerjee was the brother of the plaintiff, and that they were joint in estate.

Mr. Clarke submitted that, by the evidence which his friends had given, they were now out of court. The action had been brought on the common law counts, and it had been proved that Luckeynarain Mookerjee was joint with the plaintiff in estate. The declaration should therefore have been by both, and the plaintiff ought to be nonsuited.

The Chief Justice.—We do not think this a ground for a nonsuit. There is no proof that the money was lent out of the joint funds, or that the plaintiff was manager of the joint family.

Mr. Clarke then went for a verdict. The case of the plaintiff had been weakened by his putting in the mortgage paper. The condition of the mortgage must be taken with the receipt; and the condition of the mortgage was, that if the money was not paid, the plaintiff was to collect the rents of the property mortgaged, and pay himself thereout. The plaintiff, being bound by this condition, was barred from bringing his action for the debt.

The Chief Justice.—The question is simply whether there has been any consideration given. This we think has been proved, and we believe the plaintiff's witnesses. It is not necessary to join all the members of a joint Hindoo family in bringing an action on a security given to one; and, in the present case, it has not been shewn that the money lent was a part of the joint funds, or that the plaintiff, in whose name the note was taken, was the manager.

Verdict for the plaintiff, with immediate execution.—*Ibid*.

SATURDAY, NOVEMBER 21.

(Before Sir H. W. Seaton, Judge)

Sir H. W. Seaton sat alone in Court to-day, to take common motions.

The case of *Piddington v. Harding* stands for Monday.

The case of *Gillies v. Muttiholl-Seal*, is tied up by a rule nisi (on the ground of the absence of material witnesses) which will be made absolute on Monday, unless cause be shown. The rest of the common law board is disposed of.

The equity Board will be taken on Tuesday. Some motions are also standing over.—*Hurk*, Nov. 26.

MONDAY NOVEMBER 26, 1838.

HENRY PIDDINGTON v. BENJAMIN HARDING AND OTHERS.

This was an action for arrest and imprisonment without reasonable or probable cause brought by the plaintiff against the defendants, who are merchants carrying on business in Calcutta under the name and firm of Messrs. Boyd and Co. The damages were laid at 50,000 Rs.

The *Advocate General* and *Mr Sandies* for the plaintiff
Mr Prinsep and *Mr Clarke* for the defendants.

The Court were occupied with the trial of this cause during the whole day until a late hour. We are therefore unable to give a full report of the proceedings.

The Chief Justice delivered the verdict and judgment of the court to the following effect:—

We are of opinion that there must be a verdict for the plaintiff; and as questions of law have been raised, we think it right to state our reasons. All actions of this kind must be founded on malice. Malice may be implied by a jury from want of probable cause, but they are not bound to imply it. The first question here is whether there was a want of probable cause. On this point we are clear when we consulted the former action. We then cited the case of *Fromont versus Complan d. Bingham's Reports* p 170 in which Chief Justice Best laid down the doctrine already established by preceding cases, that before there can be an action in respect of a claim arising out of a partnership account, there must be a final balance struck. When the cause between these parties was tried during the last sittings, it was shown that no final balance had been struck, and that, therefore, there had been no ground for the action brought. We have been informed to-day, by the evidence of the attorney for the defendant, that, before any proceedings were had in that action against the plaintiff in this, the opinion of counsel had been taken. We conclude, in the absence of any thing shown to the contrary, that he advised according to known principles of law, and are not entitled to suppose that he told the party that arrest would lie for this. The second question is whether from the want of probable cause of which we are satisfied, malice is to be inferred in the present case. We are of opinion that it was a malicious arrest and a contrivance on the part of the defendants for the purpose of getting the plaintiff out of the factory of which he was in legal possession, of conveying him to and imprisoning him at Calcutta and then getting possession of the premises themselves. We, therefore, infer malice. The third point for us to determine is the amount of damages. Special damage has not been specifically proved; but it has been proved that the plaintiff by this malicious arrest and false imprisonment, which was illegal from the commencement and not from the time only of taking the money out of court, was deprived of his right to carry on the concerns of the factory. Looking at the whole of the circumstances, the mode, trick, and

contrivance by which he was so deprived, and the inconvenience to which he and his family were subjected, and pronouncing no opinion on the real merits of the accounts which it is impossible for us to decide on in the present action, we think that we do justice to the whole of the case by giving verdict for the plaintiff with *Three Thousand Rupees Damages*.—*Englishman* Nov. 27.

THURSDAY, NOV. 29, 1838.

SITTINGS AFTER THE FOURTH TERM OF 1838.

BONNERJEE VERSUS BONNERJEE.

The Court were occupied nearly the whole day in hearing the arguments in this case, on a motion for the payment out of Court of the sum of Sa. Rs. 16,62,000 standing in the name of the Accountant General to the credit of the above cause. It may be recollected that the Court last term pronounced a decree, after considerable deliberation, overruling all the exceptions to the Master's Report and the Report was afterwards confirmed on a motion made upon notice, and opposed by a creditor, Rajah Bajyogovind Sing. A subsequent motion to pay the money out of Court, declared to be due by the Master's Report, was refused on the ground of irregularity—no notice having been given. The same motion was this day made upon notice.

Mr. Clarke and *Mr. Osborne* now shewed cause. They first took formal objections, the gist of which was that all the parties were not regularly brought before the Court.

The *Advocate-General* and *Mr. Prinsep* contra, contended that all objections of this nature were too late at the present stage. Besides it was not for their cheat, who was a mere creditor and not a party to the original suit, to file bills revivor from time to time upon the death of any member of the numerous Bonnerjee family. They further contended that the present objections were substantially the same as those disposed of by their Lordships upon the motion to confirm the Master's Report.

The Court gave no opinion upon this matter, but called on the other side to take their objections (if any) to the merits.

Mr. Clarke and *Mr. Osborne* then referred to the original order of November 1820, which directed the payment of sicca rupees 900 monthly to the present creditor, and out of which order (not acted upon at all until very recently) these proceedings arose. They called the attention of the Court to the fact, that the order directed the sum of sicca rupees 900 to be paid, while the deeds of agreement referred to on the face of it, and upon which it was founded, only gave the party rupees 450.

Sir E. Ryan. Your ground of objection goes to the validity of a decretal order of this Court. It is utterly out of the question to entertain such an objection. The order is valid and binding upon the Court, until solemnly set aside.

Mr. Clarke. At all events my argument proceeds only upon what appears on the face of the order itself. But, again, it must be remembered, that the present application is for the payment of money out of Court. Now, the order declares, that the said sum of rupees 900 monthly, is to be paid out of the interest or proceeds only of the fund in Court, and the present application is for the payment of the claim out of the principal. This party, therefore, himself seeks to obtain what is inconsistent with the terms of the order.

Sir E. Ryan. Your present objection is equally untenable. You are now impugning the Master's Report, which finds the sum in question to be due out of the fund, and which the Court upon argument have confirmed.

Mr. Clarke. Not so, my Lord. The Master's Report has found the sum to be due to this party, but it is for the Court alone to determine how and when the sum is to be paid. I contend, that the present objection is one which could not have been taken until the present moment, when the application is made to pay the money out of Court, and it is an objection in no way inconsistent with the Master's report.

The Court took time to deliberate. There appeared to be a difference of opinion among their lordships.—*Hurkaru*, Nov. 30.

The important case of *Radhakissen Mitter versus the Bank of Bengal*, (in which the Chief Justice and Sir J. P. Grant differed in opinion) stands specially for rehearing to-morrow, Friday (this-day).—*Ibid*.

INSOLVENT COURT.

NOVEMBER 3, 1838.

(Before Sir E. Ryan, Chief Justice.)

IN THE MATTER OF A BETTS, AN INSOLVENT.

Counsel for the Insolvent J. Pearson. Counsel for Messrs Bruce, Shand and Co., L. Clarke.

In this case Messrs, Bruce Shand and Co. moved the Court to have the Insolvent's Schedule amended, regarding his statement in it with respect to the deposit of title deeds of a house in Behampoor and another in Colingah. The Insolvent had, in his Schedule stated, that these deeds were deposited by him with Messrs. Bruce, Shand and Co. merely as his agents, whereas Messrs. Bruce, Shand and Co., asserted, that the entire papers of the house in Behampoor, and the rents of the house in Colingah, in the town of Calcutta, had been entrusted to their hands by both Mr. and Mrs. Betts, as collateral security for a debt of 700£, which sum had been advanced to Mr. Betts by Messrs. Bruce, Shand and Co.'s Agents in England, and which debt they alleged still remained unpaid; whilst the Insolvent, in contradiction to this allegation, maintained, that this debt, which he had contracted in August 1834, had been subsequently liquidated, and in August 1830, he had a surplus fund of 2,500£ in Messrs Bruce, Shand and Co.'s hands, and produced a letter from the firm in support of this asseveration. He admitted, that previous to his departure to New South Wales, he had mortgaged the title deeds of the houses in Behampoor and in Colingah, to Messrs. Bruce, Shand and Co.; but that the debt contracted on that occasion had been subsequently liquidated, and for any subsequent debt which he may owe to Messrs. Bruce, Shand and Co., they had taken an Insurance Policy of 5 shares in the Laudable Society, on his life, as guarantee for the payment of it. In addition to these particulars, the Insolvent added, that he was born of British parents in Italy; that the house in Behampoor, together with 285,000 Rs., were given to him by John Goddard Watson, Esq., in exchange for his Indigo Factories; that he had settled this house on his wife in lieu of her dowry, and she pays the Zemindar's rent for the ground on which it is situated, and holds the grounds under a perpetual pottah from the Zemindar. In addition to this house, Mrs. Betts possesses another house situated in Colingah, for which this Insolvent paid 10,000 Rs. This house he likewise settled on her in 1829, under a deed of trust. The trustees were Mr. Thomas Betts (since deceased) and Mr. Willoughby DaCosta. At this time deponent was in affluent circumstances. Subsequent to the liquidation of his debt of 700£ to Messrs. Bruce, Shand and Co., they, in August 1836 informed him, that he had been very successful in his business, which was then that of a Silk Manufacturer, and that he was possessed of 2,500£ in their hands. They then offered to enter Copartnership with him in his business on the following terms, viz, that he was to get one-third of the profits of the sales which they effected

for him in India, and Mr. Gledstone, their agent in London, was to get one-third for the sales effected by him in Europe. In addition to this they were to get credit for commission and other contingent charges. After this arrangement had been entered between deponent and Messrs. Bruce, Shand and Co., he never drew on them for any monies, but only drew against the silks which he remitted to them for sale on his account. They, however, ran him up as their debtor, by commission and other unintelligible items, to upwards of 50,000 Rs. for which they rendered him a rough account which he has by him at his residence; and as a security for the ultimate payment of this debt, they took from deponent policies of 5 shares in the Laudable Society, on deponent's life. Deponent does not consider himself in any wise indebted to Messrs. Bruce, Shand and Co.; it is they that tell him that he is indebted to them. Deponent in the course of his business has remitted silks to Mr. Willoughby DaCosta, and several persons, to sell on his account, but he never drew largely on them nor is he indebted to any of them; he only drew on them such sums as he considered the sales of his goods in their hands would more than liquidate. Messrs. Bruce, Shand and Co. used to buy deponent's silks themselves at under market price, viz at 10-8 and 11 Rs. per pound, and sell it off in the bazar here again as their goods at 12-8 and 13 Rs. a pound, and thus realize large profits on it. Deponent's wife never joined with him in assigning over either the title deeds or the rents of any house to Messrs. Bruce, Shand and Co., subsequent to the liquidation of deponent's debt of 700£ to them; they were only entrusted to them as deponent's general agents. Mrs. Betts now claims them, they being her property. Deponent did not advise her to set up this claim; she has done it of her own accord.

These were the chief particulars elicited from this insolvent, whose examination by Mr. L. Clarke, was very lengthy, and many other facts were stated by deponent in his depositions, which were not very material and are conveniently omitted in this report.

After this examination had been closed, Mr. Clarke informed the Judge, that when he entered the Court to-day, it was his intention to have opposed the discharge of this insolvent; but he had subsequently received a letter from Messrs. Bruce, Shand and Co., in which they had instructed him not to oppose the discharge of the insolvent from custody; they only requested him now to move the Court to order the insolvent to amend his schedule, regarding the deposit of the title deeds of the two houses in question.

Mr. Pearson replied, that as Mr. Clarke had intimated that he would not oppose the discharge of the insolvent, he, Mr. Pearson, would not therefore cross, question him as he might otherwise have done.

The Judge replied, that he could not compel the insolvent to alter his schedule after he had sworn to the correctness of it. If the insolvent chooses, to maintain the correctness of it, it must be on his own responsibility. All that the Court could now do, since Mr. Clarke has

withdrawn his intention to oppose the discharge of the insolvent, is to swear him to the correctness of his schedule, and then discharge him.

Mr. Clarke observed, that any person who will swear in the one and the same instant, that he owes a party a debt, and then deny the debt, as this insolvent had done to-day, is not to be believed.

The Judge replied, that he was the person who was to decide whether the insolvent was to be believed or not in this instance. To this remark Mr. Clarke bowed and assented.

The Court then swore the insolvent as to the correctness of his schedule, and afterwards ordered his discharge.—*Hurk., Nov. 5.*

IN THE MATTER OF GOPAL CHAND SEEL, AN INSOLVENT.

In this case, it was plainly shown to the Court, that the insolvent had, in collusion with his detaining creditor, given him fraudulently a promissory note for a certain sum, which he never owed him, solely for the purpose of enabling the holder of it to arrest the payee for its amount, and thus enable the payee to sue out an adjudication of insolvency, which he has done in hopes of being enabled to take the benefit of the insolvent act, and thus defraud his other creditors. On this fact being proved to the Court's satisfaction, the Commissioner revoked the adjudication in this insolvent's case.—*Ibid.*

IN THE MATTER OF G. H. SWAINE, AN INSOLVENT.

In this case, Mr. C. G. Strettell, the attorney for the insolvent, moved the Court to postpone the hearing of this insolvent's case, on the plea that all the notices to the creditors of this insolvent had not been served on them. He informed the Court that the insolvent was not now in custody.

The Court then postponed the hearing of this case until Saturday the 4th December next, and ordered the attorney for the insolvent to advertise in the daily papers the day on which the hearing of this insolvent's case had now been fixed.

After this, two officers of the hon'ble East India Company's Service, were sworn to the correctness of their schedules, and there being no opposition, they were discharged. This, together with some minor motions, concluded the business of the day, and the Court adjourned until Saturday the 17th instant.—*Ibid.*

NOVEMBER 17, 1838.

Present Sir E. Ryan, and Sir W. H. Seaton.

IN THE MATTER OF JAMES JACOBS, AN INSOLVENT.

Mr. Strettell, attorney for the insolvent, applied for leave to amend the schedule, as to certain particulars, in regard to debts inserted in the schedule to be due to Rousac Brothers and Co. and to the estate of Henry Fowles; and Mr. Leith, who appeared to oppose the insolvent on behalf of certain parties, claiming under the estate of Fowles, stated, that one of his grounds of opposition would necessarily entail amendment of the schedule, further than Mr. Strettell has asked leave for,—the Insolvent having admitted in his schedule the receipt of a sum of 20,000 rupees which is stated partly to have been lost with McKintosh and Co. it ought to be particularized, how much, and what portion of it, was so lost in that firm, and how the residue has been appropriated, and what portion remained in the hands of the insolvent.

The Court concurring in this, the insolvent was remanded, until the next Court day, the 4th Dec. next, and the Court granted Mr. Strettell's application to amend the schedule, requiring him to put in, before the rising of the Court, an affidavit in support of the

petitioner for leave to amend the schedule, and directed fresh advertisement of the postponed hearing.

Mr. Leith asked, that the order for the postponement of this hearing be enlarged with a direction for the appearance of the insolvent's wife, to examine her as to fraudulent concealment of some property, as attempts to serve here with a subpoena have been unsuccessful. The Court granted it. Mr. Strettell stated, that she was now in Court in attendance. Mr. Clarke also appeared to oppose this insolvent, on behalf of Bruce, Shand and Co.—*Hurkaru, Nov. 20.*

IN THE MATTER OF BRIJONATH DABOO.

Mr. Anley, on behalf of Samchund Seal, a creditor of the insolvent, applied for an adjudication of insolvency in this matter; on grounds, which appearing to be sufficient, the application was granted.—*Ibid.*

IN THE MATTERS OF JOHN BROWNE, A. HARVEY, AND S. M. GASPER.

The Assignee, Mr. Alexander, applied for, and obtained leave, to file accounts in these several matters.—*Ibid.*

IN THE MATTER OF KISSEN SOONDER SEAL.

Mr. Strettell, on a certificate of the examiner, applied for further time for the examiner to make his report in this matter, until the 4th of December next.—Granted.—*Ibid.*

IN THE MATTER OF SHAIK MOKIM.

This insolvent being called, and no one appearing to oppose him, after the usual oath being taken by him, as to the truth of his schedule, he was discharged.—*Ibid.*

IN THE MATTER OF BEBEE AUMEERUN.

The insolvent was brought up, and Mr. Strettell appeared to oppose her or behalf of the detaining creditor, as to the service of notice on whom there appeared to have been some irregularity, but that was waived by Mr. Strettell representing him. Mr. Strettell stated, that considering the advanced years of the insolvent, and her having been already in prison for 18 months, he had no wish by his opposition to have her detained in custody any longer. That so far as his opposition went, it being left to the assignee to enquire into, would sufficiently answer the object of his opposition, which was that the insolvent has made a fictitious transfer of her property, the only property she possessed, to evade payment of the debt due to the detaining creditor; and has also executed a bond and warrant of attorney to confess judgment, on which judgment had been entered up in the Supreme Court, but no execution had been issued out. He added, that the party to whom she had executed these securities, Shaik Rubbewallah, was not to be found. As he was secreting himself to avoid being called upon to be examined; he would, therefore, adduce secondary evidence, by which it would appear, that this insolvent, jointly with Bebee Sohoo, was possessed of a spot of ground, situate at Mutchwabazar, in the Town of Calcutta; and on the 19th of November 1836, she and Bebee Sohoo executed at the office of Mr. Attorney Kemp, a bill of sale of this ground to Shaik Rubbewallah for an alleged consideration of 900 rupees, which was apparently paid in the presence of the Attorney, the money in fact being that of the insolvent. That she gave Rubbewallah a bank note for a thousand rupees, which Rubbewallah carried and gave her in the presence of the attorney, and she was to have returned to him the 100 rupees excess. This was what passed to bind the attorney as to the consideration for this bill of sale, immediately after which, on the 30th of the same month November 1837, she executed, at the office of Mr.

Graham, jointly with Bebee Soho before named, a bond and judgment to the said Shaik Rubbewallah for 3,000 rupees, on which judgment had been entered up as stated above. Mr. Strettell then called Shaik Becho, who, being sworn, said, that he knew the Insolvent and of the execution by her to Rubbewallah of certain securities, having accompanied them to Mr. Kemp's; but he did not go inside Mr. Kemp's; house or office. This was 12 months ago. He could not say what security had been signed. He added that this woman, pointing to Bebee Aumerun, the insolvent, outside of Mr. Kemp's office, and before going in and before the execution of the security in question, in the witness's presence, gave Shaik Rubbewallah a thousand rupees in one or more bank notes, witness could not say which; and she told Shaik Rubbewallah, that the property was to remain hers, the money (1000 rupees) being hers, and the transaction to be *banamey*. Shaik Rubbewallah took the money and they all, except the witness, went in to Mr. Kemp's office. The property alluded to, was a spot of land situated at Mutchwabazar, in the Town of Calcutta. Witness waited until they came out of Mr. Kemp's office, and was asked, but he refused to attest the security.

Bebee Aumerun, the Insolvent, sworn. She acknowledged having signed the bill of sale, and that Mr. Kemp explained it to her, that she received 900 rupees consideration from Shaik Rubbewallah, paid in Mr. Kemp's presence, by a bank-note for 1,000 Rs. and the excess 100 she was to have returned, and did change the note and return to Rubbewallah, but could not say where the bank note had been changed. She gave it afterwards to Rubbewallah, to change the note, take his 100, and to bring her the 900, which he did, through a sicar of his. She denied all knowledge of Mr. Graham, and of having ever known or seen him, or at any time been to his office or having any transaction or business in the way of signing any paper in his office. She said, that these 900 Rs. she appropriated, in paying for law charges to Mr. Fountain, who had been originally, and up to the time of his death, her attorney, now Mr. Martindell was her attorney. She was asked to identify Mr. Kemp and did so. She said she knew Shaik Rubbewallah, and was indebted to him in a sum of 350 rupees for money advanced by him for law charges. She denied having signed any paper to Shaik Rubbewallah for 3,000 rupees or other than the one, or the bill of sale, for 900 rupees, and she positively and distinctly denied again all knowledge of Mr. Graham and of any transaction with him, at his office. Mr. Graham was called for, and he had been served with a subpoena to attend, but he was not present. Mr. Strettell sent for him, and in the interim the bond of judgment was produced, from the office of the Prothonotary of the Supreme Court, and the draft of the Bill of Sale, by Mr. Kemp. Mr. Graham was again and again called, and absent.

Shaik Bhakoo was next sworn, and examined. This witness knew nothing of the transaction of his own knowledge, but had heard of that regarding the ground at Mutchwabazar; and the bill of sale. This he heard of from one Juggeon Khan, a Dalal, not from the Insolvent, nor from Shaik Rubbewallah; but he knows them. Shaik Rubbewallah, he said, was absent from Calcutta, gone to collect some money due to him, but where, or who from, witness did not know.

Mr. Graham was again called and not forthcoming. Mr. Kemp, who was all the time in Court, was sworn. He said he had been attorney for this insolvent (since the death of her former attorney, Mr. Fountain) for 2 or 3 months in part of 1836, and part of 1837, and had prepared the Bill of Sale before spoken of and of which he produced the draft. He had explained the deal to her, and saw the money paid in a bank-note of a thousand rupees, 900 out of which, from the consideration

to her for the Bill of Sale, from her to Shaik Rubbewallah, and she was to have returned the excess one hundred rupees to him. This was on the 14th of November 1836, and from the date of the Bond and Judgment spoken of, (30th November 1836), witness said he must have been her attorney at the time of the execution of this bond and judgment in question, for he continued her attorney until part of 1837, as stated already; in preparing in *betmenis* for her to prosecute certain parties for perjury in an ejection suit between the insolvent and her detaining creditor, of which suit this witness could say nothing, Mr. Fountain having been her attorney at that time and the object of this sale for 900 rupees was, as stated to this witness, to defray the costs for the prosecution before mentioned. Witness did not know where the Insolvent was arrested, nor any thing of the bond and judgment, except that he had lately heard of the bond and judgment.

Mr. Graham appeared, and the Chief Justice remarked to him, that, as an attorney, he ought to be in attendance. Mr. Graham said, that according to arrangement with Mr. Strettell, he was waiting until written to. His Lordship repeated, that he ought to have been in attendance, and ought not to have written for any letter. Mr. Graham was sworn and examined. He looking at Bebee Aumerun, the insolvent, but said he did not recollect her, though he might have seen her. Looking at the warrant of attorney to confess judgment handed to him, he said, it is from Bebee Aumerun and Bebee Soho, for 3,000 rupees, to Shaik Rubbewallah and is attested by him. He was attorney for the latter and believed the consideration 3,000 rupees to be for money owing to his client, and could speak of it from his memoranda which he had brought. In reply to a question from the Court, if he allowed native women to execute bonds and judgments in the absence of any legal adviser on their part, he replied that he did allow it, not knowing any practice to the contrary; and as to the identity of this woman, perhaps some native writer in his office would know her, and he accordingly sent to his office; but the Court observed, that *atwa* females ought not to be allowed to sign bond and judgments without a legal adviser on their part to protect them, the like as in the signing of bond and judgment by a prisoner, as native females were entitled to that protection whether in or out of prison; and in this case, as it has turned out, it would appear, if all this is represented to be true, that the Insolvent has been guilty of gross fraud, and could on no account be allowed to swear to the truth of the schedule, nor be discharged. She must be remanded, and this matter made to stand over for the Examiner to examine. Mr. Graham and his native writer, as also Shaik Rubbewallah, and such other witnesses as might be necessary, to enable the Examiner to enquire and report into the truth of all matters; and as to the bond and judgment in question, and all other debts and transaction; and if any thing of fraud be established as is apprehended, it will remain for another Court perhaps to enter into the matter. At present the insolvent was remanded and the matter referred to the Examiner to enquire and report as above, on the next Court day, that is the 4th of December next; and on Mr. Strettell's application, ordered, that Shaik Rubbewallah do attend before the Examiner to be examined. — *Ibid.*

IN THE MATTER OF BEBEE SOHO.

This is the lady who is spoken of conjointly with Bebee Aumerun, the Insolvent above named, and she is also in prison, seeking for the benefit of the insolvent act, and, as in the last matter, the like points are involved in this. The matter also stands over in like manner as the other.

Mr. Graham has asked us to add, that it will appear on the face of the warrant of Attorney to confess judgment, as it now stands filed in Court, that it was duly explained to the women, and they were identified to him by a native who is a subscribing witness to the warrant.—*Ibid.*

HOOGLY SESSIONS COURT.

FIRST DAY—NOVEMBER 19, 1838.

(Before James Curtis, Esq., Sessions Judge, and Mouley Syud Ahmed, the Mahomedan law officer of the Zillah.)
GOVERNMENT *versus* KISTUOLLI BRAMACHARJE PANDA alias ALUCK SHAH, alias PERTAB CHUDUR, JOOMUN KHAN, KALLY PERSAD SING JEMADAN, RADY KISTO GHOSAL, SAGUR DHUR, RAJA NARRAIN CHUND, AND HABIL ILLIHOOLAH.

Charge. Count 1st against the 1st prisoner, of imposition, in assuming the name and title of Dhe Maha Raja Pertab Chund, Bahadoor, late Zemandar of Zilla Burdwan. Count 2nd, of Extorting money under the afore said false pretence from Rada Kissen By-ack, Dewan of the Government Treasury. Count 3d, of as-sembling unlawfully, a large and tumultuous body of men on the 2d of May 1838, at Culna, in the zilla of Burdwan; he, the said prisoner, having been previously convicted on the 4th of August 1836, of a similar breach of the peace, and sentenced by Mr. Harrington, the Judge of zilla Hooghly, to 6 months' imprisonment in the zilla Jail, from whence he was released on bail after the expiration of his sentence. Charge against the other prisoner, of aiding and abetting the first prisoner in the commission of the said illegal acts.

Counsel for the Prosecution, M. A. Bignell, Esq.

In this case, the Sessions Judge had issued summonses for the attendance of a Special Jury to try this case, in conjunction with him; but as the case is likely to occupy the Court's time for nearly two months, all the jurors, with the exception of one person, named Baboo Anundo Persaud Bondapadma, Zemindar of Teebe Parah, declined attending, on the plea that their daily attendance at the Sessions Court for 2 months, would completely withdraw them from usual duties, which would, by so long a discontinuance of their attention to them, be neglected, and they be the sufferers thereby; and further, that even if they were willing to sacrifice their interest on this point, to accommodate Government, they could not answer for the casualities of sickness, &c. intervening in this period. As the Government Regulations in existence in the Mofussil Courts could not compel the attendance of the Jurors thus summoned, the Sessions Judge, in failure of a complete jury, was necessitated to abandon his original intention on this point, and try the case with the assistance of the Mahomedan law officer of his Court.

Previous to the reading of the charges against these prisoners to them, the Sessions Judge received a letter from Mr. Morton, Barrister at Law, wishing to know whether he would be permitted by the Court to attend on behalf of the prisoners and to conduct their case for them. The purport of this note the Sessions Judge communicated to the Government pleader, who informed the Sessions Judge, that he had been especially instructed by Government, to waive all objections to the attendance of any person on behalf of the prisoners, who may be delegated by them to manage their case. The Sessions Judge then wrote in reply to Mr. Morton, that no objections existed to his appearing as the prisoners' Counsel, provided he filed a *mookarnama* signed by them, authorising him to act on their behalf.

Shortly after the receipt of this note, Mr. Morton entered the Court, accompanied by Messrs. W. D. Shaw and R. Graham, Attorneys for the prisoners in this case.

During the reading of the indictment to the prisoner, Mr. Morton, on behalf of the principal prisoner, stated to the Judge, that the prisoner felt indisposed, and requested to be accommodated with a seat. The request was granted, and he had a chair allowed him during the trial of his case.

The Shristadar of the Session Judge's Court, commenced at about 11 o'clock A. M., the Magistrate's commitment in this case, and at about half past one o'clock P. M., he had finished the reading of the charges, which detailed minutely the transactions of the principal prisoner, ever since his release from the Hooghly jail, after the expiration of the term of his former sentence for a breach of peace committed by him at Bancootah, and more particularly the affairs of his trip to Culna, and his capture there, together with his adherents; as likewise the prisoners reply to these charges, as given by him before the Magistrate, and was proceeding to read the purport of the evidences of the witnesses examined on behalf of the prosecution, before Mr. Samuels, the committing Magistrate, together with Mr. Samuels's comments on them, when the Session Judge remarked, that all these witnesses would, during the investigation of this case, be again examined, and the Court would thereby be enabled to form its own judgment on their testimony; therefore he did not perceive the necessity of having them all read to the Court now, together with the Magistrate's opinion on them; as the Court would not be guided in its decision of this case by whatever the Magistrate might opine of it, but form its own judgment thereon, from the facts which may arise during its investigation. In this remark of the Sessions Judge, both the Mahomedan law officer of his Court as well as the Vakils for the prosecution and the defence coincided; but the Shristadar replied, that he differed in opinion from them, and that it was requisite to have the whole of the commitment, together with the abstract of the evidences, and the Magistrate's comments thereon, read; because their perusal would prove the trickery and the chicanery of the prisoners. To this reply no objection being made by the Court, the reading of the commitment was continued and ended at about 2 o'clock.

After this reading was over, the three counts of the charges against the principal prisoner and his adherents, were read to them in the Bengally language at their request.

The prisoners pleaded not guilty.

The reply of the principal prisoner. My name is Pestaub Chunder Dhe Maharaj. I have no profession or calling. I am a native of Burdwan and the rightful zemindar of it. I can read and write. I plead not guilty to the charges against me. I wish an English copy of this my statement to be furnished to my Vakils. This request was complied with. He then signed this plea to the indictment against him; after which the other prisoners were severally brought up and stated their names, age, the names of their parents, their profession and place of nativity, to the Court, and signed their declaration of not guilty to the indictment against them.

Whilst the prisoners were pleading to the indictment against them, a discussion took place between the

Court and the vouchers for the defence, regarding the attendance of Dr. Halliday, a very material witness for the defence. He, it appears, was formerly the family Doctor to Maharajah Pertab Chunder. This officer has stated in reply to his subpoena, that as he cannot be compelled to attend on the subpoena, served upon him in this case, he declined so doing, unless his travelling expenses and the deduction of his allowances, which would necessarily ensue, in consequence of his leaving his station, be paid to him. This reply, it appears, was submitted by the Sessions Judge to Government, who, in reply, informed him, that the Government would not deviate from their usual practice in these cases, and therefore they declined to reimburse the Doctor for the losses he said he would suffer in consequence of his attendance on this subpoena.

Mr. Shaw replied, that he is not conversant enough to declare what the practice in such cases is in the Mofussil Courts; but in the Supreme Court in criminal cases, the Court compelled the witnesses within its jurisdiction to attend, and they were not allowed any travelling charges. He supposed the same rule would hold good in this case. He then mentioned a case quoted by Mr. Spankie. The Sessions Judge, on perusing it, opined, that it did not coincide with the case now pending before the Court, and said that if the defence wished the attendance of Dr. Halliday, they could send him his expenses and he would then willingly come.

In consequence of the subpoenas being worded for the 20th instant, none of the witnesses were in attendance to day. The Court, in consequence thereof, adjourned at 3 o'clock, *v. m.*, until 10 o'clock, *a. m.*, of the next day.

The prisoners were this-morning brought up at 8 o'clock, *a. m.*, into the Court house, and the Court sat at a quarter after 10 o'clock, *a. m.*

There are 67 witnesses subpoenaed for the prosecution, and 317 for the defence. The trial, it is supposed, will occupy the Court two months if not more.

Mr. Graham informed the Court on its adjourning, that the prisoner, Rada Kisto Ghosaul, had been released by the Magistrate on bail of 300 rupees; but the Magistrate subsequently added 200 rupees more to it; and although the bail is competent for a much larger amount, and is forthcoming, still the prisoner is taken back to the Jail and confined.

Mr. Bignell remarked, that no prisoner could be released on bail during the hearing of his case before the Sessions.

With regard to the attendance of Dr. Halliday, the Judge advised the defendant's counsel to apply to the *Mizant Adawlut*.

Mr. Edward Trevor, to-day took his oath and received charge of the office of the Registrar of the deeds in this zilla.—*Hurk., Nov. 21.*

SECOND DAY.—Nov. 20, 1838,

Gregory Herbelois deposed, that he had seen Pertaub Chunder, the late Rajah of Burdwan, three times before his demise. The first time he saw him for a few minutes, when he was introduced to him in 1816 by Mr. Forbes, the Commissioner for foreign settlements, under whom deponent was then an assistant. The next time when deponent saw him, was in September 1817, on the occasion of the settlement of Chinsurah being restored to the Dutch. On that occasion Pertaub Chunder requested deponent to introduce him to Mr. Van Bruclar, the Dutch Commissioner. Deponent, consequently accompanied Pertaub Chunder in his carriage, from the Rajbarry at Chinsurah to the residence of Mr. Overbeck, the then Governor of Chinsurah, and after an

interview of about one hour, Pertaub Chunder returned in company with deponent to the Rajbarry. The last time was a few days after this introduction, when deponent was in his company for a few hours at a nautch where he had been invited.

It would be very difficult for deponent to recollect and identify natives after a lapse of 20 or 22 years; but from what deponent has seen of the prisoner, who alleges himself to be the Rajah Pertaub Chunder, he does not consider him to be the individual he personates. He appears to be about an inch taller than Pertaub Chunder was, and not so fair. Besides, his features do not correspond with those of Rajah Pertaub Chunder. Deponent has seen the picture of Rajah Pertaub Chunder produced during the trial, and it resembles the late Rajah. Deponent first saw the prisoner in the Hooghly jail, in 1836, where he questioned him regarding the situation of the Rajbarry and the particulars of his interview with the Dutch Commissioners. His answers to these questions are not correct. He stated the tank and garden in the Rajbarry to be to the north of the building, whereas they are to the southward. Deponent even chalked out a plan of the building, but he still could not describe it although it was the residence of Pertaub Chunder when he was at Chinsurah.

On cross-examination deponent stated, that Europeans in this country grow darker, but he cannot say if natives change their complexion during twenty-two years; but perhaps the constant use of oil may darken their complexion. Deponent has seen the prisoner three times since his interview with him in the jail. When deponent first saw him he was much fairer than he now is, and stouter. When deponent saw him under examination in the Magistrate's Court here, he then appeared to be much darker and rather haggard; he is now rather fairer and improved in his appearance. When I saw the prisoner in the Hooghly Jail, he recognized me and mentioned my name. He never evinced any disposition to converse with deponent on any occasion. The particulars of the interview between Rajah Pertaub Chunder and the Dutch Commissioners were of so important a nature that if the prisoner was Rajah Pertaub Chunder, he could never have forgotten them. The circumstances of the prisoner's not recollecting it, and not being able to describe the particulars of the Rajbarry, even putting aside the circumstance of his features, complexion and stature not corresponding with Pertaub Chunder's, I could almost swear that the prisoner who alleges himself to be Rajah Pertaub Chunder, is not the man he personates. Mr. Overbeck received two or three visits from Pertaub Chunder after Mr. O. had been appointed Governor of Chinsurah. Deponent cannot say whether Mr. Overbeck was intimate with him or not.

The rest of this deponent's evidence being irrelevant to the question at issue, is omitted.

After this, Rajah Nore Hurry Chunder Roy, of Hurdhun, Zilla Nuddea, who was at large on bail, appeared on his reconnaissance and pleaded not guilty, and the deposition of this witness and Mr. Hutchinson's evidence, as given at the Magistrate's Court, were read over and explained to the prisoner, and the Mahomedan Law Officer of this Court.

Henry Toby Prinsep deposed, that he had been personally acquainted with the late Pertaub Chunder, son of Rajah Tej Chunder, late Zemindar of Burdwan. He was personally acquainted with him for some time previous to his being appointed a Special Commissioner at Burdwan in 1839, where he had several interviews on business connected with that Zemindary with both Rajah Tej Chunder and Pertaub Chunder. I took great interest in these interviews, and the old Rajah carefully excluded all his anulas on those occasions and none but deponent, the Hon'ble Mr. J. E. Elliot, and the two

Rajahs, were admitted in them. They were of such a nature that neither Pertab Chunder nor any of those present on the occasion could have forgotten them, and when deponent questioned the prisoner last year on that subject, he gave very incorrect replies. He said that all the anlas were present on those occasions, and that he knew nothing of Mr. Elliot. Deponent had an interview with the prisoner last year, and spoke to him on that occasion. The prisoner mistook Mr. Pattle for deponent, and he could not recognise Mr. Hutchinson, who was present in the room, but he subsequently recognized Mr. Trower. The late Pertab Chunder was rather a short man, shorter than Dwarkanath Tagore, with rounded limbs, small boned and neat make. Deponent, if he were to see him, could recognize him again. He does not believe the prisoner to be Rajah Pertab Chunder, as he does not resemble that person; I have seen a picture of Rajah Pertab Chunder in the Court; it was reckoned a tolerable likeness of that individual when it was first drawn, but it did not resemble him latterly.

In 1820. Government received an official intimation of the death of Kowur Pertab Chunder and wrote an official reply of condolence to his father Rajah Tej Chunder. Deponent was then Secretary to Government in the Persian Department. Deponent drafted the letters and Lord Hastings signed one and deponent the other. When the death of any great personage is reported to Government, no enquiries are made unless there are any reasons to doubt the correctness. There were none in this case and consequently no enquiries were made. This is all the knowledge deponent has of Pertab Chunder's death. General Allard, after his return from France, told deponent that he had seen the prisoner previous to his quitting India, travelling about Lahore as a tukeer, and he gave himself out to be a Bengal Rajah; but of what place he did not state then, and General Allard said, that he believed him to be a real Rajah, but I was always incredulous of his tale.

Here this deponent recognized the official letters of condolence alleged to be written by him.

Dwarkanath Tagore deposed, that he had seen the late Rajah Pertab Chunder, son of Rajah Tej Chunder, zemindar of Burdwan, 5 or 6 years previous to his death, and was very intimate with him in Calcutta. The last time deponent saw him, was about one year previous to his death, which occurred 18 or 20 years ago. Deponent never was at Burdwan. Deponent cannot, after the lapse of so many years, state whether the prisoner who alleges himself to be Pertab Chunder is that individual or not; but he thinks he is not, because he is taller and darker than Pertab Chunder was, and his features are not like those of Pertab Chunder. Pertab Chunder was very fair for a Hindoo. Deponent was once asked to take up the prisoner's case. He engaged to do so, and gave Mr. Turton some written questions to ask the prisoner, which, if he were the real Pertab Chunder, he could never have forgotten. As the prisoner could not answer these questions, he at once disbelieved him to be the man he pretended he was, and abandoned his cause. Rajah Gopee Mohon Deb, who was very intimately acquainted with Pertab Chunder and his father, invariably refused to see the prisoner, being fully satisfied that he was an impostor and that the real Pertab Chunder was dead. Mr. Turton subsequently treated with Mr. Charles Reed for the management of this prisoner's case, and was to have got 100,000 rupees for his trouble, partly in advance; but as there was no money forthcoming, he threw it up. The prisoner, when deponent first saw him, recognized deponent in the Supreme Court, although deponent did not recognize him to be Rajah Pertab Chunder. In fact, deponent is certain that the prisoner is not Pertab Chunder from all the circumstances of this case. Deponent knew Kiseep Seal. He was, after Pertab Chunder's death for,

some time in deponent's employ, and was discharged for embezzlement. He was a great favorite of Pertab Chunder's. He might have made away with his papers after his death, but deponent is not aware of this. The picture which deponent saw in this Court, of the late Pertab Chunder, bears a strong resemblance to him. The firm of Carr, Tagore and Co. are the mooktas of Ranee Bussunt Komaree, and have paid some money on her account to Mr. Hodger, her attorney. Her suits for maintenance and some property, which Rajah Tej Chunder assigned to her. Deponent does not think that if the real Pertab Chunder were to appear, her case would suffer by it, as it is in no way connected with the question of the Rajahship. However, the firm of Carr, Tagore and Co. have in consequence of some information, which had subsequently come to their knowledge, intimated to her attorney, that they will no longer act on her behalf. In expressing his opinion as to whether the Ranee's case would be affected by the issue of this case, deponent said, he would submit it to the better judgment of Mr. Morton who was a barrister and better able to decide the point.

Mr. Morton applied to the Judge to enquire, whether, according to the course of Mussul practice, any course could be adopted by consent of both sides, for taking the depositions, as transmitted from the Magistrate's Court, as evidence in the Judge's Court, without re-examining the witnesses. He was ready on his part to allow certain of those depositions (if practicable) to be received in evidence here, and the mere reading of them in Court would take far less time than examining the witnesses over again. He had mentioned the matter to Mr. Bignell, who had acquiesced in the expediency of the course, if it could be done.

Mr. Curtis said, that it was not the usual practice certainly, but he would consider of it.

THIRD DAY—NOVEMBER 21, 1838.

Rada Mohon sircar deposed. I saw the prisoner, who alleges himself to be Pertaub Chunder, in custody at Bancoora. I went there as a witness in that case. In the B. S. 1227, either on the 6th or the 8th Pous, Rajah Pertaub Chunder fell ill, and on the night of the 10th or 11th of that month at 11 o'clock, p. m., he was carried to Ambeeka. I was then Mookta of Ranee Joy Komaree, wife of Tej Chunder Bahadour. On the night of the 20th of that month, Joy Komaree sent for me, and her brother Sham Chunder, and desired us to take a letter to Pertaub Chunder, who, she said, was seriously indisposed at Ambeeka, and added, "if you find him somewhat recovered, then do one of you stay at Ambeeka and send us daily intelligence of his health, and the other return to me at Burdwan. We left Burdwan that night and arrived on the evening of the 21st Pous at Ambeeka, and gave the letter to Maha Rajah Tej Chunder, who was then at Ambeeka, and asked him how Pertab Chunder was. He replied go and see him; he is in an adjoining room, and struck his forehead. Sham Chunder and I went there and we saw Pertaub Chunder very dangerously ill and a person fanning him. We afterwards returned to our resting place. On that night, shortly before midnight, we heard a noise in the Rajbarry, and a shout that the Rajah was going to the river side. We came out and saw Pertaub Chunder carried to the ghaut of the river in a palkee, and many persons following him weeping. When I arrived at the Ghaut, I saw the Rajah in a swoon, lying on a bed which was there. After a short time, the Rajah, in consequence of the cold river breeze, began to shiver. The people then took him from the river side into a tent close by, where Bermonuud Gossain began to read prayers over him, and bestowed alms of elephants, horses, cows, grain and clothes; after which Bermonuud Gossain and Juggut Doctor said,

There are no hopes now, take the Rajah to the river side and perform his funeral obsequies there. The Rajah was then re-taken to the river side. Sham Baboo, Nundoo Baboo, Cocul Baboo, Busunt Baboo, and Jugmohun Baboo, took him there, and put the bed partially into the river, so that the water reached the Rajah's knees. Jugmohun and Mohun Baboo held his knees, and Bernonund Gossain and the other Kheetros, began to exclaim hurry hole, hurry dhunee around him. About half an hour or less after the Rajah expired. As he was expiring the crowd pulled up the bed and left the corpse on the bank, and Jugmohun and Mohun Baboo stood near the body, we and the populace at a short distance. Busunt Lall and Ghasee Ram, went to give notice to Tej Chunder of Pertab Chunder's death, and they shortly afterwards returned. A canopy, a ruttee, and other articles necessary to perform the funeral rites, were brought to the ghaut. They then undressed the deceased, washed him, put an unbleached shroud over his corpse, and Ghasee Ram made a funeral offering called pindee. The corpse then was removed on the ruttee a short distance on men's shoulders, near the funeral pile, where another pindee was offered. They again bathed the corpse, took it up on the ruttee or coffin, and put it on the cheeta or funeral pile; and Ghasee Ram performed a third pindee on the mouth of the Rajah while on the cheeta. Ghasee Ram then thrice performed a circle round the funeral pile, with a burning brand in his hand, at each circuit touching the pile with the brand and on the fourth round, Ghasee Ram set fire to the deceased's mouth, and the crowd immediately afterwards began to throw ghee, pice and tow on the pile. This was at about 2 o'clock, a.m. Early next morning, they removed the ashes, and Ghasee Ram threw some river water on the pile and quenched it, Jugmohun washed the site off the pile, scraped the ashes and gathered the bones and ashes and put them into a new earthen pot and took it to put it into the burying ground of Rannee Bissunt Koomaree, the mother of Pertab Chunder; and after his departure I bathed, took my meals, and returned to Burdwan. I did not see Prawn Baboo on the occasion. Rajah Tej Chunder accompanied Pertab Chunder to Ambeeka. I am sure that Pertab Chunder is dead, for I saw his corpse burnt.

Cross-examined by Mr. Bignell.—I saw no European physician attend on the Rajah during his sickness Dalalove Hakeem, Uskur Ullce Hakeem, Chunder Seeker Cubeerajh, Juggut Cubeerajh, and Bernonund Gossain, administered to him. His indisposition was a severe fever. The prisoner is taller than Pertab Chunder. His eyes are smaller than the Rajah's, nor is he so fair. His hands and feet are more lengthy, and he is not so old as Pertab Chunder would have been were he still alive. Pertab Chunder was 29 or 30 years old when he died; had he been alive he would now be 48 or 49 years of age. Bernonund died after he had given his deposition at Bancoora; so did Juggut Chunder Kubeerajh. I have never seen Chunder Seeker Cubeerajh nor Uskur Ally Hakeem since the Rajah's death. The prisoner appears to be 38 or 39 years of age. I do not know which of Pertab Chunder's servants attended him during his indisposition. I did not see the cremation of the Rajah's remains, but I have seen his tomb at Umwah. It is a brick built room, with a round protuberance on it, wrapped with cloth, and alms are distributed there in remembrance of the deceased.

Cross-examined by Mr. Morton.—I am a servant of the Rajbarry at Burdwan, and get 25 rupees a month. After the demise of Pertab Chunder, his two widows had a very complicated law-suit regarding their dowry. I gave evidence there, and again when the prisoner was in custody at Bancoora. I gave evidence in that suit again regarding the death of Pertab Chunder, as these have served as refreshes to my memory, regarding that event.

I was not present at the performance of the funeral ceremonies of Rajah Tej Chunder. I was desired by Prawn Baboo to remain at Burdwan. He died on the 2d Bhadhoor, 1239. On the 2d May last I was at Ambeeka, accompanied by eight or ten men. I was despatched by Prawn Baboo to protect the Burdwan Rajah's place of worship and house from the aggression of the pretender, who had proceeded there with an intention to plunder it. I was not present at the river side when the pretender and his party were captured and the firing took place there, but in my way to the ghaut, I saw the men in custody. Neither Jevun Mitter nor Bissumbhur Mookorjee accompanied me to Ambeeka. Gopee Dutt and Haro Dhur were there, but they were detached from my party. I do not know the names of the 8 or 10 men who accompanied me. I never said in the Magistrate's Court that he had only been once to Culna. No men of Prawn Baboo's appeared to oppose the pretender *vi et armis* at Culna in the year 1837. There was no mooktarname filed in my name from the Rannees who's Mooktar I then was. The prisoner asked was it customary to file mooktarname there but the Judge declined to put this question to the witness. It appears that this witness in the Magistrate's Court had deposed that he had been only once at Ambeeka, so the printed reports show.

Bissunth Lall Baboo, deposed. I was acquainted with Rajah Pertab Chunder of Burdwan. He is dead. On the night of the 13th Pous, I received a letter at Calcutta, that Pertab Chunder was very unwell, and I proceeded to Ambeeka and arrived there on the evening of the next day, and saw Pertab Chunder lying in his bed very sick, attended by Bermanund Gossain and Uskur Allee Hakeem. I saw the Rajah was laid up with an intermitting fever, which came on him every morning at 10 o'clock. It used to be preceded by cold shivering and fainting fits, and the fever used to abate towards the night, leaving the patient weak from a prostration of strength. On the 21st of Pous, Bernonund and Jugmohun said, we despair of the recovery of the patient, do with him what is the usual custom with you in these cases. Intimation of this was conveyed in the evening to Rajah Tej Chunder, who, on hearing it, began to weep and replied, "Well do whatever is necessary in such cases." After this they brought Pertab Chunder down from his bed room, and as the staircase was circuitous, they could not bring the bed down, therefore Bermanund and Jugmohun took him up in his bedding and brought him down, many others following them. After this they sent for a palkee and put Pertab in it, and took him slowly to the river side. On arriving at the ghaut, they took him out of the palkee and put him on a charpoy, when he began to shiver from the effects of the cold breeze and was consequently removed on the cot to a tent close by. Bernonund read the Baghut Pooran to him at 9 p. m. Bernonund said, he is dying take him to the river side and perform his funeral obsequies. I was one of those who assisted in taking him on this occasion to the river, and placed him on the bank with his body partly in the water, and Bernonund Gossain, I, and others, began to pour water into his mouth and read prayers over him. Whilst so doing he died about 1 o'clock a.m. Mohun Baboo held his feet, and Jugmohun his shoulders. I, after Pertab's demise, went to the Rajbarry at Ombekah and told Tej Chunder that Pertab had died, and asked him who were to perform the ceremonies of the deceased. Tej Chunder ordered Ghasee Ram to light the funeral pile. I returned with Ghasee Ram to the river side, and desired Shebooram and Ram Kisen, to bring some sandal wood, bamboos, ropes, &c., to perform the rites, and to gather the Kathrees of that place to assist in these rites. Here this deponent described the particulars of all the minute ceremonies which were performed on the burning of the corpse, which, as they have already been fully detailed by the witness Bala Mohun sircar, it would be both uninteresting and

superfluous to detail them, more so as there was no glaring contradiction between the two testimonies on this subject, so as to throw any discredit on them from that circumstance. After describing with great prolixity these funeral obsequies, deponent added, I have seen the prisoner who alleges himself to be Rajah Pertab Chunder, of Burdwan twice here in the Magistrate's Court of Bancoora, and once in the presence of the Magistrate of this Court. Prisoner does not resemble the deceased Rajah either in shape, features, color or stature, nor even in age. Prisoner is younger, taller and darker than Pertab Chunder was. Pertab was born in the month of Cartick, 1197 B. S. and my father died the following day, therefore I remember the date. Pertab Chunder died in Pous 1227 B. S., therefore he was 30 years old at the time of his death. Prisoner does not appear to be older than 40 years.

Cross-examined by Mr. Bignell.—There were many torches burning at the time Pertab died and was burnt. I saw his features on the pile and assisted in the funeral rites. The pile was about two feet high and a short distance from the river. On its banks the corpse was consumed in my presence. There was no possibility nor motive of or for the deceased to escape.

Cross questioned by Mr. Morton.—I have been employed by Rannee Komul Komaree, the sister of Prawn Baboo. My grand daughter is married to Prawn Baboo's son, Tarrachund, and my son was married to a daughter of Prawn Baboo's, who is dead, leaving issue.

Nundoo Loll, deposed. I am related to Prawn Baboo. My cousin is married to one of his daughters. I saw the prisoner, who alleges himself to be Pertab Chunder, at Bancoora, where I was subpoenaed as a witness, but not examined. On the 5th Pous 1227 B. S. Rajah Pertab Chunder, son of Rajah Tej Chunder, zemindar of Burdwan, fell sick. When his indisposition increased, Dr. Cantur, the medical assistant at Burdwan, was called to see him. He came and was with the patient about 20 minutes. He advised the invalid to be bled and have leeches applied to his temples. This prescription he refused to have administered, and was consequently dispatched that very night to Ambeeka, because the doctor refused to prescribe for him, unless he consented to abide by them. Tej Chunder followed him, and two native physicians, and many residents of Burdwan accompanied him to Ambeeka, where we all arrived on the evening of the 14th Pous B. S. On that very evening the fever came on him with shivering fits, and he fainted away. After this, this deponent deposed to the different stages of the indisposition of Pertab Chunder, up to the period of his demise, as likewise all the details of the funeral ceremonies, almost word for word as the two former witnesses had related them, and he swore positively that Pertab Chunder had expired in his presence, and he had seen his corpse burnt at Culna. In conclusion, this witness likewise deposed, that the prisoner, who alleges himself to be the deceased Pertab Chunder, does in no wise resemble him, neither in age, shape, stature, color features, in fact his *countenance* was quite different from that of the deceased Rajah.

Cross-examined by Mr. Bignell. I saw the dead body of Pertab Chunder burnt.

Cross-examined by Mr. Morton. You are an European. I cannot tell the age of any European, but by guess, I did say before the Magistrate, that I should conceive you to be 35 years old. I am servant of the present Rajah of Burdwan, and get 21 rupees a month, and 10 rupees for conveyance. I am an old servant of that Rajahship. By two, or three intermarriages I and my uncle Bussath Lall, are related to the family of Prawn Baboo.

Munnee Lall deposed. Within these 2 years I got a pension, and am the dewah of Kissenpoor, under Prawn

Baboo. I know Khosaul Baboo. I cannot see at a distance; but what is the use of my seeing a man who pretends to be another person who I saw expire, and whose corpse was burnt to my presence. The prisoner who pretends to be Rajah Pertab Chunder, I have seen in the Magistrate's Court here. My memory is not every tenacious, but I can on consideration recall many facts which may have been obliterated from it. After this, witness likewise, but with more brevity, described the last sickness and death and the funeral ceremonies of the late Rajah Pertab Chunder, the son of Tej Chunder, the late zemindar of Burdwan, and added, that the person who pretends to represent him does not resemble him in any wise what-so-ever. I am 58 years old, and Shant Chund is my father-in-law. He is 3 years younger than I am.

Cross-examined by Mr. Morton. I live in the Rajbarry at Chinsurah, and did so when I attended on the Magistrate's subpoena. I never had any consultation with any person on the subject of my evidence to day. I would not tell a lie for 50,000 rupees. My memory is far better than my eye-sight. I never can forget the death of a great man my master, and I was a witness in the case of Pertab Chunder's widow against his father. No inquiries are made at the death of any man, for no dead man has ever risen from the dead, and this is all a fully and useless trouble in this man to pretend to be Pertab Chunder, and gave needless trouble to the Court, the witnesses, and to you, Mouly and Judge. No one ever doubted Pertab Chunder's death at either Culna or Burdwan, and the Government is the first to lend an ear to this man's absurd pretensions. No memorandum was taken of the date of Pertab's death, but it is a subject of daily conversation at Burdwan. Then, addressing Mr. Morton: Are you the defendant's vakeel? Question away as long as you please, you will get nothing out of me. After this speech of this witness, Mr. Morton declined question him any further.—*Hurkaru, Nov. 23.*

4TH DAY, NOVEMBER 22, 1838.

Mr. Biguell requested to be informed why the prisoners had issued subpoenas against so many of the Government officers. He said, that as this list comprised an officer in almost every district under the Bengal Government, if Government were to issue subpoenas against them all, it would strip the districts of some of their most efficient officers, and cause a considerable cessation and delay in the official duties of those districts. As such he begged to be informed of the prisoners' motives and the question which these witnesses were required to prove, before he could issue these subpoenas; and perhaps if it embraced any topic which was well known and not of much importance to the case, he might concede it at once rather than cause unnecessary delay, expence and inconvenience in the proceedings.

Mr. Morton replied, that as the charge was of a very extensive nature and embraced many points, he had subpoenaed these witnesses to prove that the principle prisoner had during his exile, travelled over all these districts, and, there never had, been any riot or disturbance occasioned by him in any of them, to the best of their knowledge.

Mr. Bignell replied, that the Magistrate of Bancoora certainly could not depose favorably towards the prisoner on that point, and as far as the Zillah of 24-Pergunnahs were concerned, he could state, that with the exception of a little hullabulloo in Calcutta, there had been no disturbance occasioned by the prisoners in that district; but he that as it may, as the present charge only stated one particular riot, his general demeanour in others, would not in his opinion affect the question at issue.

Mr. Bignell was likewise this day, at his request, furnished with the demurrer of the principle prisoner

to the several counts of the indictment against him and his fellow prisoners in this case, signed by him in English.

Mr. Curtis, the Judge, replied, that he had maturely considered Mr. Morton's proposition to admit the testimony of certain witnesses, who had been examined in this case before the Magistrate, and file their dispositions as documentary evidence in the trial now pending before him. The proposition at first certainly did appear to him to be advantageous, as it would have greatly saved the court's time and be beneficial to him as well as the parties concerned in this case; but on a deliberate consideration, he found many insuperable difficulties in acceding to this request. 1st. It would be requisite to read and explain these depositions to the Mahomedan law officer of his court, as he must be acquainted fully with their purport, to enable him to sum up his verdict on the termination of the trial in his court. 2d. By taking the evidence *viva voce* and before the court, the court, by observing the demeanour of these witnesses, whilst under examination, would be much better enabled to form its idea as to the degree of credit which may be due to their respective testimonies on the occasion, and likewise to detect any discrepancies which may occur between their depositions given in this court and that which they had deposed to before the magistrate, and this mode of procedure would further enable the prisoners to lay hold of any point which in their evidence may possibly in their opinion be favourable to them, and to cross examine the witnesses on any part of their depositions on which they might be inclined to do so; and lastly, that this mode of procedure suggested by Mr. Bignell and Mr. Morton, is irregular and contrary to the Regulations and the practice of the Mofussil Courts in such cases, and if he were to adopt it, it is very probable that when the proceedings would be forwarded from this Court to the Nizamut Adawlut at Calcutta, for their final disposal of the case, that Court might, on the ground of this irregularity, throw out the case, and order this Court to try it *de novo*.

After the demurrers of the prisoners had been for some time in Mr. Bignell's possession, Mr. Curtis asked him whether he had perused them sufficiently, and being answered in the affirmative, remarked, that there was certainly one objection which even to him appeared to be valid, viz., as to the identity of the principal prisoners, whether he was Pertaub Chunder, the late Raja of Burdwan, or not. This, in his opinion, appeared to be a civil question and not a criminal one, and it certainly appeared to him, to be an invidious task singly, without a jury or the assistance of another judge, to try and decide this question. It would, perhaps, have been far more preferable to have appointed a special commission of two judges to have taken up this prisoner's case in all its bearings, and have decided on it; but as the Government had positively, in spite of his objections, ordered him to try the case in all its bearings, all that he had now to do, was to act on these orders to the best of his knowledge and belief.

Mr. Bignell replied, that he was prepared to file an answer to this objection, and added, that he believed that Mr. Morton had waived all his objections as to the credibility of the prosecutor's witnesses as to the death and burning of the late Raja Pertaub Chunder.

Mr. Morton suggested, that if four or five main questions were put, of a leading nature, he would not object to each witness regarding the death and funeral being disposed of without making them repeat all the particulars over again.

Mr. Bignell replied, that if Mr. Morton would state what he was disposed to admit, this might be done, but if he intended to impeach the credibility of the witnesses for the prosecution, it would then be requisite to go into particulars.

Mr. Morton said, that he was reluctant to bind his client by any admissions, or to anticipate the defence which would be set up; but if the main points were elicited by the prosecution, he was at a loss to perceive why it would be considered necessary to examine each witness so very minutely on every point, which was rather the duty of the cross examiner. In conclusion he said, that his suggestion was made merely to save unnecessary trouble, and the time of the Court, and it was in the power of the presiding judge to determine what was best to be done in this case. With this opinion of Mr. Morton's, both the Judge and the Mouly fully concurred.

Mohun Lall then deposed, that he likewise had been acquainted with the late Rajah Pertaub Chunder, Zemindar of Burdwan, and was present at his last illness and demise at Culna, in B. S. 1227, in the month of Pous; and that Pertaub Chunder died in his presence, and deponent had seen his corpse burnt at Culna on this morning of the 14th Pous, 1227 B. S. and that the prisoner who pretends to be Pertaub Chunder, the late Rajah and Zemindar of Burdwan, is not him, as the Rajah died many years ago and was burnt; neither does he resemble the Rajah in shape, features, color, height or age. This witness admitted, that he was the Superintendent of the present Rajah of Burdwan's elephants, and got 10 Rs. a month for his services. He was cross-examined on a few minor points.

Byrn Baboo deposed, that he is married to Prawā Baboo's Sister, and Prawn Baboo had married deponent's sister. Deponent is in the service of the present Rajah of Burdwan. This witness likewise followed in the wake of the last witness, regarding the death and burning of the Rajah Pertaub Chunder at Culna in his presence, and the non resemblance of the principal prisoner to that individual.

Shum Churn Baboo deposed, that he is the brother of Ranny Jye Koomarree, the elder widow of the late Maharaja Tej Chunder, and he gets 10 Rs. a month from the present Raja, as a Darogah to his establishment at Burdwan. Deponent's daughter is married to Baboo Raushabarry, Prawn Baboo's third son. This witness likewise followed in the wake of the former witnesses and deposed to his having been present at the death and burning of Raja Pertaub Chunder, and that the prisoner alleging himself to be that person, is not him. Deponent was present at the death of and witnessed the funeral obsequies of the late Raja Tej Chunder, and although he could not, either in his examination before the magistrate at Bancoorah, nor at the time he gave his evidence before the magistrate of this district, relate the particulars of the ceremonies attendant on his funeral, he is well prepared to state them now, if the defendant's counsel required of him.

Rada Churn likewise deposed to the same effect as the last witness, viz., that he was present at the death and burning of Raja Pertaub Chunder, and that the prisoner assuming his name does not resemble him. The Deponent was likewise related to Prawn Baboo, and a servant of the present Raja of Burdwan.

Up to the period when deponent was examined all the Hindoo witnesses were, instead of being sworn either by the Ganges water, the solemn declaration, either by self repetition or holding the same written on paper in their hands, were made simply to sign a written *ekhar-nama*, or compact, to speak the truth in their evidence in this case. To this form the prisoners objected, and wished the court to swear them on the Ganges water. Mr. Curtis remarked to them, that these witnesses would be equally liable to the pains and penalties for perjury by law, if they swore falsely, after they had signed this compact, as if they had sworn on their solemn affirmation to speak the truth. The prisoners replied, that the simple compact, as it was not any religious

farm, these witnesses would not consider it binding on their consciences perhaps, and therefore they may sever from the truth. Here Muzaram, the Sheristadar of the Court, said, that it was binding on them both conscientiously and legally; but the prisoners not being satisfied with the Sheristadar's opinion on this matter, Ram Koomar, the next witness for the prosecution, was sworn on his solemn affirmation. He objected to this, and wanted to sign the compact; but the judge overruled his objection. He deposed that he was the family priest and tutor of the late Rajah Pertab Chunder, and likewise spoke to the death and burning of the Raja, and that the principal prisoner in this case did not resemble that person. He likewise added, Radakissen Bysack one day invited me to his house, and there I saw the prisoner. Prisoner asked me whether I knew him? I replied no. I then asked the prisoner whether he knew me? The prisoner made some mumbling reply, which I did not distinctly hear. I then asked prisoner, if you are Pertab Chunder, relate to me the particulars of the affairs of the Rajbundy, and what situation I held in the Rajbary at Burdwan. To this question the prisoner made no reply, but smiled contemptuously on me. I then informed him, that I was the Gooroo, viz. priest, and tutor to the Rajah Pertab Chunder, who was dead and burnt; and if he were that person he certainly would have recognized me. I then asked him, can you tell the particular mark on my body by which I was known to Pertab Chunder. The prisoner made a reply, which I did not distinctly understand. I then began to relate to the prisoner, at the request of Chund Mookerjee, the particulars of the illness and death of the late Raja Pertab Chunder at Culna, and his corpse being burnt there, and described to him all the funeral ceremonies which were performed on that occasion; and then asked him how could these facts be consistent with his assertion of his being that Raja. The prisoner, instead of making a reply, laughed at my question, and dismissed me, and desired me to call again the next day. I then took my leave and did not repeat my visit to the prisoner as he had requested me to do.

Hurrishchunder Roy deposed the same as the last, viz. that he witnessed the death of Pertab Chunder and saw his body burnt at Culna, and that he is related to Prawn Baboo's family, and receives wages from the Rajbary.

Radakissen Bysack, Dewan of the Treasury, deposed. I never went to Burdwan and I never had seen Pertab Chunder before I saw the person who represents him now. I recognize the principal prisoner in this case, and I know him to be Pertab Chunder. I have been acquainted with him for the last 2 years. I first saw him in the Jail at Hooghly, when Raja Budlinath was present with me. I went to see him at the prisoner's request, written to me in a Bengally letter, bearing a Persian signature. He requested me to get some person to become his security for his peace, after the expiration of the period of his imprisonment. The signature of the letter was Rajah Pertab Chunder. Before I saw the prisoner at the Hooghly Jail, he was a perfect stranger to me. I got Roy Kissen Chowdry and Goopee Kissen to become his security, and their security was filed in this Court for one year. Pertab Chunder, after his release from the Hooghly Jail, came to my house and resided six months with me. After this period, I hired a house for the prisoner near the Town Guard, on the Chitpore Road. The house was a three storied house, about half a cross distant from my residence in Calcutta. He did, on one occasion, borrow from me, on a bond, 16,000 rupees. He signed his name to the bond, Rajah Pertab Chunder. The money had been advanced to him in small sums, at various times before hand, and the bond was given on the 10th of March 1838, on a settlement of these accounts. The bond was drawn out in the Office of Mr. B. Graham, Attorney at Law, and he was an attesting witness to it. Besides this, I have other unsettled accounts with him, but I have no other document

signed by him Maha Rajah Pertab Chunder Dhe Rajah, excepting another bond for 13,000 rupees, executed by him on the 30th August 1838, and drawn out in Mr. Graham's Office and attested by Mr. Graham. This bond was executed in the Jail at Hooghly. When I deposed before the Magistrate, I said the debt from Pertab Chunder to me was 35,000 rupees; but I now find that the whole amount is 4,000 rupees more. Ramchand Mitter, Kautee Chura Battachargea, Tillockchand Mitter and Rajah Goopee Mohon Deb, (after he had made enquiries through his khansamah, to ascertain whether the prisoner was Rajah Pertab Chunder or not) Buggybut Churn Mitter and other respectable persons, told me that they had seen and made inquiries respecting this prisoner and were satisfied that he was the true Rajah Pertab Chunder. All these persons are alive and living in Calcutta, with the exception of Raja Gope Mohon Deb; and his khansamah, whose name I do not know, is no doubt still living in Rajah Rada Kanth Deb's service. General Allard took Gungapersad Ghose to see the prisoner at the Hooghly Jail, and Gungapersad Ghose, on General Allard's asserting, that the prisoner was Raja Pertab Chunder, advanced him some money. I do not know Ram Koomar, I never invited him to my house through Chand Mohorer; for I have no Mohorer under me of that name, either at the Treasury or in private service. I took no bonds from Pertab Chunder in the name of my son or relatives, and if he does not pay me I will not sue him for this amount.

Cross-examined by Mr. Bignell.—Doctor Halliday saw Pertab Chunder at my house, and he said afterwards to Mr. Trower, that he felt perfectly satisfied that he was Pertab Chunder, the Rajah of Burdwan. Goopee Mohon Deb never, to my knowledge, visited the Rajah in my house; whether he saw him elsewhere I do not know. Rajah Goopee Mohon sent two servants to make enquiries regarding the Rajah, and by the result of their investigation into the matter, he assured me that he felt convinced that the prisoner was the real Rajah Pertab Chunder; and had it not been for the assurances of these respectable persons, I would never have received him into my house or advanced him the money which I have done. I believe Dr. Jackson did lend Pertab Chunder some money. Rajah Goopee Mohon Deb distinctly told me, after the report of his two servants to him, that the prisoner was Rajah Pertab Chunder, and he had no doubt on the subject.

Re-examined by Mr. Morton.—From the report of other individuals and the prisoner's own statement, I feel convinced that he is Rajah Pertab Chunder. I have lent all the money to him in notes. I am not aware that Pertab Chunder has ever deceived me, nor have I any cause of complaint against him. I have lent money to civilians even, of which I have as little prospect of repayment as of this sum.—Hark. Nov. 24.

5TH DAY—NOVEMBER 23, 1838,

Goopee Nath Dutt, deposed to the death and the burning of the late Rajah Pertab Chunder, zemindar of Burdwan, at Culna, on the 21st Pous 1227, B. S., he being present on the occasion, and having witnessed the funeral ceremonies of that person and saw his corpse burnt on the funeral pile. He likewise further deposed, that the prisoner in this Court, who pretends to personate that individual, does not resemble him either in shape, height, features, or complexion. Deponent is the paymaster of the Rajbary establishment at Burdwan.

Pearymohan deposed, that he, likewise, was present at the demise of the late Rajah Pertab Chunder, son of Rajah Fej Chunder, zemindar of Burdwan, and saw his corpse burnt at Culna on the Pous 1227, B. S. The prisoner who represents Pertab Chunder, is

shorter than Pertab Chunder was, and does not resemble him in any wise. Deponent has been for 10 or 11 years in the service of the Rajah of Burdwan, and gets 90 rupees a month. The late Rajah Tej Chunder, first married Ranney Komal Komarree, the sister of Prawn Baboo, and subsequently Rannee Bussunth Komarree, the daughter of Prawn Baboo. The leases granted to the under tenants now run thus. " In the name of Rajah Matah Chunder, by his guardian Ranney Komal Komarree.

Anoop Sing, Jemadar of the present Rajah of Burdwan, Mataub Chunder, was examined on oath. This witness's testimony tended, like those of the preceding witnesses, to prove the death of Pertab Chunder and the burning of his corpse at Culna on the 22d Pous B. S. 1227. He added, that he was, during the life time of Rajah Pertaub Chunder, his naib jemadar, and constantly attended on his person. He never heard of Pertab Chunder having been indisposed until the illness of Pous 1227 B. S., of which disorder he died. Defendant never saw the prisoner who personates Rajah Pertaub Chunder in any of the Rajbarries; if the prisoner had gone into any of them on any occasion, deponent must have seen him. Deponent never saw any Christian gentlemen visit Rajah Pertaub Chunder on any occasion. The prisoner who alleges himself to be Rajah Pertaub Chunder, does not in any wise resemble him.

Kally Doss, Pandit of Burdwan, deposed. When deponent first saw the prisoner who personates Rajah Pertab Chunder, the late zemindar of Burdwan, he had a large black beard, and was seated on a tonjohn, followed by Hafiz Mollah and some others, and a large concourse of spectators; and the darogah of Culna, and many police peons, were keeping an eye on the spectacles with an intention of preventing a breach of the peace. The deponent likewise was present at the decease of the late Rajah Pertab Chunder on the night of the 21st Pous 1227, B. S. At Culna he saw the Rajah's corpse on the ground, but he did not see it on the funeral pile. Deponent is not a servant of the Rajbarry. This witness said, that after the lapse of so many years it would be very difficult to state whether the person who now assumes his name and title resembles the real Pertab Chunder or not; but as far as his memory will enable him to recollect the deceased Rajah's features, he does not think the prisoner either so fair or handsome a man as Pertab Chunder was. Pertaub Chunder was the exact resemblance of the Hindoo God Kartick, and was stouter than the prisoner. Deponent did not see Pertab Chunder die, but saw his corpse after his demise. This statement being at variance with his testimony on the subject at the Hooghly Magistrate's Court, on being cross-questioned on this point, he replied, that when he arrived on the spot where the Rajah's body lay, he stood about three or four cubits distance from it. There were many persons present, some holding the Rajah's body, some repeating prayers, some shouting, some crying, in the confusion occasioned, by which this deponent cannot say whether the Rajah was dead or not; but if he was not then dead, he must have expired shortly afterwards. As deponent is a Bengally Brahmin, and the deceased was an Upcountry Kheetes, deponent could not assist in the funeral obsequies of the deceased; therefore he did not see the body consumed on the pile, but retired to the house of Ram Lochun, at a short distance from whence he saw the smoke of the pile ascend the air. About three months after, the deponent heard the rabble population of Culna bruit about the place, that Rajah Pertab Chunder was not dead. Deponent might have deposed before the Hooghly Magistrate that he heard the rumour on that very day; but he is not certain when he first heard it; but it was certainly shortly after the demise of Pertab Chunder; but none of the respectable

people of Culna believed this rumour. Deponent's nephew, Farranchund, who is a witness for the prosecution, is very dangerously ill, and is not expected to survive the fever by which he is confined to his bed. He has already been once taken to the river side, but his disorder having taken a favorable turn, he was reconveyed from the river side to his house, where he still lies sick in a very precarious state.

Bissonath, Mohorror of the Tax Department of the Magistrate's Court, deposed, that he first saw the prisoner seated on Mr. Shaw's left hand (i. e. the *soi disant*. Maha Rajah Pertab Chunder Dhe Raj, zemindar of Burdwan) at Ambeeka, where he was parading about the streets with a large retinue, seated on a tonjohn. Deponent had gone to Ambeeka in consequence of his having sent in his resignation 5 months previously. He went there by perwana to settle his account. It was at 6 p. m. that deponent saw the prisoner parading the street as above described. Deponent accompanied Moolbarukulla, late darogah of Culna, to the Rajbarry, and there saw the late Rajah Tej Chunder as he was smoking, and asked him how Rajah Pertab Chunder was? Rajah Tej Chunder replied, go and see; he is in the next room. Deponent saw him there and he was very sick. Deponent then took his leave for that day, and on the following day Lochon Hakeem attended on the invalid, and informed deponent that there was no hopes of his recovery. The remainder of this person's deposition tended to prove the death and burning of the late Rajah Pertab Chunder, and that the prisoner, who asserts himself to be that individual, has no resemblance to him whatsoever and is not him. Amongst other descriptions he said, Pertab Chunder's two front teeth projected very much whenever he conversed with any person. Deponent was not present when the Rajah Pertab Chunder died; but saw his corpse lying on the bedding, partly in the water and partly on the dry bank. Deponent never stated in the Hooghly Magistrate's Court, that he, Pertab Chunder, had expired in his presence. This witness's deposition closes the evidence, with the exception of one witness, for the prosecution, regarding the death of the late Rajah Pertab Chunder, son of Rajah Tej Chunder, the late zemindar of zillah Burdwan, the rest of that subject being documentary.

The further hearing of the case was then postponed until Monday next, the 26th instant at 10 o'clock. Every Saturday the proceedings of this case will be stayed in the Court, and the Judge will, instead of investigating it on those days, take up the usual current duties of the civil and criminal department in his Court.

At the close of this day's proceedings Mr. Morton observed to the Judge, that although Government had declined to pay the expenses of Dr. Halliday, a material witness for the defence, he trusted that if the prisoner deposited the expenses of that gentleman's hawk journey to Calcutta, and back again to his station, Government would not object to make such arrangements as could prevent his sustaining any loss in consequence of his absence from the division of which he is the superintending-surgeon.

Mr. Bignell remarked, that the Court could not entertain any application of this nature, upon which the Government alone was competent to decide. The prisoner's Counsel could, of course, address the Government upon the subject, if he thought proper to do so; but it appeared to him (Mr. B.) that the question had already been disposed of, Government having distinctly stated that it was not prepared to incur any expense, on account of witnesses for the defence, beyond what was provided for by Regulation.

Mr. Curtis having acquiesced in this remark, Mr. Morton asked whether the Judge would not issue a

compulsory process for the attendance of Dr. Halliday, on the amount of his hawk expenses to and from Calcutta being deposited.

Mr. Bignell said, that it might be doubtful whether the Court could enforce a compulsory process for the attendance of Dr. Halliday. He was aware of an opinion given by Mr. Serjeant Spankie on the subject, but he believed the question had never been completely settled.

Mr. Curtis said, that it seemed to him that there would be no necessity for going into that question, as he believed Dr. Halliday would be quite willing to attend if the prisoner's agents would guarantee him against any loss he might incur.

Mr. Morton replied, that the prisoner's agents were willing to pay Dr. Halliday's travelling expenses, but he did not think they could in fairness be called upon to do more. Was there any objection to Dr. H.'s evidence being taken by a Commissioner? He (Mr. Morton) understood that the Nizamut Adawlut had suggested that such a course might be pursued in the case of witnesses residing at a great distance.

Mr. Curtis said, that the letter of the Nizamut Adawlut applied only to native witnesses, but, at all events, he considered that, on a question of identity, it would be impossible for him to receive the evidence of any witness who had not, either in his own or the Magistrate's Court, been confronted with the prisoner.

We understand that it is the intention of the prisoner's Counsel to make a formal application on Monday morning for the issue of a process compelling the attendance of Dr. Halliday, upon the deposit of his travelling expenses.—*Hurk. Nov. 26.*

NOVEMBER 26, 1838.

At the sitting of the Court this morning, Mr. Morton observed to the judge, that he had perused the opinion of Mr. Serjeant Spankie, referred to on Friday, and that it seemed to him, that he was entitled to a compulsory process for the attendance of Dr. Halliday, upon merely depositing the hawk expenses of that gentleman; he was not, however, at present inclined to press for the issue of such a process, and wished that the matter might stand over for a short time.

Mr. Bignell said, that although he had mentioned the difficulty that might possibly be experienced in enforcing such a process as Mr. Morton had named, it was not at all his intention to oppose the application, if the Court thought it a proper one.

Mr. Curtis observed, that Mr. Serjeant Spankie's opinion seemed to abound in doubts, but as Mr. Morton did not press his application, there was no necessity for going into the subject.

Mr. Overbeck (who had been examined before the Magistrate) being in Court as a spectator this morning, Mr. Morton asked Mr. Bignell, if he did not intend to call him as a witness, and upon being answered in the negative, directed the attention of the Court to the circumstance, observing, that it would be fair that this gentleman's testimony should be taken.

Mr. Bignell replied, that not conceiving Mr. Overbeck's evidence would be of any service to his case, he had not called him, and did not intend to do so, but that Mr. Maroh might call him for the defence, if he wished to have his testimony.

Mr. Morton said, that he of course did not expect Mr. Bignell, as Counsel for the prosecution, to call witnesses unfavorable to his own case, but he submitted that the Judge had an option to examine any one whose evidence had been taken by the magistrate, whether that evidence were favorable to the accused or otherwise.

Mr. Curtis saw no reason for his examining Mr. Overbeck. That gentleman had stated on a former

occasion, that his memory was now very imperfect, and that he could not speak with any certainty upon the question of the prisoner's identity. If Mr. Morton thought the evidence important, he might call Mr. Overbeck for the defence.

Mohabollah, darogah of Culna, deposed.—I was appointed darogah of the Culna thanah eight or nine months ago, either in the month of Maugh or Falgoun last. This is the Rajah (pointing out the prisoner.) This is Ghosal, the mooktar of the Rajah. The next is Hopezollah, the darogah of the Rajah. The fourth is a native of Culna whose name I don't know. (This was Sugar Dutto.) The others I might have seen, but I do not recognize them.

At this part of the case it appeared, that Rajah Narrian Horry Roy, of Hurdhun, was absent, and he reported himself upon his arrival to be indisposed. He was consequently dispatched to the Civil Surgeon of the station to be examined, and reported on as to whether he was too ill to attend at the trial. The examination of the darogah was therefore postponed.

James Erskine deposed.—I have resided at Soogmooky, in west Burdwan, since the year 1819. I have been in the habit of going to Burdwan frequently. I was superintendent of embankments there, at the latter end of 1820. I was then ordered to reside there. I saw the late Rajah Pertab Chunder there once, at the residence of the Hon'ble Mr. J. E. Elliot, but it is so long ago that I have no clear recollection of him. It was before I had the charge of the bunds. The late Rajah had gone there merely on a visit of ceremonies. I was then residing with Mr. Elliott.

Examined by Mr. Bignell.—At the time I had charge of the bunds, I was intimately acquainted with the late Doctor John Coulter, then Civil Surgeon at Burdwan, and I always resided at his house, whilst I was at Burdwan. Dr. Coulter died in May 1835 I think. In the end of the year 1820, I recollect, Dr. Coulter was called to attend Rajah Pertab Chunder; it was immediately after I took charge of the embankments. Dr. Coulter told me the invalid had a severe fever on him, and was slightly delirious, and that the young man strongly wished to be bled, and often cried "bleed me, bleed me," do not mind what the people about me say. Dr. Coulter said, he would have bled him, but the people about the Rajah were much averse to it, particularly his father. Natives have generally a prejudice against that operation. Dr. Coulter never repeated his visit to the sick Rajah. When Dr. Coulter left the young Rajah, he said he would go home and prepare some medicines for him, and whilst he was preparing them, the cavalcade with the Rajah passed the house on its way to Culna. It was in the evening; and I saw the lights of their torches. Since my arrival at Burdwan, I have been in the habit of constant intercourse with the natives of Burdwan, and I never either at the beginning of 1821, or at any time, until the prisoner's appearance in 1835 in Bancoorah, heard any rumour questioning the reality of the death of the Rajah Pertab Chunder.

Cross-examined by Mr. Morton.—Dr. Coulter was on friendly terms with the young Rajah, but I do not know whether he ever before prescribed for him; but the young Rajah often got medicines for his friends. On the occasion I have just now particularized, Dr. Coulter was called to see him professionally. I cannot tell the duration of that visit. The young Rajah was at that time able both to speak and understand what was said to him, and he recognized Dr. Coulter. I know it was some time in December, from the circumstance of its occurring almost immediately after I had my appointment. I was then about 19 years old.

Re-examined by the Judge.—I never saw the prisoner who states himself to be Rajah Pertab Chunder, to the best of my recollection.

The Civil Surgeon having examined the Rajah of Hurdhoo, reported, that he had a slight cold, but he was not so severely indisposed as to be incapacitated from attending the Court.

Mohoballah was in consequence of this report recalled, and his depositions proceeded with. He added, I saw the Rajah of Hurdhoo, at Culna. In the month of Chait, on the 7th or 6th, I heard that a person who calls himself Rajah Pertab Chunder, of Burdwan, was coming with a large armed force to Ambuah. When I heard of this, I sent notice of it to the Magistrate of Burdwan, and I received a perwana from the Magistrate's office either on that day or the next, -ordering me to report daily whatever occurred there, and to state whenever any persons on the part of Prawu Baboo, and the *sot disant* Pertab Chunder, would arrive there; and not to let any of them go about the city armed, and to prevent all riot and collision between the parties. For four or five days after this nothing occurred, and I dispatched a person to Nyhatty to see whether any person had arrived there, or at Chinsurah, Trepany and other places. The peon who went to Nyhatty, Bhupara, reported that he had seen near that place, the *pseudo* Rajah Pertab Chunder, coming with a large mob all armed with muskets, and in great state, towards Culna. When I heard of this from Ameers-Odeen barkundauze, I sent a report of it by him to the Magistrate of Burdwan. After a few days I learnt, that this *pseudo* Rajah had arrived at Sootraghur, near Santipoor, with his rabble, and I then proceeded there, and by inquiries ascertained the information to be correct, and that his boats were moored off Rainghur. A few days after this, that self-styled Rajah, in a beaulah, with some persons, and some four or five men in boats, with drawn swords and shields, went rowing all day, some four or five men with drawn swords and spears following them on the bank. I met and stopped them at Taltullah Ghaut, near Culna, and I seized the sword of one of them, Bunker Sing, and told him that the Magistrate's order to me was to prevent any armed persons from parading the town from the other side, therefore he must not go about this city thus armed. The man began to argue with me, and the *pseudo* Rajah called me towards him. The thana mohorer and I went to him, and we saw this Rajah sitting in a chair on the roof of the boat, with a naked sword in his hand, and a person was every now and then bringing some liquor to him from below, which he drank. When we arrived near the Rajah, he asked us "what are your orders regarding me and my train?" I told him my orders are to preserve the peace and see that no armed persons of either party land, and it is forbidden you to go about the country with such a large body of men armed. The Rajah replied, "to-day I have come merely to see this town with a few followers, the rest of my retinue will come here in a few days. I am now going to return to Santipoor; but when the gentlemen who are with me will arrive, I will then come here, and then proceed to Burdwan to be recognised by the Rannas there;" and the mohorer, the two jemadars, and a few barkundazes went with him a part of the way towards Jaulipoor, I and the mohorer in his boat, and the rest on shore, and when we arrived at Hauspookerie, I landed and returned to Culna, and the next day, at about mid-day, crossed over from Santipoor, and arrived at Culna, he, with all his followers, and moored his boats of the Putheria Mohul Ghaut. I dispatched a perwana to the Magistrate of the occurrences of these two days, and after this I proceeded to the Rajah's people and told them that this is the Sudhur Ghaut, and many respectable women come to bathe, therefore they must either moor either above or below the ghaut, so as to keep the ingress or egress to the ghaut clear. The men replied very well, we will tell the Rajah of this, and remove the boats in a day or two, and they accordingly took the boats in a few days to the west side of the Taltullah Ghaut, were some boats were moored to the shore, the

others anchored in the stream, and thus for a few days the Rajah, in the evenings and the mornings, sat on the top of his beaulah, and the people of the town daily assembled in crowds of four or five thousand to see him. His men often landed and bought their victuals, cooked them, and went back again, and occasionally the Rajah went coasting along, shooting, and on these occasions went sometimes on his boats. One day I heard a great noise and tumult and firing of guns, and on enquiry learnt that the Rajah was going to land. I then proceeded with all my peons to the Putheria Mohul Ghaut, and at about 10 o'clock a. m. saw the Rajah in a boat moored off shore, and about 30 or 32 of his men arrived on shore, and likewise a tonjohn and a palkee. Seeing this I and the Mohorer went on board the Rajah's boat, and saw the Rajah held a drawn sword in his hands and a servant every now and then brought him some liquor which he drank. The Rajah every now and then said, bring the red sherbut, and then bring the water, but I knew by the smell proceeding from his mouth, that it was spirits that he was drinking. I told him it is useless your opposing the legal authorities; you are expressly forbidden to land armed, and you will not be permitted to land thus, and if you attempt it, you will be opposed and bring yourself into trouble. If you wish to land peaceably with a few servants, I will accompany you and see that no person molests you. The Rajah then replied, that unless his people were allowed to accompany him, he would not land, because he was afraid to land otherwise; and he then moved the boats in a easterly direction towards Kally Khall and the 30 or 32 men walked along in the same directions on shore and about 10 or 12 boats likewise followed them, filled with his attendants. On his return from Kally Khall, the Rajah took a gun from one of his followers and fired it. I remonstrated with him, and said it was unbecoming his dignity to misbehave himself thus. The Rajah then desisted, but he ordered his people to get themselves ready, for he would go and visit the Shrine of Lall Ghee Thakoor, at Culna, and although deponent used all the arguments and means in his power to dissuade the Rajah from so doing, still the Rajah persisted and landed with about 200 or 250 men armed, and a mob of 200 or 250 boatmen, &c. conveying torches followed them. They disembarked at the Taltullah Ghaut, and passing Luckygunge's tank went towards the South-east to the Rajah's burying ground at Culna, and deponent with some of the Police people followed this cavalcade, and saw two sepoys on guard at the doors of the Rajah's burying ground. When the *sot disant* Rajah arrived there, he asked who are these men, and replied that these are sepoys on duty at the burying-ground of the Burdwan Raj. The *sot disant* Rajah ordered one of his followers to snatch the muskets from the men on guard. I then endeavoured to dissuade him from these rash attempts and told him that it would lead to a serious riot, and with difficulty persuaded him to desist from this foolish freak and turn towards the west. The *pseudo* Rajah expressed a wish to go through the village. I said if you go through the village, the streets being narrow, what with your attendants and the spectators, serious injury will ensue, and prevailed on him to take the road skirting the town on the banks of the river; and on arrival at Juggernath's temple, he took the road towards the Ghaut and returned to the boats. After I had seen him on board, I sent, in conformity to my orders, a report of the day's proceedings to the Magistrate at Burdwan, and returned with my peons to the Ghaut to see that this Rajah did not land again with his armed followers. A few days after Deherut Paluk, the Jemadar of the Kunchunagur thahsy, arrived at Culna with 25 Barkundazes and brought a perwana to assist me. I had this perwana read to the Rajah in his boat, the motive of which was to prevent a breach of the peace. I am not sure whether I went on the boat to have the perwana read to the Rajah, or if

stayed on shore and sent one of my men, but Duaserut Paluk, I believe, was one of them that went on board and read the purwana to the Rajah. The Rajah gave an ambiguous reply, which I do not remember, but it is inserted in my report to the Magistrate of Burdwan. I am not certain whether the thana mohorer or my assistant wrote this report. Soon after this, Ram-ing, acting jemadar, arrived with 30 Burkundazes and a purwana to my assistance, and by this purwana I had orders to disperse the armed assembly. This purwana was likewise explained to the Rajah and his men by me, and the darogah of Santipore and of the neighboring villages came with some Burkundazes and the girdwaree boats, to assist me to disperse the concourse. The Darogah went away that day; but the jemadar and the men remained with me 3 or 4 days; they failed in their endeavours to disperse the mob. After this the Foujdarry nazir, Assad Ullee, came with some burkundazes to my aid. When the nazir had arrived I was on my way towards Mr. Shaw's boat, where I was going to pay my respects to him. Hearing of the nazir's arrival, I could not see Mr. Shaw and returned to see the nazir, whose purwana was to disperse the assembly of the Raja, and to take him to the Magistrate at Hooghly. The nazir, I, and some burkundazes, went on board of the Rajah's budgerow. We saw this Rajah and the Hurdun Rajah there. This Rajah took the purwana in his hand and deponent thinks the Burdwan Rajah did the same, and the people who could read the purwana; but who made out the Purwana to the men I cannot tell. The soi-disant Rajah said, these men are not fighting men; they are my servants and followers; they have come with me from Calcutta, and I will not disperse them by your order, nor can I give any reply to this purwana. Now, Mr. Shaw, my Attorney, is arrived, I will consult with him and let you know the result in the evening. I said to the nazir, let you, I, and some burkundazes go to the Rajah's house. We, together with Goundo jemadar, Goundo peon, Shamchuru peon, Neamychin chokyder, Sumbou Lolla, Tyaed Nucees and others, whose names I do not remember, went on shore near the budgerow to take the Rajah's reply. The Nazir remained on shore and I and the others went on board a boat with intention to go on the Rajah's budgerow, but the people on board said they were forbidden to let so many armed men come on board the Rajah's boat. I then desired the Rajah's men to let me go with an order from the Magistrate, as I must carry it into effect. Hearing this the people from the boat called me. I then went with my men on board the Rajah's boat, and asked the Rajah's reply to the purwana. Deponent saw Mr. Shaw and the Hurdun Rajah there likewise. The purwana was first read by Hurroo Chunder, the pseudo Rajah's moonshy, and as he could not see clearly, Lalla Sumbou read it. On hearing the contents of the purwana, Mr. Shaw told Joynarain, his sicar, who explained to me, "these men are the Rajah's servants and attendants, they had come with him from Calcutta; they as well as I will go with the Rajah to Burdwan to be recognized by the Ranees. The others said, these men are going, it appears by this account, with the sanction of Government, to see the Ranees at Burdwan, how can they be prevented? and as we were leaving the Rajah's boat, Mr. Shaw desired me to send a person to call the nazir who had returned to the house. Hearing this I went to the thanah, related what had occurred to the nazir, and as I was greatly fatigued and felt indisposed, I retired to my dwelling and the nazir took my assistant with him to make a report of these proceedings to the magistrate. One or two days after the nazir's arrival, I learnt that the Magistrate had also come to Culna, and I went and waited on them that night and saw the Magistrate, the Doctor, the Clergyman, the Captain, and a Lieutenant. The Magistrate interrogated me and when I related all, he replied, I will go the next morning to see the assembly; you stay here. There were some sepoyas

with the Magistrate. They went the next morning to the river side, where the Magistrate asked me where is the Rajah's budgerow? I pointed it out to him from the shore. The Magistrate desired me to hail the Rajah's budgerow and desire him to come ashore. I did so and told them that the Magistrate had come with the military. They neither replied nor came. The Magistrate then desired me to go on board and fetch the Rajah, and whilst I was going in a paunshway towards the Rajah's boat, the firing commenced by the sepoyas. I was to the west of the firing party. I shouted out to the nazir to cease firing, whilst I was going to the Rajah's budgerow, and when I arrived there after the firing, I could not find the Rajah there; but I saw a Hindoo lying there wounded, and as I was proceeding to search for the Rajah, I saw the Rajah of Hurdun in another boat. I subsequently observed a person swimming across the river. Fakeer Lall and another jemadar, with some sepoyas and burkundazes, were on guard on the other side, and I called out to them to seize the man who was swimming across, and they replied that they had captured the man, who, on my and the Magistrate's arrival, turned out to be the soi-disant Rajah, and we brought him on shore to Culna, guarded by the sepoyas. The other men were in the interim captured by the sepoyas and the other men, and the magistrate from that day commenced searching the boats, in which the other gentlemen, and even Mr. Shaw assisted, and found the various arms; and two pistols, three or four muskets, and seven or eight swords were found in the Rajah's boat, and the others in the other boats, which had accompanied the Rajah.

Cross-examined.—Ghosaul accompanied the pseudo Rajah. The Rajah was in the tonjon and Ghosaul in the palkee. The Burdun Rajah said, when captured, I only came to see the Rajah, what have I done. He could not give any account of Pertab Chunder at the time. There were upwards of 300 arms of various descriptions found in the boats. This Rajah expressed a wish to have the proceedings of the nazir read before his mooktar Ghosaul. There was an English letter in the proceedings, which was filed in the Rajah's proceedings at Culna. When I went with the purwana of the nazir to arrest the soi-disant Rajah and forward him to the Magistrate at Hooghly, I was afraid to execute my orders, because this Rajah had many retainers by him; and I dreaded that if I proceeded to extremities, a breach of the peace would occur. The further examination of this witness was postponed till 10 o'clock, A. M., and the Court broke up at about 5 o'clock P. M.—*Hurk, Nov. 28.*

NOVEMBER 26, 1838.

Moheollah, cross-examined by Mr. Shaw. The soi-disant Rajah only landed once at Culna; on another day, he wished to go on shore, but, at my advice, he desisted from his intention. He was altogether, I believe, either 18 or 19 days moored off Culna; but I am not certain of this. On the day that the soi-disant Rajah landed, he told me he would go and see the city and visit the shrine of Lallgee, but what his real motives were, I cannot say. I was examined regarding this affair at Culna and at the Calcutta Police office. I there deposed, that there was no affray between the parties because I prevented a collision between them. That part of the order which forbade the soi-disant Rajah's landing with an armed retinue, he did not obey. He did obey my order, which forbade his entry into the city with his followers. He disobeyed the purport of the first purwana, which must be in the file of the proceedings. This purwana was read to the pseudo Rajah, but who read it I do not remember; yet this I know, that all the purwanas which I received on this occasion, were read to this Rajah, and verbally explained to him and his followers. The date of the first purwana I do not recollect. In one of the purwanas

it was stated, that there was no objection to this person coming to Culna; but he must not enter it with an armed multitude. I think, on the first occasion, he allowed himself to be dissuaded from coming with his tumultuous body of men, and that the actual landing of them happened subsequently; but on this point I am not certain; the Magistrate's proceedings will show. I can understand the records of my proceedings in Persian, when read to me, but those of others I do not. I have but an imperfect knowledge of the Persian tongue, and I cannot converse in it. My reports to the Magistrate, relative to these proceedings, were made in the first instance in Persian, but subsequently, I believe, an order came to forward them in Bengally. The date of the substitution of Bengally in lieu of Persian, must be recorded at the thannah, but I do not remember it. The thannah moulur, Mahamed Ally, wrote some of the reports, my writer, Mahomed Asoph, wrote the others. Mahomed Ally is a witness for the defence, he has been discharged from his situation; and Mahomed Asoph is also at Hoogly, he accompanied me here. On the night I saw Mr. Shaw in the Rajah's budgerow I do not remember whether I did say to Mr. Shaw, that I had no cause of complaint against this Rajah. I do not think I said so; if I did, I certainly have no recollection of it, nor whether Mr. Shaw told me to give my order to disperse the assembly, and it would be obeyed. On that I replied, that I had no power to do so, as it rested with the nazir. The nazir went first to this Rajah's budgerow, on the morning of his arrival at Culna, and subsequently after the Magistrate's arrival. The time that the nazir and I went on board this Rajah's budgerow, I saw the Rajah sitting on a chair in the budgerow. This Rajah said, that after consulting Mr. Shaw, he would give a reply to this purwanah; this reply was given shortly after dusk. This reply, which was verbal, I communicated to the nazir immediately afterwards at the thannah. The date of this communication I cannot remember, but it was on the day on which the nazir had arrived. The Magistrate arrived a day or two after the nazir. My report to the nazir was the first intimation, he received of the prisoner's intention; and on this he acted, and reported this reply to the Burdwan Magistrate. On that night, Joydarrain Baboo went with an English letter from Mr. Shaw to the Magistrate, and desired the nazir to forward it to him. The nazir replied, that he had come to disperse the assembly and not to be the channel of written communication between Mr. Shaw and the Magistrate, therefore he would not receive it; and if Mr. Shaw wished it, he might send it to the Magistrate by dawk. The letter was from one European to another, but whether it was written in English or Persian, I cannot say. There might be a Persian letter brought by Joydarrain Chudder, written by the Rajah to me and the nazir, and read by the latter in my presence; but I have no remembrance of it. The two letters sent by this prisoner, between the arrival of Mr. Shaw and the Magistrate, were kept by the nazir, and whether he delivered them or not, I cannot say. He merely, at the time he received them, remarked, that he must report this circumstance to the Magistrate, as he was incompetent to pass any order on their purport. There was a gun in Mr. Shaw's boat, and a few shots and a little powder was found in one of the boats; but in which boat, and in what quantity, I cannot remember, nor the date on which this Rajah landed at Culna with his retinue; but I reported this circumstance on that very day. I was called before the Magistrate, to explain why I did not transmit the report of the Rajah's landing instantly as it occurred. I made the report on that very day, but when it was dispatched I am not aware; but two days could not possibly have intervened. I must have sent it off that very day. I am acquainted with Perry Lalk Baboo; he resides at Culna. He is not a servant of Government. I am not aware whether he is a salaried servant of the Rev. Mr. Alexander. Why he went to arrest Mr.

Shaw, he can best answer. The respectable merchants residing in Culinage are—Thakoor Doss Day. Ram Mohun Ghosaul, Callychurn Chatterjee. Issur Chunder Chowdry has a shop there, but he resides at Ranah Ghaut. I was afraid to attempt to execute the Magistrate's orders, and consequently did not endeavour their execution, but with the exception of my own apprehension, there was no forcible resistance made to my carrying my orders into effect. On the evening, however, I proceeded with my armed men to the Rajah's bauleah. I was prohibited from going there. Who gave the orders I do not know, but the opposition was made by this Rajah's guard. Ultimately I did go on board with four or five burkendazes. This is the sum total of the resistance that I am aware of.

Questioned by the Rajah of Hardhun, I made a report of your arrival on that day, but its purport I cannot recall to memory. I reported to the Magistrate of your being in a boat, and he arrested you. Whether your boat was shovelled off from the pseudo Rajah's boat or not, I cannot state; but when taken, your boat was on the river. I am not aware whether any arms were found in your boat; and whether you had any armed followers or not, I cannot say; but there were some men in your boat. Whose retainers they were I cannot tell. I neither saw you lead or cause any disturbance either on shore or the river.

Questioned by Ghosaul. After the Rajah had returned from his airing excursion, you left Culna with a mooktarnama from this Rajah to Burdwan. I made a report of your departure to the Magistrate, but I never retarded you or any of your party. I never gave any advices to you. I merely said that if you or the Rajah wish to go singly, or with a few attendants to Burdwan, I will see you conveyed there under the Police's Protection; but I cannot permit you either to land with armed retainers or proceed with them to Burdwan.

Questioned by Hafiz Futeoolah. The day the Rajah was at Santupoor, you, Moolchund, and others, came to me at Culna, informed me that you were all the Rajah's men, and asked whether any purwana had been received by me regarding the coming of the Rajah to that village. I replied, that a purwana regarding the Rajah had been received, but not on the point they wished to know. You never questioned me as to where the Rajah's boats were to be moored on the day of his arrival at Culna, and I never indicated any spot for you to bring them to. I explained all the purwanas to you, and all the chiefs men about the Rajah, but they were not all obeyed by you and your party.

Govind Sing, burkendaz, deposed to the pseudo Rajah's arrival at Culna, accompanied by a large concourse of armed men in boats, with great pomp, streamers flying, kettle-drums and other musical instruments beating, &c. &c. The rest of this deponent's evidence was but a mere confirmation of the deposition of the former witness.

Previous to the examination of this witness, the Hardhun Rajah filed vakalatnama, in the name of Baizah Hossain, a vakeel of this Court. Whilst Mr. Shaw was cross-examining Mohebolah, Mr. Curtis suggested, that perhaps it would be more regular if Mr. Morton, who is the Counsel of the principal prisoner, were to put the questions. This opinion he expressed in accordance with the prevailing practice in the Zillah Courts, where there are both vakeels and a mooktars retained in a suit, in which case it is usual for the vakeel alone to put these questions to the witness; the same as the practice in the Supreme Court, where the Attorney suggests the questions to the Counsel and he puts them to the witness. Mr. Shaw imagined at first, that Mr. Curtis had objections to his conducting the examination, and declined to continue it, although Mr. Morton remarked, that ~~Mr. Shaw~~ being personally conversant with the facts of what had occurred at Culna, he had taken

upon himself to examine this witness, and that both he and Mr. Shaw acted under one nooktagama; and it was not until Mr. Bignell had explained the practice of the Nofus-el Courts and the Judge's reason for making the objection, and the Judge had assured Mr. Shaw, that he had now no objection to Mr. Shaw's cross-examining the witness, that Mr. Shaw resumed his queries to him.

Mr. Bignell informed Mr. Morton, that under the impression that the case for the prosecution would not be closed until the 15th proximo, the Magistrate had fixed the day for the attendance of the witness for the defence for that date; but as it was not probable that the prosecution would be prolonged to that period, he suggested to Mr. Morton, that if he would give him the names of 30 or 40 of the defendant's principal witnesses, the Judge would fix an earlier day for their attendance in this Court, so that they might not be delayed in opening the defence. Mr. Morton replied, that Mr. Graham knew best what witnesses were required by the defence, and he would mention this circumstance to him.

Pearymohun Lalla deposed. I only know the *siddant* Rajah and none of the other defendants. In the month of Sabon 1241, the *pseudo* Rajah, a Brahmin, and a kidmutgar, came to my house and said, that they came to see the idols. They remained one month at my house and I reported their arrival to the village thana. They said to me, you will hear of a very wonderful event shortly in this world, but they did not enter into any particular detail of what this miracle was to be; and after they had resided one month with me, they abruptly went through my garden and disappeared, and I subsequently heard that they had proceeded to Baranuggur. I next saw him on the 1st of Bysack of the present year at midday. I was standing at the door of my house, when I heard a great shouting and several people exclaimed that the Rajah was coming. I then went to see the cause of this uproar, and when I arrived at the river side, I saw the *pseudo* Rajah sitting on a bulge-row, wielding a naked sword; and a boat went ahead in which people were beating kettle-drums and other musical instruments, and followed by an armed retinue of about 5,000 men. He moored his boat at the ghaut where dead bodies were burnt, and began to threaten the darogah by shaking an undrawn sword over him, as the darogah stood in the river with his cloth tied round his neck and held by his 2 hands. This Rajah told one of his men to call the darogah to him, and a Brahmin called out darogah, darogah, the Rajah calls you. The darogah came and they took him upon their boat, and carried him as far as the Satgurehea ghaut, and there landed him. The darogah returned to the thana, and this Rajah to Santipoor. Ranideen Jemadar went in a paonshay to the Rajah at Santipoor, and we retired to our house. The next day this Rajah returned with 80 boats and 5,000 men, beating the kettle-drums and firing guns, and anchored off the Putturreea ghaut. The Rajah staid there 18 days. One day the Rajah went to see the Rajah's burying ground, the darogah was near the burying ground. There were 5,000 spectators and 2 men on each side of the Rajah's conveyance, and the Rajah held an undrawn sword in his hand, and 200 persons armed with swords and fire arms and 500 with clubs. &c. followed this Rajah, crying out mar, mar, (beat, beat.) The darogah and the peons stood with their hands in supplicating postures, with their clothes round their neck, entreating them to desist from their excursions and accompany them to Burdwan. On that day there were 4 or 5 sepoys on guard at the burying ground. This Rajah seeing them, said who are these, and being told they were sepoys on guard at the burying ground, said, snatch their muskets and bring them here. The darogah then cried out for mercy's sake forbear. The Rajah then desisted and returned to his boat, and the day before the arrival of the Magistrate,

I heard it bruited by the populace, that Mr. Shaw was coming with guns, cannons, balls, and a large force, aided by the Government, parwana, to place this Rajah forcibly on the guddee of Buridwan. The next day a Police peon informed me, that the magistrate wished to see me. He took me to the clergymen's house, where I saw him and the magistrate. The magistrate said to me, the *pseudo* Rajah, I hear, once lived in your house, you must depose to the circumstance. I denied this at first; but being threatened, I commenced my deposition; and whilst under examination, Mr. Shaw's palkee passed the place; and as there were no police peons there, the magistrate ordered me to go with a bearer and bring Mr. Shaw to him; and Mr. Shaw obeyed the call, and when he came to the magistrate, the magistrate sent for the darogah, and when he arrived, Mr. Shaw was consigned to his custody.

Cross examined by Mr. Morton. I saw no disturbance of the peace created by this Rajah during his stay off Culna. I only saw him land at Culna once. There were two or three muskets carried by the Rajah's men. On the day he landed, there was some firing after his return to the boats.

Komul Roy, deposed as to what transpired on the day the *pseudo* Rajah landed at Culna, in confirmation of the evidence of Maiboollah, darogah, and Govindo, burkundaze.

Fakeer Lall Paunda, deposed. I recognize the *pseudo* Rajah, the Hurdhun Rajah, Rada Ghosaul and Futeoollah. I arrived in Culna with Dussuret Patuk and 24 burkundaze from Hurdwan, on the 11th of Bysack, where I first saw these four persons. We were deputed to aid the Culna darogah, and brought a paawanas, which the mohurer explained to the *pseudo* Rajah. This deponent followed in the wake of the other deponent regarding the occurrences of what had transpired at Culna; but it appears that he had arrived at Culna, after the landing of the Rajah at Culna, and that he had never seen the Rajah himself, until he was arrested on the Santipore side of the river, on the bank he was on duty, on the day of the capture and dispersion of the party. This witness added, that previous to the firing, some boats took flight; that on the firing in the air, the Rajah jumped into the river, and he arrested him near the banks of it. At the time of his arrest, he was up to his chin standing in the river, trembling. Deponent and Nundoo Lall took him out of it gave the magistrate notice of his capture, and that gentleman, together with the others, came over in a boat and took the prisoner to Culna and made him over to the darogah of that place.

Nundoo Lall, burkundaze, alluded to by the last witness, confirmed his evidence of the capture of the *pseudo* Rajah in the river, on the Santipore side, on the day in which his tumultuous assembly was dispersed by the magistrate of Burdwan, aided by the military force. He likewise recognised Narrain, Hurry Roy, the Rajah of Hurdhun, Radakissen Ghosaul, Hafez Futeoollah and Sagur Dhon, as being amongst the followers of the *siddant* Rajah on the occasion of his stay at Culna.—Harkuru, November 29.

WEDNESDAY.—NOV. 28, 1838.

On Thursday the 22d instant, as the Court was breaking up, the Reverend Mr. Hill, of Berhampore, came in, and addressing the Judge stated, that he believed he was in possession of evidence which would set the question of the prisoner's identity at rest. Mr. Curtis observed, that in that case he had better communicate with the Counsel for the prosecution. Mr. Hill, it appears, then communicated to Mr. Bignell the name of a witness resident on his missionary premises at Berhampore, who was immediately summoned, and who was this-day produced.

Rankissen Moharjee, a Christian, sworn on the Bible, after some questions from the Judge as to his knowledge

of it, and the nature of an oath. When I was in caste my father's name was Gungadbur. My name was always Ramkissen; but I was once called Keerpund. My house is in Kasseer Dhunga, in Zillah Nuddea, and my age is thirty. (The Judge desired him to look well at the prisoner, which he did.) I know the prisoner exceedingly well; I knew him four or five years before he came out with this story of his being a Rajah. The prisoner's name is Kisto Lal. His brothers name was Gour Lal. His father's name is Sham Lal Bramacharee. His brother died in Rada Kissen Bysack's house, at least I heard so. During these four years I was with him every now and then from time to time. About two years ago, in the month of Assur, I think, the prisoner first raised this report of his being a Rajah in Burdwan. He had two brothers, Gour Lal and Roop Lal, whose houses were in Kishnaghur. I once during the four years, I have mentioned, went to their house. I had a great deal of conversation with them, and they proposed to me, that we should go out together into the world as fakeers and travel through various countries. The prisoner was during this time eating and smoking ganja, and the conversation was chiefly with the elder brother, Gour Lal. The prisoner, however, remarked that he was going to make a charm. In Jait, the prisoner's brother, Gour Lal, came to my house and eat some fruits and drank same milk. He reminded me of the conversation we had had about turning fakirs and travelling, and asked if I was ready to go. I said I was. He remained all night in my house. Early in the morning, he told me to come with him, and we went forth. We went first to a village called Burles, and afterwards to Kalikapore, then to Deewangunge, after that to Culna, to the house of a Gossien named Bansemadub, where we put up for the night. The next day we went to a place called Para, and put up at the house of a great man called Sreekunt zemindar. We then went to another village, the name of which I do not recollect. In this way we went from village to village, till we came to one called Goondereeya. We remained there about two or three months in the house of two brothers Gour Huri and Kisto Huri. We then went to a Thakoor Barri, where we staid with one Gourdeal Baneerjee. We were afterwards some months in Laboursa, and then we returned to Gwarri. We there heard from Shamlal, the prisoner's father, that the prisoner had gone to a village called Mussa, in the district of Burdwan. Gour Lal then said let us go to Mussagong I said, I wanted to go home; and some of my relations afterwards came and took me home in a pan-away. I remained two or three days at home. Afterwards Gour Lal came to me at night; he did not come to the house, but waited for me on the road. A man of the name of Goluk Mundul came to my house and told my relations that I would again be taken away, as the Gossien had returned. Shortly afterwards I went out and met Gour Lal, and told him that I would make my escape and come to him in the morning. I did so and went on board a boat with him to Malteepore in the Culna thanah. I remained there two or three days, and then went to Mus-agong (the village of Mussa) to the house of Buddun Chowdree. We went and found the prisoner there with two or three other men, his *chulas* (religious pupils.) Their names are Gunees Banoorjee, Teelook Chund chowdree, Mudden Muth Mu-tena, thus named by the prisoner, from his being always drunk. The prisoner was in great estate, with a fine carpet, a person punkering him and sitting on a *tukta pash*. His disciple, Teelook Chund, was preparing ganja with a *daru*. The prisoner had on red clothes, such as red Bramacharees wear. His face had become very thin. His hair was very long and hung down to his breast. Buddun Chowdree remained inside the house. The prisoner remained in the centre house which consisted of three mehals. We remained there about two months, and Gour Lal said, "Listen I let us go with my brother to Gwarri." Buddun Chowdree gave the prisoner bearrets and a palkee and sent him off; but we did not go to Gwarri. The prisoner

Kistololl said, I will go to Burdwan. I said, "very well, I will go with you." After that I went with him towards Burdwan. On the road there is a village called Burseeya. We there remained in the house of a tamool during the night His name I do not know. Next morning we went on towards Burdwan, and entering the city, went from place to place, visited the gardens to the north of a large tank and other parts of the town. No one would give us a lodging, and the prisoner went to the door of the Raj Barri, called the *Barah Dwarri*. The people asked him, "Gossain, why are you come here?" and told us to go to the Mosaffir Khana where travellers are fed. From thence we went to Tail Mairee to the house of Juggut Mitre, a collector Mahurrer, who gave us food and every thing necessary. The prisoner said, that he had formerly been acquainted with Juggut Mitre when he (the prisoner) was an Omedwar, and they talked over their former acquaintance. We remained there some days and then went to Kinchinuggar, to the house of a woman named Tara, who waited on him. We remained there two days or so, and then returned to Mussa. We saw that his brother Gour Lal was there, in Buddun Chowdree's house, drinking and going on with woman as usual. Gour Lal then proposed to me to go back to Gwarree with Kistololl. We went accordingly to Malteepore, where we remained in the house of one Ruttun Chatterjea. After a few days I became very ill, and the prisoner pretended to be able to cure me by giving me the water with which he had washed his feet to drink; and also told me that he was a new incarnation of the deity, and that he could do any thing and would make me well immediately. He often talked thus and used to say, you will see some of these days what I shall do in the world. I got a little better after a while, and Ruttun Chatterjea provided a dingy, in which the prisoner, Ruttun Chatterjea and, I think, Jagudhar, went to Gwarri to the house of the prisoner. He was welcomed by his father, and I here got well. He gave me a blanket and a hookah, and an old piece of broad cloth, and I went home. My relations were very angry with the prisoner for having taken me from my home, and I determined to abandon this course of life and to commence trading, and took some money and went to buy materials, at my uncle's house at Ireemeth, with the intention of trading. While there, the prisoner's brother, Gour Lal, came in search of me. He learnt from one Dinonath Gungoollee where I was. He called me and I went to see him at the house of Doorga Mungle Dass. Gour Lal here tried every thing in his power to induce me to join them again; said my fortune should be made, that they had got a plan which would astonish the world. At last I consented and found that Gour Lal had obtained the same influence over a number of other respectable men as he had over me. Among them were, I know, Hajra, Pamsounder, Taikabaggis, Dinonath Gungoollee, Doorga Mungle Dass, &c., who were devoted to him, and considered him as a deity. We all collected together and used to get drunk, and to sit continually with women, and practice all sorts of obscenity, until the Treekhand people rose against us and said we should no longer pollute their village, and Doorga Mungle's sect, all consulted about depriving him of his caste. Doorga Mungle Dass's Gooroo is still in Treekhand, and knows all these things. Doorga Mungle on this said, that he must keep some servants for his own protection, but the villagers felt some superstitious scruples about touching Gour Lal, and they were allowed to remain in the village. After this I went home, and Gour Lal went away somewhere else by himself. The prisoner was at this time in Baranagore. Gour Lal came and took me, Doorga Mungle Dass, Ramchunder and Dinonath Gungoollee to Gwarri. On the road to Gwarri we passed my house, and we went in. We remained there one night, and next morning went on to Gwarri to the prisoner's house. His father Shamloll told us, that Kisto Lal was at Baranagore in the 24-pergunnahs. He told

us all to go there and bring him back as he had not seen him for some time. I, and Doorga Mungle, and hikkausama Konaea Nae and Nuboo Mullick and Gour Lal all got into a boat and went to Baranagore. On arriving there, at the house of a woman who goes by the name of Nedhee's grandmother, we found the prisoner, Kistololl, who had got very fat, had a beard and long hair all about him. He had an English mug for dunking out of, and all the women of loose character in the place used to assemble round him, and they used to drink together. There is a house of Raja Greeschunder's in that place (Baranagore) where the prisoner once went, but the Raja drove him out on seeing the crowd of women with him. We remained some time in Baranagore. Ramchund Banerjee, Kali Chutterjee, and others there, used to come to visit the prisoner. Doorga Mungle and Gour Lal, tried to get the prisoner to go home, but the women of the place were very unwilling to let him go and we returned alone, leaving Gour Lal with the prisoner. We went home. The prisoner and his brother returned home also about a month or so afterwards. Gour Lal then went to Sreekhund with Sagur Dhur, one of the prisoners present. I also went and joined them at the house of Doorga Mungle. (Gour Lal asked Doorga Mungle to come and pay his respects to Kistololl. Doorga then sent Sagur Dhur and Nuboo Mullick to Gwaree to fetch the prisoner. They brought him back in the boat and fastened the boat at the Dewangunge Ghat. They then sent information to Gour Lal of the prisoner's approach. Gour Lal then took a number of men with swords and a sort of retinue to bring him with honour to Sreekhund; but he said Dewangunge was the best place, and he would remain there and wait for a lucky day. Next day I joined him, and we then went to Cutwa. His people in Dewangunge gave out that he was an Avatar, and in Cutwa it was proclaimed that a man had come whose body was made of gold. At Cutwa he lived in the house of a prostitute of the name of Hara. There was a great noise made about him at Cutwa great crowds assembling to see him. I, on seeing this, went back to Sreekhund, and a few days afterwards returned to Cutwa. Doorga Mungle then came with a palkee, but whether he or his brother first got into it I don't recollect. There was an enormous concourse of people and a great tumasha, and we all went with prisoner and his brother to Doorga Mungle's house at Sreekhund, where the prisoner remained for about a month. The people in Sreekhund jeered at them for coming back after having set out with such boastings, and we were discontented and spoke to the prisoner, who said "be quiet, wait a little, and you shall see a tumasha. I shall get the Burdwan guddee and you shall all have great wealth. The two brothers used to be constantly consulting together. At last Doorga Mungle gave a palkee and bearers, and money for road expenses, and the prisoner started for Burdwan in order to commence his great attempt. Previous to going, he said you shall soon see something. You shall not be long in hearing of my being a Rajah." I did not accompany the prisoner, but he afterwards told me he went straight to Golab Bigh. His younger brother Gour Lal, frequently said, "we shall soon hear now of his being Rajah," and the people at Sreekhund, where Gour Lal and I were, were all full of the new report of Pertab Chund's reappearance. I heard from Gour Lal, that the prisoner had gone to Kinchinugger, where he lived in one Kumul Rane's house, and that many people came to see him. I afterwards heard that he had gone to Bishenpoor. Gour Lal then said to Doorga Mungle, Kouaes, Suroop and myself, "come, my brother has become a Rajah, let us go to Bishenpoor and join him." We then all set off to Bishenpoor. On the road, Doorga Mungle and Unoop began to hesitate, saying, that it seemed a very doubtful matter, and at last they got alarmed and ran away. I remained alone with Gour Lal, and was fettered like many others by the influence he had acquired over me. When we approached

Bishunpoor, we spread a report that a Nawaub had come. We went to Jamkoree to the house of Rajah Jey Singh, where Gour Lal had some consultation with the Rajah as to the best means of gaining possession of the Raj of Burdwan. We then went on to Bishenpoor, and intelligence was sent to the prisoner that a friend was approaching. The prisoner then sent burkundazs with torches to bring Gour Lal. We arrived near Bishenpoor at night, and the whole population came out to see the Nawaub as he now called himself. The burkundazes cleared the way with great shouts of the Nawaub is coming, the Nawaub is coming, and we entered Bishenpoor in great state. Here the two brothers met. Khittermohun Singh, the Bishenpoor Rajah, made over Radhakissen Ghosal, a servant of his, to the defendant, to advance his fortunes. One of the prisoners at the bar is Radhakissen Ghosal. Khittermohun Singh then sent Gour Lal to the Nawaub, as he was now called, to live concealed at his son-in-law's in Doolee, in order that their proceedings might not attract so much attention. There had been some consultation regarding this step between the prisoner, Khittermohun, Gour Lal and Radhakissen. I went with Gour Lal and occasionally came over to Bishenpoor to see the prisoner. During the prisoner's residence there, Mr. Elliott came and sent for the prisoner, and asked him who he was. The prisoner replied "all the world know who I am." Mr. Elliott said, you must tell me yourself who you are. On this he said I am Alah Shah, Fakeer, Mr. Elliott said if you are a Fakeer what business have you with all these people? The prisoner replied, I am in some fear of my life. I am afraid of Purran Baboo. Mr. Elliott asked what he had to fear from Purran Baboo, and told him to leave the place. The prisoner asked Mr. Elliott to give him some assistance to enable him to do so. Mr. Elliott asked why he should give him assistance, and told him to be off. Mr. Elliott then returned to Bancoora. The two brothers then had a consultation as to the course they should pursue, and at last we all set off for the Jungles with about 100 armed men. We moved about from house to house and place to place until we came to Berooa, where the Rajah Gournarain's Gooroo lives. We stopped at the house of this Gooroo. The Gooroo sent him to the Rajah, and supplied him with clothes, money, &c. Here the prisoner, with the assistance of the Ranees, first commenced his assumption of the dignity of a Rajah, hiring servants and getting rich caps and clothes. The prisoner was constantly urging the Ranees to supply him with troops and money, to enable him to seize upon the guddee of Burdwan: after this we all marched towards Burdwan, with a great number of burkundazes and others, and an intention of plundering the city of Burdwan. Near Bancoora, the prisoner sent a letter to the Magistrate, stating, that he was the Rajah of Burdwan, and that he was going to recover his Raj. The Magistrate issued orders that he was not to enter the city; but he came, notwithstanding, with two or three hundred men, and went on to the Balgooma Ghuttee, where Mr. Elliott apprehended the prisoner, his brother Gour Lal, myself, and a great many more. I that night escaped and went to Calcutta, where I met Radhakissen Ghosal, who had previously escaped and had come down to Calcutta to do his best to release Kisto Lal. While there, Radhakissen made Hurriss Baunerjee a mookhtar, and sent him to Bancoora to assist the prisoners. I went with him, and Radhakissen also accompanied us. We began to correspond with the prisoners in jail. Some one gave information, and we were all seized and imprisoned. I was sentenced to three months' confinement for corresponding with the prisoner while he was in jail. After my release I wandered about until a clergyman at Cutwa took hold of me, taught me to read the Bible, baptised me, and sent me to the Mission at Behampore, where I now am.

Cross-examined by Mr. Morton.—I was in no employment when I first knew Kisto Lal. I lived on the

produce of my Iakheraj lands. I have never been in any service. I intended to seek for it; but these men, the prisoner and his brother, inveigled and ruined me. I was never the servant of Kisto Lal or Gour Lal. On the contrary I have given money to their mother. The prisoner called himself an avatar and imposed upon us; we obeyed him as a superior and as a divinity. I am now a Christian catechist under the Rev. Mr. Hill. I have been nine months in that situation. I gave Mr Hill a written narrative of my life when I joined him, which has been sent to Europe for publication. I had had the scriptures for many months before I was allowed to exercise my present functions. It is now 18 months since I was baptised at Cutwa. When I was in prison at Bancoora, I gave in a written paper to the Magistrate, stating the whole of the circumstances. I was not a witness. I told the daroga that I would disclose every thing. The daroga told the Magistrate, who sent for me, and made me write the statement on paper. All the witnesses in the case pending before the Magistrate had there been examined. It is now about eight years since I first knew Kisto Lal, four years before he commenced this deception. It is about four or five years since the prisoner first commenced this. I have kept no account of time, and cannot speak more positively. I know the places where we went and the people who knew us. I recollect how long we remained at each place where we had anything particular to do. Beni Madhub Gosain is a man well known in Cutwa. He has recognised me since as having accompanied Gour Lal. I have no knowledge of years or dates. I do not know how many years it is since we were seized at Bancoora. It was in the month of Magh in the cold weather of some year that the prisoner was seized. I was apprehended in one of the hot months, Chyot or Boysack. I recollect we suffered much from heat. I cannot say how many months elapsed from my seeing the prisoners at Baranagore to seeing him at Sreekanth. There were frequently intervals of two months and one month, and sometimes more, in which I did not see the prisoner. The money with which I traded was given me by my mother. It was obtained by selling some Iakheraj land. The prisoner used to talk of obtaining the Raj, to me and to Sugar Dbur, to Ramchand Muttie, Doorga Mungle Doss, Roopchand Dutt, Nuboo Mullah. He did not give this out publicly, only to those on whom he could depend. When seized at Bancoora, I gave my name as Kirpaund. This name I had assumed by the advice of Gour Lal and the prisoner. The Magistrate discovered the falsehood, and punished me by giving me double irons. I was a party to the deception which these men commenced. I have said so all along, and have no wish to deny it. I committed a great fault. Since I have been a Christian I have learnt to speak the truth. When in Bancoora jail I got very ill and was nearly dying, and I at last told the daroga that I would tell all. My sentence had expired; but they would not let me go until I told my real name, and I thought it better to confess at once. I bore the name of Kirpaund from the time I first turned Fukeer. As far as I can recollect, the plot commenced about five or six months before the apprehension of the prisoner. I would have revealed this even had I not been confined. I have since told it to many. There are numbers who know the truth of my story, and it can be corroborated by the inhabitants of the villages where we lived. I know that Kisto Lal has marks on his body. He has one on his back, but what it was caused by I don't know. It is close to the shoulder blade and more towards the spine. Kistuloll knows a little Sanscrit he also knows Persian. I never heard him speak English; whether he knew it, or not, I don't know. He used to sign his grand signature in Persian "Maha Raj Dheeraj Rajissur Atukho Pertab Chuntar Bahadour Zemindar, Chucklihi Burdwan Dabhya." Kisto Lal's age, when I first knew him, might be about 28 or 29, but I merely guess so. I don't know

how many toes Kisto Lal has. He may have 20 for aught I know; he can tell himself. The Magistrate of Bancoora sent me under charge of a chuprassy to Kishnagalur but there was no investigation regarding what I had stated.

Brevet Major John Marshall, a witness for the defence, who was proceeding up the country, was then called in consequence of a representation from the defendants Counsel, and deposed as follows:—I am a Brevet Major in the 71st Native Infantry. I do not know the prisoner by the name of Pentab Chund, but I believe him to be the person I used to meet at Chinsurah upwards of 20 years ago, under the name of the young Rajah of Buidwan, and whose name, if I ever heard it, I have forgot.

Examined by Mr. Morton.—I have met the young Rajah several times, at Mr. Overbeck's once, at his own house, at the Rajbarree, and once on board his pinnace. I have met him also at Hooghly at Mr. Archibald Todd's. I cannot recollect with precision in what years I saw the young Rajah. I used to be a great deal at Hooghlye between the years 1814 and 1820. I must have seen him frequently at Mr. Overbeck's when he was Governor of Chinsurah, and that was in the years 1818, 19 and 20. I was well acquainted with the young Rajah's personal appearance. Some of his features were peculiar and I noticed them particularly. I saw the prisoner for the first time since his supposed death at Mr. Ogilvy's trial in the Supreme Court. To the best of my belief I had not seen him since 1820, until I saw him there in the witness box. The face being familiar to me and endeavouring to remember where I had met him, I took very particular notice of his features, and on purpose to further gratify my curiosity, and to assist me in remembering where I had seen him, I sketched his profile on my pantaloons, and this was afterwards copied into the *Englishman*, for I was then under the impression that the man was an impostor and that I had seen him somewhere in the Upper Provinces. I had not seen him again until I saw him yesterday in this cutchery. I did not then retain my former impression of his being an impostor. Having only yesterday morning breakfasted with Mr. Overbeck, in the course of conversation he happened to mention some circumstances regarding the prisoner which I perfectly remembered, and which led me to the recollection of the interviews which I had had with him at Chinsurah, bringing to my mind the full conviction that the person I had seen in the Supreme Court was the young Rajah I had formerly known. The sight of the prisoner yesterday did not strengthen that impression, as I had a perfect recollection of his features. The marks on the prisoner's person resemble those which I formerly saw on the person of the Rajah, although in a fainter form. Those marks are connected with the circumstances I alluded to in a former part of my deposition. This interview, which I have just had for the purpose of looking at the marks, has decidedly strengthened my conviction. I would say decidedly so far as I can after such a lapse of time, that this person is the Rajah. I have seen the picture which was exhibited in the magistrate's cutchery. Presuming that that picture was drawn for him when he was about 18 or 20 years of age, I consider it a most happy likeness of him as he then was, retaining a striking resemblance still to the prisoner at the bar.

Cross-examined by Mr. Bignell.—The nose of the young Rajah was then rather fuller and smoother and the outline not so distinct as at present. It was slightly aquiline. I have no recollection of the colour of his eyes further than that they were dark. I cannot speak to shades. I considered him above the middle size, decidedly tall for a native. When I saw the prisoner I knew that he claimed the Rajah of Buidwan, but I had no idea that it was that Rajah whom I had seen at Chinsurah. I cannot say that I considered the prisoner to be an impostor until yesterday morning, because that

opinion had been shaken by what I had seen in the public papers. The conversation with Mr Overbeck is not the main ground of my belief, it is the facts which that conversation recalled to my memory.

Mr. Overbeck had assuredly, from his situation, as many opportunities of seeing the Rajah as I had, though

I doubt whether he had the same opportunities of judging of him as I had. As far as the countenance went, I consider the sketch published in the *Englishman* to be a good likeness of the prisoner. I have seen a sketch by Mr. Grant, which I consider a very indifferent likeness. —*Hurkaru, Nov. 30.*

MISCELLANEOUS.

CALCUTTA.

PUBLIC DISPENSARIES.—Dispensaries are to be forthwith established at Moorshedabad, Patna, Dacca and Chutagong, and to be placed in charge of students from the Medical College. The candidates for these situations were examined by Drs. Nicholson, Martin, Grant and Stewart, who were appointed by Government, and who signed the certificates of qualification to commence practice, for such students as may give them satisfaction.

MR. JOHN MASTERS.—Mr. John Masters has been removed from the situation he held in the Botanic Garden.

Tantane animis cœlestibus iræ ?

The Government, it seems, were called upon to pronounce sentence on Mr. Masters, but refused to interfere, leaving the matter wholly at the disposal of Dr. Wallich. This unusual course of appealing to the Government was most probably owing to the notice taken by the public journals of the rumour which prevailed on the subject.

A BRIDGE ACROSS THE HOOGHLY.—It has been whispered, that the Government contemplates the stupendous undertaking of a bridge across the Hooghly; that the expense is estimated at 12 lacs of rupees, and the site of the construction is to be above the city. Estimates have been prepared, or are in course of preparation, and the work is to be entrusted to an Engineer officer, whose skill and science have rendered his ability conspicuous to the residents of the metropolis. The bridge will be supported on iron cylinders, secured on floats, which will be fastened so as to resist the weather and the tides.

THE RAJAH OF NAGPORE.—Maharaja Ruggonjee Bhousla, Raja of Nagpore, is about shortly to make a trip, on a pilgrimage, to Allahabad, Benares, and Gya.

THE COOLEY COMMITTEE.—The Cooley Committee met again on the 30th ultimo, at the Town Hall, in prosecution of their enquiries, and for the future they will meet every Tuesday and Friday, until their labours are brought to a close. Mr. Dickens said the Committee's Report would go in before Christmas. The Committee are going on very actively. The Reverend Mr. Garstin and Mr. Dowson, have been examined, and also Messrs. Floyd, senior and junior, Messrs. Clarke and Hare have likewise given their evidence. Mr. Dickens, as Chairman, has written to Government, to sanction the employment of the Clerk attached to the Committee up to the 31st day of December next, as Government, in the first instance, only authorized it to the 15th of last month.

ANNUITANTS IN THE MEDICAL SERVICE.—On the 31st ultimo, the applications for annuities were opened by the Managers of the Bengal Medical Retiring Fund, when Surgeons, William Grimes, of the 26th Native Infantry, Thomas Inglis, M. D., of the 21st Native Infantry, and Kenneth Macqueen (on leave at the Cape) were declared duly admitted to annuities, to commence

from date of the General Orders announcing their retirement from the Service.

SUICIDE.—Captain Kewney, Assist-Quarter-Master General, in the first division of the Grand Army, committed suicide on the evening of the 4th of November. An inquest sat on the body, and returned a verdict of insanity.

ATTEMPT TO DESTROY AN INDIGO FACTORY.—ZILLAH SUDDRAH.—On the night of the 24th ultimo, some miscreants attempted to burn the Dugdough indigo factory, during the temporary absence of the proprietor. So determined were the villains on the destruction of the factory, that they forced into the thatch of the press-house chopper, to the extent of upwards of six yards, rolls of twisted dry straw, containing pieces of ignited dry cowdung. Most providentially the late heavy rains had so saturated the thatch, that it did not burn freely, and the light from the burning part attracting the early notice of the factory servants, it was with difficulty got under, before doing the serious injury contemplated.

SIEGE OF HERAT.—Authentic accounts of the raising of the siege of Herat, and the retirement of the Persian force, have been promulgated during the week in a Government general order; but the British force is still to proceed to Afghanistan, for the purpose of wresting from Doat Mahomed the sceptre he now sways, and placing the autocrat Sojah on the throne of that country, after chastising the Khan of Bhowalpoore and the Amiers of Scind.

PERTAUB CHUND.—Another change has come over the fortunes of the claimant of the Burdwan Raj. It is said, that a Dr. Robert Scott, of the Madras Presidency, who was in the habit of attending Rajah Pertaub Chund professionally, about nineteen or twenty years ago, has just had an interview with the soi-disant Pertaub in Hooghly jail, and has declared his entire and perfect conviction, that the claimant is the veritable Rajah! This gentleman has come all the way from Chicacole, for the express purpose of seeing the assuming Pertaub.

The trial of this pretender is proceeding at Hooghly, and a host of additional witnesses have been summonsed on the part of the prosecution, in consequence of the evidence of a Hindu convert, who professes to have been a companion of the pretender, whose real name he says is Kisto Lal. This witness has deposed to the concocting of a plan by the pretender to choose the present incumbent out of the Burdwan estate, and that the witnesses summonsed at his instance, are aware of the whole of the proceedings of the would-be-Rajah to obtain the guddy.

MR. A. H. SIN.—At a meeting of the proprietors of the Union Bank, held on the 7th instant, Mr. A. H. Sin, was reinstated in his office of Accountant of the Bank, which he had been forced to resign in consequence of gross misconduct on his part.

THE ARMY OF THE INDUS.—The Commander-in-Chief, has, with the approbation of Government, officially named the Army now assembling at Kurrul, the Army of the Indus.

DISCOVERY OF A WRECK.—A letter from China, dated 1st September, states, that a wreck had been just reported by a Chinaman as having been seen by him in the China Seas, and that the *Maulnien*, Captain Pike, which was lying in the roads at the time, had been engaged by the underwriters to the Insurance Offices there, to go out and make a strict search after the wreck, according to the man's directions, who was, of course, to accompany the expedition. The man has also been offered a considerable *doncour* if his information should prove correct. It is suspected the wreck must be that of some other vessel, not that of the *Antonio Pereira*.

The *Henry Clay*, Captain Gillman, bound from Peru to China, met with a severe typhoon in the Chiqa seas, in which she was totally dismantled.

H. C. S. AMHERST.—The H. C. S. *Amherst*, Captain Jump, while on her passage to this port, ran on the rocks named "the Terribles," on the coast of Atakan, by which she was considerably injured, the whole of her false keel and the greater part of her main-keel being knocked off and other great damages sustained. She was in consequence, on arrival in this port, obliged to be put into Kyd's Dock, to ascertain the extent of the injury done, when it was discovered, that a piece of rock of considerable size, and about twenty seers in weight, had entered her bottom. This has since been taken out, but the vessel's repairs will occupy much time in completing.

THE CLAIMONT.—The *Claimont*, from Bombay to China, foundered on the 24th of September, in about lat. 20 N. and long. 111 E. The crew and passengers, fifty-three in number, were picked up by the *Belle Alliance*.

HYDERABAD.—Letters received from the neighbourhood of Hyderabad, speak in most alarming terms of the long and unprecedented want of rain in that quarter. The writer seems to apprehend an extensive famine all over the Nizam's territories, if relief is not soon experienced by heavy falls.

CAPT. MACNAGHTEN AND THE ENGLISHMAN.—The *Englishman*, with reference to a statement published in the *Hukaru*, respecting Capt. Macnaghten becoming the Editor of the *Englishman*, says:—

"We beg most distinctly to state, that such an event is not only improbable but impossible. We shall always be happy to avail ourselves of that gentleman's services as a contributor, as we set a high value upon them; but as to the editorship, it is just as likely that Captain Macnaghten should resume his old position with the *Hukaru*, as that he should have the management of this paper."

THE HAIDEE.—Great fears continue to be entertained for the safety of the *Haidee*, Captain A. Symes. She sailed from Perang on the 21st of September, and has not since been heard of. Captain N. Lewis was a passenger.

The following is an extract of a letter from Bimlipatam, dated 3d November:—

"Intelligence has been received here, that there have been several vessels lost in the Calcutta river, and some that had just set sail prior to the commencement of the late storm, the remains of which we felt rather severely

at this place. I understand there has been a vessel wrecked near Calingapatam, which had on board troops for Cuttack. I cannot vouch for the truth of this report; but several bodies have been washed ashore at a place called Canadah, and the body of a gentleman has drifted ashore near this place, whose leg and arm, I am told, had been devoured by sharks. Another gentleman was picked up at Vizagapatam, who is said to have been mangled much in the same manner about the body. Several tin cases, boxes, &c., &c., have been picked up at Vizagapatam. In one of the boxes which contained money, I am informed, was the body of a lady on whose arm was tied or pinned a piece of paper, on which it appears was written the following notification: 'that she had died from fright during the storm, and that to whatever shore the box might float, it was requested that the body might meet with an honourable funeral'."

SIR HENRY WILMOT SETON.—Sir Henry Wilmot Seton, landed on the 17th instant under the usual salute from the ramparts of the fort, and at three o'clock he entered the Court room and took the oaths of allegiance and supremacy, as second Puisne Judge of Her Majesty's Supreme Court. The members of the Bar were severally presented to his Lordship in the Chief Justice's rooms.

WAR WITH BURMAH.—An extraordinary Council was held on the 10th instant, to consider of recent dispatches from Ava; and immediate war with the Burmese, or something very like it, was resolved on by H. M. 9th regiment, at Chinsurah, and which was under orders for Hazareebaugh, is now ordered to be in readiness to embark for Rangoon, which place it is intended to take and retain possession of; whilst a demonstration will be made from Sylhet. The impotence of steamers in any operations against the Burman territories, is sufficiently obvious, and we now feel the want of them. The new steamer *Enterprise*, is being fitted up as a man-of-war, for service in Burmah, and Government here, have despatched orders to Bombay, to send round, immediately, one or two, if not more, of the sea-going steamers; and in that case the communication with Great Britain by the Red Sea, at this time of each moment, will again be interrupted at the season most favorable for maintaining it. Col. Benson, up to the 25th ultimo, had not been publicly acknowledged by Thrawaddie, nor even permitted to deliver his credentials.

MUZAFFERPORE RACES.—The Muzafferpore races have been abandoned for this year.

Sporting Cups to be run for during the present season.

THE BENGAL CLUB CUP.

This is an elegant Eruscan vase, with a rich border of laurel, the body of the cup ornamented with eight beautifully finished horses' heads, every muscle and every prominent vein on which are beautifully developed, and the mane is softly and exquisitely represented. It stands upon a square pedestal of lapis lazuli. This is altogether, in our opinion, one of the most elegant cups ever presented in India. Its value is, we have heard, a hundred gold mohurs.

THE HUMAON CUP.

An elegant cup, with rich vine leaf handles, surmounted by a horse, presented by Dr. Sawyers, and valued at a thousand rupees.

THE BENGAL TRU CUP.

This cup, or rather candelabras, is the same as was run for last year, and won by Mr. E. Macnaghten; and the reason of its being offered a second time, is that it must be twice won by the same individual before it

can become his property. It is a splendid ornament for the centre of a table: it stands upon a bold base, surmounted with two jockies and a syce holding a rearing horse. The stem is a beautiful and natural representation of the vine, with its tendrils, grapes and leaves falling around it in easy and graceful profusion. Valued at a hundred gold-mohurs.

THE TRADESMEN'S CUP.

This cup is to be presented by the Tradesmen of Calcutta to the Calcutta Second Race Meeting, which is to take place next February. Messrs. Hamilton and Co. are to supply it. The cup, or rather shield, put aside by them for the occasion, is of exquisite manufacture, and represents a very spirited group, consisting of a stallion, mare and foal, in bold relief, surrounded with a border of laurel. This shield has been universally admired by all who have seen it; and is a beautiful specimen of Messrs. Storr and Motteux's excellence in design and workmanship. Value between sixteen hundred and two thousand rupees.

THE LANCER GOLD SHIELD.

This splendid shield is given by the Officers of Her Majesty's 16th Lancers. It represents a Lancer charging, in full relief, and both horse and rider appear very spirited and bold. Value one thousand rupees.

THE CHARGERS' CUP.

This cup is also given by the Officers of Her Majesty's 16th Lancers. It forms an elegant tankard with type laurel border, and a rampant horse for its handle. It is surmounted by a Lancer in full costume. Value five hundred rupees.

THE HADJEPPORE SALVER.

This is a magnificent salver, thirty-two by twenty-four inches, and given by the Civilians to the Hadjeeppore Races. It is ornamented with racing emblems. Value eleven hundred rupees.

THE BREAKFAST SET.

This elegant breakfast set is presented by the stud to the Hadjeeppore Races, and is surmounted by a foal as distinctive of the stud. Value eight hundred rupees.

THE SKYLARK CUP.

This is a beautiful little vase, supported by a vine with clustering grapes and graceful foliage—a little Bacchus on the pedestal is in happy keeping with the rest of the vase. Value two hundred and fifty rupees.

THE CUTTACK CLARET JUGS.

Presented to the Races, we believe, by Mr. Ricketts. They are of classic beauty and elegance. Value six hundred rupees.

THE ENGLISHMAN.—A writer on the Resumption question, under the signature of GAUNTLET, has been instrumental, during the week, in showing up the good qualities of the folk in the *Englishman* office. They receive a letter, and, against the writer's wish, mutilate it to suit their own purposes. They then tamper with his servant, and endeavour to find out the writer's real name; but, failing in this, and being attacked by GAUNTLET for their malpractices, they attempt to wriggle themselves out of the scrape, but most signally fail. GAUNTLET has stripped the visor from their faces, and they stand exposed.

THE ASIATIC SOCIETY.—At a meeting of the Asiatic Society, held on the evening of the 22d inst., on a letter

from Mr. James Prinsep being read, containing that gentleman's resignation of the Secretaryship of the Society, Sir Edward Ryan moved, that the resignation be not accepted, but that during Mr. Prinsep's absence the services of Professors Malan and O'Shaughnessy, the former in the Oriental and the latter in the Scientific department, be accepted, and that these gentlemen be appointed as joint Secretaries of the Society, and to act in conjunction with Baboo Ramkomul Sein. This motion was carried. Mr. H. T. Prinsep also stated to the meeting, that arrangements had been made to carry on the Society's journal from materials left by Mr. James Prinsep, to the end of the present year.

RAISING OF THE SIEGE OF HERAT.—Reports of letters from Colonel Stoddart and Lieutenant Pottinger, of the 30th of September, announcing the raising of the siege of Herat by the SHAH, in deference to the wishes of the British Government, are still current "upon the best authority." A letter, said to have been received by Lord Auckland from Colonel Stoddart, states, that the SHAH, on being informed by him that the British Government would immediately consider itself in a state of war with Persia, if the siege were not raised, consented to withdraw his troops, and had reached Meshed on his way to TEHRAN.

THE BISHOP.—The Lord Bishop of Calcutta returned to the presidency on the 23d instant.

JHANSI.—The troops dispatched against Jhansi, have, not succeeded in obtaining possession of the fort, nor expected to succeed without further aid. The Agent for the Governor-General has applied for a reinforcement of 2,000 men and a battering train. Major-General Sir Thomas Anbury, K. C. B., proposes to command this force in person, and as he is well acquainted with the nature of Indian forts, from Seringapatam to Bhurtpore, we may soon expect to hear of the fall of Jansi.

The following are the particulars of the outbreak at Jhansi, given in a letter of the 13th of November:—The Mahratta principality of Jhansi is in open war with our authorities. Mr. Frazer, the agent for Bundelcund, on approaching the town, was fired at, and the general opinion at Gualior is, that the British Government will take the place. Colonel Hewitt, with the 25th Regiment Native Infantry, is in attendance on Mr. Frazer; and it is believed that Sindia's contingent has received orders to be in readiness. The cause of the disturbance at Jhansi, and of the unsettled state of that principality, is a family quarrel. The two contending parties are headed, the one by the late Rajah's brother, who occupies the *Guldee*, and the other by the late Rajah's widow, who holds the fort, and claims the regency of the state, during the minority of her adopted son. Mr. Fraser went to Jhansi to settle these conflicting claims and interests, and very nearly got shot for his pains. Such is the origin of the disturbance at Jhansi, which will end, perhaps, in the annexing of this state to our empire in India. The territory is excellent and nothing is wanted, but a good and firm Government to insure the prosperity of the country, and the comfort and happiness of the people. The present dissensions between the rival parties in the state, tear the country to pieces, and spread ruin and disorder throughout this fine country. The interference of the British Government will, under the circumstances, prove a blessing.

FIRE.—We regret to say, that a most disastrous fire broke out last night in the native part of the town, on the banks of the river. It began, as we are informed, in a hut among some stacks of hay and straw, and in a very short space of time extended for a space of several

hundred yards towards the Mint. Fortunately the direction of the wind was to the South-east, so the entire square of native huts beyond that building would have been destroyed. When we left the spot at 9 o'clock, the fire had reached the pukka buildings to the Eastward; several of these were in flames; but it is to be hoped, that the progress of the devastation, was arrested in the street beyond them. The loss of property consisting chiefly of grain and up-country produce, must, we fear, have been immense; as this was the most extensive fire we have seen for some time past in Calcutta.

DORJELING.—Letters from Dorjeling to the 19th inst. have been received, and state that every thing was going on as well as possible. The great desideratum, a bazaar, had been opened for some days, and rice was selling at 23, 20, and 18 seers per rupee, according to quality, and the latter description was declared to be very superior. The Lepchas were coming in from the neighbourhood, and bringing good rice at 25 seers per rupee. Indian-corn at the same rate, yams, fowls, &c. &c. The road, making under the superintendence of Colonel Lloyd, was within 4 miles of Sonadah, and the latter is only 11 miles from Dorjeling. At Mauldaram, one of the Bungalow stations, a beautiful spring of water had been discovered, and enclosed for the use of travellers. We understand that applications for accommodation at the Hotel are coming in so fast, that it is anticipated an extra suite of bed-rooms must be built before May. Messrs. D Wilson and Co. are busily occupied in procuring all "essentials" for the comfort of the visitors of Dorjeling, and, in short, the undertaking promises to be successful beyond our most sanguine expectations.

THE ROB ROY.—The injuries sustained by the *Rob Roy* from having struck on the rock, were enormous; the whole of her main keel, fore and aft, was completely taken off, and the long copper bolts, which united the keel to her bottom, were sticking out, when taken into dock in Calcutta, in all manner of shapes and figures. On the arrival of the *Rob Roy* in Calcutta, her Captain had her taken into dock and completely stripped, to ascertain the extent of damage she might have sustained, when the above was discovered, together with some other injuries, such as the shutting of her caulking at her but-end, &c. The vessel has been since completely repaired.

MOPUSSIL.

DELHI.—It is said, that the Government have expressed to the Court of Oodypore, in the strongest terms, its detestation of such deplorable sacrifices of human life as occurred in the suttees after the death of late Rana, and its expectation, that effectual means will be taken to guard against occurrences so abhorrent to humanity on any future occasion. The recent lamentable suttee may, it appears, be ascribed to an interregnum in the Government of Oodypore, there having been no previously acknowledged and established successor who could, on the demise of the former Rana, have immediately taken upon himself the authority of administration.

It is said, that negotiations have been carried on for some time, with the Sinde Government, relative to the progress of our troops through their territory. According to a dispatch received the day before yesterday from Colonel Pottinger, it appears that the Sinde Government are determined to oppose our march.

The concurring native reports respecting the operations of the Herat, though not yet confirmed by official

authority, render it highly probable that the King of Persia has finally withdrawn his baffled army, and relinquished those designs on Afghani-tan, which our expedition, now setting out, was mainly intended to frustrate.

Cholera has been raging in Delhi.

A squadron of cavalry and two companies of infantry, have proceeded from Nusseerabad to Jeypore, to reduce the refractory Thakoors.

AGRA.—The 28th N I., while on march, mutinied, and they have, consequently, been ejected from the army of the Indus, and the 20th regiment substituted.

RAJPOOTANA.—Major Forster, in a late incursion into Beekaneer, against a large band of public plunderers, killed 17, and arrested 130. He thence proceeded into the Jhodpoor district, in which he succeeded in seizing several persons of influence among these people, and destroying one of their forts. In consequence of these active measures, the districts of Jhodpoor, Shekawates, and Beekaneer are almost free from these pests.

LOODREANAH.—The boats despatched some time since with freight, for the Bombay market, have re-entered the Sutledge, having made a trip such as is likely to increase considerably this trade.

KURNAUL.—On the 4th of November, two or three sepoy of the 48th Regt. N I., received their dismissal, for the crime of endeavoring to seduce the rest of the men from their allegiance, by urging them not to carry their knapsacks. On detecting their proceedings, the commanding officer threatened instant chastisement, at all personal hazards, and thus succeeded in preventing mischief.

NATIVE STATES.

CABOOL.—A body of one thousand men, the most trusted of the Cabool army, commanded by Mr. Campbell, a British subject, has marched from the Capital to oppose the Khyber pass.

JEYPORE.—A considerable degree of excitement prevails in Jeypore, which, it is feared, may lead to tumult and bloodshed.

The party of Jotha Ram appears to be intriguing to oust the Regent, Luchman Sing, from his post; and the Mahjee herself is said to be desirous of trying a new man and new measures. To effect this, several of the Thakoors, with all their forces, have established themselves in the city, to the infinite jeopardy of the Rawul, who finds himself totally unable to exercise and expel these evil spirits, who have possessed themselves of the "body corporate"!—Till recently, the state of parties was better balanced, but the Kharee Moonna Lail, having lately thrown the weight of his person, influence, and—though last not least—cash into the opposition scale, the political equilibrium is destroyed,

and Luchman has been Sng compelled to solicit the assistance of his English supporters. This, if requisite, will be afforded, in the shape of the 13th Regiment of Native Infantry, and two squadrons of the 9th Light Cavalry (with its Head Quarters,) which are ordered to hold themselves in readiness to march from Nusseerabad on the shortest notice. It is not expected, however, that their presence will ultimately be needed, as Col.

Alves is already on his way to mediate between the belligerents, and negotiate a return to the *status quo ante*. He goes unattended by further escort than a company of the 52d Regiment; Major Ross having another, of the 22d Native Infantry, already at Jeypore; and these, with Major Forster's Shekawatee Contingent, which has been called in from Jhoonoo, may suffice to keep the peace for the present.

MADRAS.

THE BISHOP.—The Lord Bishop of Madras reached the presidency on the 31 of November, and was installed at St. George's Cathedral on the following day.

THE RAINS.—The rains of the monsoon have been falling at the presidency in good earnest. They have hitherto been accompanied by little or no wind, but have exhibited a fair, even down pour.

BOMBAY.

COOLY TRAFFIC.—Persons lately arrived from the south of India state, that the cooly-traffic is quite life along the coast, and that the Rajah of Cochin is selling them off down-right, without making "any bones of the matter."

SUICIDE.—A gentleman in the civil service, lately committed suicide, under the apprehension of the consequence of an investigation into his conduct.

DISTURBANCE OF OKAMUNDI.—A very serious disturbance at present prevails in Okamundi. The Guicowar authorities having burnt several villages belonging to a predatory tribe called the Wagheas, about 600 of them took up arms, one-half carrying matchlocks, the other swords. Being of Rypoot descent, they pride themselves upon their courage, and in their present state of destitution, turn that quality to some account, by plundering all travellers who come within their reach. The principal sufferers from this state of things are the pilgrims who repair in great numbers to the temples at Dwarka.

FORCES TO BE DESPATCHED FOR PERSIA.—It is said, that a force of 6,000 men will be despatched to the south of Persia, so soon as the necessary *material* can be collected, but the regiments likely to be sent from Bombay are not yet known. All Her Majesty's vessels of war in India, are ordered here, and the Ceylon Government have received instructions to furnish two regiments of European Infantry and a large detachment of the Ceylon Rifles, to aid in the approaching contest.

SNAKE BOAT.—On the 22d of October, a snake boat, to be manned with twenty-eight oars, was finished in the Fort dock yard. She is eighty feet in length and has a cabin beautifully decorated and fitted up with yellow damask and silver. Her external ornaments are composed of green and gold. She is intended as a present from the British Government to Runjeet Sing.

DEATH OF THE GOVERNOR OF GOA.—It is said, that the Baron Sabroza, Governor of Goa, died on Sunday the 14th of October, from the effects of the accident he met with.

THE GUICOWAR.—The Guicowar has not been disappointed; he has manifested so much anxiety of late to be ~~mustered~~, that with all the forbearance which could be exerted towards him, it has been found absolutely necessary to do something to constrain him to good behaviour.

By way of persuading this pugnacious potentate, to do as he ought to do, the remaining portion of *Pettud* has been taken possession of by a British force, as the only chance of inducing the advent of reason in the councils of his highness.

NAVAL FORCE TO THE INDUS.—The naval force proceeding to the Indus, is to be commanded by Captain Pepper, an able and experienced seaman.

MOUNTED DAK.—The Government have resolved upon establishing a mounted Dak between Aunungabad and Naggore, which will accelerate the mail nearly forty hours.

SENHOR PERES.—Senhor Peres, the ex-prefect of the Portuguese States in India, who, it will be recollected, fitted out an expedition from Bombay in 1835 for the recovery of his seat of Government, is at present, in Bombay, awaiting the departure of the December Steamer, in which he is about to engage a passage for Europe. The object of his voyage is to present an address to Her Most Faithful Majesty, from the well disposed inhabitants of Goa, praying for the adoption of measures calculated to insure tranquility in that colony, and prevent the recurrence of its being ultimately disturbed by contending factions.

SPECULATIONS IN HORSES. The horse dealers in Bombay, have already, in the course of a few days, disposed of nearly 700 horses at very high prices, some rare bargains besides.

THE SEPOYS.—It is said that the sepoys are very content and enthusiastic for the service in which they are about to be engaged.

BLOWING UP OF THE RAJAH OF MANDAVIE AND OTHERS.—The most effectual blowing up, or rather the most expeditious case of masculine suttee, heard of for some time, is that of the Rajah of Mandavie and eight of his attendants, who have involuntarily put an end to their existence by the instrumentality of a quantity of fireworks, which exploded about their persons. Particulars of this affair have not transpired, further than that by some such occurrence as this, during some rejoicings, such a catastrophe has taken place.

CYLON

THE ELEPHANT THAT KILLED MR. WALLET.—The elephant that killed Mr. Wallet, has been shot by Lieut. Gallway, 90th L. I., and Ensign Scawgs, 18th R. I., both of whom left Colombo with a determination to avenge the death of their friend. They met the elephant in his native jungles, who, on seeing them, gave a roar and rushed forward, but four barrels brought him to his knees. He, however, rose again and made off, but was followed by the sportsmen, who killed him with six shots more.

AN ATTEMPT TO SHOOT.—On the 20th ultimo, as the 90th L. I. were preparing for evening parade, and just as one of the Sergeants of No 1. Company called to his men to fall in, Lance Corporal James Doolin, discharged his musket from where he was standing, at the Barrack-door, at the Sergeant, who was about 12 paces distant. The shot providentially, however, did not take effect, in consequence, most probably, of his having fired his gun from the hip, without bringing it to the shoulder. The Sergeant seeing he had been fired at, ran at the Lance Corporal, who retreated into the barrack room and threw away his musket, cursing himself as a bad shot, and expressing regret at not having killed the Sergeant. It appears that this Lance Corporal, who is but 20 years

of age, had been a very well behaved young man and bore an excellent character, until lately, when he began to drink and to be led away by bad associates—both male and female. By these habits he contracted debts which he was unable to pay; and becoming distracted by his

circumstances, he determined, he said, to commit some act that would for a time remove him from them. He accordingly loaded his musket two days before committing the offence, and declared that he left the barrack room determined to fire at some one, no matter whom; that he bore no ill will to the Sergeant; and that it signified not whom he met, as the first person should be his mark.

The man has been tried and sentenced to transportation for life, as a felon.

BURMAH.

The last accounts from Rangoon state, that the new Sherbunder [Antonio] who arrived at Rangoon on the 6th instant, met Colonel Benson above *Yandaboo* about the 24th ultimo. This man reported, that Tharraw-mandie had built a spacious house for the Resident, and the opinion was gaining ground, that he would, at all events for the present, affect conciliatory intentions and temporise as long as he can. He was daily becoming more unpopular.

PENANG.

Penang Gazette to the 27th of October, have been received during the week. There is a letter from Mr Commissioner Young, relative to the terms on which leases of the public lands are to be regulated in future. The principle now laid down is clearly an improvement on what was understood to have been the intention of Government, viz., "a reservation of its right to propose altogether new terms, at the expiration of the original leave for twenty years, and to settle the rate to be paid during the second period of 30 years, according to the value of the land or other intermediate considerations." Of course the effect of such an understanding was to deter parties from seeking grants, or, if they did take them, to prevent them from improving the land. The cultivator could have no inducement to spend labour or capital of which the fruits were to fall into the pockets of Government.

A letter from the Captain of the French ship *L'Aglae*, gives an account of a most atrocious murder and robbery by the Malays on board the American ship *Eclipse*, Captain Wilkms. The latter officer and an apprentice boy were killed, and the second mate and several sailors wounded.

Singapore journals to the 8th of November, received during the week, state, that some piracies had been committed in the neighbourhood of Tringanu, which are hypothetically ascribed to the followers of the Sultan of Lingin, who has of late been threatening an expedition against Tringanu, to coerce the payment of tribute which he claims from that territory. It is said, that the British Government have determined on preventing the Lingin expedition, and have adopted measures with that view.

The Dutch and the Bugis, it appears, are at logger-heads, and the former have invaded the Bugis district Boarattoe, destroyed the villages, and devastated the country. The Dutch schooner *Maria Fredericks*, which

had been captured by pirates, had been offered for sale in several places on the north west coast of Borneo. The lives of almost all her original crew had been spared by the corsairs, and they were on board the vessel.

Advices from Bangkok, to the 15th of September, intimate, that the Siamese were very busy, making preparations of war against the Quedah Malays. The King had been extremely vexed at the loss of Quedah, and had vented his resentment in extensive decapitations; the late Governor of that province is among the number of victims who have suffered from his majesty's anger. Trade was dull, munitions of war being the only saleable articles.

CHINA.

SEARCH AFTER THE ANTONIO PEREIRA.—H. M.'s Ship *Larne*, in search of the *Antonio Pereira*, on the 25th August, sighted the Lincoln Island, on the 26th went round it, but found no sign of the *A. Pereira*, nor of any wreck. Fishing stakes were seen in a small bay on the N. side. Shoal water was seen on the S. E. side of the island, distant about 3 miles. The island appears to be a most dangerous place; in the night time it could not be distinguished from the water. The shoal is much more to the Eastward of the island than laid down by Ross, and extends a long way out beyond the discoloured water. In working up to the *Bombay* shoal, the current was so strong that the *Larne* rather lost ground after two day and night. When the *Bombay* shoal, *Triton* island and *Triton* bay have been examined, Captain Blake purposed to look in at *Hainan* island on his return.

MUTINY ON BOARD THE JOHN BULL.—A very serious mutiny occurred on board the *John Bull*. Blood was shed on both sides, and Mr. Macdonald, 2nd officer of the *Castle Huntly*, was severely, if not dangerously, wounded. Captain Gillett, and other officers who had hastened to assist Captain Omond, were particularly active in quelling the mutiny.

The China papers to the 10th of October, received during the month, mention, that opium was dull, and excepted to fall in price. A few sales, of Malwa and Patna, had been effected. The quotations were, per chest of old Patna, 540 to 545 drs; new 535 to 590 drs. Old Benares, 525 drs; new 540 to 545 drs. Malwa 575 drs. A meeting of the British inhabitants of Canton had been held on the 3d of October, to take into consideration Mr. Waghorn's suggestions respecting Steam Communication between China and England, via Point de Galle and Suez. The meeting voted their thanks to Mr. Waghorn, for his exertions in the cause of Steam Communication, but were of opinion, that the proposition was premature and impracticable, until each communication be assured as far as Singapore.

A fast boat, in which were Dr. Parker and Mr. Leyton, was boarded, at the mouth of the Macoa passage, by a Government boat, one of the crew of which inflicted several wounds on the crew of the fast boat and Dr. Parker's servant, and would have done more mischief, perhaps, if he had not been disarmed by the Doctor. The case was reported to the Hoppo, but no redress was obtained. H. M. Ship *Larne*, had returned safely to Macoa roads, after an unsuccessful search, of nine week's duration, for the *Antonio Pereira*. The *Larne* had got into considerable danger while approaching the *Paracels*, owing to the reef near Lincoln Islands, extending much further than was expected.

THE
CALCUTTA MONTHLY JOURNAL.

1838.

ASIATIC NEWS.

THE FREE PRESS DINNER.

Last Saturday, the 15th of December, the fourth anniversary dinner, in celebration of the liberation of the Indian Press, was given at the Town Hall. About eighty gentlemen, among whom we observed nearly twenty natives, were present, and every thing went off with great éclat. After the removal of the cloth, Mr. C. R. Prinsep, the chairman, proposed the health of the Queen, to which due honor was done, the band playing the usual anthem "God save the Queen," and the Company standing all the while.

CHAIRMAN.—And now, gentlemen, having poured forth those libations to loyalty, which duty and affection prompted, I call your attention to the business of this day's meeting, the fourth celebration and the third anniversary of the Freedom of the Press of British India. Philosophers have told us, and for my part I devoutly believe, that the grand, perhaps the sole, distinction between the intellect of the human and of the brute creation, consists in the faculty of intercourse by speech, whereby the mind of man, not limited like that of the brute, to the bare result of his own individual perception and reflection, enables him to avail himself of the experience of his fellows, to gather and to store up the wisdom of by-gone ages, and to build upon it calculations of the future. If this be so, it is easy to comprehend the vast importance of every invention, whereby either the circle of human intercourse is extended, or its circulation accelerated. And such is the Press, that mighty engine before whose earliest efforts religious thralldom shrunk into the shade, whose maturer growth gave birth to the principles of constitutional liberty, and whose every movement forwarded the progress of the arts, by which its own powers have been magnified some hundred fold, till it has become what it now is, the rail-road of human intelligence, conveying with electric rapidity from province to province, from nation to nation, from one hemisphere to another, each new conquest of mind over matter, each new discovery in the moral or material world, and each new flight of fancy in the regions of imagination. These are the advantages of the Press. Think you that they could have been attained, had its action not been free? I fear, gentlemen, that many of you will deem that, in a company composed of Britons, or of men of India worthy to be classed as Britons, to enlarge upon the benefits of the Press in general, or the expedience of leaving it free and unfettered, is superfluous, nay even impertinent. But we must not forget, that however trite and common-place, such topics may appear to a people familiarized with the benefits of a liberal government, and that of the Press amongst the rest, here, in this country, nay, in this very hall, it is not many years ago, that the very mention of freedom

in connexion with the Press, would have made young men look grave, and old men fidget on their seats—as if the very frame of order, and authority, and society would crumble to pieces at the sight of such an apparition. A fettered Press in a free country, is a downright anomaly; those who have been long in the enjoyment of liberal institutions are apt to consider freedom of the Press as a part of the system, inseparable from it. But in a country recently acquired by conquest and that, too, before the conquered and the conqueror have half forgotten their contentions, or become blended in a community of habits, of opinions, and of interests, the naturalization of so powerful an instrument was an experiment—aye, and a bold one. Men in power, and brave ones too, shrunk from the responsibility; till fortune at length gave us a Government equal to the occasion. To the short reign of Metcalfe was reserved the glory of triumphing over terrors, which the event has proved to have been for the most part unfounded. Ten years and more have now elapsed since the Press of India has been practically free, three years are now completed, since it has been free by law. And now let any man stand up and on his conscience declare, wherein has British India been damaged? Has her Commerce languished, her agriculture declined? Has the tone of morals of her population, whether of the conquered or the conquering race, been deteriorated? or corruption, either in private or in public life become more bold or more baneful? or, what is after all the main question, has British rule become more grievous to the provinces of Hindoostan? If all these questions must be answered in the negative, as conviction tells me they must, then I say, may the Press of India ever be constitutionally free, and grow in strength and power from generation to generation, and do honor to him, who, in disregard of the early and rooted prejudices of his class and station, of the fears and frowns of Leadenhall, dared to set his seal to the charter of its freedom, which will go down to posterity coupled with his name, till men shall cease to remember that the Press was ever other than free!! Wherefore, let our toast be, the Freedom of the Indian Press and honor to Metcalfe its liberator. (cheers and acclamations.)

This toast was drank with much fervor. After which Mr. R. S. Thomson sang the following song, composed for the occasion by Dr. Grant.

CHARLIE brew'd a peck o' maut
And a' Calcutta cum to see;
A blither party on that night
Ye wad na find in all Inger.

We are na fou, we're me that fou
But just a drappie in our ee.
The cock may crow, the day may do,
But still we'll taste of CHARLIE'S BREW.

And some of CHARLIE'S freres there were,
Wha did na like at a' the bree ;
And his auld Annie scaulted sair,
And thought it should diluted be,
We are na fou, &c.

She was a Carlin auld and dour,
That liv'd awa ayont the sea ;
And aye her face wax'd wry and sour,
At ony but diluted bree,
We are na fou, &c.

And why? She thought the Coolies a'
And Doolies, wad disloyal be,
Gin aught they quaif'd but what was *ma*,
And thin and cauld, as Adam's bree,
We are na fou, &c.

Of a' my sons, the Carlin said,
And I have had twa score or three ;
CHARLIE alane took in his head
To brew sic straug and reaming bree,
We are na fou, &c.

Lord FRANCIS lov'd it well, but yet
Although the flower of Chivalrie ;
His secret friends, said 'twas *too het*,
And that he'd better let it be,
We are na fou, &c.

Then, JERREY sometimes gave it pure
And whiles he mix'd it buterly ;
But on the whole, ye may be sure,
He in his heart lov'd well the bree,
We are na fou, &c.

JOHNNY follow'd, strang and bauld,
Who deem'd it but a sort of tea,
And when folks said 'twas thin and cauld,
With *aqua fortis* mix'd the bree
We are na fou, &c.

And next cam *Portland Willie* o'er,
A bluf and honest cheil was he ;
And let folks drink at times *galore*,
But whiles had scruples 'bout the bree,
We are na fou, &c.

He granted it was cordial stuff
But wish'd aboon, a tank should he,
From which, at will, with *quantum suff*,
He'd plump ' *come down* upon the bree,
We are na fou, &c.

But Willie went, and CHARLIE cam,
And straight set to, to mak the bree
And scorning mixture all and sham,
He brew'd it pure, and strong and frae!
We are na fou, &c.

Then pledge a bumper of the best
To him who brew'd the honest bree,
And at whose manly high behest
We now enjoy it pure and free!
We are na fou, &c.

CHAIRMAN.—Gentleman, as well as I could hear, Mr. Thomson has just enumerated the merits of our former Governors, it is necessary that we do not forget the claims of our present Governor-General. Circumstances, it is true, have not permitted him to reside long among us. He has been a wanderer, in search either of glory or of public objects; but wherever he may be, our interest and anxiety must always attend the man who wields for the time the destinies of British India. May he prosper in the arduous undertakings he is now engaged in; and may he prove as warm a friend to the Press of India as his predecessor. (*Loud cheers*). The Governor-General of India, gentlemen, with all the honors.

MR. DICKENS, VICE-CHAIR.—Gentlemen,—I give you the health of the President of the Council of India, Colonel MORISON. He is the sole remaining Member of the Council, I believe, who concurred in passing the law which we meet to celebrate; the measure which gave freedom by law to the Press of India, long previously free in practice. I am bound to believe, he disconcerted in passing that law. I believe, in the absence of

positive knowledge, that he concurred in passing it. He is now near the close of his career, and I am satisfied that it is with pleasure and pride that he will in his retirement contemplate late his part in that great measure, as it is with perfect satisfaction that I am enabled to propose to you the health of one of our present rulers, of the man only second in place of all those now in power, on this special ground, as one of the builders up of the legal freedom of the Press in India.

If he had done no other act as a legislator, of which he has reason to be proud, as I dare say that he may have done many, no man could desire a better epitaph on his tomb than this: as one of her rulers I gave to India the freedom of the Press. Gentlemen, let us drink to the health of Colonel MORISON, President of the Council of India.

CHAIRMAN.—In these times of wars and rumours of war, we must not forget our brave defenders; and though in this country and under present circumstances, the Army might naturally claim our first attention; yet am I sufficiently an islander, although I have been in this continent now for many years, to recollect that it was the Navy that first gave stability to the Empire of Great Britain, and that by her navy her predominance and her commerce continues to be supported all over the world. I therefore give you, gentlemen, the Navy. Drink with all the honors.

VICE-CHAIR.—Gentlemen,—I give you the Army—The Army of India, both Crown and Company's, for they are one in feeling and actuated by the best and most perfect strict of unions—that Army which has won for us this dominion, and which I firmly believe, will ever maintain it, unless the caprices or the exactions of the civil power, shall disseminate permanent discontent among our native fellow-subjects, and render powerless its efforts by introducing disaffection in its ranks. A thing not impossible; for, gentlemen, we must ever remember, that the bulk of that Army sympathises with the people of India, and that it is in bone and blood, thews and sinews, eye, and spirit too, an Indian Army. It is not my desire on such a subject to enter into political questions at all: still less a debatable questions, but I may be indulged in the expression of an earnest hope, that every just cause of discontent may carefully be removed from the people, and then our Indian Army will continue to be, as it has ever been, the pride and ornament and main safeguard of our dominion. Gentlemen, I give you the Army of India.

Dwarkanauth TAGORE rose, in the midst of loud and continued cheering, and spoke the following effect:

Dwarkanauth TAGORE.—Gentlemen,—It has fallen to my lot to propose a toast in which I am sure you will all agree, whatever be your political opinion. Last year this toast was in the able hands of my worthy friend Dr. Grant. I cannot presume to do that justice to it which was done by that eloquent orator, but allow me to assure you that my feelings on this occasion are fully equal to his. The toast I have to propose is the cause of Civil and Religious Liberty all over the world. (*Cheers*) It has been said, gentlemen, that this is a conquered country and that the Mahomedans had conquered it before the English. I now find two members of a Mahomedan noble family, uniting with us on this occasion to celebrate the liberty of the Indian Press; could we have expected this in by-gone days? We are now said to be rising from a state of ignorance; but allow me to assure you, that before the conquest of this country by the Mahomedans, we were a far more enlightened people than we are now. To be convinced of this, you need but examine our ancient literature and sacred books; even the works of Sir William Jones will

inform you of this. In ancient time we had free institutions, our females were not secluded from society, Geography, Astronomy, and other sciences flourished in this country; the inroad of the Mahomedans brought ignorance and darkness in this land, and changed its free institutions into those of slavery. The time however has arrived, when, after many years we have been placed under an enlightened Government, which has done something to raise this nation in the scale of civilization, the work of amelioration might be said to have commenced with the administration of Lord Cornwallis, who gave to the people a proprietary right in the soil. The next Government was involved in wars and could do little to benefit the country. The Marquess of Hastings came next, and it was he who commenced to give liberty to the Press in the days of Mr. Buckingham and the *Calcutta Journal*; (cheers) but the consummation of this great work was left for Sir Chas. Metcalfe. (Loud cheers). If civil and religious liberty is to be secured, it must be secured by a Free Press. Our Chairman has told you that education is the first thing requisite for this country; but education and Free Press must go hand in hand. In order to accomplish the object. You all remember, gentlemen, the name of Rammohun Roy, who translated the sacred Vedas into the vernacular language, and thereby gave to his countrymen the means of obtaining civil and religious liberty. I feel ashamed when I call to mind that this great man was put down by the prejudices and superstitution of his countrymen. Had it not been for the liberty of the Press could we have had an *INDOPHILUS*, a *GAUNTLET* or even an *ANTI-HUMBUG*, to lay open before the public the measures of Government and to assign reasons for them. These writers, gentlemen, deserve our admiration and esteem for coming forward boldly and manfully to tell us what the measures of Government are. Their principles are very different from those which dictate the expediency of conducting all Government measures with the door of the Council Chamber closed upon the public (loud cheers and hear, hear.) We are this day met here to celebrate the liberty of the Press which must always co-exist with civil and religious liberty. I shall therefore give you, gentlemen Civil and Religious Liberty all over the world. (Loud cheers).

This toast was drank with great enthusiasm.

Dr. J. GRANT, on rising, was hailed with loud cheering. He spoke as follows:—

DR. GRANT, —Mr. President and Gentlemen, before I come to the subject of my toast allow me, in the first instance, to return thanks on behalf of Captain Thomson, and all the gentlemen of the army whose health, a little while ago, you drank. Although I am only a *non-combatant*, yet I belong to that army, and therefore, as no one else has done so, I return thanks for them as well as myself, and that this should be performed by me is less my fault, than my misfortune. I now proceed, gentlemen, to the subject of the toast I have been requested to propose. Fortunately for me it is one that requires no eloquence to recommend it, it is simply the *extension of education in India*. Some of you will perhaps wish that I should give the toast without comment, and that would be by far the most agreeable course to myself; but it might appear disrespectful, not only to the subject but to those who have intrusted me with this toast. Let me, therefore, claim your indulgence for a few brief observations. By education, gentlemen, I understand the proper culture of the mind and the most difficult of all the sciences, that of self-education. Education is both end and means. To the juvenile aspirant, it is an important end, to secure which he must serve a disciplined apprenticeship of years in the shop of knowledge, and learn the use of his tools. Having attained

the proposed end, he now discovers, that it is but means to further and varying ends. Alps on Alps arise, and some darling end still urges him onward. Such is the condition of man, and wisely has it been ordained that is should be so, otherwise would there be a general stagnation of the faculties of the mind—the inhabitants of one country could have no inducement to visit or hold communication with those of another, and there would be a stop to discovery and improvement.

Of all the senses we possess, that of sight you will readily allow is the most precious; there is no object so pitiable as a blind man; for he can neither see the approach of danger, nor ward it off. You all remember the magnificent invocation to heaven-born light in the opening of the third book of *Paradise Lost*. Do not be alarmed, for I am not going to inflict a quotation upon you: but merely to remind you of the most touching allusion made by the immortal bard to his blindness. But he had the consolation of inward light, for the eyes of his powerful intellect were not obscured. Fortunate is it for us that Milton was an educated man, else should we not have had the "*Paradise Lost*;" but what is more opposite to the associations of the evening, we should not have had the "*Annuaire Agricola*," one of the most masterly defences of the Liberty of the Press, ever written, and one that effected good service for civil freedom, by appearing at a time when the subject was not so well and generally understood as it now is.

But are we to confine our compassion to physical blindness? Have we not sympathy with millions of our fellow men around us, to whom the fair earth is as a limbo of gross ignorance and hideous superstitution, that reduce man almost to the level of the creatures that browse the hill or crop the valley; and generate in his nature the low mischievous cunning of the ape with the cowardly ferocity and blood-thirstiness of the tiger? What then is the remedy for this state of things. I say education, and I am borne out in saying so, by the manly and straight-forward testimony of an enlightened native gentleman now present, in a communication that lately appeared in the newspapers. A gentleman who is himself a fine illustration of what may be effected by education, and what is more honorable to himself of self-education. I mean my friend Dwarkanauth Tagore, whom you have just now heard addressing you in English. I do not deny that fault might be discovered by a verbal critic in that speech; but I defy any man to discover in it a solecism in sentiment or logical deduction. You have heard him deliver his sentiments in English, will any of you be able to express yourselves in Bengallee with equal facility?

How vast is the field for education here, but inadequate the means! "They are well enough as they are," observes some philosopher of the "let-well-alone" school. But are they well enough? If they were, I should not now be troubling you with my feeble advocacy for an extension of education! Many people have a dread of what they call the "*March of Intellect*," a sort of Dr. Fell like intuitive dialike; perhaps for some such reasons as prejudices some small minded men against learning in women and instruction to the working classes. To be sure it would be mighty inconvenient, to be corrected in a false quantity by a classical wife, or to see a smile flickering across your butler's face on detecting you in a historical misquotation! No sentiment is more in favor with such cavillers than that a little learning is a dangerous thing? Now this I do deny. A little learning may make a naturally weak and frivolous man a little more absurd, and what does that signify? Pope was very fond of antithesis and as it has been said of some wits that they would sacrifice a friend for a jest,

I do not think it is unjust to say of Pope, that he sometimes sacrificed truth to a paradox. To a man of plain understanding and common sense, a little learning is a very valuable acquisition; and I need not remind this company that it has sometimes saved human lives. 'Drink deep' if you can, of the Pierian spring, but I protest against being forbidden to taste at all, even at the last extremity, unless I can drink deep, which may be utterly out of my power.

A great Moralist whose memory (albeit some prominent infirmities and hard sayings regarding my countrymen) I hold in high respect; has left a saying, that every Scotsman has got a mouthful of learning, but not one a bellyful. I am content to take the saying as thus stated. I do not cavil at it in the least, but make this answer; so admirable and assured has been the result of this mouthful system in Scotland, in a peaceable, orderly, steady, industrious, religious, and high-minded population; that I heartily wish it were extended to other countries and particularly to India.

The raw material is excellent, for where is there a more frugal, hard-working and submissive body of men than the Bengal ryots, and is their state so completely what it is desirable it should be, that it stands in no need of improvement? The people themselves are beginning to take a deep interest in the question, especially the poorer classes; and as a Member of the Committee of Public Instruction, I can state that we are sometimes under the painful necessity of negotiating earnest entreaties of the poor inhabitants of some populous village, to aid them in founding schools for the education of their children. Such petitions I say we cannot comply with from not having more extensive means. Would that the wealthy and influential Natives would in greater numbers aid the cause with their hearts and their purses! But there is one splendid exception; need I mention Dwarkanauth Tagore? Would that they imitated his philanthropy and liberality—instead of squandering large sums yearly upon funeral obsequies and Doorgah Poojah nautches! And what are the recollections associated in the minds of the poor with shreds? Are they those of respect for the memory of the dead, and of gratitude for the living? No—they are recollections of a home rashly quitted for a beggarly dole, of a wearisome journey, of exposure to the inclemency of the weather, of hunger, thirst, and not infrequently of death! Those of Doorgah Poojah nautches again are associated with nocturnal dissipation and dissoluteness, and too often of the disgraceful drunken squabbles of the foreigners who degrade themselves by frequenting such revels. I would, indeed, most earnestly entreat of the natives to spend their money to better purpose in founding scholarships or charitable institutions. I would beg of them to recollect the impressive truth that education is the antagonist principle of the impossible, and that it has achieved many victories over the impossible. To the educated man many things are possible which to the uneducated is totally impossible. The very elements become subservient to the purposes of the man of science. Twenty years ago that person would have been scouted as a visionary, who should have foretold that a letter from London would reach America in a fortnight and Calcutta in fifty days. Nay, ten years ago he would have been called a wild Enthusiast who should have foretold that within that time Hindoo youth would be wielding the powers of Chemistry with the adroitness of adepts; and more, that the son of the Brahmin should be seen learning anatomy as only it can be learned, scalped in hand, by the side of the dead body! This sublime victory over prejudice and superstition, has been effected by the Medical College, a truly noble institution which is effecting much good—that we owe in the first instance to the enlightened and liberal Government

that provided it, and in that second to the ability science, and energy in active operation within its walls.

But I must not intrude further on your time. I conclude by saying, that education, in a word, elevate a man nearer to the source of light. Knowledge itself has been emphatically called LIGHT. The broad highway of knowledge, though to some extent we behold its course, eludes our gaze in the far distance, passing beyond the veil of infancy. On that high way there is no halting. The traveller must onward—retrograde; and in proportion as he advances or recedes, will be the usefulness of his talents or the benefits he confers on society. Within the heart of man there is a sacred craving for knowledge that cannot be satisfied here. There is no quenching of that divine thirst until the Regal Cup-bearer come with his "cool black wine" that must be drank, and by the dread mysterious power of which, an end is put to our groping pilgrimage below—to perfect our Education in the Heavens!

Here Mr. HAYS sang—"Bright, bright are the beams of the morning sky," and was applauded with loud cheers.

MR. LONGVILLE CLARKE, in a very eloquent speech, which we could not take down, spoke to the following effect. The toast which he had to propose was not a party toast, it concerned every body, and he would deny that the present meeting was a party meeting. All were invited to it and all were welcome. None, he said, entertained any doubt regarding the usefulness, nay, the necessity of a Free Press. The trial by Jury, which was his toast, was of the same universal character. It was an institution common both to England under the name of Jury, and to India under the name of Panchait, and he would appeal to Dwarkanauth Tagore to say, whether he was not correct in this assertion. Freedom of the Press and trial by Jury, he considered as inseparably united to one another. Destroy the one and you necessarily destroy the other. He adverted to the new code from which he quoted certain passages to prove that an attempt had been made to destroy, in this country the right of trial by Jury. Dwarkanauth Tagore, he said, was the proprietor of a Press, in the concern of which he took no part; suppose some libel were published by that Press, according to the provisions of the new code, he could, he might, if convicted, be sentenced to two years' imprisonment, and at any time before one-third of that period expired, a Governor-General might banish him for life from the territories of the Company, and thus the Government would thus manage to get rid of troublesome zemindars. This was not the state of the laws now; but if the new code came into operation, that would be its state, and the country would fall back to the times when a Buckingham and an Arnott were persecuted. He enumerated several instances of the triumph of the Jury in England, even in cases which concerned poor men whose cause the Government would not take up, and asked if such were the beneficial results of the institution in England, why similar effects would not attend it in this country. He then adverted to the struggle against the Stamp Act, supported by Sir Chas. Grey, the then Chief Justice of the Supreme Court, and to the victory obtained by a resolute Jury, the foreman of which was Mr. Robert Brown. Mr. Clarke concluded by proposing—Trial by Jury; which toast was drank with loud and continued cheers.

MR. H. M. PARKER.—It devolves upon me to propose to you, and I do so with sincere gratification, a great, a valiant and an enlightened people. To propose to you a mighty nation which Sir Phillip Sydney, that honor to England and flower of English chivalry, designated in his day, and in the true spirit of a brave and noble Englishman as he was, "That sweet enemy France." There is still, I grieve to say, a party, and

not a weak party, lingering round the mouldering altars of prejudice and ignorance which occasionally takes all that is fine and noble out of Sydney's fine phrase, and calls the subject of my toast "that natural enemy France." By this party the irreligious, the unchristian, the foolish and disgusting feeling I have alluded to The "Natural enemy" feeling was strenuously sought to be revived only a few weeks ago, thanks to Steam Communication I can say weeks, on an occasion when, if ever, all such unworthy prejudices and unholy feelings should have been allowed to sleep; when no sentiments should have prevailed but those of peace and happiness. They called upon the land to join their cry "Our natural enemy France," and the call was replied to. Yes, it was replied to as England, Ireland and Scotland; as the lands of Marlborough, of Wellington, and of Moore, could only reply to it, in a manner worthy of their fame, by one simultaneous burst of honest admiration and respect for the valiant veteran who having in so many gallant fields upheld the renown of the realm he nobly served in war, now came to represent in friendship and in peace "that sweet enemy France." But away with all talk of enemies or enemies when we speak of that great and noble nation, I shall call her, as I hope to find her, the true and valued friend, a friend to us, as neighbour should be bound to neighbour, by mutual kindnesses, mutual wants, mutual sympathies, and mutual interests (Cheers.) For my own part, I cannot but feel that mankind owes a mighty debt to France; for arts, for sciences, for civilization, for literature, and above all, for her revolution. Aye, gentlemen, for her revolution! I do not disguise from myself the crimes or the follies of that terrible period; but, gentlemen, if we and our families had fed upon weeds and nettles that some gay Signeur might glitter in lace and embroidery through the galleries of Versailles. If we had groined for bread, and our answer had been a gallows forty feet high. If we had implored food, and been told by an insolent millionaire, that if hungry we might eat grass. If we had been ground by corvées, plunged in Bastille dungeons, and shot from off the house tops for amusement, by some gay noble returning from the chase; I say gentlemen, if we and ours had suffered these things, we should then better comprehend, and perhaps better allow for, that awful reaction of all the feelings of insulted humanity, of humanity tyrannized over, degraded, trampled on, debased for centuries which we call the French Revolution! Neither will I urge what has been so often, and so well insisted upon, that one battle fought in a war wages to gratify the spleen of some royal courtier, or to prevent the spread of a frivolous dispute, touching the size or placing of a window, between a vain glorious sovereign and a vain glorious minister, that one such battle in one such war, I say, has cost more blood twice told than unhappily flowed from all the scaffolds of Revolutionary France. But these are no justifications, I acknowledge with every Englishman, with every honest man, the solemn maxim that crime does not justify crime. Tyranny, cruelty and vice in a King, excuses not tyranny, cruelty and vice in a people: fortunately the French Revolution has another and I trust a better ground of justification. In a world where evil is, we must of necessity balance such evil with the good that results from it. We must balance the miseries of the thirty years war with centuries of religious peace and freedom of conscience. We must balance; the whirlwind which destroys great ships and devastates islands, with the whirlwind which sweeps disease and pestilence from whole realms and purifies and sweetens, to the wholesome uses of life, the blessed air "that clips us round about." Since, I say, things in this state of our being must thus be judged, who shall say that the French Revolution has not been fraught with incalculable good to France and to mankind. To

mankind, for it has taught, not the "great moral lesson" of our old Tory friends, but the "greater moral lesson" of a wholesome self-restraint even to the most assured of despots, while it has taught hope, blessed hope, even to the most enthralled of people.

"Sarmatia fell unwept without a crime,"

but even for Sarmatia there is the tri-color of eternal nature, the rainbow of hope, still shining in her sky of troubled clouds. For the heroic sons of Poland, reversing the well-known adage without departing from its truth, while there is hope, there is life, and God grant that hope may be fulfilled! As for France herself, the benefits ultimately arising from her Revolution were cheaply purchased if none other had resulted from her long, her fearful, her heroic struggles, than the freedom of the Press.—At that hallowed name, hallowed alike in France and England, and the best guarantee for the peace and happiness of both, I conclude by giving that you will aid me in doing all honor to my toast.

FRANCE, and may the cordiality and good will happily subsisting between her and Great Britain never be diminished.

CHAIRMAN.—My friend, Mr Parker, has given you for his toast, the nearest neighbour of Great Britain. I will now give you her nearest relative, England's elder child, the United States of America: an offspring of which she has reason to be proud; for young as she is, she has already surpassed most of the states of the old continent. From her we learnt an useful lesson at the time of her emancipation, and no doubt her enterprize will enable her to give us many more. Would that England had many such actions, to carry her arts, her literature, her glory, and her liberal maxims of Government from one pole to the other. May no petty jealousies or squabbles about a boundary, not worth the quarrelling for, disturb that harmony, which after two contests now so happily exists, and which I trust may be eternal!—Here's to Britain's eldest birth, the United States of America.

DR. HUFFNAGLE.—As an American citizen, and I believe the only one present this evening, I will detain you one moment, to offer my feeble acknowledgments, for your flattering recollection of the United States. It would not become me to eulogize my native land, else I might tell you of the blessings we enjoy under our free institutions; but as quite relevant to the purpose for which we have met together, I assert that with more than twelve hundred newspapers, perfectly unshackled and with facilities for their circulation unknown in any other country, we uphold the Freedom of the Press, as the safeguard of our liberties.—(Applause). It is happily no longer necessary, while returning thanks upon such occasions, to allude to national prejudices—where illiberal feelings exist, their origin may be traced (ossifish motives. The Englishman, the Scotchman, and Irishman, all find a home in America, and the citizen of the United States meets a welcome and clasps the right hand of fellowship, wherever he dwells among the subjects of Great Britain.

But the uniting band between us, has, I hope, been secured by the triumph of the "Syrius" and "Great Western;" with the same interests and the same language we must be considered as brethren, since now, gentlemen! the Cataract of Niagara is only 20 days' distance from London.

MR. LERRA then rose and said,—Mr. Chairman and Gentlemen, the duty of proposing the next toast has devolved on me, and I think that you will concur with me in considering it most appropriate on the present occasion. It is "the Chamber of Commerce in Calcutta and Freedom of Trade all over the Globe," (Cheers). Gentlemen, the prosperity and dignity of our own favored country, are to be ascribed under Providence,

mainly, if not entirely, to its Constitution and Commerce. One of the integral parts of that Constitution is a Free-Press; and no class of men has been more forward, or sincere in the support of a Free-Press than the Commercial Community of Great Britain, in general, or than that section of it, in particular, located here, (cheers.) In giving the meed of praise to the Commercial Community of Calcutta, which they so well deserve, for their liberal, independent, and patriotic endeavours to secure for their countrymen in India, among other constitutional rights, that of a Free Press, I must bring prominently forward the name of one of that body, who by his liberal and munificent acts placed himself in its van—who, in his life, was honored and respected as a British merchant, and who, now that he is dead, is remembered to be most deeply regretted. Need I say that merchant was John Palmer! (Cheers.) But I am right glad to see here present this evening some of those merchants who have written and publicly advocated a Free Press, and who has suffered because he supported a Free Press. And right glad am I to see that many of those who laboured in the good cause have lived to see their labours crowned with success. You, gentlemen, who have seen the bearings and practical working of a monopoly in trade, the disadvantages and the unprofitable nature of that monopoly to the monopolists themselves, the serious injury thereby, inflicted on the general trading interests of our country, and the flourishing condition of the trade with India since that monopoly has been abolished, will be in no want of arguments to convince you of the commercial and social advantages of a free-trade all over the world. (Cheers.) Slow as their progress has been, we find that the nations of Europe are now arriving at the conclusion, that the extension of Commerce, is more to be desired than the acquisition of territory, and that the advantages of peace and a flourishing foreign trade, are much to be preferred to the honor and glory, which may be gained in a foreign war. (Cheers.) But I hope that many of us may live to see the states of Europe advanced on a step further in liberal policy, and sound philosophy, by their making general Commerce the first object in international law, and by showing that they consider Commerce not the end, but the means of diffusing civilization and happiness among all the nations of the earth! (Cheers.) I have the honor to propose the Chamber of Commerce, and Freedom of Trade all over the Globe.

Mr. FERGUSSON returned thanks, and observed, that the mercantile community had always been engaged in objects of utility, which were beneficial alike to the country at large as to themselves.

CHAIRMAN.—Allow me to propose a toast not on the list; but which ought by no means to be omitted. It is a branch of the public service highly useful and honorable. I regret to observe among the gentlemen present so few members of it various causes have prevented their coming and delicacy perhaps was the principal. Yet, that was no reason why we should withhold the due compliment on such an occasion. It is not to be lost sight of, that it was by a Governor-General selected from that service, that the good we are now celebrating was granted which other Governors of large provinces had refused. He would propose the health of Mr. Dampier and the Civil Service. Drink with all the honours.

Mr. DAMPIER, in rising to return thanks observed, that as there was another member of the same service present he did not know why he should be so particularly singled out as an object of compliment on this occasion. He would assure the gentlemen present, that the members of the service to which he had the honor to belong, felt as they did, they were fully aware of the benefits of a Free Press, and believed that it would gradually do much good. He had been

sent into the service when he was an uneducated boy, and he had for a time acted in his official capacity, in a manner that he could not now approve of. He was indeed ashamed of many of his acts, and he really believed that if a Free Press had existed in the country at that time, he would not have acted so (hear, hear and cheers.) He adverted to the character of the Civil Service in general, and said, that with but few exceptions, every member of it could stand the strictest scrutiny into his conduct; they therefore courted publicity, and when he said give us publicity, he was sure he expressed the sentiments of the whole service. It was composed of Englishmen, and like Englishmen they feel, like Englishmen they seek publicity and consider a Free Press as their best safeguard. Mr. Dampier concluded by returning thanks for himself and the Civil Service, and resumed his seat in the midst of deafening applause.

VICK CHAIR.—I give you, gentlemen, the health of the Trade Association. A more valuable body in its degree, I do not believe to exist in this place or country, or in any place or country. I believe that when their union commenced, there was a real necessity for it, I know that it was recommended to them by the then Chief Justice, Sir C. Grey, and I am sure that they united on the soundest and best considered principles of union, and if amongst those principles, there were motives of self-interest, it was a self-interest that was in complete agreement with the interests of every class of their customers, and of all society well considered. Besides that, gentlemen—beside the special purposes of their organization, they have always given the most thorough-going and cordial support to every measure of public benefit that has been originated in this city since their establishment. They who bear the grand burden, are the especial supporters of TRIAL BY JURY—they are the class from whom the law of England requires the performance of public duties, the exact and due performance, of which demands the exercise of the highest class of civic virtues—of duty which are ennobling and enable in their doing, all who are connected with their performance. It has been well recalled to your recollection by Mr. Clarke, that trial by jury is the Palladium of the Liberty of the Press, and I will go farther and say, that the honesty and public spirit of that portion of the middle class, from whom jurors are selected, and of which the tradesmen form here by far the largest and most valuable body is the true Palladium of Trial by Jury. Gentlemen, I say it, and I repeat it to you here, that I think there is no class, be it what it may, in this city, that can compete with the class of tradesmen in the public spirited performance of burdensome and unobtrusive and gratuitous public duties. In this test of public spirit, they are second to none, and I think are above all, and the Trade Association is the essence and quintessence, so to speak, of its class. I give you, gentlemen, with pleasure, the health of the Trade Association, and I am sure you will drink it in the spirit in which I offer it.

Mr. REMFRY returned thanks for the Trade Association, as an officer of that institution. He would assure the gentlemen present, that the members of his community were always endeavouring to fulfil the duties enumerated by Mr. Dickens, and it was chiefly by them the duty of jurors were performed. He concluded by returning thanks for the Association.

Mr. G. PARSONS would propose a toast, which he observed had been allotted to Mr. Speir; but as that gentleman was absent he would act for him. His toast was the Agricultural and Horticultural Society, to which the community was indebted for such fine vegetables as were now to be had. This Society was

in communication with different parts of India, and engaged in developing the resources of the country. It formed, at the present moment, the nucleus of every information connected with the agriculture of the country. He would conclude by proposing the Agricultural and Horticultural Society and success to its efforts to ameliorate the products of India. Drank with the usual honors.

VICE CHAIR.—Gentlemen, I rise to propose to you the health of one who was invited to come amongst us to-day, and who, if he had come, would have been our most honoured guest. The retirement which he seeks, and which I believe the state of his health renders necessary, and perhaps a natural reserve and timidity, a timidity, however, to which no man is more a stranger on all other public occasions, has prevented his acceptance of our invitation. You will not, however, do the less honour to the toast of the health of Alexander Ross. (Enthusiastic cheering long continued and renewed.) Gentlemen, we have just had the pleasure of drinking the health of the Civil Service, and the tribute we have paid has been responded to in a manner calculated to give the utmost pleasure to us all, who have heard the frank and manly way in which the gentlemen who replied to that toast has spoken out his sentiments. Amongst that Civil Service to which we have paid merited praise, one of the most honourable and distinguished men was Alexander Ross. By a laborious and distinguished life of forty years spent in this country in that service, he acquired that knowledge which has rendered him one of the most pre-eminently useful, as well as bold and liberal public men that ever held rule in India. He is a brilliant example of the virtues that flourish in that service. From the knowledge which his long experience gave him of the mischiefs which they inflicted on India, he did not hesitate, when others would have doubted of their power, to abolish the Indian Transit Duties, where he had the power, to do so, from a knowledge of the benefit it would confer. He did not hesitate to concur in the abolition of all restrictions in the Freedom of the Press, and doubtless his long experience and extensive local knowledge was of eminent use in removing the fears of others respecting that wise and bold measure, both here and at home.

Gentlemen, I feel strongly on this subject, and on some occasions when I feel the most strongly, I feel too the most difficulty in expressing myself fully. I am proud to call Mr. Ross a friend. In later years, perhaps, and especially since he had held the highest seats of power, our intercourse has been less frequent and hardly such as to justify me in calling myself his friend; but still the recollections and the intercourse of former times, embolden me to use the name. In speaking of him then, as a friend, I feel and I own it, that I am not capable of fully doing justice to the conception I have formed of his public merits. Your recollections, gentlemen, will, however, supply my deficiencies. (Great cheering.) The value of his example and of his career to all public men in India and to India itself, I consider to be inestimable. As, when the sun sets in the horizon; he leaves light and radiance behind which long linger in the west after he has set giving promise of another morrow as brilliant and as fair, so does the influence of the example of a statesman bold, upright, beneficent as Alexander Ross, endure long after the period of his retirement, and influencing the actions, and the maxims of his successors, tend to reproduce in their conduct and career, as occasions arise, the benefit of former days. Gentlemen, with sincerity and fervour, I propose to you, and right sure I am with enthusiasm you will drink, the health of Alexander Ross; and may the remainder of his days, passed in the retirement of private life, be as peaceful and happy as his public career has been honest, useful, laborious and energetic.

Dr. GRANT rose to propose the health of the Chuirman. In his presence he could not enlarge upon his merits. The manner in which he had performed the duties of the chair, was known to all, and he would only add that in proposing his health, he proposed the health of an honest man and a scholar.—Mr. C. R. Prinsep, gentlemen, with all the honors. Drank with much hurrying.

Mr. PRINSEP returned thanks with a few suitable observations.

Mr. PARKER proposed the Calcutta Bar, in a short but eloquent speech.

Mr. LEITH.—As a humble member of that body on whom the honor has been conferred of being made the subject of the last toast, I rise to return thanks on behalf of my brethren and myself, to my friend Mr. Parker, for the handsome and flattering terms in which he proposed the toast, and to you, gentlemen, for the manner in which you responded to it. I speak my own sentiment, and in doing so I speak, I am sure, the sentiments of the whole bar, when I say that they value highly your good opinion, and more particularly as it has been, spontaneously, expressed in such kind and friendly terms by a most distinguished member of a most distinguished service, the civil service of India! Your approbation is a sufficient recompense for any little assistance which the bar may have been able to give in furthering our common interests, and in urging forward the measure, which we are this night met to celebrate. We have ever had in view, and I trust will ever keep in view, that it is for the benefit of the great body of the people that we ought to labour. Your approval will stimulate us to further exertions, not to obtain exclusive privileges, but to secure our common rights, and to obtain a participation in the enjoyment of those rights for all classes of the community.

Mr. PATRICK, with a few suitable remarks, proposed the health of Mr. Parker.

In returning thanks, Mr. Parker expressed his sentiments on the compliment paid to him, and observed, that he owed a heavy debt of gratitude to the Free Press, for having many years ago saved him from a broken neck (much laughter). You may laugh, gentlemen, observed the speaker, but you now laugh at what might have proved to me a very serious affair, if it had not been for the Press. Many years ago, when he was in the habit of driving about the town by day and sometimes by night, there used to be left a mighty bundle of bamboos, employed in public works by the McFarlen or Abercrombie of the period, and which encroached most abominably on the public road. The consequences were very serious to horse's knees and buggy shafts, and a neck or two might occasionally be endangered as was that of the speaker. A few writers and cadets might have been expended in this way to the advantage of all concerned, and no moan made; but at length the bundle of bamboos began to break the horses' knees and the buggy shafts of grave and sober citizens. Many complaints were made of this nuisance, and murmers were both loud and deep, but no notice was taken for. No! was it not a nuisance by authority; at length the patience of man and horse got tired out, and two or three letters appeared in the *Calcutta Journal*. Heavens, how magical was the effect. The mighty bundle of bamboos vanished like a morning fog, before ten lines of small print. In plain prose the abominable nuisance was instantly removed (cheers and laughter). This was one of the first practical results (a very little matter, no doubt, but worth much in the way of illustration), of an out-speaking Press, and considering that this speaker had in all probability whole bones to be thankful, for inconsequence of its plain speaking it could not be

wondered at that he felt bound to it by ties of gratitude in addition to those of principle. He had always advocated it as a measure suited to remove such great evils than a bundle of ill placed bamboos in this country and he always should.

Dwarkanauth Tagore.—I rise, gentlemen, to propose the health of a man who has spent his whole life in promoting the cause of education. I mean Mr. David Hare, who established a school in this city long before the Hindoo College came into existence. To him I, as a native, feel deeply indebted, for the zeal and assiduity with which he has laboured in the cause of education. Who, I ask, gentlemen, can go about like Mr. Hare, from house to house, enquiring after the pupils who absent themselves from his school—who can undergo the labour which he imposes upon himself in promoting the cause of native education? For these benevolent acts done to my countrymen, I consider myself so much indebted to him, that were I to leave this hall without drinking to his health, I would look upon myself as an ungrateful wretch. At one time Mr. Hare was a man of fortune, which he made by hard labour, but he is now (I do not intend to offend his feelings) in embarrassed circumstances, arising only from his liberality in the education of my countrymen. I think it incumbent upon the natives of this country to refund to Mr. Hare all the money he has expended upon them. What a pity it is that our countrymen, instead of following the example of truly good men, expend their substance upon the nautches of Doorga Pooji and such other absurd practices. For all the good Mr. Hare has done to this country, the only return which Government has made to him, is to give him the situation of the Secretary to the Medical College, which is scarcely worthy a tenth part of his services. I have much pleasure, gentlemen, in proposing the health of Mr. David Hare. Drank with enthusiasm.

Mr. Hare returned thanks, and with much diffidence and modesty observed, that all what he had done was more for his personal pleasure and amusement, than from any cause which deserved such high compliment.

At this Dr. Grant proposed his health a second time, which was also drunk with much warmth.

Mr. L. CLARKE proposed the health of Mr. Dickens. He adverted to that gentleman's career as a citizen and as a member of the Calcutta Bar, and took a retrospective of circumstances connected with his father, and his early life, which were alike honourable to him.

Mr. DICKENS returned thanks.

UNION BANK CALCUTTA.

A meeting of the Proprietors of this Bank was held, pursuant to advertisement—Saturday, 15th December, 1838. T. Dickens, Esq., in the chair. The Chairman opened the proceedings.

Mr. Longueville Clarke stated, that as he had prepared the plan which the Directors now submitted to the proprietors for approval, it would be better that he should explain it to the present meeting. He believed it was well known, that he had taken a lively interest in opposing the institution of a third Joint Stock Bank in Calcutta, not only for the sake of the Bank to which he belonged, but also for the sake of the public, and of the proposed institution itself. It appeared to him that if the trade of Calcutta made it expedient to have an increase of Banking Capital, the shareholders of the Bengal and Union Banks, could readily furnish it from time to time, as it might be required; but to start an immense rival establishment,

Dwarkanauth Tagore, with a few observations, proposed Mr. Dampier, who returned thanks in a very appropriate speech, again advertent to his faults, committed during the early part of his official career, and stated that he could not have committed those faults if there had at that time existed a Free Press in India.

Mr. DIAS.—Mr. Chairman and gentlemen; may I crave your attention for a few minutes to remind you, that among all the individual toasts proposed we have overlooked the memories of those who have departed from among us. After the oratory and eloquence that has been displayed by the speakers of the night, among whom may be rated some distinguished scholars, no field is left untrampled. I, who have never travelled beyond India's shore, shall claim from you the indulgence you so handsomely evinced towards my countryman Dwarkanauth Tagore. The occasion, and the glow which every heart must feel at the celebration of so essential, and of so great an advantage as the liberty of the Press, warms and forces the expression of my feelings a member of a community who is alive to the advantages to be derived from free discussion and the promulgation of the opinions of the world (applause.) One of the speakers alluded to an occasion on which a late celebrated member of the mercantile community distinguished himself in openly opposing the stamp act, the late Mr. John Palmer; with him was associated another individual, whose talented and valuable career was cut short by a premature death, the late Mr. Winter, the Barrister. The meeting on that occasion must be fresh in the minds of many. The two gentlemen to whom I have already alluded, were foremost in pointing out the objections to an impost which by far exceeds the fees, or expensiveness of either the Supreme or the Mofussil Courts. Among the struggles for the attainment of the liberty and amelioration of the people of India that meeting ought to be considered as one, among other perhaps stronger causes, which have led to the happy result that we now celebrate. Therefore, Mr. Chairman and gentlemen, I shall beg of you to drink to the memories of Messrs. John Palmer, the prince of merchants and Mr. Winter, a distinguished member of the Calcutta Bar.

This toast was drunk in solemn silence.

THE CHAIRMAN proposed the health of Mr. T. E. M. Turton, which was drunk with the usual honors.

About this time 12 o'clock, the greater part of the company had retired, whose example we followed, leaving a few collected near the Chairman, enjoying the pleasures of conversation.—*Hurkaru, Dec. 18.*

with three millions of Capital, would not only destroy the fair profits of the existing institutions, but make Banking business so bad, as grievously to disappoint the new Projectors. The public would also be injured, for if the lending of money become a matter of rivalry, then there would be such a fatal facility of borrowing, that it would not only lead to over-trading, but foster the rash speculations, and produce these scenes of mercantile ruin, which both England and India had already witnessed. When, therefore, the Bank of India was proposed, and his friend Mr. Dickens circulated a requisition calling a Proprietary meeting, to adopt such measures as might be expedient, he (Mr. Clarke) recommended an immediate doubling of the Capital, by increasing it from 40 to 80 lacks of rupees. Mr. Dickens approved of the plan, and recalling that requisition, passed another, and the shareholders adopted the proposal. The Bank of Bengal had followed their example, and the

consequence was the Bank of India was heard of no more. So far his opposition was successful, but he was aware that the scheme which had failed in Calcutta, might be carried into effect in London, and when he reflected, that it appeared by Parliamentary returns, that in 1827, Joint Stock Companies were projected requiring capital to the extent of 372 millions of money, of which £17,500,000 was actually paid up, it did not appear difficult to him to get up a project of this nature. On considering the matter, it had occurred to him, that if facilities were afforded to English Capitalists, to purchase shares in the existing Indian Banks, that those who felt desirous of speculating in Indian Banks, would prefer joining those already established, to starting rival institutions. It would also be a great convenience to Indian Shareholders returning home, as it would afford them ready means of converting their stock into money. His brother directors had unanimously agreed with him in these views but one serious obstacle was suggested. If shares were transferable in England fraudulent holders might at the same time transfer them, or pledge them, or else transfer and pledge them both in India and England to the loss of the *bona fide* purchaser, and mortgagee, and involving the Bank in difficulties. He, (Mr. Clarke) readily admitted the possibility of such an evil, he had therefore framed a plan, by which he believed it was completely obviated. Perhaps it might be thought the plan was intricate, but he (Mr. Clarke) felt confident that the working of it would be most simple. He had endeavoured to provide for every thing which could happen, and to leave nothing unprovided for, and the detail though long,—if carefully read over two or three times,—would shew, that the carrying out of the measure would be easy. With the 9th article he had nothing to do, he had left that to the mercantile Directors, the majority of whom had fixed on 1s. 11d. as the rate of exchange, there was however a difference of opinion on that point, but there was no difference of opinion that the notice of the Proprietors should be particularly called to this article, and that the settlement of it should be left to them. The 10th article he (Mr. Clarke) thought defective, and instead of powers of Attorney to sign the directors' names to the certificates, he would propose the simpler plan of authorizing the London Agent to do it. Mr. Clarke then read the plan, article by article, commenting on each, as he proceeded, and pointing out the object it was intended to accomplish, and he concluded by stating that his first motion would be the first article, which was a simple declaration of the expediency of adopting the plan; if that were carried, he should then move the detail.

The motion was seconded by Dwarkanath Tagore and supported by Mr. Dickens, who addressed the meeting to the following effect.

GENTLEMEN,—I wish to make some observations on the Resolution moved by Mr. Clarke, to which I give my full support. The intent of that Resolution, however, is not to attract more money from England in order to increase the capital already employed in Banking operations in this city or India, but simply to give the married men in England an opportunity by becoming Proprietors of the Union Bank to participate in the higher rate of profit which banking in India (as well as all other commercial pursuits), at present yields to the capitalist. I say which banking at present yields, for I am by no means sure that the rate of dividend hitherto paid by Banks in India, can be expected long to continue with the extension which has already taken in banking capital. I wish to guard myself and such of you, gentlemen, as hear me, and share my opinion, from letting the supposition go forth to the world, that in our opinion more money is needed in Calcutta for

the specific purpose of banking. I speak my own sentiments, and I believe I may venture to assume that I speak the sense of the majority of you here present, when I say that the contrary would seem to be the case. Since the last period when news from London respecting the Bank of India in England appeared to give us reason to suppose it might be established, an increase, present and prospective, (but the latter portion likely to be very speedily realized) of no less than 170 lacs or taking the rupee at two shillings, of £1,700,000 has taken place in the amount of capital employed in banking in British India. It was about July 1837 just previous to the last late panic that we had ground to suppose that the Bank of India with its 3 millions sterling capital might be established. The panic and distress in the money market in England put an end to the project apparently and since then, we have heard no more of it until rumour has recently announced a similar project under the title of the Bank of British Asia. About July, 1837, the capital of the Banks in India stood thus; the Bank of Bengal had 50 lacs, the Union Bank 32 lacs, the Agra Bank 10 lacs, in all 92, of paid up capital. Now we have the Bank of Bengal,* 112 lacs. I believe it is 112, but I throw out the fraction, the Union Bank 80 lacs, the Bank of Bombay 50 lacs, and the Agra Bank 20, in all 262 lacs. It is true, that the increase of the capital of the Bank of Bengal, and the whole capital of the Bank of Bombay are not yet actually paid up, but I believe I am quite correct in supposing that the moment a few necessary formalities are completed, the whole amount will be speedily forthcoming if indeed it be not already in great part subscribed. Our own increase of 40 lacs which was to have been paid in two years, by successive fourths, and by payment of one-fourth in each half year, if proprietors chose to take so much time has been so rapidly paid up that I understand nearly three-fourths, or about 68 lacs in all have been or will be added to our Capital in the first half year. Thus since the month of July, 1837, we have beheld £1,700,000 devoted in India to the increase of Banking business, and considerably above a million of the increase is in this city alone. Now, gentlemen, I am one of those who think we have been going quite fast enough and indeed I very much doubt taking both Banks together in one view, whether it will not be seen hereafter that we have been going on a little too fast for immediate profit, though I freely admit that I think with time, all this capital will find profitable employment. Let us look to the Bank of Bengal, with its large circulation and deposits taken together, it is believed, that some 60 lacs or so are now; or were quite recently, lying idle and unemployed. They are going to increase this mass by 50 lacs more, and it will not be easy to say what is to be done with the money. In fact, as it seems to me, the Bank of Bengal labours under a money-plethora, a sort of apoplexy, an "embarras des richesses" most hurtful to the health of dividends, which are the life of Proprietors. Their dividends are diminished and will I think be still more diminished, and so must ours be, at least I for one am quite prepared to expect it for a time. In the long run I have no doubt in both cases the money will be absorbed in safe, regular and steady channels of business, but not so speedily perhaps as the sanguine are disposed to think.

* With reference to the sum of 112 lacs, it having been subsequently mentioned to Mr. Dickens, that as the Government did not take up their share of the increase, the capital of the Bank of Bengal, would be less by 15 lacs. Mr. Dickens explained that the increase of banking capital in India since 1837 had been overated by him at £1,700,000 but was still more than a million and a half sterling.

If I thought then, that the concluding words of Mr. Clarke's resolution which dwell on the importance of attracting English Capital to the Calcutta Market mean to imply, that we wanted more capital here for the Bank, I for one should object to them, but the words bear no such meaning; they mean simply that it is expedient to offer to monied men in London, an opportunity of becoming interested in the Union Bank by which its Proprietors who may transfer their stock will probably be benefitted as well as those who remain because the increased facility of transfer and negotiability of shares will have a tendency to raise premiums. I have thought it right, Gentlemen, in supporting Mr. Clarke's resolution to make these few observations to obviate misunderstanding of my views and those who think in the same way.

Mr. Clarke concurred in Mr. Dickens' observations, the motion was then put, as follows, and carried unanimously.

1. Resolved, that it is expedient to adopt a plan, for facilitating the purchase and sale in London of Union Bank Shares, thereby enabling the Proprietors resident in England to convert without delay their shares into money, and attracting British capital to the Calcutta money market.

After considerable discussion and several alterations, the following details of arrangements to give effect to the above resolution, were proposed by Mr. Clarke, seconded by Mr. Collier and carried unanimously.

2. That the shares in the Union Bank be henceforth divided into two classes to be denominated Indian shares and English shares, and that Indian shares be transferable to new Proprietors in Calcutta only, and English shares be transferable in London only, but that the Proprietors may at any time exchange an Indian for a corresponding English share, for a corresponding Indian share.

3. That a mercantile or Banking house in London be appointed Agents for the purpose of effecting the transfer of Union Bank shares in England, who shall be entitled to charge a fee to be paid by the purchaser for each transfer, the amount of the fee to be fixed by the Directors.

4. That a counterpart of the deed of copartnership be deposited with the London Agents, and that after the intending purchaser shall have been accepted by the London Agents, he shall sign the counterpart deed, and that no transfer of a share be complete, nor the old Proprietor released, until the deed be signed by the purchaser.

5. That at the time of executing the counterpart of the deed in London, the new Proprietor shall also sign in triplicate, a Power of Attorney, directed to the eight men or Directors of the Union Bank, empowering them jointly, or severally, to execute for him in the counterpart of the copartnership deed in Calcutta, and that duplicates of these powers be forwarded every three months by the London Agents to the Secretary in Calcutta, and that one of the Directors named, in the power, do accordingly execute the counterpart deed.

6. That a new form of certificate be prepared to be entitled Indian and English certificates, and that no share held under an Indian certificate be transferred to a new Proprietor in London, nor any share held under a London certificate be transferred to a new Proprietor in Calcutta; and that on all the Indian certificates the following notice be conspicuously printed in red ink.

"N. B. This share can only be transferred at the Union Bank in Calcutta," and on the English certificates the following notice be printed, "This share can only be transferred at Messrs. A. B. and Co.

street, London, the Agents of the Bank," That Indian certificates shall be exchangeable

for English certificates in Calcutta only, and not in London, and that English certificates be exchangeable for Indian certificates in London only and not in Calcutta.

8. That when a Proprietor shall be desirous of converting his Indian, into an English share he shall deliver his certificate, to the Secretary of the Bank by whom it shall be cancelled, and an English certificate shall be prepared corresponding in number, date and every other respect with the cancelled certificate, excepting, that it need not be signed by the same Directors, and that a similar course be observed by the Agents in London, on converting an English into an Indian share.

9. That the dividends in Indian shares be payable in Calcutta only, and that the dividends on English shares be payable at the London Agents only, and that the Remittances be made in Bank post Bills at three days' sight, at four per cent. per annum from date to time of payment, which Bills may be negotiated in Europe.

10. That the London Agents be authorized to sign the Certificates which may be granted on the transfers of shares in England, or on converting English into Indian shares.

11. That the London Agents transmit every two months a list of the transfer of shares, which may have been made during that period.

12. That printed copies of the copartnership deed be sent to the London Agents, and that every half year a complete list of the names of the Proprietors, and of the number of the shares held by each, be transmitted to the London Agents, and likewise copies of all resolutions passed at general meetings of the Proprietors, and that the above be always open to the inspection of any Proprietors in England.

13. That the Secretary's Report, and the Accounts published every half year in the Calcutta papers be likewise published in the *Times and Morning Chronicle*, and that a book containing copies of all the Reports, since the commencement of the Bank, be likewise forwarded to the London Agents for the inspection of Proprietors in England, and that all future Reports be entered in the same book.

Mr. Clarke then addressed the meeting respecting the appointment of a London Agent, as follows:—

Mr. Clarke stated, that he had now to call the attention of the meeting to a most important point, the selection of their London Agent. It was a point on which he felt great anxiety, for he was conscious how much the success of his plan depended on a proper selection, and he had not had any opportunity of consulting his brother Directors on the propriety of the proposition he was now about to submit,—and which was in fact altering a determination which he and his brother Directors had at their last meeting all coincided in. At that last meeting it had been proposed, that the Agency of the Union Bank, should be offered to the Firms of Coutts' or Childs'. He Mr. Clarke knew very little of London Banks, or of Mercantile affairs, and he was always desirous of being guided by his brother Directors on these points,—in which practice and experience were so essential. But circumstances might occur, which involved general principles, and as a circumstance of this nature had occurred, which had convinced him, that he had found a Bank far preferable to those which had been proposed. It was only two or three days ago and since the last meeting of the Directors, that he (Mr. Clarke) had accidentally met with a work, by Mr. James William Gilbert, entitled the history and principles of Banking. The book was a clear and excellent compilation, and in it was contained a full account of the London and Westminster Bank. Of this Bank, he had often heard, of its details he knew nothing, until he came across this work,

and the account given of it proved it to be a most prosperous institution. It had commenced on the 10th of March, 1834, when 10,000 shares had been subscribed. At the end of the first year 17,713 were taken, at the end of the second 20,510 were taken, and at the end of the third 29,352. Thus in three years from the commencement, the number of shares taken up, had nearly tripled. The number of shares was limited to 50,000 at 100 £ per share, as yet only 20 £ had been called for, and the paid up capital in March 1837 amounted to 297,255 £ or in round numbers sixty Lacks of Rupees, the paid up capital of the Union Bank was sixty Lacks, and it would shortly be eighty. The Westminster Bank had made their first dividend on December 1834, when they divided 2 per cent putting by a surplus profit of 1205 £, the second year they divided 4 per cent, with a surplus profit of 4407 £ the third year they divided 5 per cent putting by a surplus of 7027 £. In consequence of having incurred an outlay of 19,309, the preliminary expenses of their establishment, they sold 9333 share at a premium of £4-10, which gave them a profit of £41,993, with this they paid off the debt of preliminary expenses, leaving a surplus of £20,003, which added to the surplus of the third year, formed a reserved fund of £27,050 independent of sixty Lacks of paid up capital. Such was a brief outline of the progress of the Westminster Bank from March, 1834, when it commenced, to March 1837, beyond which he had seen no report, and he felt justified in saying that it had proved itself to be a most prosperous institution and must have been most ably managed. He did not know the number of shareholders, but as there were 302, when 1700 shares had been taken, he presumed there must be eight or nine hundred now, when there were nearly thirty thousand shares taken. There were sixteen Directors, Mr. Clarke here read their names.

- Henry Bosanquet, Esq.
- Frederick Bunnester, Esq.
- Wm. R. Keith Douglas, Esq.
- Joseph Estelle, Esq.
- Thomas Faircomb, Esq.
- Sir Thomas S. Freeland, Bart., M. P.
- Charles Giblin, Esq.
- Josiah John Guest, Esq., M. P.

- William Haigh, Esq.
- Henry Harrov, Esq., F. R. S.
- James Holtford, Esq.
- John Harworth Peel, Esq.
- Mat. Rolilton Reunic, Esq.
- David Salomons, Esq.
- Patrick Maxwell Stewart, Esq., M. P.
- John Stewart, Esq. M. P.

The head office was in Throgmorton Street and they had five branches, in Waterloo Place, High Holborn, the Borough Whitechapel, and Mary-le-bone. Among the terms of business he found. "The Bank will act as Agents, to Joint Stock Banks, private country bankers, and other parties residing at a distance."

To him it appeared that this was precisely the sort of Institution which the Union Bank should select for their Agents, and from the similarity of the institutions, their views, and objects, much more cordial support, and accommodation might be expected, than perhaps would be the case in a private Bank, and thus at some future day might lead to other relations, and to mutually important and beneficial results.

It was a fortunate circumstance for the Union Bank, that his friend Mr. Thomas Holroyd, the present Chairman of the Directors was about to proceed to Europe, he had kindly undertaken to make the necessary arrangements, but as the intervening distance made it necessary that much should be left to his discretion, and as they could place implicit confidence in his discretion, he should propose vesting him with ample powers to act according to circumstances, and concluded with moving—

Proposed by Mr. Clarke, seconded by Mr. Cragg and unanimously resolved—

1. That Mr. Thomas Holroyd be requested and empowered to make arrangements with the London and Westminster Bank to act as our Agent, or in case of that not being practicable then with Messrs. Coutts' or some other established Bank.—Carried unanimously.

After which the thanks of the proprietors were voted to the Chairman and the meeting broke up.—*Harkeru, Dec. 17.*

MEETING OF CATHOLICS.

Last Friday, in pursuance of the requisition which appeared in the newspapers, a Meeting of the Roman Catholic Unitarians of Calcutta took place at the Town-Hall. The number of persons present was upwards of one hundred and fifty. The proceedings commenced at half past seven, by Mr. John Lockerstein being called to take the chair. Having read the requisition by which the meeting had been convened, he addressed them in the following words.

GENTLEMEN,—I feel proud of the honor of being called upon to preside on so interesting an occasion, although I feel that my own personal feelings tend to embarrass me not a little. But, gentlemen, when I see before me so large and respectable a body of what I must consider the friends and admirers of the most Rev. Dr. St. Leger, I cannot but feel assured that common sympathy, a universal feeling of sorrow, unites us on the present occasion. There is but one opinion of the talents, virtues and valuable qualities of the venerated Pastor whom we are about to lose. I will not

detain you further gentlemen; but will merely state, that I have seen the address which has been prepared, and am conscious that it contains the sentiments and expresses the feelings of all who have had the honor and the happiness of knowing that illustrious individual. Of him I will take the liberty of saying, that there is no man who carries with him a greater portion of the regret, the good wishes and the respect of the community of which he has been a distinguished ornament. To lose such a man, is indeed a trying calamity, aggravated as it is by the apprehension that the heavy loss we have sustained, cannot be easily supplied.

Mr. J. P. DeVine.—Gentlemen, I have had the advantage of reading before now, the address alluded to by the chairman and I feel convinced, that it contains all that need be said on such an occasion; and as I fully accord in all that is said in it, I am sure you also, when you have heard it, will agree with me in opinion. Therefore, gentlemen, without further preliminary remarks, I beg to move, "that the address alluded to by the chair-

man be read." The resolution was seconded by Mr. J. Leal, and carried unanimously.

The chairman then read the following address :

MOST REVEREND SIR,—We, the undersigned Catholic inhabitants of Calcutta, contemplating with deep regret your approaching departure for Europe, respectfully beg leave to convey to you the expression of our unfeigned sorrow at the great and public loss which the Catholic Mission of Bengal has experienced.

Had we been made aware even in the slightest degree of your intention to resign the important office which for more than four years you discharged with the most distinguished zeal, piety and talents, we should have implored you, with persevering earnestness, to recal the intended measure of your resignation, and to continue to impart to us the blessings of your spiritual government.

But that regret is unavailing, and all we have now left is to indulge in the melancholy pleasure of pouring forth the warm feelings of our hearts, actuated as it by one impulse to declare, that we owe you a very heavy debt of gratitude which it will scarcely be in our power ever to discharge.

When you came amongst us, we were a community torn by civil dissensions and engaged in rancorous warfare; the bitterness of party and the spirit of hatred were rapidly destroying all kindly love and Christian charity. But how soon did the silent and irresistible influence of your personal character create a salutary change. You restored harmony, awakened religious zeal, and timely arrested the progress of an unholy strife. We are now proud in the consciousness of having advanced several degrees in the scale of social importance, and can we ungratefully forget the friendly hand which raised us?

It is also our pride to remember, that by the persuasive charm of your amiable qualities, the most important results were produced amongst our separated brethren in Calcutta. How frequently were we pained to observe the disorder that prevailed in our churches; how often had we suffered the humiliation of witnessing the indecorous behaviour of strangers, and what always added to the poignancy of our insulted feelings was, that the great mass of our own community gave an implied sanction to these outrages, by the impety and rudeness of their own conduct. It was a task reserved for you, our highly venerated pastor, to dispel the long gathered mists of prejudice, and to exhibit the splendour of truth in a clear and healthy atmosphere. Our separated brethren soon saw in you, the head of the Bengal Vicariate, a man who frequently, in his public capacity, explained the doctrines of his church with remarkable clearness and talent, and defended them with acerb reasoning yet in courteous and temperate language. They also saw you in private life associated with the most distinguished member of society, who, while they differed from you in opinion, were united in respect and regard for your personal character.

But what materially contributed to attract the respect of our separated brethren was the circumstance of your respected name and labors being intimately associated with several useful plans for promoting education. Soon after your arrival, was founded the Calcutta college of St. Francis Xavier, which you readily permitted to be opened under the sanction of your valued patronage. With equal readiness you consented to become the President of our Catholic Free School in Calcutta, warmly entering into all its details, suggesting and carrying into operation several material improvements, and generously adding to its pecuniary resources from a very limited income. In the same spirit of active benevolence, you forwarded the establishments of Free Schools in Chittagong, where no such provision existed for the children of a large Catholic population. These are measures not only important and salutary in themselves; but highly effectual in disarming the prejudices of those who were taught to believe that catholicism was inimical to the spread of knowledge.

But one of the happiest results of your ministry, is the plan of that stupendous work of education, La Martinière. It cannot be denied that it was the rare union of personal and intellectual worth which placed you in a

position to achieve this great moral triumph. It should be indeed a subject of self-congratulation to you, respected Sir, that you have been the instrument under providence, to secure for the Catholics of India a great and well conducted seminary, where their children might deserve a splendid and liberal education with the free and unshackled exercise of the religion of their fathers. The experience of more than two years has proved the excellence of the plan, and you enjoy the consciousness of leaving this noble institution under the guardianship of a talented and influential body of men, who, though some of them were at first consciously opposed to your views, have one and all cordially co-operated with you in its admirable management.

When we take a review of what you have done for us in the brief period of your pastoral government; when we reflect how greatly your virtues have helped to adorn even the high station to which you were called; and when we weigh the unbiassed testimony in your favor of the great and good of all persuasions, we can scarcely believe that we have deserved to possess you; and it is only in contemplating the dismal prospect of losing you, and in you, of those transcendent qualities that were so beneficially exercised for us, that we know the real magnitude of our loss, and feel how unprepared we are to sustain it.

We now respectfully beg leave to close this address, which feeble and imperfect as it is, convey the sincerity, though it cannot the fulness of our sorrow, at your approaching departure. In bidding you, our venerated and esteemed pastor, a long and we feel a last farewell, we most earnestly pray that that Almighty power which protects the virtuous, will safely guide you on to the close of a long and honorable life, the best energies of which have been devoted to the Glory of God and the spiritual welfare of mankind.

With profound veneration, we beg leave to subscribe ourselves,

Most Revd, Sir, your faithful, humble and devoted servants.

MR. M. CECIL.—Mr. Chairman and Gentlemen. The address that has been just read to you does not inform you of any circumstances with which you are not already acquainted; it only recalls to your minds facts which you all know, and you must have perceived, that the manner in which those facts have been recorded, is such that none can have any objection to join in this address which is the last mark of the respect and esteem which for our late and venerated pastor. I therefore trust, gentlemen, that you will all join heart and soul in adopting this address, and I propose, that the address just read be adopted. Before I resume my seat, I have to call your attention to one particular, Doctor St. Leger, you must know, is on the eve of his departure for Europe. Wednesday next will see him on board of the ship that is to carry him away from India, and this address ought and must be presented to him before that day; I would therefore further propose, that the address when adopted be signed immediately by all who are present, and that none who intend to sign it will leave the room without having subscribed his name to the document:

This resolution was seconded by Mr. F. Rodrigues.

MR. R. DIAS then addressed the meeting as follows—Mr. Chairman and Gentlemen, in rising to support the resolution that has just been seconded, I am sure I am doing only that which every one of this large assembly is prepared to do; but as an individual I cannot repress my feelings at the sudden and distressing departure of a friend the deservedly revered and beloved object of the Roman Catholic community of Bengal in Doctor St. Leger. I ask if there is one among you who can withhold declaring that as a friend he was sincere, as a gentleman honorable, as a prelate pious and exemplary, and as a man generally would it be presumption to say "we shall never see his like again?" (much applause). Do we not know that his disposition was so blended with benevolence, that he met a lord as a lord, and a peasant as his equal—who can say to the contrary? Then let us enquire into the acts of that dig

ultary among us. Did he not at first behold in this community the deplorable picture of confusion, disorder and schism? and was not he the great artist whose skill alone softened down the harshness of the feelings that then existed? and did not he ultimately transform that picture into one of which we are now justly proud? This excellent man here, we about to lose, and the present occasion to me is one of mourning and sorrow; but to find that there are so many who are sensible of the good we received and of the heavy loss we shall soon sustain, is a gratification and to Dr. St. Leger it will be satisfactory.—In the expression of my feelings on a late occasion, accusations have been made against me; but I shall avail myself hereafter of the same channel to refute the calumnies that have gone abroad. Yet, and I feel it deeply when I am obliged to say, this dignitary, to whom we are so deeply indebted, has been affronted by one; but of him I shall say nothing just now. You are all unanimous, the loss is generally and deeply lamented, and I believe I need hardly say that I hope you all accord in the sentiments which I have attempted so feebly to express. It ought has escaped my lips offensive to any of you. Let me beg it may be forgiven, and if I have said no more than you all feel, I shall feel that I have done my duty (loud and continued applause.)

The Chairman now put Mr. Crow's resolution to the vote, and it was carried *nem. con.*

Mr. DeVine.—Gentlemen, there are many to my knowledge anxious to sign this address; but they have been prevented by causes over which they have no control from attending this meeting, and I am sure there are many more similarly situated, of which I am not informed. Under these circumstances, I beg leave to propose that the address, after it has been signed by the gentlemen present be placed until Tuesday morning, at the Parochial house attached to the church of N. S. DeRozario, for the purpose of receiving additional signatures.

This resolution was seconded by Mr. W. Lackeestein, and carried unanimously.

Mr. Dias.—Gentlemen, I have just been informed that a few friends of Dr. St. Leger have caused a portrait of that Rev. gentleman to be taken; and further, that the subscribers to that portrait have resolved to ask the permission of the Rev. Vicar of the church of N. S. DeRozario to allow the portrait to be hung up in the drawing room of the suit of apartments at the Parochial house lately occupied by Dr. St. Leger. Now, gentlemen, admitting the full right of the subscribers to dispose of this portrait as they think proper, I do feel myself called upon to say, that, as Dr. St. Leger was a public character among us, and as I am sure the Catholic public will be proud to join in this tribute of respect to their late much respected pastor, it would be gratifying to our feelings to join in, and as it were confirm, their resolution. I therefore, gentlemen, beg

leave to propose, that the Rev. Vicar Fré Antônia De Santa Maria be asked to allow the Portrait of Dr. St. Leger to be hung up in the drawing room of the suit of apartments at the Parochial house lately occupied by Dr. St. Leger.

This resolution was seconded by Mr. Crow, who stated that he was one of the subscribers to the Portrait, and that he felt much pleasure in seconding a resolution in which he had already joined at a meeting of the subscribers.

This resolution was also carried unanimously.

Proposed by Mr. J. Heberlet, seconded by Mr. M Augier.

That the following gentlemen wait on Dr. St. Leger to present the address.

John Lackeestein, C. R. Lackeestein, W. R. Lackeestein, E. O'Brien, J. O'Brien, T. Gregory, M. Crow, P. Bonnard, P. J. DeVine, F. Rodrigues, J. Rodrigues, and J. Leal.

Proposed by Mr. Ed. O'Brien, seconded by Mr. A. Lackeestein.

That the names of Messrs. J. Heberlet, M. Augier, and B. Fune be added.

The signing of the address being nearly ended, Mr. Dias addressed the meeting, and complimenting the chairman on his opening speech and the successful conduct of the business of the evening, proposed to him a vote of thanks. Mr. Crow having seconded the proposition, it was carried by acclamation.

Mr. Lackeestein.—Gentlemen, I rise to return my thanks for the handsome compliment you have paid me. Allow me to assure you, gentlemen, that I feel proud for the manner in which you have been pleased to accept of my services on this occasion. I feel still more proud of the honor conferred on me in having been called to the chair on such an occasion, and prouder still that the business of the evening has been carried on in so orderly and harmonious a manner. The sympathies of all seem on this interesting occasion to have been awakened, and to unite us all in one common feeling of regret at the departure of our worthy and much esteemed pastor, and in the desire to pay him this last tribute of respect. The thought of this overpowers me, and I am unable to give expression to what I feel; I must therefore conclude by returning you my sincere thanks for the handsome manner you have complimented me; and I now dissolve this meeting.

The meeting broke up about half after eight: perfect order prevailed throughout, and every one left the room well satisfied with the proceedings of the evening; but regretting the loss they are likely to suffer by the departure of their much esteemed and highly respected Pastor, Doctor R. St. Leger.—Hurkau, Dec. 18.

THE PARENTAL ACADEMIC INSTITUTION.

This interesting occurrence took place last Friday, in the hall of the above Seminary, in the presence of upwards of three hundred ladies and gentlemen, chiefly East Indians. Among the visitors we observed Revd. Messrs. H. Fisher, H. S. Fisher, Campbell, Picance, McQueen, Boaz, (one of the committee of management of this institution,) the Rev. Dr. T. Olliffe, J. M. Brandon, (attached to the Catholic Church of N. S. D'Rozario,) the Rev. Mr. Piffard, Dr. F. Corby, Mr. Graves and several other distinguished supporters of education.

The business of the day commenced at about half after ten A. M., when the two last classes, the 5th and the 6th, were called on the stage erected for the pur-

pose. These classes were examined by the Rev. Mr. Boaz, the Secretary of the Institution, Mr. W. Byrn, and Mr. Crow, assisted by the respective teachers of the classes, in reading, Spelling, English Grammar, Geography, Scripture, History and Arithmetic.

To these succeeded the 2d division of the 3d class and the 4th class, whose examination was conducted by the Rev. Messrs. Fishers, Picance, and Boaz and Dr. Corbyn. The boys were well sifted in Latin and English Grammar, Parsing, Geography and use of the Globes, Scripture History, questions in the Old and New Testaments, and one or two other branches, in all which they seemed to give satisfaction to the examiners.

The 1st division of the third class was examined by the Rev. Messrs. Hoaz and Campbell, and Dr. Corbyn. The boys consisted and passed from Adam's Select Latin Sentences. They were also tried in English Grammar and Parsing, H. Jones of Greece, Rome, and England, Geography and the use of the Globes, general questions on the Scriptures, Arithmetic, &c. and acquitted themselves well.

The examination of the 2d and 1st classes occupied a very long time; they had much to do and were thoroughly satisfied in the various branches of their studies by Rev. Dr. F. O'Flaherty, the Rev. Messrs. Fishers, Peabree, Campbell, Dr. Corbyn, Messrs. Baddan, Crow, Dias and several others, as also by the Secretary and the teachers of the classes. The studies of the first class were Latin, consisting of Virgil, Horace, and a part of Sallust; Mathematics, consisting of Algebra, Geometry, Trigonometry and mensuration; and general questions in Natural Philosophy, Book Ke. viz., evidences of Christianity, Political and Moral Philosophy, History of India down to the present time and English Classics. The studies of the 2d class were nearly the same but on a lower scale, and they had no Political and Moral Philosophy nor English Classics.

Throughout the trials of the different classes, we were particularly attentive as to the manner in which the questions were put and answered, and had the satisfaction to find that the students appeared fully to understand the rational of the various studies. We also asked the names of the Rev. Dr. O'Flaherty, and the Rev. Mr. Campbell, the former expressed himself to be well satisfied and the latter, who had attended some exertions of this Seminary, stated, that he found very great improvement had been made, especially in the exercises of Grammar and Latin. We ourselves closely examined several sets of books of merchants' accounts that were on the table, and found the successive entries correctly made, and the books opened and closed in a very business like manner.

There were also several specimens of drawing exhibited, all of which displayed considerable taste and freedom in the execution. We were particularly struck by a Landscape in water colors; it was an Indian Scene, drawn on very rough paper, the boldness of coloring, the boldness and freedom of the touches, and above all the general effect were highly creditable to Master Baddan, by whom it was drawn. We had the curiosity to call two of the boys of the drawing class and giving them a pencil, we had them sketch a hat and some foliage as well as the outline of the human face, in both these their success was astonishing, particularly of Master Foister, whose foliage was drawn in a masterly style.

A number of Prize Essays were also on the table. We noticed the following, viz. on the Benefits of Literature, the study of Mathematics, Friendship, the Administration of Lord Cornwallis and a Historical Sketch of the Punie War. We had no opportunity of reading any, but we were told by some good judges, that several of them did great credit to their authors; and Mr. Montague, the head teacher of the institution, informed us, that these Essays had not been improved by the teachers. Recitations were introduced at proper intervals, with which the ladies and the children appeared to be highly delighted, some of them were well got up, considering the age of the performers.

Towards the close of the examination, Mr. Crow addressed the assembly and stated, that in consequence of the changes which the constitution of the East Indian body had within a few years undergone, and in consideration of the prospects which now opened before them of employment under Government of a higher order than those to which they were hitherto exclusively confined, the Committee of Management of which he was one had thought it advisable to make a corresponding change in the system of education adopted in the institution. He informed them, that in pursuance of this object, a sub-committee had been formed, who had closely and attentively looked into the system of education pursued at this Seminary, and had remodelled it; by which the studies of the Bengalli and Hindoostani languages,

which had hitherto been pursued as extra studies, and indeed much neglected, would be placed among the regular studies of the classes and the Geography of India, Land Surveying, and the study of the Laws of England and the Revenue and Judicial Regulations of the Local Government, would also be made objects of particular attention. These changes he said were intended to be brought into operation on the re-opening of the school. (Cheers.)

The Bengalli class was then called up and examined by Messrs. Feunwick, Dias and Crow, assisted by the Pandit of the Institution, in reading the New Testament.

After this Mr. W. Byrn, the Secretary, who is deservedly considered the Chief Pillar of this institution, addressed the boys of the first and second classes who were then before him, to the following effect:—It is now time that prizes should be distributed to some of you, which will be done by Mr. Montague, the Head Teacher of the institution; but I feel myself called upon to bring to your notice, that in themselves the prizes are nothing, and they are given only to create a zeal for study. Many of you will go without prizes, although your exertions have been considerable, and deserve great merit. That is appreciated by me and all those concerned in your improvement. The receiving of the not receiving of a prize does not alter the case. Indeed I do not consider it at all obligatory on the institution to award prizes, and am very much disposed to question the expediency of the prevailing custom. If, therefore, any of you feel disappointed at going away without prizes, I trust the reflections I have made will serve that feeling, especially when I inform you, that I have watched your progress with care, during the past year, I have strictly examined you this day, and I have been perfectly satisfied with the result of your labours. But what gives me and ours, to give you the greatest satisfaction, is the fact that several gentlemen of great talents and judgment, but unconnected with this institution, who have also examined you to day, accord with me in opinion on this subject. This is very flattering to me and to your teachers, who have laboured for your improvement and who cannot but feel gratified to see their exertions met by corresponding efforts on your part.

The prizes consisted of two gold and ten silver medals, which were ornamented on one side with a very pretty and appropriated device—a bee hove in a shrubbery and a band of bees at work extracting honey from the flowers, and teaching, by their example, the value of industry and its sweet results. The name of the institution surrounds the upper part of the medals, and on their obverse side two spires of laurel are painted encircling an empty space intended, we believe, for the name of the winner. Among these medals we were particularly struck by a beautiful silver star presented by M. J. Wood, with the Latin inscription engraved on a flowing ribbon—"Palmas que meruit Feras;" but by far the largest number of prizes consisted of books, the selection of which was very judicious; the sets were suited to the respective classes, and to the utilitarian spirit of the times. Mr. Montague, in delivering the prizes, accompanied some of them with suitable addresses, upon the character of each book and of the receiver, lauding his exertions and pointing out in very plain language the particulars in which we thought there was room for improvement. Mr. Glass also presented, on behalf of Mr. Wood, Ruilin's ancient History to Master Westropp.

The boys conducted themselves throughout in the most orderly manner, and every part of the business was got through with a degree of regularity, which manifested the strict discipline observed at this great and national institution of the East Indians, which now imparts the blessings of education to upwards of 200 boys. The only painting that decorates the examination hall, is the portrait of Mr. Ricketts, the late Secretary of this institution, and the Agent of the East Indians to Parliament. We should be glad to see the opposite wall decorated by the Portrait of its present Secretary, Mr. Wale Byrn, whose long services to this institution are invaluable.—*Hurkaru*, Dec. 17.

THE ST. ANDREW'S DINNER.

The St. Andrew's Festival on Friday evening, the 30th November, was well attended, and went off with the usual eclat and merit of that anniversary. The President's chair was admirably filled by Mr. Leith and that of the Crupier by Mr. W. P. Grant. There were several very eloquent speeches made on the occasion, of the plurality of which the following is, we believe, a tolerably correct detail :-

After the two first toasts—"The Queen" and "The Pious Memory of St. Andrew," which were drunk, without, by the bye, any prelatory remarks from the chair—"The Land of Cakes" was proposed in the following terms by Mr. Leith.—Gentlemen,—The next toast which I have the honor to propose, is also a national toast; but it is one which both custom and our own feelings will allow us to respond to with more warmth, and outward demonstration of enthusiasm, than the last. It is the LAND OF CAKES.

Gentleman,—It has been often noticed as a national characteristic, that Scotchmen are fond of migrating from their native land, and this love of travel and the unbounded limits of our wanderings, which do not always have for their object a richer country than our own, have given rise to the facetious saying, that if the North Pole had been discovered a Scotchman would have been found pitched upon its top. With this national characteristic, however, co-exists another as strongly developed, and which cannot be denied to us, inconsistent as it may appear—our love of country! (*Cries*.) Far as we may wander, and distant though we may be, from our native land, the Land of Cakes, Scotchmen will ever draw together, and unite in the bonds of brotherhood, and Scotchmen will ever and again, in the moments sacred to the deepest emotion and holdest feelings, turn their faces towards Scotland, with as true a direction as the Mahomedan to Mecca! (*loud applause*.) We are thus might met to celebrate the anniversary of our Lutelar Faunt, and to indulge in those delightful feelings which well forth from our hearts in thinking of our native land, and of our domestic hearth. In this yearly festival, we come forth, as it were from the world of business, and from the busy scenes of enterprise and professional exertion, that we may gather up our thoughts, and mark at leisure, features that else had vanished like a dream, to conjure up "a thousand thoughts that were old household thoughts." Which of you does not turn with fond affection to the spot where you drew your first breath, or heard your farwell sigh, to some spot sacred to the best affections that "nestle there?" Is there not some tree, or brook, some mountain of some earliest, and no doubt happiest years? While all of us must recall, with pleasure and with pride, those scenes of nature's grandeur, and Scotland's heroism which are stamped "with a local soul of independence and stern liberty."

I have said Scotchmen are given to journeying into foreign lands; but it is to their honor, that we find in the earliest records of Continental Europe, that the alliance of our wandering countrymen was counted, that they were prized as the elite of armies, and that we now see in modern and more peaceful times, that our countrymen are honored as useful members of society in those places where they sojourn; and in their honor Scotland has received honor. May we act our parts as well, while exiles from our homes, and return worthy of our country, to spend the decline of life in our native land, the

Land of Cakes! I give you, gentlemen, as the toast, THE LAND OF CAKES. Air—"Auld Lang Syne."

Mr. Leith—It was a saying of one of the Ancients, upon being asked which of all his friends he esteemed the most, that "they a just all die before such a question could be answered." Now, this saying may be applied with a little alteration to the consideration of the merits of our Governors, who although they need not die a natural death, must become *tu tibi ciberna*, politically dead, before we can form a just estimate of their worth, or at least, before we can pronounce an eulogium upon them, without running the risk of being charged with flattery! This must be my excuse for notwithstanding on the merits of our present Governor General, the subject of our present toast. This much, however, I will say, that Lord Auckland has entitled himself to our respect and thanks, for the encouragement which he has given, during his short residence in India, to commerce and education, the two great means of promoting the prosperity and happiness of the country over which he has been called to rule. THE GOVERNOR-GENERAL, with all the honors! Air—"Over the hills and far awa'."

Mr. Leith—I give you, without preface or comment, the men who have braved "the battle and the breeze." THE NAVY! Air—"Rule Britannia"

Captain W. Crookton returned thanks.

Mr. Leith—The next toast is the ARMY. In drinking to this toast, let us recollect that it was by the army that we won, and that it is by the army that we hold British India, the brightest and most coveted, although seemingly, least appreciated jewel of the British crown. When it shall be said of Britain as is now said of Venice, "once did she hold the gorgeous East in fee," the British Parliament, and our home rulers, may be taught her true value, and to appreciate her loss. But, as long as the moral power of our army and navy remains unimpair'd, we need not fear such loss; and we may boldly say to our insidious enemies and open foes, whether Russian, Persian, Barmatin, or Afghan,

"Come one, come all, the rock shall flee

From its firm base, as soon as we!"

Air—"British Grenadiers."

Col. McLeod returned thank in a brief speech of much ability and humour.

Mr. W. P. Grant.—Gentlemen, I have to call you back to the time when the independence of Scotland was fought for and established by our two great heroes, WILLIAM WALLACE and ROBERT BRUCE. They fought for all that is dear to man, their homes and their country, and secured the independence of Scotland, and in so doing, with-took one of the greatest perhaps of England's Kings, King Edward. It is remarkable that this was effected within the period of, I believe, twenty years, for Wallace declared the independence of Scotland by the battle of Stirling, and Bruce established it by the battle of Bannockburn, I call you to drink, gentlemen, to the MEMORY OF WILLIAM WALLACE and ROBERT BRUCE. Song by Mr. S. Thompson "Scots wha hae."

Mr. Leith—The next toast which I have the honor to propose, is the health of THE PRESIDENT OF THE COUNCIL OF INDIA, Colonel MORRISON, who is in every respect estimable as a man, and an honor to our country. Air—"The Banks of Allan Water."

Mr. Leith.—You have have just drunk to the rising sun, I now give you the setting sun. It has been said,

and truly said, "an honest man's the noblest work of God." Such is our countryman, the subject of my toast, Alex. Ross, the late President of the Council of India. (*Great cheering, which lasted several minutes.*) Gentlemen, I am glad to see that I have anticipated your wishes, and that your feelings and opinions correspond with mine, and that I judged rightly in supposing that I might take upon myself to introduce this toast, although not in the list of toasts put into my hands. I proposed this toast because I believed, and that belief is now strengthened by the manner in which you have received it, that Mr. Ross, in descending from his high office and returning to his native land, carries with him the esteem and regrets of all classes of the community. *Air*—"A man's a man for a' that."

Mr. Leith.—The next toast is the health of a gentleman, who has honored us with his presence this evening as a guest. I have the honor to propose the health of the GOVERNOR OF SERAMPORE. *Air*—"The Copenhagen Walla."

The Governor of Serampore.—I return my thanks to the Sons of St. Andrew for the kind manner in which they have drunk my health, and for the hospitable reception which I have met with from them.

Mr. Leith.—I have already said that the habits of our countrymen are erratic. I have now to propose the health of a wanderer from his native land at present a sojourner among us. But although he is a stranger in our Society, he nevertheless comes among us this evening not as a guest but as Scotchman; let us then give him a Scottish welcome. I would introduce him, gentlemen, to your notice, not only as a countryman, but as a late distinguished member of the British Parliament, who, in that body, represented one of the greatest countries of that great country, England. I have the pleasure to propose the health of Mr. POTTER McQUEEN, late member for Bedfordshire. *Air*—"Here was there awa wandering Willie."

Mr. Potter McQueen.—Accept my warmest thanks for the kind manner in which my health has been proposed and drunk. I have no claim to this honor but my being a Scotchman. I have been a wanderer, and during my stay in Australia from whence I have just come, one of my greatest enjoyments was to meet my countrymen at each returning festival of our National Saint. These meetings are most praiseworthy, they keep alive the best feelings, and conduce not only to keep up our affection for our native land and for our countrymen, but for all mankind. These meetings are known to have been instrumental in forwarding the most charitable and praiseworthy objects. I beg leave to return you my most grateful thanks for the honor you have done me.

Dr. Grant.—I shall perhaps horrify some of you by declaring that I feel strongly tempted to abuse the Supreme Court. You, of course, expect me to give my exquisite reasons for such a proceeding. In the first place then, it would be in such good taste, seeing that several honorable individuals connected with the Supreme Court are present; secondly, it is so easy to abuse, if you once can bring your mind to condescend to it. It is, indeed, so easy, that I should thus have the elements of a ready made speech quite convenient. (*Cheers*). In the next place I see no reason why one person, however distinguished his abilities or high his rank, should have a monopoly of abusing the Supreme Court. (*Cheers*) He must not, I say, be allowed to have it all to himself. It is too good a thing. Abuse must be also exceedingly refreshing, judging from the alacrity and energy with which some betake themselves to it. Thus have I heard of yore while enjoying the postical fragrance of "the flowers of Edinburgh," two of those interesting Nereids who rejoice in proclaiming the excellency of "Cauller herring," amuse themselves much to their now apparent delectation and the edification of all who heard them. Such a step as I

have alluded to, would also have the desirable effect of producing a sensation, and what is the chief object of most people but to cause a sensation? What are you all assembled for here this evening, but either to excite or share sensation? What is life itself, indeed, in the abstract, but the giving and the receiving of sensation? (*Laughter*) But my reason or reasons for abusing the Supreme Court is, that were it not for the tyranny of that court, I should be sitting quietly in my chair instead of making a spectacle of myself for the slow unmoving eye of one or two hundred sons of St. Andrew to gaze at. By pursuing such a course too, you might be pretty sure of getting an excellent speech from my friend Mr. Clarke, or some other son of Themis would no doubt get on his legs and make one in reply. I thus logically make out my case against the Court; were there no Supreme Court there would be no Calcutta bar, and there no Calcutta bar, there there would be no John Farley Leith to be one of its most rising and brightest ornaments, and to preside here this evening, issuing his command (which must be obeyed) that I should propose a toast. Having thus vented my spleen against our Chairman and the Supreme Court, I now approach with the seriousness becoming the subject of my toast, for I have as yet hesitated to do so from consciousness of my own inability to do it justice.

It is but right, gentlemen, that you should be aware I rise by command, otherwise might I be deemed amenable to a charge of presumption for volunteering a toast, that to be done justice to requires no ordinary qualifications in the speaker, as you will allow when I state that it is the MEMORY OF SIR WALTER SCOTT. Nevertheless, while I disclaim its being supposed that I am volunteering a speech on this occasion, I consider it a very great honor to have been called upon to propose the toast, for I am second to no one in feelings of the highest admiration, and I may even say reverence for the character of our illustrious countryman, Sir Walter Scott. (*Cheers*)

To attempt upon such an occasion as this to give an elaborate summary of his genius and acquirement, would be out of place, even if it were not superfluous, fresh as no doubt your recollections must be of his memoirs by his gifted son-in-law, one of the ablest, most honest and manly works of biography that has (at least so it seems to me) ever issued from the press. (*Loud Applause.*)

The genius of Sir Walter Scott was no less remarkable for the vastness of its range, than for its versatility. He was a wonderful painter not only of external nature, in all her varieties of aspect and change, but of man from the palace to the cot, from the senate to the dungeon. In each and every department you find the same strong, yet delicate;—flowing but accurate, pencil. There was a time when England taunt us with her glorious Shakespeare; but, without abetting a jot of our high admiration for him, we can now boast also of the Shakespeare of Scotland. In tragedy or comedy Sir Walter Scott was like Shakespeare, equally at home. To illustrate this by instances, to my present audience, would be quite superfluous. But it was not the tragedy and comedy of courts and camps, or of the great ones of the earth, that his genius exclusively devoted itself to. In both departments his representations of middle and of humble life are equally felicitous, affecting and true. Two allusions will sufficiently demonstrate this—"the Bride of Lammermuir"—throughout, and the moving scene in the fisherman Nucklebucket's cottage. What a magnificence of natural pathos in both—and yet each how different!

His acquirements were as manifold, extraordinary and recondite, as his faculties were vigorous and brilliant. For this he had the aid of a most capacious and enviable memory. How enviable—they only can say who

have been denied save in a very limited degree the same gift. In that vast store-house of knowledge, that immense emporium of lore, he could readily find, and in abundance, whatever he required;—the judicial process, the obscure historical incident, the remote tradition, the wild legend, and the ancient ballad. Any order on that intellectual Bank was cashed at sight and at the pleasure of the drawer in massive bullion or bushels of farthings!

Having thus slightly touched upon his talents and his acquirements, we are next to consider what use he made of them. It is here that, indeed, we may be proud of our great and good countryman. Without laying himself servilely out for it—his works have ever a moral, and generally a just one. The violent man will there find reflected the fruits of violence. The profligate will there read in fearful characters, the lesson that profligacy sooner or later learns to its undoing, and the good will there be further encouraged to love goodness for its own sake.

It is impossible not to be struck in him with that abundance of the milk of human kindness that makes us love the man, and which ever gave a sweetness to the keen perceptions of genius and governed his sense of the humorous and the ridiculous. He delighted not like some authors in gloating malignantly over the frailties of poor human nature or feathering against it, the shafts of pitiless satire and scorn. The elements we so blantly mixed up in him that he was slow to any of the irritations of authorship, and utterly above that miserable captiousness to the merits of others, or those unhappy jealousies which have also been too much the reproach of the literary character. It is but just however to observe, that this moderation was not the result merely of a constitutional placidity, but of a lofty principle and a conviction of the worse than uselessness of such angry controversies.

For all these, then, let us honour ourselves by testifying our respect for the memory of the mighty dead. I fear that I am getting tedious [*cries of no, no.*] We might from a selfish feeling lament that he did not live longer; but he who has led an active and an useful life, has lived long enough, a sentiment I think beautifully expressed by Seneca. *Vitæ scias uti—longa est. Vivere bonum non est, sed bene vivere. Itaque non ut diu vivamus curandum est, sed bene. Longa est vita, si plena est. Quid hominem Juvant Octoginta anni per metitiam exacti? Sapienter et fortiter factis, metiamur enjuresque vitam non tempore. Lendemus, et in numero feberim, reponamus cum cui quantulumcumque temporis contingit, bene collocatum est!* (*Applause.*)

Have we not reason, indeed, to be proud of being the fellow countrymen of such a man, who was not only possessed of such admirable qualities, but was a true Scotsman to boot, and one who loved Scot, and dearly? If great were his merits, commensurate, for a time, was his triumph. No writer ever lived, that in his life time attained such a height of extensive popularity, such an eminence of prosperity and glory, as Sir W. Scott. The prosperity alas! was hollow and fleeting, and withered in his grasp, but sublime were his efforts not merely to endure but to master adversity. The glory, on the other hand, remains and will continue to flourish like the ever green pines of his native hills, and imperishable as the blue mountains of Scotland.

He has laid our country under a lasting debt of gratitude, for there is not a hill or a valley of Scotland that he has not rendered classic by the magic of his genius. But let me close this hasty sketch, and that gratefully, for the indulgence with which you have listened to me. Of all the tragedies associated with the name of our illustrious countryman, the most moving appears to me to be the close of that precious life. Behold him setting out a premature old man, in search of that health and strength, which he was destined never to enjoy again. Alas! we now find in himself, the personation of an

affecting portrait he had drawn in an immortal tale of his youth.

“The way was long, the wind was cold,
The Minstrel was infirm and old.
His wither'd cheek, and tresses grey
Seem'd to have known a better day.
The Last of all the bards was he
Who sung of Border Chivalry.”

Behold now that mighty genius eclipsed, that glorious intellect obscured; he has only one ardent, earnest wish, and heaven granted it—this was to die in his dear Scotland. At length he remembers his beloved Abbotsford, the cloud rises, his intellectual powers may again recover their strength, his health may return, some ideas flit across his mind; he desires to commit them to paper, he is wheeled by his affectionate family into his study, he is set before that desk whence emanated so many splendid and immortal works; his favorite daughter places the pen in his hand. Alas! that right hand has lost its cunning, the fingers have no power to grasp the pen, it drops on the paper, he falls back among his pillows and weeps—bear him away to his chamber, for there is nothing left for him but to die!

“Mourn genius high and lore profound,
And wit that lov'd to play not wound,
And all the reasoning powers divine
To penetrate, resolve, combine;
And feelings keen and fancy's glow,
They sleep with him that sleeps below;
And if you mourn they could not save
From error him who fills this grave,
Be every harsher thought suppress'd
And sacred be his last long rest!”

I give you, to be drunk in solemn silence, THE MEMOIR OF SIR WALTER SCOTT.

Mr. Leith.—The next toast is SIR JOHN PETER GRANT and the Judges of the Supreme Court. My own professional position, and the presence of my respected friend who does me the honor to sit on my right, and whose name is prefixed to the toast I am about to give, prevents me saying all that might be said in giving this toast. This, I will, however, fearlessly say, because it is the simple and well known truth, that the judges of the Supreme Court are not merely administrators of the law, but uncompromising dispensers of justice. Air—“*The Judges are met.*”

Sir John Peter Grant.—I rise to return thanks to you, gentlemen, on behalf of myself and my colleagues, for the manner in which you have responded to the toast which my honorable friend has proposed. I am commissioned by Sir Edward Ryan, the Chief Justice, to express to you his regret at not being present this evening; this he feels the more, as it is the first time he has been absent from a St. Andrew's dinner for a number of years. The cause of his absence is this. Sir Henry Seton has only just arrived in this country, and does not yet feel sufficiently at home or acclimated to venture to a public dinner. He was, on this account, compelled to decline your invitation, and as he is at present residing with Sir Edward Ryan, the latter could not leave him.

Mr. Leith.—Gentlemen—THE CIVIL SERVICE, with all the honors, Air—“*Todlin Hame.*”

Sir John Peter Grant.—I believe on the last occasion, I proposed the toast which I am now about to give. I suppose it is the gravity of my age and situation that is thought to fit me in a particular degree for giving this toast. Gentlemen, to the subject of this toast our nation owes all that she is, and to it we are indebted for all that we are. It is the Kirk of Scotland, (cheers). Allusions have been made to the national character of Scotchmen; that character is owing to the religion which the nation professes, and which not only brought us into existence, but has formed our character. The Kirk is, therefore, entitled to our utmost respect and reverence. [We regret that we could not sufficiently catch the remainder of this able speech of Sir John Peter

Grant, which was received with many plaudits. He concluded by saying aloud, "I now propose THE KINK OF SCOTLAND. Air—" *Ay ain kind dearie.*"

Mr. W. P. Grant.—Gentlemen, I ask your permission, not the Chairman's, to propose a toast. It is the health of my worthy friend our Chairman, who has aided so much in promoting the conviviality of this evening, and who has always been ready to aid and assist at these our national meetings, since he has been in Calcutta. I give his health as a true *Hearted Scotchman*. The health of our CHAIRMAN, Mr. Leith. Air—" *There's Cauld Kail in Aberdeen!*"

Mr. Leith.—I return my grateful thanks to my kind and worthy friend, for the manner in which he has been pleased to propose the last toast, and to you, gentlemen, for the manner in which you received it. I regret, gentlemen, for your sakes, that this chair is not better filled. I cannot but be sensible of my own deficiencies, when I compare myself with those who have filled this chair in bygone times. There was a *Craigdarrock*; many of you, gentlemen, must recollect his eloquence and fervor in presiding at these meetings; and then there was my worthy friend opposite, Dr. John Grant, whose ability as Chairman is fresh in all our recollections; and then, though last not least, in our estimation and regard, Sir John Peter Grant, who filled this chair not only to the satisfaction, but to the delight of all (*cheers*). Gentlemen, I have made a mistake, and I apologize for it. I said that Sir John Grant filled this chair, I ought to have said that it was *Rothimurcus* (*cheers*). This name puts me in mind of a toast which I have often had the pleasure to propose from this chair; and which has been always responded to, as I am sure it will be on this occasion, with acclamation. It is the health of a Highland Laird, who, notwithstanding his elevated position in our society, considers, I will venture to say, his paternal title—*Rothimurcus*, his proudest title and best loved name.

Knowing that his happiness is bound up in the happiness of another who is about to leave us, I regret to say, to seek for health in her native country, I trust he will permit me to join that lady's name with his in this toast; it is the name of Lady Grant, who requires but to be known to be esteemed. Nay, gentlemen, were I required to describe what a wife and a gentle woman ought to be, I would point to Lady Grant. May she soon be restored to the enjoyment of perfect health, and may she and *Rothimurcus* be soon re-united,—if not in this country, in their native Land. Here's to the health of *Rothimurcus* and Lady Grant. Air—" *Rothimurcus Rant.*"

Sir John Peter Grant.—I am overpowered by my feelings, gentlemen, and cannot thank you as I would. My happiness is indeed bound up in that of another, in whose praise I ought not to speak, but of whom I cannot speak without praise. You will excuse me, gentlemen, in expressing to you but a small part of that which I feel. I cannot trust myself to speak, but I shall only say that the name I most love is that of *Rothimurcus*, and that I hope while I remain in this country, I may have many occasions afforded me of telling you so, and of expressing to you my thanks, in a proper manner, which my feelings will not at present allow me to do, for your good wishes for myself and Lady Grant.

Mr. Leith.—There is something melancholy in drinking to the memory of one we love—our toast is THE MEMORY OF BURNS, who although dead yet lives in his poetry, and in the hearts of his countrymen. It is with mingled feelings of pride and shame, that I propose this toast—pride in being the countryman of Burns, and shame that our country allowed him to sing his "native wood notes wild" amid chilling poverty, and in a situation which his noble soul and independent spirit spurned. His fate is not, however, a solitary instance of neglect, nor is our country the only one which has allowed worth and talent to remain amidst penury and neglect. Portugal

allowed her Camoens to die in a common hospital without a blanket to cover him, and Spain admired the inimitable Cervantes, but left him to draw out a miserable existence in constant dread of a prison. Gentlemen, I give you THE MEMORY OF ROBERT BURNS, which we shall drink in solemn silence. Air—" *Flowers of the Forest.*"

Mr. Leith.—The next toast is THE COMMERCIAL COMMUNITY OF CALCUTTA, a body most respected and useful, which fosters the industry of the people, develops the resources of the country, creates wealth, and contributes largely to the prosperity and happiness of India. Air—" *Money in both pockets.*"

Mr. Spier returned thanks, commenting on the general commerce of the country, of its prosperity, prospects, &c.

Dr. Grant.—By my getting on my legs again, you will say that I am disproving my own assertion that I would prefer keeping my seat; but I have a toast to propose, which I cannot decline. It is the CALCUTTA BAR. I am proud to say that ever since I have been in this country, I have numbered many friends in that body, which for talents, integrity and independence, is not surpassed by the bar in any part of the world. The members of the bar are ever foremost to aid their fellow citizens, when seeking to secure, or seeking an extension of, their political privileges. The bar is, as it were, a break-water against the inroad of—but, gentlemen, I am afraid I am going rather far. Well; we will say, the bar is a break-water against the inroad of something, no matter what, which had better be kept out. The bar will stand the calumnies that have been launched at it by Mr. Macaulay, whose opinion and judgment are not much to be thought of. When in this very hall, sitting as chairman of the St. Andrew's dinner, he took occasion three several times to assert, in excellent taste you will admit, that he was not a Scotchman. How different is the conduct of a gentleman here this evening, born to a higher rank, and more distinguished than Mr. Macaulay has ever been—Mr. Potter McQueen, who, although he was not born in Scotland himself, but whose father and ancestors were all Scotchmen, as Mr. Macaulay's were, boasts that he is a Scotchman, and has shewn in his speech that he has all the fervor and warmth of heart of a Scotchman. Gentlemen, I give you MR. CHARLES PRINSEP AND THE CALCUTTA BAR.—Air " *Up and war them a 'willie.*"

Mr. Charles Prinsep.—Gentlemen, I rise to return thanks for the honor which you have done me, and the body to which I have the honor to belong; but I wonder that you could receive with such marks of approbation, a toast which has for its subject the Bar of the worst court on the face of the earth. (*Great laughter and cheers.*) Gentlemen; Dr. Grant has said, the Bar has been calumniated by Mr. Macaulay. It is not surprising, gentlemen, that the man, who could deny his country, should turn traitor to his own profession.

Mr. Clarke, rose and said that he would return thanks on his own behalf, for the honor which had been done the Bar of which he was proud to acknowledge himself a member. In concluding he begged leave to propose a toast—the LADIES OF SCOTLAND—no, he meant to say THE LASSIES OF SCOTLAND. Air—" *Lassie wi' the tint white locks.*"

Mr. Leith.—I take shame to myself in not having earlier in the evening performed a duty, and a labour of love, by proposing the health of my friend the Croupier. I do so now, however, with much pleasure, not only as Croupier, the duties of which office he has so kindly and so ably discharged, not only as chairman on the last occasion in which we met in this Hall, but as the Master of *Rothimurcus*—the worthy son of a worthy sire, and as warm-hearted a Scotchman as I would wish to call a friend. The health of my worthy friend our Croupier with three times three. Air—" *Willie brewed a peck o' mawt.*"

Mr. W. P. Grant briefly returned thanks.

Mr. W. P. Grant.—Gentlemen, I have the pleasure to propose the health of my friend, Mr. Charles Prinsep and our English guests, who have honored us with their company this evening. We are men of different countries, but now are one people. Air.—“*The Roast Beef of Old England.*”

Mr. Charles Prinsep.—It is not the first time that I have experienced your hospitality, and have heard the expression of your good will towards my countrymen. I return you my grateful thanks for myself on behalf of my countrymen present. We are, as has been truly said, separate only in name from Scotchmen, we are one people with common rights and common interests, and I pray that England and Scotland may ever remain so, and be united with Ireland in opposing our common enemies.

Mr. Leith.—My friend Mr. Prinsep’s speech is a fitting introduction to the toast which I have now to propose, it is our IRISH GUESTS who have honored us with their company. And I will take the precedent which my friend’s speech affords, of offering up a prayer, that the union between Great Britain and Ireland may continue, and that Ireland may in that union enjoy equal privileges, and equal rights with England and Scotland, Air.—“*St. Patrick’s Day.*”

Mr. L. CLARKE made some remarks upon what had been said regarding the Calcutta Bar, and proposed the prosperity of Scotland. He felt particular pleasure in

adverting to the victories which that country had won over the English, to which nation he belonged. The wars between Scotland and England were but the infantile exercise of those nations, which at last prepared them for the conquest of distant regions. Had it not been for Scotland, we would, perhaps, have never been here. Her early victories, although won over the English, were followed by the establishment of the cause of liberty on a firm basis. Their disputes had vanished, and the two nations, were now united in one. He therefore felt great pleasure in proposing the prosperity of Scotland. Drank with all the honors.

Mr. S. THOMPSON sang the national song, *Should auld acquaintance &c.*, during which the company rose up and holding each other by the hand, joined chorus. The scene was exceedingly pleasing and marked the friendly and brotherly feeling so characteristic of the sons of St. Andrew.

Mr. PATRICK proposed the health of Mr. Longueville Clarke, which was drunk with much warmth. Mr. Clarke returned thanks in a very eloquent speech.

After this the Bowl of Punch was introduced, and several other songs sung by those who yet continued to prolong the festivities. We left the company about this time enjoying the pleasures of conversation and merriment.

The greatest harmony and order prevailed throughout, and every one appeared highly delighted and gratified with the festive pleasures of St. Andrew’s day.

THE LANDHOLDERS’ SOCIETY.

Proceedings of a meeting held at the society’s office on Monday, the 10th instant.

PRESENT.

Committee.—Rajah Kally Kissen Bahadour; Baboo Dwarkanauth Tagore; Baboo Ramanath Tagore; Moonshev Mohamed Ameer; W. C. Hurry, Esq.; G. Vint, Esq.; and G. A. Prinsep, Esq.

The gentlemen proposed at the last meeting, were unanimously elected. Proposed by G. Vint, Esq., and seconded by G. Prinsep, Esq.

Thomas Clark, Esq., of Bhauleah; David Brown, Esq., Senr., of Buchour, Tirhoot, and G. Hardie, Chuprah.

Proposed by the Secretary and seconded by Rajah Kally Kissen Bahadour.

A. Imlach, Esq., of Calcutta; W. Campbell, Esq., of Comergully; A. Glass, Esq., of Dacca; A. Laruetta, Esq., of Sooksaugor, and P. Macdonald, Esq., of Midnapoor.

Proposed by William Storm, Esq., and seconded by Baboo Ramanauth Tagore.

Arthur Ford, Esq., of Dacca.

The Secretary reported, that no answer had been received from Government to the Society’s letter, which accompanied the Zemindars’ petition. Read a letter

addressed to J. Crawford, Esq., London, and mentioned that a credit for £100 had been forwarded to him for the purposes of the Society.

It was proposed by Baboo Dwarkanauth Tagore, and carried unanimously, that as Thomas Holroyd, Esq., a member of the Society is about to sail for England, and has expressed his willingness to assist in promoting the objects of the Society, a letter be addressed to him by the Secretary, requesting that on his arrival he will communicate with Mr. Crawford, the Society’s agent, for the formation of a permanent London Committee for the management of the business of the Society in England.

Read a letter from Baboo Woomeschunder Roy, enclosing a petition of the zemindars, isardars and royots of the Zillah Nuddea, to the Deputy Governor of Bengal, for a remission of revenue on certain inundated lands.

Resolved.—That a letter be written to Baboo Woomeschunder Roy, informing him, that as it is a private matter it would be better that the petitioners should first address their prayers to the proper authorities, and if no relief is obtained, the Landholders’ Society will then take the case into consideration.

W. COBB HURRY.

RAMMANUTH TAGORE.

Harkaru, December 15, 1838.]

Honny. Sects.

INSURANCE GENERAL COMMITTEE.

Proceedings of a Meeting of Representatives of Insurance Offices, held at the Chamber of Commerce, 22d December, 1838.

PRESENT.

R. H. Cockerell, called to the chair.
J. Agabeg. W. F. Ferguson.

N. Alexander.
P. A. Cavorke.
J. W. Cragg.
J. Cullen.
R. Davidson.
L. DeSouza.

J. Lyall.
K. R. Mac Kenzie.
A. Muller.
W. Prinsep.
Rustomjee Cowasjee,
D. B. Syers.

Read the following communication which had been addressed to the several offices.

GENTLEMEN,—Subjoined is a copy of two Resolutions passed without dissent at the Meeting of Secretaries held on the 10th instant, to which we crave your attention. The reason which led parties to wish the arrangement contemplated by those resolutions, was supplied by the fact, that the occasional meetings of Secretaries to fix rules and regulations, have failed to introduce into the practice of Calcutta Insurance, that unity which is so desirable, and have led to no useful and abiding result. To remedy the inefficacy of such fugitive meetings, it was judged necessary to embody a permanent Committee, deputed by the Directors and selected from their own number, to carry their views into effect, with a harmony of purpose which is now so much wanted—the two primary objects being, to establish uniformity in practice, and to effect a more distinct and equitable classification of risks.

Having been appointed at the aforesaid Meeting to take the preliminary steps for the establishment of a General Committee, and to draw up rules for its guidance, we now beg leave to wait upon you with a brief sketch of the plan, that you may take the sense of your constituents on the merits of the proposition, and obtain their sanction for the formation of the Committee as projected.

You need not to be told, that the circumstance of the extended number of Officers, without any recognised standard to regulate their procedure, and without the maintenance of any mutual understanding, has an unavoidable tendency to over-stimulate competition, which cannot but be injurious to the interests of the shareholders; for amid the struggle for business, not only is it to be apprehended, that the premia in general will be apt to decline below their proper level, but the protective limitations of the policy are too often relaxed, and in risks of very unequal value, there seldom obtains a sufficient discrimination of premium. To prevent such consequences, and to introduce and maintain a sound economy in general practice, is one important object which is sought to be attained by the construction of the General Committee; but, independently of this desideratum, it is believed that the institution of this regulating Committee will prove largely useful, as a body of delegates from all the directions, well qualified to adjust such differences as may occur between offices and parties, and to deliver opinions on any difficulties, touching which those offices may desire to have authoritative information. The advantages will probably be more appreciated by the shareholders at the present moment, when, almost all the offices having suffered more or less from the many recent heavy losses, they will naturally be inclined to provide for the future, if possible, the protection of a better system.

It is, perhaps, unnecessary to add, that the General Committee is not designed, in the remotest degree, to take cognizance of the concerns, or to interfere with the internal administration of the respective Offices. It is, from its composition, insusceptible of being an adverse or controlling power. Its labors and jurisdiction are to be confined rigidly to matters in which all have a common stake, and which may serve to guard the interests of the shareholders at large. In a word, it is merely meant to represent the interests, collectively, of the Committees, for general purposes, in a more simple and efficient form.

To give full effect to the projected measure, you will be sensible that it is highly desirable, if not indispensable, that all the offices engage to support it.

The measure is conventional—no penalty clause is inserted—but, should it meet now the approbation of the insurers, and continue to be entitled to their respect we hope its provisions will be adhered to.

In conclusion, we have to express our desire, that you will take the earliest opportunity to communicate to us the issue of this reference, adding whatever suggestions your Committee may instruct you to convey. Whenever we have answers from the several offices, a meeting of Representatives from the offices will be invested, to take the subject into final consideration, and to mature the scheme, if the body of under-writers shall have determined on its expediency.

We are, gentlemen, your most obedient servants.

K. R. MACKENZIE.
W. F. FERGUSSON.
J. CULLEN.
NATHANIEL ALEXANDER.
W. CARR.

Calcutta, Nov. 21, 1838.

Extract from the proceedings of the meeting of Secretaries, on 10th November, 1838.

Resolved, that a Committee of 5 members of the present meeting, viz. N. Alexander, W. Carr, J. Cullen, W. F. Fergusson, and K. R. Mackenzie, be appointed, to draw up rules and take preliminary measures, to be submitted to the several Insurance Offices in Calcutta, for the permanent establishment of a General Committee of reference, (consisting if possible of one member from the direction of every office,) on insurance matters regulating premiums, classifying risks, &c. &c.

Resolved, that if the arrangement be agreed to, W. Limond be appointed Secretary to the General Committee, and the sum of sixteen rupees monthly be paid to him by each office, as remuneration for his services and provision for all expences incident to the operations of the said Committee.

K. R. MACKENZIE.
W. F. FERGUSSON.
J. CULLEN.
NATHANIEL ALEXANDER.
W. CARR.

Report of the Committee appointed by the meeting of the Secretaries, to frame the necessary rules, and to take the preliminary measures for the permanent establishment of a General Committee of reference.

The proper object of this General Committee will be, to improve and regulate practice, and to establish a uniform system among the different offices; to discuss and determine points in which all have a common interest, but in no wise to interfere in the routine of the offices' internal management.

It will also constitute a body of superior reference, where offices and individuals differ, appealing to the authority of discordant principles.

And it will charge itself with the graduation of premia, and the classification of risks.

For the present, it appears unnecessary to lay down more than a few rules. Others can be added, as experience may recommend further provision to be made.

1. The Committee shall consist of one member from the direction of each office; and they shall elect their own Chairman, possessing the privilege of a casting vote.

2. Ordinary meetings shall be held once every month, and special meetings, as often as the dispatch of business may require them, notice thereof being duly circulated by the Secretary, under the authority of the Chairman of the Committee.

3. At meetings of the Committee, all questions shall be decided by a majority of the votes of those present, provided such majority do not fall short of 3; and in

case the majority be less, the question shall lie over till next meeting.

4. A scale of premias shall be prepared to be revised as often as circumstances may demand its modifications; as also a graduation in the rates of premium chargeable on different articles of produce.

5. A classification shall be formed of the vessels belonging to this port, or frequenting it, to be adjusted from time to time, as the information which may be obtained, shall render desirable.

6. All the offices joining in this arrangement, shall engage to recognize, and to act on the decisions of, the General Committee.

7. Records of the proceedings of the General Committee, shall be kept for the use of the offices, at all times when they have occasion to refer to them.

(Signed) NATHANIEL ALEXANDER.
 " K. R. MACKENZIE.
 " W. F. FAROUSSON.
 " W. CARR.
 " J. CULLEN.

Proposed by Mr. Prinsep, seconded by Mr. Cullen, and carried unanimously:—"That this report" be now adopted, subject to modifications; and be recorded as the ground-work of our future proceedings.

It was then, after discussion, agreed to modify rules 4 and 6, which shall stand as follows:

4 A scale of premiums shall be prepared, to be revised as often as circumstances may demand its mo-

dification; as also a graduation in the rates of premium chargeable on different articles: both to be recommended by this Committee to general adoption.

6. All the offices joining in this arrangement; shall engage to recognize and to act on the decisions of the General Committee, under a penalty bond for Co's Rs: 10,000.

Resolved, that the monthly meetings of the General Committee be held on the same days with those of the Chamber of Commerce, viz. the first Tuesday of every month.

It is distinctly understood, that where the Representatives appointed by any Committee, may be unable, or do not desire to attend, there of course exists the power of substitution.

Resolved, that in addition to the usual premium on voyages hence to Europe of 2½ per cent. for sea risk, and one per cent. for insuring against British capture, a further but conditional premium of 15 per cent. be required on French vessels, 'to be returned in the event of France being engaged in no hostilities with any European or American maritime power.

The several offices will be requested to furnish a copy of their policies, and a scale of rates of premium upon different articles of produce.

R. H. COCKERELL, Chairman.

Hulk., December 26.]

REGATA CLUB MEETING.

A meeting of the subscribers to the new Calcutta Regatta Club, was held at the Town Hall last evening, and very respectably attended. Capt. Macleod, of the *Richmond*, was called the Chair. The Secretary then informed those present that the object for which this meeting had been convened, was the establishment of a regular and permanent Club in Calcutta, to be called the "Calcutta Regatta Club," which would conduce greatly to the improvement in the building of ships, boats in general in this port, and, by the races which would be made up by the Club, would prove a source of amusement and pleasure to all lovers of aquatic sports and the community of this presidency in general.

The following Resolutions were then put and unanimously carried:—

Resolved.—That the gentlemen now present do put their names down as permanent members of the Calcutta Regatta Club, and that subscription books be left at the offices of the daily newspapers in the city, that other persons may have an opportunity of subscribing for the same purpose.

Resolved.—That an annual subscription of sixteen rupees do constitute a member of this Club for residents; and that commanders and officers of vessels will be considered members who subscribe ten rupees every time they visit the port.

Resolved.—That the following gentlemen do form a Committee of General Management, with power to add

to their number from time to time, as exigencies may require:—

Capt. Balston.	Capt. Bouchier.
" McLeod.	" McKinnon.
" Richards.	Mr. Hall.

Resolved.—That the Committee do draw up a set of Rules and Regulations for the guidance of the Club: the entering and classing of boats: of appointing umpires, &c., &c., from whose decision there will be no appeal.

Resolved.—That the entrance money for boats entering, be one gold-mohur each; and that the first race take place on the 1st January, 1839—the first class boats to start at 5 P. M. the others, as in last race, in rotation, a quarter of an hour, after each other.

Resolved.—That no boats be allowed to enter for the approaching Race, after Monday, the 31st instant at noon.

Resolved.—That all boats entered must be ranged off the Governor-General's Ghaut, for the purpose of being classed, on Monday afternoon, the 31st instant, at four o'clock.

It was then requested of those intending to enter any boats for the next Race, to hand in the names of the boat with their length and breadth—the following were accordingly entered, but many more are expected to be entered in the course of this day and to-morrow, and we anticipate not less than twenty or twenty-five boats will be entered to run, before the 1st.

Names	Flags,	ft.	in.	ft.	in.
Lüath,.....	Cathulin's Dog.....	25	3	by	5 3
Cheerful,....	Blue Peter,.....	24	0	by	6 6
Jubberdustee,..	Red,.....	32	0	by	4 10
Water Lilly..	White,.....	24	0	by	4 9
Cutty Salk,..	White pierced Blue,..	19	0	by	5 0
Black Diamond	White pierced Black,	30	6	by	9 2
Chow Chow..	Not so Green,.....	17	3	by	4 6
Greenwich Pensioner,..	English Ensign	35	0	by	3 6
Mary Ann Snooks, ...	White Red White	21	0	by	5 2
Jack,.....	White Red White	—	—	—	—
Dusty Bob.....	.....	—	—	—	—
Grand Turk,.....	..... Crescent,	—	—	—	—
London.....	St. George's Jack	—	—	—	—

It was subsequently determined, that the Race Course should be below the shipping off the Esplanade, so as to enable spectators to have a better view of the whole race than it was possible they could have had at the last, from the number of pinnaces, boats and shipping lying between the shore and the racers, and thus intercepting the view.

Thanks were voted to the Chair, and the meeting separated.

Fifteen persons, of those who were present, put down their names as annual subscribers to the new Regatta Club, which will enable the Secretaries, we should suppose, immediately to publish rules, &c., for the Club and consider it as established.—*Cal. Cour. Dec. 27.*

SEAMEN'S FRIEND SOCIETY,

The twelfth annual meeting of the Calcutta Seamen's Friend Society, was held last night at the Union Chapel, when Mr. J. W. Alexander was called on to take the chair, an office which this gentleman merits on account of his liberality to the Society. We understood from the report, and from one of the speakers at the meeting, that the above gentleman has relieved the society from this present incumbances.

The Secretary, Mr. Boaz, whom we shall denominate the "Sailor's Friend," read a brief and interesting report of the year's proceedings. The Report stated that there was an evident improvement in the attendance of sailors at the Bethel. That two ministers were engaged in preaching at the Sailor's Floating Chapel, and sometimes on board of vessels in the harbour. It also stated that an agent was employed to visit the ships as soon as they dropped their anchor in port.

Mention was made of the new Bethel, which we understand is now neatly fitted, that it was out of debt, and that the public will now be called upon to meet the current expenses in carrying on this useful institution.

Mr. Bayne moved the first resolution, which was—That the report now read be approved and circulated by the committee. In his speech he referred to the condition of sailors, which rendered an institution of this nature absolutely necessary. He rejoiced to find that some attention was paid both to the temporal and to the spiritual wants of sailors, and encouraged the meeting to continued exertions, by declaring that inspired prophets had not thought sailors beneath their notice.

Mr. G. Alexander seconded the resolution in a few words. He felt satisfied that the Society was doing good from the circumstances of having himself witnessed more than sixty at one time in attendance at the Bethel.

Mr. J. Atkins, of the Sailors' Home, proposed the second resolution, which was:—That this Meeting desires to offer its devout thanks to God for the success which has attended the operations of the Calcutta Seamen's Friend Society, during the last year, and for the happy circumstances under which it commences the operations of a new year, and not less would they render the praise due to His name for the pleasing intelligence contained in the report, of the general prosperity of the cause of religion amongst seamen. This was one of the best speeches of the evening, and was listened to with interest. He said that nothing could be done without the blessing of God. The pious husbandman commits the seed to the ground in dependence on the blessing of God. Pious merchants in engaging in commerce would look for the blessing of God; and pious parents in sending their children for instruction would pray for the blessing of God. The Seamen's Friend Society

looked for all their success to the same source. He stated the melancholy fact, that seamen, had occasioned enormous mischief by their immoralities—that they had done as much harm as Missionaries had done good. He very ably stated the necessity of such a Society as that for which he pleaded.

Mr. J. A. F. Hawkins, C. S., supported the resolution with a few judicious observations.

Mr. M. Hill, of Behampore, moved the third resolution, which was:—This Meeting, in appointing the following gentlemen to be a Committee of Management for the coming year, with power to add to their number, would do so with earnest prayers that they may be guided and blessed in all their operations, by the evident presence and favour of the divine spirit:—Messrs. G. Alexander, J. W. Alexander, H. Woollaston, A. Grant, J. Muller, D. Clark, W. Balston, and J. M. Vo. Treasurer, Mr. G. Grant. Secretary, Revd. T. Boaz. Minute Secretary, Mr. H. Andrews.

Mr. Hill's speech was the longest, but it was lively and interesting—on meeting would flag while he speaks. He made some excellent remarks on the potency of prayer. Men of science and merchants were energetic, patient and preserving, but were destitute of this powerful weapon,—prayer. In order that the Society for the good of seamen should succeed, he recommended the apostolic plan of setting the Committee apart by prayer, that they might resemble that useful order of character called deacons. He then called on the Secretary to offer up a prayer on behalf of the Committee.

Mr. J. D. Ellis seconded the resolution, and spoke also of the sad condition of sailors in general, and for the truth of his observations referred to Williams', interesting narrative, which ought to be read by every one; it has been called the last chapter of the Acts of the Apostles. Mr. Ellis concluded by recommending the audience to cultivate personal piety in order to be useful to others.

Mr. J. Penny, the Seamen's Minister, proposed the fourth resolution, which was:—This Meeting relying upon the faithful promises of God to all men, but especially on those which have direct reference to seamen, would pray this Committee, and all similar Committees, not to relax in their efforts to preach a crucified Saviour, and the necessity of the teaching of the Holy spirit, in order to the conversion and sanctification of the heart, and with reference to the imperative necessity that seamen above all others should be obedient to the providence of God, the meeting would pray the Committee to continue these efforts, which, under God, must issue in the conversion of the abundance of the Sea unto himself.—Mr. Penny explained this resolution by

tating, that the meeting expressed their subjection to the command of God, a belief in his promises, and a dependance on the Holy Spirit; and also that the meeting expressed the wish that seamen might acknowledge providence of God, and that others might be stimulated to care for sailors. Mr. Penny proceeded to state, that we were under obligations to sailors, that they were the safeguard of the nation, the protectors of our liberty; that they enrich merchants, supply the community with comforts, and convey missionaries to different parts of the world. He stated that it was the duty of all Christians and of denominations, to unite in this work, and that the union of Christians is one of best methods to destroy prejudice. He concluded with an anecdote that spoke to the purpose.

Mr. Boaz seconded this resolution, and spoke of the progress of these societies; that Sailors who had no

home but the sea have now a home in every port, and a chapel to which they can resort for instruction.

The news which the Secretary had just received from England, of the attention paid to sailors appeared to light up his countenance with joy and gladness.

The meeting was an interesting one. None of the speakers were long—all their speeches were well timed, and what we might say of proper length. The Secretary complained, that the meeting was not so well attended as he anticipated, although it was much better than in former years. Some perhaps were absent on account of the holidays, and had the meeting taken place at any other time, there might have been a full attendance.

We are glad to see that the society prospers, and we wish it all success.—*Cal Court, Dec. 27.*

DUM-DUM CATHOLICS' ADDRESS TO DR. ST. LEGER.

TO THE MOST REVEREND DOCTOR SAINT LEGER.

Late Vicar Apostolic of Bengal.

MOST REVEREND SIR,—With feelings of profound and sincere respect, we who form the Catholic community of Dum-Dum, unanimously lay before you, our venerable and beloved prelate, our heartfelt sentiments of gratitude and esteem on your departure from us, perhaps for ever.

In you, Most Reverend Sir, who, during the period of nearly five years residence with us, both by precept and example, sedulously and unceasingly inculcated the glorious doctrines of the Christian Faith; in you, a wise and patient admonisher, the friend and the father, whose every thought was devoted to our spiritual welfare, whose holy zeal was directed to our spiritual wants, and whose mild and paternal instructions, were delivered with earnest and fervid eloquence.

Accept, then, Most Reverend Sir, this attempt to pourtray what language is inadequate to express, the ardent affection which is felt by that community, who have received your benign instructions; and the members of which will ever recur with feelings of heartfelt gratification, to those days when you were their guide in holiness and truth, nor can we omit this opportunity of testifying our sincere gratitude to your able and pious coadjutor in the sacred Ministry, our beloved, our highly esteemed, and our much respected Pastor, the

Reverend John Saint Leger, for his zealous and unremitting attention to the duties of his sacred office, whose counsel and pious admonitions were always promptly bestowed on the afflicted in spirit, and who taught those laboring under bodily infirmities, to look forward with joyous hope to the glories of an eternal hereafter.

And, Most Reverend Sir, as heaven has so ordained that we must part, in all probability for ever, we beg you to be assured, that you bear with you, that which your exemplary conduct in the discharge of your sacred office so well merits, viz. our fervent and unanimous prayers for your welfare, both temporal and eternal. And be assured Most Reverend Sir, that so long as we remain in this transitory life, we shall never forget the consoling Gospel truths, which you have so emphatically and eloquently infused into our hearts.

In conclusion, Most Reverend Sir, we beg leave respectfully and sincerely to convey our best feelings of gratitude and esteem to our late worthy Pastor the Reverend John Saint Leger; and each and every one of us request, that you will kindly convey to him those sentiments; and may he whose zealous servant you are—the Almighty disposer of events, grant you and him a prosperous and happy voyage to your native land.

Dum Dum, 16th December, 1838.

Harkaru, December 18] Followed by 161 Signatures.]

DR. ST. LEGER'S REPLY TO THE CATHOLICS OF DUM-DUM.

TO THE ROMAN CATHOLICS OF THE ARTILLERY AT DUM-DUM.

MY DEAR FRIENDS.—It would be a vain effort were I to attempt to pourtray the feelings with which I received and perused your truly affectionate parting address. It is needless, I hope, to assure you, that the congregation of Dum-Dum, has ever been a peculiarly dear and cherished portion of my flock, and that some of my sweetest consolations, were derived from the Christian piety and faithful observance of religious duties, which often with admiration I there witnessed, as distinguishing a considerable number. You have been good enough to thank me for my exertions in your regard. I am compelled to disclaim in a great degree, the thanks offered, as any services, and far more than it was in my

power to do, were abundantly due to your fervor and piety.

For the no less kind mention of your late pastor, the Reverend Mr. St. Leger, except my warmest acknowledgments, to which he joins his own. I well knew the sentiments that ever animated him in your regard, and I can answer, a heart more devoted to the welfare of his flock,—a heart more filled with affectionate regard to the welfare of his flock,—a heart overflowing with more abundant zeal for the good of those committed to his charge, has seldom beat in the breast of a Pastor. I abstain from saying more, as your kindness has anticipated all I could say, and shews me that further declarations of his regard and mine for you, are totally unnecessary.

In conclusion, let me beg you to pour out your prayers before the Throne of Grace, and to beg the Father of Mercies to impart to us his heavenly benediction. Consoling ourselves with the hope that this parting request will be abundantly granted,

I remain, my dear friends, with the most affectionate

wishes for your health and every happiness, in which your late pastor cordially unites,

Your truly devoted friend,

Calcutta, December, 18. ROBERT ST. LECHE, D. D.

—Hurkaru, December 22.

THE HIGH SCHOOL.

(From a correspondent.)

I am just come from an examination of the pupils attached to the above Institution. Need I say that the result was satisfactory. The boys appeared quite at home, even when the most difficult questions were put to them to be solved. I remember having seen our Diocesan, aided by Archdeacon Dealtry, Rev. Fisher and Mr. Graves, the Rector of that school, preside and take a deep interest in the progress of the scholars. The 1st, 2d and 3d classes were examined before them in Latin, Mathematics and other Sciences. Reading, Parsing, Geography, &c. &c. with all of which the several classes seemed well acquainted. The 4th, 5th and sixth classes were examined in a separate room by Messrs. Sevester, Clermont, Dunbar and others in Scripture History, Roman and English Histories, Geography, &c., and these acquitted themselves in a praiseworthy manner. On the whole, the High School may be finally reckoned one of the best Institutions now adays.

Towards the conclusion of the examination his Lordship, in his usual easy, gentle, and affectionate manner, addressed the audience on the happy state of the

Institution, as regards the progress made from year to year by the boys who are instructed therein, and directing his attention to them, dilated eloquently on the excellency of Religion, the Fear of God, as being the foundation of all knowledge, and then exhorted his hearers to meekness and humility as an adorning to all acquirements.

The Archdeacon then stood up and remarked, that the School owed its birth to the late Bishop Corrie, who, if he were alive, would be transported at its present thriving condition, which he now doubtless looks down from Heaven on with satisfaction.

The Bishop was now about to retire, but Mr. James begged him to distribute the several prizes to the boys for whom they had been set apart. His Lordship according to the request, handed, first of all, two golden medals (the one given by Mr. Cameron, formerly of that School, and now a teacher in La Martiniere, and the other by Mr. Heatley, the Mathematical Teacher in the High School) to the best informed boys, and next some boys of the different classes. Here the ceremony ended. 2 p. m. Dec. 20, 1838.—Hurk. Dec. 21.

EXAMINATION OF THE PUPILS ATTACHED TO THE CATHOLIC FREE SCHOOL.

This institution was established by certain laymen, long before the arrival, in this country, of Dr. St. Leger and his English Clergy, and has worked its way steadily, though quietly, ever since. On the arrival of that Prelate, it was placed under his patronage; but its management continued in the hands of a Committee. It is divided into two departments, Male and Female. In the former there are now about 130 boys, who receive a plain English education free of charge. Some of the classes are advanced as far as Syntactical Parsing, Geography, the Double Rule of Three &c. In the latter there are about 100 girls, who, in addition to a plain English education are, taught needle work, some very creditable specimens of which we observed on the table. Christian Doctrine, according to the forms of the Catholic Church, is, of course, an object of primary consideration; but the principles on which the seminary is

conducted, are liberal; for among the students we observed several natives whose religious notions, as well as of others, who profess a different creed, we are told, are never interfered with.

The last examination which took place on the 21st instant, was very poorly attended, which certainly does not speak well of the interest which the Catholics of Calcutta take in the only Free School they have. The Bishop of Isarupolis, i. e. the present Vicar Apostolic of Bengal, was present, and took a part in the examination, aided by the Rev. Dr. Oliffe; and at the close of it, distributed prizes, which consisted of 2 silver medals and several well selected books. Each child, as he received his prize, kissed the glittering amethyst on his Lordship's finger, and received benediction.—Hurkaru, December 24.

AGRICULTURAL SOCIETY OF INDIA.

A General Meeting was held in the Society's apartment, Town-Hall, on Wednesday, the 12th Dec., 1838. THE HON'BLE SIR E. RYAN, PRESIDENT, IN THE CHAIR. Present.—Messrs. W. Crocroft, D. Hare, G. A. Prinsep, Charles Haffnagle, and Dr. Sory; Messrs. R. J. Bagehaw, D. Bras, C. Trebeck, M. Staunton, R. S.

Strickland, A. Harris, D. W. Speed, A. Porteous, W. F. Dawson, A. Grant, T. H. Gardiner, R. Campbell, C. K. Robison, Dr. Wallich, and a few other members. The following gentlemen, proposed at the last meeting, were elected Members of the Society, viz. Dr. J. W. Helfer, Messrs John Lyall, Robt. Watt, Chas. Steer, T.

Bellairs, W. McDowall, A. Ryrce, John Cowie, Thos. Latter, J. P. Hermanson, James Cowell, S. Finch, DeCourcy, James Melliss, P. J. Sarkis and Captain William Allen.

The following gentlemen were proposed as Members :

J. Gulson French, Esq., (Dacca) proposed by Mr C. K. Robinson, and seconded by Mr. W. Cracroft.

George Buckland, Esq., (Porundab, Purneah) proposed by Mr. C. K. Robinson, and second by Mr. A. Porteous.

J. Marques, Esq., (Mohungunge, Pubnah) proposed by Mr. C. K. Robinson, and seconded by Dr. Wallich.

Joshua Aihanassa, Esq., (Meerut) proposed by Mr. H. Cope, and seconded by Mr. Robinson.

Gilson Row, Esq., (Chunarandee, Jessore) proposed by Mr. Thomas Brae, and seconded by Mr. George Austin.

Charles Dubonlieux, Esq., (Dowlutpore, Jessore) proposed by Mr. Thomas Brae, and seconded by Mr. George Austin.

The President addressed the meeting on the great loss, which the Society had sustained by the death of its Secretary; and after commencing on the exemplary zeal and ability so conspicuously displayed by the late Mr. Bell, in conducting the affairs of this Society, drew attention to a motion which he felt convinced both the Members now present, and the Society at large, would recognize as a tribute justly due to the Society, to the memory of one, who had so materially contributed to its prosperity.

The President accordingly proposed, seconded by Dr. Wallich, "that the Society receives with feelings of the deepest regret, the intelligence of the death of their late most able and indefatigable Secretary Mr. John Bell. That a period of nearly four years that he has filled the office of secretary to the Agricultural and Horticultural Society of India, the zeal, intelligence and ability which he has displayed, have been the raising the society to its present state of prosperity and usefulness. The society in thus recording their opinion, can only express their anxious hope, it may be possible to procure a successor equally competent and zealous."

Carried *un. con.*—The President having explained, that Messrs. Robinson and Wallich had, at his recommendation, undertaken to act conjointly as Secretaries to the society, until the anniversary election of office-bearers next month, gave notice of the following motion, seconded by C. Huffnagle, Esq.

"That the sum accruing in the hands of the Treasurer to the society, from the period of the death of our late lamented secretary to the appointment of a successor, be presented to the widow of the late Mr. John Bell, as a slight token of the deep sense which the society

entertains of the indefatigable exertions of its late secretary, promote the interests and prosperity of the society."

Proposed by Mr. Wallich, and seconded by C. Huffnagle, Esq., that as a further mark of respect to the memory of our late lamented Secretary, all further business of this meeting, with the exception of some matters which require immediate attention, be deferred, and that this meeting be adjourned.

Carried unanimously.

The Acting Secretaries having suggested the expediency of a Committee being now appointed, to examine into the state of the Society's collections and finances, and report the result to the next meeting of the society; the President proposed the following gentlemen as the members of the Committee, Messrs. G. A. Prinsep, W. H. Ewart, and W. F. Gibbou; and they were chosen by the meeting.

Read a letter from the Secretary to Government in the General Department, dated 23rd November 1833, enclosing copies of a letter from the Honourable Court of Directors, dated 17th August, and of several communications to them from the Committee of Agriculture and Commerce of the Royal Asiatic Societies; the object of which is, to obtain and lay before the public at home, information as to the nature of the most ordinary productions of India and their prices, both in the interior and on the sea coasts; as well as of the other productions, of which the knowledge is not yet developed.

With the view of meeting the wishes of Government, to be favoured with the society's suggestions, as to the best mode of obtaining the information required by the Royal Asiatic Society, it was proposed by the President, seconded by W. Cracroft, Esq., that the following Members be requested to form themselves into a Committee, for the purpose of reporting to the society, what should be the proper steps to be adopted on this occasion viz.

Messrs. R. Walker, H. M. Parker, W. H. Ewart, G. A. Prinsep, W. P. Grant, and Dr. Spry.

Mr. G. A. Prinsep produced before the meeting a cactus plant, with the cochineal insect upon it in a live state, which he had recently received from England by the ship *Duke of Bedford*; and stated that it appeared from letters addressed to him by Dr. Royle and Mr. Wilson Sanders, that the insect had been procured at their solicitation, with the assistance of Mr. Anderson of Chelsea, from the Garden at Claremont, where it had been introduced from Mexico, and sent out under charge of Mr. Henry Barchaud. It was ordered that the silver medal be presented to Mr Barchaud, in conformity with the late resolution of the Society.

C. K. ROBINSON, } V. P.'s and Joint Offg.
N. WALLICH, } Secretaries.

Hurk. December 19.

MEDICAL AND PHYSICAL SOCIETY.

Proceedings of a Meeting of the Medical and Physical Society of Calcutta, held at the Asiatic Society's Apartments, the 1st December, 1833.

PRESENT.

Dr. Sowers,
" Wallich,
" Egerton,
" Goodare,
" O'Shaughnessy,
" H. O'Shaughnessy.

Dr. Voss.
" Inglis.
" Scott.
" Esdale.
" G. Wallich,
" Stewart.

" Spry.
" Bain,
" Green,
" Evans.
" Sawey.

Messrs. R. Guise, C. Fuller and J. H. Palsgrave, proposed as members at the last meeting, were balloted for and duly elected.

The following gentlemen were proposed as new members.

J. Esdale, Esq., M. D. Bengal Service, proposed by Mr. Egerton seconded by Dr. Gougiere.

G. Wallich, Esq., M. D., also of the Bengal Service, proposed by Dr. Wallich, Senior, seconded by Dr. O'Shaugnessy.

Letters were read.

From J. Mellis, Esq., M. D., Superintending Surgeon, Neemuch, stating his wish to re-enter the Society from which he had withdrawn, solely on account of pecuniary considerations.

From J. Stewart, Esq., M. D., 59th Regiment N. I., stating his wish to re-enter the Society. This gentleman, in his letter, called the attention of the Society to the poppy seed oil of the Upper Provinces, which he proposed to employ as substitute for olive oil in India. He mentioned, that he had repeatedly used it in salad, and found it better than the oil sent from Europe. It could be procured fresh and pure for about 4 annas a pint.

From P. F. H. Baddeley, Esq., Scindiahs contingent, stating, that he should have much pleasure in becoming a member of the Society.

The two last letters were in reply to the President's circular.

From the Medico Botanical Society of London, returning thanks for the 3d and 4th Nos. of the Quarterly Journal of the Medical Society.

From Thomas Smith, Esq., Madras Service, requesting to have his name withdrawn from the list of members.

The Secretary having requested the opinion of the Society, with regard to the period from which the new rate of subscription should commence, it was proposed by Dr. O'Shaugnessy, seconded by Dr. Wallich, that old members pay the reduced subscription from the 1st of January next, and that new members commence from the date of their entering the Society.

The following communications were presented.

1. Dr. Goodeve read a letter from a non-professional friend in the neighbourhood of Rungpore, in which was related a curious instance of the mode in which epidemic cholera attacks its victims. A few days since, the gentleman alluded to, brought to his factory six coolies from a village about 12 miles distant, where cholera was raging furiously, his own immediate neighbourhood being perfectly free from the disease. Five days after the arrival, two of these men were attacked with cholera, and subsequently one more, but no other individual in the factory or near to it, suffered. The sick strangers were immediately dispatched to their homes at their own request, but no trace of the disease was left behind them. It would appear, that the cholera poison, whatever it may be, remained inactive for a week in the bodies of the sufferers, and then manifested itself with its customary violence, at the same time offering a strong proof of its non-contagious character, by extending no farther in that neighbourhood.

Dr. Duncan Stewart, presented a paper upon poisoning by mushrooms, founded upon some cases which had lately occurred to him. This communication was then read and discussed.

3. A case of pur uce hæmorrhagica by John Wood, Esq., M. D., of Rungpore, was next presented. This was subsequently read and discussed.

4. Two communications upon land-scurvy, were presented by the Secretary of the Medical Board; one paper upon this disease, as it appeared in the 14th Regt., N. I., by Hugh Guthrie, Esq., Surgeon to the corps the other an official report on this subject, by superintending Surgeon Pantem, President of the Committee assembled at Agra, to investigate the causes of this disease in the above mentioned regiment.

H. H. GOODEVE, M. D.

Secretary Medical and Physical Society.

Hurkaru Dec. 8]

SUPREME COURT.

FRIDAY, Nov. 30, 1838.

SITTINGS AFTER FOURTH TERM OF 1838.

(Before Sir E. Ryan, Sir J. P. Grant and Sir H. W. Seton.)

Equity Side.

RADHAKISSEN MITTHER VERSUS THE BANK OF BENGAL AND OTHERS.

A report of the former argument in this case appeared in the *Hurkaru* of July 16th, and the subsequent judgement of the Court (Sir J. P. Grant dissentient) was reported in the *Hurkaru* of August 3rd. The case now came on for a rehearing before a full Bench of Judges.

Mr. Clarke and Mr. Nott for the complainants. It will be necessary for us to go more fully into the statement and argument of this case than we should be otherwise disposed to do, as one of your Lordships was not present when it first came before the Court. This bill was filled to restrain the negotiation of certain bills of exchange of which the complainant was drawer, and the firm of Fergusson and Co, acceptors, and which were endorsed and delivered over, for valuable consideration to the defendants, the Bank of Bengal. Various transactions had taken place between the Bank, and the firm of Fergusson and Co., previous to the insolvency of the latter, and the discounted bills had been renewed from time to time for the accommodation of the firm. Suffice it to say, that at the period when the house became

insolvent, five of the bills were outstanding, payable at three months from the date thereof respectively, and upon which the entire amount due was four lakhs of rupees. The first bore (renewed) date 7th September, 1833, the 2nd and 3rd, 28th September, and the 4th and 5th 7th October. The petition of insolvency was presented by Fergusson and Co. on the 26th November 1833, before any of the said bills became payable. It is scarcely necessary to state that the firm of Fergusson and Co. were the only parties for whose accommodation these instruments were drawn, and that the complainant had no beneficial interest in them whatsoever. In fact, there was an express understanding (admitted in the answers) between the firm of Fergusson and the complainant, that the complainant, as drawer, was to be considered a mere nominal party, and not to be held liable upon the bills; and although there was no evidence that the Bank were, actually parties to be understanding, yet there are circumstances from which a *constructive knowledge* might be inferred. Now comes the material part of the case. Other transactions of loan took place between the Bank and the house of Fergusson and Co., which loans were secured by the deposit of certain copper as a collateral security, and certain instruments of agreement in the nature of promissory notes were executed. The first of these transactions was of the date 2nd September, 1833, when 10,000 maunds of copper were deposited as a collateral security for the sum of Sa. Rs. 2,45,000 at three months;—the second of the 6th September, 1833, when 2,000 maunds were pledged for Rs. 73,700, and the

third of the 28th of September, 1833, when 1,500 maunds were pledged for Rs. 35,400. Now, had this copper been pledged generally, the case would have fallen precisely within the principle of *Young v. The Bank of Bengal*; but the promissory notes or agreements of deposit, contained a clause which distinguished the present case from that decision, and which (as the learned Chief Justice suggested) was, probably inserted for the very purpose of meeting that decision. By this special clause, the copper was declared to be deposited, not only as a security for the specific loan, but also for the securing all sums already advanced or engaged to be advanced, or which at any time thereafter should be advanced; so that a general lien was expressly given to the Bank for all past and future advances, and the Bank was bound to apply the surplus value of the copper beyond the amount for which it was specifically pledged, to the liquidation of the bills, before they could come upon the complainant, who was a mere surety. But what did the Bank do? They permitted the assignees of the insolvent firm to redeem the copper, and it appears in evidence, that the copper was afterwards sold by the assignees at a profit of rupees 72,000. There is another transaction relative to a Bank share, to which the attention of the Court must next be directed. This Share stood in the name of W. F. Fergusson, the principal partner of the firm, but it is proved in evidence to have been in fact the joint property of the whole firm, who could not appear of course as the registered holders. In the month of February 1834, although formal notice had been given on behalf of the complainant, to the Bank to retain the Share, it was surrendered to the assignees of the firm, who afterwards transferred it to the assignee of Mr. Fergusson's separate estate, for the benefit of which it was ultimately sold in December 1835, at rupees 16,449. Now, by the 15th and 21st sections of the Bank Charter, all shares are liable for debts due from the shareholder to the Bank. The Bank, therefore, had a general lien upon this share, and ought to have applied it *pro tanto* to the liquidation of the amount due upon these bills.

It may be mentioned, that when this case was first brought before the Court, there were two other transactions, (relating to the deposit of indigo, and of certain Company's paper) relied upon by the complainant as discharging his liability; but as the opinion of the Court was unanimous against us on this part of our case, we shall abandon it.

There are scarcely any facts in dispute between the parties. The only material matter which is not admitted on both sides, is, whether the Bank had any actual or constructive knowledge of the circumstances under which the complainant became a party to these bills. Mr. W. F. Fergusson, the chief and managing partner of the firm of Fergusson and Co., was also one of the Directors of the Bank of Bengal; and we contend that the knowledge of Mr. Fergusson, as a Director of the Bank, must be taken to be knowledge on the part of the Bank itself, and that the Bank, thereof, constructively at all events, was cognizant of the understanding which subsisted between the complainant as accommodation-drawer, and the firm of Fergusson and Co. as acceptors of these bills. It may perhaps be contended on the other side, that the case of a partnership, is different from that of a corporate body, and that the knowledge of a director would not bind the Bank generally; but the two cases of *Waithman v. Raike*, and *Ex parte Carbis & Deacon and Chitty's Reports*, are in favour of our position.

But independently of any question of actual or constructive knowledge on the part of the Bank, our main argument, in support of the discharge of the liability of the complainant as drawer of these bills, is founded upon the general principles of the law of principal and surety. It is an established rule, that if the

creditor has acted in such a manner as to affect the claim of the surety against the principal debtor, the liability of the surety is discharged. The surety has a right to be placed in the very same situation as the original creditor, and if this equitable right is prejudiced by any act of the creditor, his claim against the surety cannot be enforced at law or in equity. Thus, if time be given by the creditor to the principal debtor (*Craythorne v. Swinburne*, 14 Vessey Junior, *Ges v. Milnes*, Glyn and Jameson), or if the security be lessened, (*Law v. The East India Company*, 4 Ves. Jun.) which is precisely the case here, the surety's liability is at an end. The acts of the Bank, in permitting the copper deposits to be redeemed by the assignees, instead of applying their surplus value to the liquidation of the bills in question, and in surrendering the Bank share, instead of selling it applying the proceeds in the same manner, have prejudiced the rights of the complainant as surety, and lessened his security against the principal debtors, the firm of Fergusson and Co., and have, therefore, *pro tanto* exonerated him from his liability.

Sir E. Ryan, at the close of this argument, intimated to the counsel for the Bank of Bengal, that it would be better to defer their argument until to-morrow, as it was already a late hour.

The Advocate-General assented.

JADUBCHUNDER SEAL AND ANOTHER v. COCKERELL AND CO.

Mr. Clarke requested leave to mention this case, which was a motion for an injunction to stay proceedings at law. The common law action stood for hearing for the present sittings, but he (Mr. Clarke) had been perfectly prepared on behalf of the complainants (the defendants at law) to support the injunction. The motion had stood over, solely at the request of his learned friends on the other side, who had not been prepared with their grounds. He hoped the Court would not now consider it necessary to call the motion on as to-morrow, (this-day,) was the last day of the sittings, and his learned friends could not possibly bring on their action at law before next term. There were two or three short Equity causes remaining on the board.

The Court were at first doubtful whether Monday, was not the last day of the Sittings, but upon a reference to the Almanack it was found, that the Sittings terminate next Sunday, and that, practically, therefore to-morrow, Saturday, (this-day,) is the last day.

The Advocate-General had no idea of being thrown over until next term in this manner.

Sir E. Ryan, Well, Mr. Advocate, we will not hear you until the Equity Board is cleared. But if it is a matter that requires an urgent hearing, there is no objection to its coming on, after the Sittings, in Chambers, I do not see how it can avail you much until next Term.—*Hurkaru, December 1.*

SATURDAY, DEC. 1.

The Advocate-General and Mr. Pritsep were heard this morning for the Bank of Bengal. The transactions relating to the deposit of indigo, which involved by far the largest amount, have been abandoned by the other side, and very properly so, as this part of the case fell precisely within the principle of *Young v. The Bank of Bengal*, and the complainant could only have succeeded by impugning the authority of that decision. A little examination, will shew that the principle of that case extends even to the copper transactions, notwithstanding the express clause contained in the deposit bonds, by which a general lien was expressly given to the Bank for all past and future advances. Let it be assumed, for argument's sake,

that the immediate sale of the copper by the Bank would have produced an available surplus:—how is it attempted to be shown that this surplus was to be applied to the liquidation of the sums due upon these bills? Suppose the assignees had offered to pay the amount of the bills when they respectively fell due, and claimed their right thereupon to redeem the property deposited,—can it be contended that the Bank could have refused to allow the assignees to redeem, and could have sold the deposits to satisfy other claims? Clearly not; because the right to sell was only conditional on default being made in payment. If so, the same rule applies equally where the assignees have allowed the time to elapse, and have not claimed to redeem until, at a subsequent period, there are third parties interested, whose rights must not be lost sight of; these are the general creditors of the estate, whose rights cannot be made dependent on the acts of the assignees. It is clear, then, that upon the application of the assignees to redeem the property deposited upon repayment of the advances for which it was specifically pledged, the Bank would have had no right to retain, to the prejudice of the general creditors, and they would have had no defence to an action of trover.

The law of set off and mutual debts and credits, is not applicable to the present case. It is true that that law may apply even where claims are not due *in presenti*, but *in futuro*:—the future debt, however, must be a claim certain, and not a claim contingent. To this case it was contingent, because the firm might have come in and redeemed the deposit at any time, and the assignees might have redeemed at all events before the time had actually lapsed. Now, it is absurd to say, that the mere possibility of a surplus value being realized, and accruing in the hands of the pawnee, constitutes a debt due to the pawnor, which may be made the subject of set off.

But, again; there is nothing whatsoever on the face of the evidence, to shew that the immediate sale of the copper would have produced any available surplus at all, or that a profit would have necessarily accrued from its retention by the bank, with the view of selling it at some future period. It is certainly true that the assignees, by keeping the copper on speculation, did actually succeed in eventually obtaining a profit; but this was nothing more than a mercantile speculation which might have turned out either profitable or the reverse, according to circumstances. It is absurd to say that the bank were bound to run copper-merchants for the benefit of a third party, and incur the risk of a trading speculation! There is nothing, then, to shew that the disposal of the copper at the current market rates, would have produced a profit, and it does not appear, therefore, that there was any available surplus applicable even to the part liquidation of the outstanding bills.

We admit, without qualification, the principle of the law of principal and surety, so earnestly contended for on the other side, that any wilful act, on the part of the creditor, by which the rights of the surety against the principal debtor, are prejudiced—such as the giving time, without consent, or diminishing the security to which he is entitled,—discharges the liability of the surety. But, for the reasons already urged, the principle is wholly inapplicable here, because there has been no act on the part of the Bank, of which the complainant, in his character as surety, can complain. It has been contended, that the formal notice given on behalf of the complainant, to retain the copper for his benefit, was binding on the Bank; but let it be considered under what circumstances this notice was given. The notice was, merely to hold the deposited property, without any payment made on the part of the surety of the debt due, or even an undertaking to discharge

the debt. Even if the Bank had the power of holding on the deposited property, were they bound to do so upon such a notice as this? There can be no equity raised in favour of the surety until he has placed himself in the situation of the creditor, as against the principal debtor by offering or at least undertaking to liquidate the debt due.

It has been attempted to be shewn, that the Bank must be taken to have been cognizant of the whole transaction, on the ground that the chief partner of the firm, Mr. W. F. Fergusson, between whom and the complainant the arrangement regarding the liability on these bills subsisted, was at the same time one of the Directors of the Bank. There is a great distinction, however, between the partners of a private firm and the members of a corporate body. *Bank of Scotland v. Watson, I Dow's Reports*. Under the Bank Charter, it is expressly provided that the Directors must concur to bind the Bank by their acts. A director of a bank established under a corporation, cannot be considered to stand in a position at all analogous to that of a partner in a private firm. It would be productive of endless inconvenience and injustice if such a mere theoretical rule were to be admitted, and all the members of a corporation were to be constructively affected with knowledge of matters of which they were in fact utterly ignorant, and which, indeed, they had no means of knowing, merely because they happened to be within the cognizance of an individual member.

With respect to the Bank Share, it is to be observed, that the Charter only gives the Bank a lien upon the dividends of shares, and it does not appear that any dividends had been here received. In fact the Charter prohibits the Bank from making advances upon Shares, and it is difficult to see, therefore, how the Bank could claim a general lien upon them for debts due. But further, it has been decided that Shares must be taken to belong to parties in whose names they are registered, and the Bank were not necessarily aware of the fact that the Share standing in Mr. Fergusson's name, was partnership property, and could not therefore refuse to surrender it to the separate assignee.

Mr. Cochrane and Mr. Sandes, appeared for the assignees of Fergusson and Co., but were not heard against the complainant. They were admitted to be entitled to their costs.

Mr. Leith appeared on behalf of the Secretary of the Bank, Mr. G. O'Leary. The Court had refused to hear him on the first argument of the case, as they considered that the Secretary had no right to argue the case for the Bank; but it now became necessary for him to mention the question of costs, as he understood that his right to costs was not acknowledged by his learned friend on the other side, although, to the best of his own recollection, the Court had expressly declared him entitled.

Sir E. Ryan. In my notes, I find that I expressed an opinion at the hearings, that the bill must be dismissed against you with costs; but afterwards, in giving judgment. I was of opinion (whether right or wrong) that you were not entitled to costs, because you ought to have demurred to the bill.

Mr. Leith urged, that a demurrer would not have head. The Secretary to the Bank was certainly not a party beneficially interested, but he was made a defendant for the purpose of discovery; now the Bank being a corporate body, could only answer under seal, and the complainant was entitled to make the officer of the Bank a defendant, for the purpose of obtaining an answer upon oath *Cartwright v. Hately, 1 Ves. Junior, Wynch v. Meule, 3 Peer Williams, 310*. A mere witness might in general demur to a bill, but not if he is a co-defendant with a corporation.

Mr. Clarke was heard in general reply..

Sir E. Ryan. The Court will pronounce judgment next Term.

Cur. adv. vult.

The remaining causes on the Equity Board were then disposed of, decrees being taken by consent. This was the last day of the sittings.—*Huskaru, December 3.*

(Before Sir E. Ryan in Chambers, 1st Dec. 1838.)

IN THE MATTER OF JANE BROWN.

Mr. Clarke, on behalf of Mrs. Moffat, made a return to the Habeas Corpus obtained by Mr. Cochrane, that gentleman having put in a second affidavit by Mrs. De Rozario, shewing that Mrs. Moffat was subject to the jurisdiction of Court. Mr. Clarke's return did not enter into any other point, but merely denied jurisdiction, on which Sir Edward Ryan was of opinion, that the Court could not issue an attachment, or enforce the suit.—*Ibid.*

The Criminal Sessions commence this day, and we are sorry to say, that in the numerical amount of criminal cases to be tried, the calendar is heavier than it has been for forty years last past. As respects the cases of what may strictly be called great crimes, the list is comparatively light; the great increase in point of number of offences, arises out of a cause that must speedily be amended, or both grand and petty jurymen, will ere long petition to be relieved from a burthen, which it will be impossible for them to support, without ruinous consequences to their individual affairs. We stated on Wednesday last, that the number of prisoners committed to be tried at the ensuing sessions, which will commence this day, was very great. There were, on the evening of the 3d instant, 118 persons confined in the great gaol for that purpose. They now amount to 121. We stated also, that for the last 45 years, there has not been so large a number of persons committed for trial at the Supreme Court, and never on such very trifling charges as those now imprisoned. Petty theft is the crime for which most of the prisoners for trial have been committed, and, in some cases, the value of the property stolen, is as small as six annas.

We have been told, but we do not vouch for the accuracy of the statement, that the cause of this enormous gaol delivery, originates in a wiggling, which the bench of sitting Magistrates received from the Board of Law Commissioners, touching the summary mode of trial and conviction in cases of felony, which, it is alleged, and which it would be futile to deny, the Magistrates have been in the practice of adopting. It appears, as we have said above, that a man is brought before the Magistrate, charged with stealing to the value of 6 annas; the Magistrate, who has perhaps twenty such cases brought before him in the course of the day, has been in the habit of taking into consideration the mischievous consequences of committing all these petty delinquents to take their trial at the sessions, and has assumed the power of summarily convicting and punishing in such cases. We have neither right nor inclination to determine, whether the Magistrate should have this power; we think he should not; and so, it appears, think the Law Commissioners. We have told the Magistrates, that they had not this power; and so have the Law Commissioners. We have pointed out a remedy, whilst we pointed out the mischief; and so have now the Law Commissioners, and the consequence is, that the Magistrates, who would not listen to us, have listened to the Law Commissioners; and the result is, that numerous cases of petty thefts, have been thrown upon the Supreme Court for trial at the present Sessions, and the

gigantic machinery of this Court, with its grand and jury, is to be employed for weeks in determining the petty cases of theft, with which the calendar is overwhelmed. We have no doubt, the grand jury, before they separate, will bring this to the notice of the Court, formally; for, of course, the Court cannot help noticing a fact, which will affect them, as much as the juries—the extraordinary burthen imposed upon them at these Sessions. As a remedy for this mischief, we would suggest Courts of Quarter Sessions, with juries of five; and with regard to Courts of Quarter Sessions, to shew their utility and necessity, we cannot do better than republish the charge of the Chief Justice, on the occasion of the introduction of the new criminal act.

"I am fully aware that it has not of late years been usual to hold any Court of General or Quarter Sessions, except for the purposes of making assessments on the owners or occupiers of houses, according to the provisions of the 33d Geo. 3, 52. s. 153. I find, however, from the minute book of the Sessions, that Courts of this description have been held by the Governor-General and Members of Council; and that Grand Juries have been summoned and charged by the Chairman to enquire, though no persons appear to have been tried. I can have no doubt of the power of the Governor-General and Council to hold a Court of Quarter Sessions. The Charter of 1753, expressly empowers the Governor or President of Fort William and the Council, for the time being, or any three or more of them, to hold a Quarter Sessions of the Peace, four times in the year, and they are authorised to do all acts that Justices of the Peace in England may, under a Commission from the Crown. By section 36 of the letters Patent of 1774, the power given to the Governor and Council under this clause, to act as Commissioners of Oyer and Terminer, was, and is, repealed; but their jurisdiction as a Court of Quarter Sessions is expressly recognized by the 21st section.

"The 38th sec. of the 13th Geo. 3, 63, also expressly enacts that the Governor-General and Council are to have authority to act as Justices of the Peace, and to do all matters and things which appertain to that office, and are empowered to hold Quarter Sessions within the settlement of Fort William four times in every year, and the same shall be at all times a Court of Record.

"I know that it has been considered a question of some doubt and difficulty, whether any of the statutable Justices of the Peace under Commissions from this Court, to hold a Court of Quarter Sessions, for any other purpose than those of making an assessment, but I will not now enter into the difficulties to which the various statutes relating to this subject give rise.

"I can only say that whatever may be the inconvenience (which I should have thought would have been present to those who assisted in the framing of this act) it will be absolutely necessary that a Court of General or Quarter Sessions should be held, in order that the directions of this statute may be complied with. This necessity is the more apparent from the provisions of the 48th and 49th sections.

"The 48th section provides that *in all* cases (not limited to paid conviction under this act) where the sum adjudged to be paid on any summary conviction shall exceed fifty sicca rupees; or the imprisonment adjudged shall exceed one calendar month; or conviction shall take place before one Justice only; any person who shall think himself aggrieved by any such conviction, may appeal to the next Court of General Quarter Sessions. The clause goes on to direct the notices, &c. which the party appealing shall give, and provides for his discharge, if in prison, under the conviction, on his giving securities, to try the appeal. The Court at such Sessions is to hear and determine the matter of the appeal.

"The 49th section provides, that no such conviction or adjudication made on appeal therefrom shall be quashed

for want of form ; or removed by certiorari, or otherwise, into any of His Majesty's Superior Courts of Record."

If the two sections to which I have just referred, are to be construed as applying only to convictions under this statute, there can be no doubt that a Court of Quarter Sessions should be regularly held, the necessity for which would be still more apparent if these sections are to be taken according to their literal meaning without reference to the other clause of the act which precede them, whichever may be considered the right construction to be put on these sections, it is clear that the charter under which we act, expressly recognizes the Court of Quarter Sessions as instituted under the proceedings by writs of mandamus, certiorari, &c. If therefore any party felt himself aggrieved by a summary conviction under this act, against which, owing to no Court of Quarter Sessions being held, he was unable (though entitled) to appeal, he would have a right to institute proceedings in this Court, to compel the Court of Quarter Sessions to assemble and hear, and determine his appeal.—*Hurkuru, December 8.*

DECEMBER 7, 1838.

(Before Sir J. P. Grant and Sir W. H. Seton)

IN CHAMBERS.

BONNERJEE VERSUS BONNERJEE.

The application in this case, by Mr. C. Reid, to be paid from Court 1,66,000 and odd hundred rupees, which stood over from the sittings, was this-day disposed of. The Court directed the payment of the money to Mr. Reid.

Mr. Clarke, on the part of Rajah Bejoy Govind Sing, applied to file a petition for leave to appeal to the authorities at Home against this order.

This application for the present, prevents Mr. Reid from receiving the money.

He subsequently applied for the Judges' vide final order, and was referred to the Registrar for the same.—*Hurk. December 8.*

CALANDAR.

Of prisoners in Her Majesty's Prison, in Calcutta, in the custody of James Young, Esq. Sheriff of Calcutta, and who are to take their trial at the Sessions of Oyer and Terminer, which commences this day.

1 *Bujoo Misser*, charged with stealing a piece of wood, value 6 annas, the property of J. M. Vos.

2 *Khodda Bukhsh*, with stealing from the Salt Board Office, 11 notes of 100 rupees each, and one of 25 rupees; and 3 rs. 14 annas cash, the property of H. J. Palmer.

3 *Keenaram Manick or Kellaram Manick*, with cutting the hinges of the door of the dwelling house of Mudden Mohun Mookerjee in Jorabagaun, and stealing therefrom a piece of red cloth, a silk dhootie and brass lotah, value 5 1/2 rupees.

4 *Umbeekachurn Mookerjee* with fraudently embezzling 20 rupees, the property of Dinponarain Dawn, his Master.

5 *Sibhoo*, with entering the dwelling house of Mrs. Mary Sinaes, and stealing therefrom a lotah and dhootie, value 1 rupee 8 annas.

6 *Rutton Rawat*, with burglariously entering the dwelling house of Tarak, in Muchooa Bazar, and stealing therefrom various articles of clothing and 20 rupees 12 annas in cash.

7 *John Barretto*, with maliciously wounding Dookney Iya, on board the bark *Janiet*.

8 *Rammohun Dhoobah* and 9 *Sadvoochurn Ghose*, with feloniously stealing from a godown in Jorabagaun, by breaking the padlock, 11 maunds and 10 seers of safflower, value 160 rupees, the property of Madub Chunder Shaw, or with receiving the same knowing it to be stolen.

10 *Choppye*, with feloniously stealing a brass lotah, the property of Motee Sing, value 1 rupee 8 annas.

11 *Chisteedhur*, with feloniously stealing a cotton dhootie, the property of Junjut, value 1 rupee.

12 *Hanraj*, with entering the shop of Bandhin, by cutting the rope which secured it, and stealing therefrom brass articles, value 4 rupees 8 annas.

13 *Joyram*, with stealing from Kissorechund, a piece of English woollen cloth, value 100 rupees, the property of Sewpersaud and Rampersaud.

14 *Ramchurn Sing* and 15 *Biswonath Ghose*, with feloniously stealing a cow, value five rupees, the property of Bindabun Coloo.

16 *Noor Nissukhanun* alias *Hingun*, with feloniously stealing from the dwelling house of Ahmud, in Mullaungah, on the night of the 11th, or morning of the 12th, of August, various gold and silver articles of value.

17 *Naugur Mull*, with stealing from Titto, thirty-eight pieces of mull-mull, value 152 rupees, and twelve pieces of jacouet muslin, value 160 rupees.

18 *Mohun*, with stealing a she-goat, the property of Munnoo, value 2 rupees 8 annas.

19 *Nofra Kamar*, with burglariously entering the dwelling house of Cossinauth Bonnerjee, in Shaun Bazar, by cutting a hole through the wall, with intent to steal.

20 *Ramchand*, with maliciously assaulting Comole, by giving her a cut on the back of the neck with an iron Jaw, with intent to do her some grievous bodily harm.

21 *Hingun* and 22 *Ramchurn* alias *Saboo*, with feloniously stealing a kansah plate and brass lotah, value 3 rupees, the property of Radamohone Bonnerjee.

23 *Khodabur*, with stealing from the house of Bhukut, in Taultollah, a dhootie value 3 annas and a pair of shoes value 4 annas.

24 *Ramchunder Dutt*, with stealing from a room in the premises of Messrs. Hunter and Co., a cubba, value 8 Rs., and a string of beads, value 8 annas, the property of one Amais.

25 *Petumber Ghose*, with feloniously stealing from the dwelling house of Dookheram Ghose, in Baug Bazar Street, a brass lotah, value 12 annas.

26 *Chaund*, with feloniously stealing a cow value 14 rupees, the property of Mussofer Beg.

27 *Jummun*, 28 *Nuchhede* and 29 *Isser Chunder Shaw*, with stealing from the dwelling house of Ruston, situated in Taultollah, 26 pieces of wearing apparel, value about 50 rupees, and a brass thallee, value three rupees.

30 *Junggoo*, with feloniously stealing from the stable of Shajk Calloo, in Burtullah Lane, a horse value 12 rupees, the property of the said Calloo.

31 *Gopaul*, with feloniously stealing a cotton dhootie, value 12 annas, 1 Company's rupee, and 32 picc, the property of Tarfna Churna Buttacharjee.

32 *Gour Doss*, with stealing one dhootie, one chudder and gumcha, value 1 rupee 11 annas, the property of Ruttu bearer.

33 *Meenjan*, with stealing from the house of Bhim Doss, in Mirzapore, ten pieces of wearing apparel and tin basons, value 8 rupees, the property of Bhim Doss.

34 *Govind Doss*, with stealing from the shop of Jaudupraun, in Tontineah, a gumcha, value half an anna, a canvas bag, value half an anna, and pice of the value of 3 rupees 10 annas.

35 *Maurick*, with stealing from the shop of Akbar, in Clive Street, a copper dish and an akhora scarf, value 2 rupees.

36 *Rampersaud*, with feloniously stealing from the dwelling house of Cossim Allee, in Bamunbustee, books and apparel valued at 9 rupees cash.

37 *Amser Ally*, with stealing a she-goat, value 5 rupees, the property of Gurreeboolah.

38 *Kisto Doss*, with stealing from the dwelling house of Sreemutty, in Baug Bazar, a basket of rice, value 9 annas; and 1½ chittacks turmeric, value 2 annas; half a dootee and chudder, value 6 and 10 annas respectively, her property.

39 *Charles DeCruze*, with the wilful murder of Caroline Isaac.

40 *Garrye*, with stealing from a fish stand in Collingha Bazar, a bag containing 2 rupees, and 12 annas and a quarter in piece, the property of Poornomee.

41 *Meahjaun*, alias *Alleebur*, with stealing from the dwelling house of Bachoo Mullic, in Tautollah, various articles of wearing apparel, the property of one Shaick Jhurroo.

42 *Culloo*, with stealing from the house of Moraud Khawa, in Jubatolie Lane, a rupee and two annas in pice, and a handkerchief, value 4 annas.

43 *Audinauth Ghosaul*, with entering the shop of Bissonauth Paramanick, in Simla, by cutting the mat wall, with intent to steal.

44 *Kartick Meehee*, with stealing from Mahomed Bucks, a pair of shoes, value 10 annas.

45 *Sadoo Khawn*, with feloniously stealing from the premises of Mr. Dunned, three brass thallies, value 3 rupees 12 annas.

46 *Deen Mahomed*, with feloniously stealing from the house of Mosseewollah, in Mirzapore, various articles of value, his property.

47 *Sheik Nunnoo*, with feloniously stealing a brass lotah, value 1 rupee, the property of Shaik Selambux.

48 *Ram Doss*, with feloniously stealing from the dwelling house of Harrow, in Baunstolla lane, a silver mounted cocoanut hooka and a dootee, value 2 rupees 4 annas.

49 *Dhunnoo*, with burglariously entering the dwelling house of Mathoo, in Mannicktollah Lane, by cutting a hole in the mat wall, and stealing therefrom a box, value 13 annas, and a piece of sandal wood value 4 annas.

50 *Ramchand*, with stealing from the dwelling house of Khoosalie, in Saumpouker, a brass plate and brass lotah, value 1 rupee and 12 annas, respectively.

51 *Seehoo*, with feloniously stealing a cotton dootee, value 11 annas, the property of Ramchand.

51 *Subrattee*, with stealing from Major Swine's stable, in Kyd street, three brass vessels, value 1-8, the property of Sajabat Khaun.

53 *Woozerun*, with stealing from the house of De-gumberry, in Jaan Bazar street, (2d charge) a brass lotah and a dootee, value 1 rupee 12 annas.

54 *Muskoos*, with stealing from a field, while grazing, a cow, value 6 rupees, the property of Rossmoney Dosee.

55 *Ramloll Roy*, with embezzling fifty rupees, the property of his master R. Haberly.

56 *Chunga*, charged on suspicion with the murder of Juggu, 8 years old, the son of Ajah Sing, the said boy having ornaments on his waist, value 150 rupees.

Ditto, (2d charge) with having stolen, two years ago, from the person of Dunpet Roy, two strings of gold beads, the property of the father of the said boy, value 40 rupees.

57 *Cheeknah*, with maliciously assaulting Harrow and giving her a wound on the left side of the neck, with an iron daw.

Modoosoden Dobay, with feloniously stealing from the shop of Barma Sing, in Juggernauth Ghaut, various articles of value.

62 *Hurry Rawath*, with feloniously stealing from the house of Bhobua Mohun Dur, in Jorawsanko, Calcutta, various gold and silver articles of value.

60 *Modoosoden*, and 61 *Ram Doss*, with stealing from the person of Juggernauth Day, a necklace and gold madooles, value 4 rupees.

62 *Nobin Doss*, with feloniously stealing from the house of Uddupersaud Dutt, in Coberdunga, Calcutta, a shawl, value 12 rupees, and a cotton cover value 8 annas, and a sword, the property of Radakissen Dobay.

63 *Kurram*, 64 *Fysoo*, 65 *Asghur Ally* 65 *Shumsh*, 67 *Mooosooddeen*, 68 *Punehoo*, 69 *Ameer*, 70 *Chumroo*, 71 *Akbur*, alias *Chota Asghur*, 72 *Shaik Mohommund*, 73 *Suffer Ally*, 74 *Buddur Dee*, 75 *Hubbon*, 76 *Hyder Ally* 77 *Badoolia*, 78 *Mowleh Bukhsh*, 79 *Sobhan Khan*, 80 *John DeRosario*, with having while at sea, about six hundred miles from the Seychellas Islands, on board a long-boat belonging to the late ship *Ruby*, piratically stolen twenty-two packages of gold-leaf, of the value of fifty thousand rupees.

81 *Sustee Harree*, with feloniously stealing from the dwelling house of Farrachaud Harree, in Chorebagun, a sutrungee, value two rupees eight annas.

82 *Pallarum*, with stealing from a house of Sibchunder Chattergee, in Shampoaker, two-halves of a door, value two rupees.

83 *Modoosoden Roy*, and 84 *Gorachaund*, with burglariously entering the dwelling house of Ramchunder Dhobay, in Simlah, Calcutta, and stealing therefrom various articles of wearing apparel.

85 *Pettumber Newgy* alias *Khittychurn Newgy*, with feloniously stealing a cow, value 5 rupees, the property of Sumboo Ghose.

86 *Madoo Dome*, with stealing a lotah, value 10 annas, the property of Surrurutte.

87 *Pallaram* and 88 *Gordial* or *Gooroo*, with having, in conjunction with Madoo, feloniously stolen from the dwelling house of Jullok Chunder Bysack, in Burra Bazar, two notes of the Bank of Bengal for 100 rupees each, 1 for 50 rupees, 180 Company's rupees and 24 sicca rupees, and with receiving from the said Madoo and Gordial, portions of the same, well knowing, &c., &c., &c.,

89 *Bhagbut Doss*, with stealing from Benton's Hotel, two Bank of Bengal notes, of 50 rupees each, the property of George O'Neill McFerran.

90 *Premchun Patter*, with feloniously stealing from the dwelling of Lucka Mull, in Coberdanga, Calcutta, various brass vessels of value.

91 *Ramchand Chuckerbutty*, with burglariously entering the dwelling of Ramdul Sing, in Patteriah Ghat, and stealing a brass lotah, value 12 annas.

92 *Emauff*, with stealing two turkeys, value six rupees, the property of Ama Garden, poulterer, in Entally, 24-Pergunnahs.

93 *Goberdhan*, with feloniously stealing from the dwelling of Bacharam Dutt, at Jaun Bazar, various articles of value.

94 *Hurry Day*, with stealing from the shop of Sewbakus, property, value 3 rupees 3 annas.

95 *Peorbur*, with entering the lodgings of Kurmoo in Meredith's Lane, and stealing therefrom one sareedah, value 10 annas, and pair of shoes, value 6 annas.

96 *Kartirk*, with stealing from the shop of Chunder Comar, in Baug Bazar, a brass lotah, value 8 annas.

97 *Timmul*, with stealing from the house of Matta Deen, in Cossinath Devattis's Bazar, brass vessels, value 5 rupees 8 annas.

98 *Peoton*, with stealing from the house of Hainiff, in Hautee Bagan, articles of apparel, value 10 rupees.

99 *Nubbebur*, with stealing a dotee, value six annas, the property of Tarachund chokeydar.

100 *Comul*, with stealing a she-goat, the property of Shumsodeea of Tantonah, value 2 rupees.

101 *Sarroop Ghose*, with stealing from the dwelling of Hurry Ram Bysack, in Simlah, various gold and silver ornaments of value.

102 *Kyrattae*, with stealing from the person of Mudden about ten years of age, a shawl of the value of 4 rupees.

103 *Premnarayn Sain* and 104 *Ramnarayn Koondoo*, with feloniously stealing from the new mint, six copper tubes, value 30 rupees, the property of the E. I. Company,

105 *Hurry Doss*, with stealing from the shop of Mud-dooooden Bucket, in Durmah Hutta, a brass lotah, value 12 annas.

106 *Hulleem*, with stealing from the Arsenal, Fort William, a piece of buntine, value 2 rupees 2 annas, the property of the E. I. C.

107 *Hurro Doss*, with stealing from a boat near Baughant, a brass tans, value 7 rupees and an iron pan value 1 rupee 8 annas.

108 *Bungallee*, with stealing from the road in front of the Barracks, Fort William, a pistol barrel, value 10 rupees, the property of Alexander Bairmer.

109 *Govind Sirear* alias *Radhagoud Palit*, with receiving from Nachobus Syon Ramattoollah, the sum of Co.'s Rs- 409-2 by virtue of his employment as servant of Rustomjee Cowasjee, and embezzling the same.

110 *Gunga Choboy*, with stealing from the house of Fackeer Chund, in Cotton Street, various silver articles and wearing apparel.

111 *Juggoo Behret*, with stealing from the dwelling of Jirbhowan Pandeh, in Jaun Bazar, cash, gold ornaments, and wearing apparel.

112 *Juttoo*, with stealing from the house of Messrs. T. and S. Kellsall, merchants, New China Bazar, Commerceally feathers, value 20 rupees.

113 *Sulgeram*, 114 *Rumdhun* and 115 *Snergee*, with stealing from the river side, a bag containing 1 maund 34 seers of soppel or Mint copper, the property of Kerpam Luchmoo Doss, of Miraspore, or with time and place aforesaid, receiving the same, well knowing it to be stolen.

116 *Abdulla*, with feloniously entering the dwelling of Luchmoo Sing, in Hospoker, and stealing therefrom a box, value seven annas.

117 *Madarbur*, and 118 *Bahadoor Khan*, with burglariously entering the dwelling of Zaheroodeen, in Ghent's Bazar, and stealing therefrom various gold and silver articles, brass vessels, and wearing apparel.

119 *Nobin Ghose*, with stealing from the house of Cossinath Mookerjee, in Ghora Bagan, a marble

idol and gold ornaments, or with receiving the same, well knowing them to be stolen.

120 *Hingun Kidmutgar*, with burglariously entering the dwelling of Muckoo Doloo, Forattallah, and stealing two smoothing irons.—*Ibid.*

4TH SESSIONS, DECEMBER 8, 1838.

(Present Sir E. Ryan, Sir J. P. Grant, and Sir W. H. Seton.)

At a little after 11 o'clock, the Court assembled, attended by the Sheriff and his Deputy, and after the formal proclamations, the following gentlemen who compose the Grand Jury, answered to their names.

J. A. Dorin, Esq., Foreman.

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|-----------------|-------------------------|
| J. Gilmore, | W. G. Frith, |
| W. Brightman, | J. C. Palmer, |
| N. Alexander, | J. Richards, |
| G. A. Prinssep, | Colin Campbell, |
| J. S. B. Scott, | E. Oakes, |
| G. Vint, | W. Storm, |
| J. S. Smith, | J. H. Aratoon, |
| D. M. Gordon, | B. H. Betts, |
| A. C. Bedel, | Burnsring Mullick, |
| H. Cowie, | Motloll Seal and |
| A. F. Smith, | Govindchund Sein, Esqs. |

The Grand Jurors being sworn, His Lordship the Chief Justice, addressed them in an eloquent speech touching specially as to the great number of prisoners to be tried at the present Sessions, of which address we are sorry we can give but the outline.

His Lordship believed, that more than 120 persons were now confined in jail to take their trial, and regretted the number should be so enormous, arising owing to peculiar circumstances. The Magistrates for a long time past thought they could, and they did, dispose of minor cases before them under a certain Regulation of 1814, sanctioned and approved of, by the then Chief Justice, Sir E. H. East, which provided, that in those cases the Magistrates might proceed to conviction by fine or imprisonment on non-payment of fine. Doubts have subsequently arisen with the Law Commissioners, and the Magistrates have thought proper to send all these classes of cases for trial at the Sessions. Thus the number has been enhanced, whereas it would not have been so, if, as heretofore, the Magistrates would have disposed of them, and which would be just, and precisely in accordance to the opinion of Sir F. Roe, the Magistrate at Westminster, according to whom, pursuant to the report of 1837, of the Criminal Law Commissioners, it would appear that Sir F. Roe is not guided by any circumstances, character, or features, other than the probable expences falling on the county in making commitment in such cases, instead of the Magistrate disposing of them, and the benefit and service arising in regard to time; which his Lordship added, might be applied as well to this metropolis, but until suggestions from higher authorities, at present this mode must be attended to. It rested with the legislature to remedy the evil. His Lordship then went on to comment at length on the report of 1837, of the Criminal Law Commissioners, and the above alluded to dictum of Sir F. Roe, the Magistrate at Westminster, or rather which appeared to have been in reply to certain questions arising on the report of the Criminal Law Commissioners of 1837, and his Lordship adverted to the local Police Act and the Vagrant and Juvenile Criminal Laws at Home; and that by the latter, Juvenile offenders, under the age of from 8, 10, to 12 years, should not be committed for trial, and those of 15 years of age for larceny, not exceeding the value of 10 shillings, could be tried and convicted by two Justices of the Peace, and if they

thought fit, sentenced for six months' imprisonment in jail.

His Lordship continued, that in certain cases, this summary mode of proceeding might be questionable, but if not, this summary jurisdiction to the Magistrates, some other mode, or tribunal, should be substituted - the revival of the Court of Quarter Sessions; by which later, on the other hand, the want of benefit or jurors witnesses and the public, and the encroachment on the time of all, (except the judges) would be precisely the same; but the question as to the mode of modifying the evil rested with the Government, and as regarded the french, his Lordship added, with the concurrence of the others of them, that they would feel the least by a subdivision of their time, although they might be better employed, and would gladly and cheerfully do so; but yet his Lordship could not refrain from repeating, that the evil complained of, was great; for, amongst the present cases, as the gentlemen of the Grand Jury would observe, better than half of them consist of simple petty larcenies.

The witnesses in which cases, attended at first from day to day at the Police, will now have to attend before them, the Grand Jurors, and, next on the Petty Jury, men; and the number of the witnesses in the present instance, comprise no less than 370, all from amongst the poorer classes of people, and in all probability, people who depend on their daily labour, for the daily subsistence of themselves and family; - and another glaring evil existed, this Court setting promiscuously, a long intervention of time necessarily elapses, so that persons committed for petty offences, might in the interval of their trial, suffer longer imprisonment than they should, or at any rate, a difficulty will naturally arise as to a proportionate punishment, considering the imprisonment they suffer anterior to their trial.

His Lordship then pointed out cases in the present calendar, and noticed, that happily, one only was for murder, that of one D'Cruz, for the murder of Caroline Isaac, and if the gentlemen of the Jury believed the representations. His Lordship regretted, that they have not the option but to return a true bill for wilful murder. The prisoner, it would appear, was anxious that the deceased would have yielded herself to him that, which she she repeatedly and peremptorily refused, and the unfortunate women, in the absence of her mother, was murdered, under circumstances which left no doubt of the crime, as will appear. If, however, the gentlemen of the Jury should see any necessity for consulting the Court, they were of course at liberty to do so.

His Lordship next dwelt on the case of one Chunga, for child-stealing, which appeared to be not a common case, this being the first of the kind in this country that His Lordship remembered. His Lordship pointed out the law in such cases, and the punishment to be Transportation, and that it would appear by the evidence, that the child was at school with the prisoners, and so continued up to the 25th of August last, when, as usual, the boy, 8 years old, returned at about 10 or 11 o'clock, and was seen until about 1 o'clock of the same day. The boy had gold jewels about his person of the value of 150 rupees, and formerly it had been known that children having on jewels were for the sake of them murdered, and in this case strong suspicion existed of the murder of the child by the prisoner, with whom the child has been traced to have been, up to the last that the child had been seen. Yet his Lordship said, that the indictment could not be returned for the crime of homicide, the general maxim and principle of law being to the contrary, according to that celebrated authority. Lord Hale; unless the body of the deceased be found, or the actual commission of the crime be proved, - except in some cases, and amongst which, this present case did not come in. These were in cases of murder on the High Seas, and the bodies being thrown over board.

His Lordship next adverted to some cases for burglary and larceny, and to three cases for cutting with intent to commit murder, observing, that in these latter cases, three females have been most cruelly stabbed, and this class of crime, seems of late to be much on the increase. As to the law, however, in these cases, his Lordship felt satisfied there could be no doubt, or necessity to explain; but if the gentlemen of the Grand Jury desired, in any case, or point, to consult the Court, the Court would be ready and glad to attend to them; and His Lordship concluded by alluding to the case of one S. D'Silva and J. Gomes, charged for violence under evidence, and confirming evidence. The Jurors then left the Court and Sir J. P. Gairt left the Bench. The Jury soon after returned with a true Bill against Khoda Bux for larceny.

The following Petty Jurymen, were called, who answered to their names :

Mr. C. P. Sealy,	Mr. J. Ridley,
" M. Crow,	" F. Allce,
" J. P. Devine,	" H. Griffin,
" J. Talber,	" J. G. Parker,
" W. E. Jenkins,	" S. Jones and
" J. B. Vandenberg,	" T. Allardice,

Mr. J. B. Vandenberg, one of the Petty Jurymen, objected to serve on Jury, being under age. The Court informed him that if this mode of objections were allowed, it would be difficult to select a set of Jurors, and that Mr. Vandenberg ought to have taken the objection through the regular channel, according to advertisement in the newspapers for that purpose, viz. in the month of May, every year, these points are disposed of, and the names of disqualified or exempted Jurors, removed from the Jury list. Mr. Vandenberg pleaded that he was ignorant of this rule. The Court replied, "every body is bound to know it," and ordered Mr. Vandenberg to take his seat - which he did.

The Jailor informed the Court, that the prisoner Khoda Bux, against whom a true Bill had just been returned, was at the Hospital, and therefore could not be brought up for trial. The Court in intimated to the Petty Jurymen, that two sets of them, and not the rest, would be required to attend, one set to relieve the other and that from Monday the Court would sit every day at 10 a. m. and this arrangement being entered into, as to the Petty Jurymen, the rest of them would be discharged, and every day at about 1 o'clock p. m. or so soon about that time, as a then pending trial would admit; one of the two sets of the Petty Jurymen, would be relieved for the day but every morning at 10 both the sets must be in attendance or, considering the state of the Calendar, the Court would be obliged to impose and enforce heavy fines.

The Grand Jurors, in the course of the day, returned the following indictments as true, against

Gopaul, Petumber Ghose, Sebo, Sistydhur, Mohun, Sobaratty, Gour Doss, Sebochauld, Govindo, Casserrun, and Ramchund Dutt, all for larceny, and against Usurrun and Kisto Doss, for burglary, against Manick, for shop-breaking, and the bill against Satty Hurry, for larceny, they returned as untrue.

The prisoner Gopaul was put on his trial for stealing a dotee, value 12 annas, one Company's rupee and 32 pice, the property of Taraneychurn Bhuttachargee, who appeared, and 2 other witnesses were examined, one a Police chowkeydar. The charge was proved and the Judge addressed the Jury formally, who returned a verdict of guilty. Sentenced to one month's hard labor in the House of Correction, considering the imprisonment from date of commitment.

Sebo was next put on his trial, for stealing from the house of Mrs. M. Sinaos. 1 lotta, value 1 rupee, 1 dhoote value 8 annas, the property of Lalchand beater. The prisoner said he was drunk at the time and could say nothing of the matter. The Court recorded a plea of not guilty for him. The beater and 2 other witnesses proved the case. Verdict guilty. Sentence 1 month's hard labor in the House of Correction.

Sistedhur, was also tried, charged for stealing a dhoote, valued at 1 rupee, and 9 annas and a half of pice, the property of Junggul. The case being proved, the prisoner was found guilty, and sentenced to 1 month's hard labor in the House of Correction.

Kistno Dass was also tried for burglary, in entering the dwelling house of one Sreemutty, and stealing rice, value 9 annas, turmeric 2 annas, dhoote and chudder, 6 and 10 annas. The prisoner pleaded not guilty. From the evidence before the Jury, they returned a verdict of guilty. Sentence 5 years' transportation.

Petumber Ghose, was tried for stealing a lota of the value of 12 annas, the property of Dhokerain, who, together with a female and one witness, proved the charge, to which the prisoner pleaded not guilty; and in the course of cross examination by the latter, it appeared, the prosecutor was indebted to the prisoner, who, in consequence frequented the prosecutor's house to get paid, and that they were neighbours; also that the prisoner was a man of property, according to his standing in life. The prisoner called two witnesses on his side, the first of whom corroborated what had been elicited in the cross-examination, gave the prisoner a good character, and the reason for the same, and concluded by saying, that the prosecutor being in debt to, see the prisoner, whenever asked for payment, used to threaten to ruin the prisoner or to use the witness's swords to "see the end of him," in order to get rid of his demand. The other witness proved, that an affray commenced in the house of the other witness, when the prosecutor gave him in charge of the police, and after which the female witness for the prosecution picked up a lota, handed it to the chowkydar, and charged the prisoner with theft. The chowkydar confirmed this part of the evidence, and added, that the prisoner was let at large on bail by Capt. Birch, when taken before him on the night the charge had been preferred. The prisoner was about to call other witnesses, when the petty jurymen declared, they were agreed, that this was a case of complete conspiracy against the prisoner, and that he was not guilty. The Court told the Jury, that such being the case, the trial ended, and that the Court agreed with the Jurors, and would have intimated that opinion to them, for, independently of the evidence for the defence, that on the part of the prosecution had been contra-factory, and that the Court would not pass over this matter as to that part of it, which regarded the Police, in thus exposing an innocent man. The prisoner was discharged.

The Traverse Board stands as follows:—2 cases on the prosecution of Mr. W. D. Shaw for assault and false imprisonment, against Mr. Ogilvy, one on the prosecution of Denouath Ghosall v. R. Barlow, for the like charge.—*Hurk.* December 10.

DECEMBER 10, 1838

(Before Sir E. Ryan and Sir W. H. Seton.)

Mohun was put on his trial for stealing a goat of the value of 2 rupees 8 annas. He was found guilty, and sentenced to one month's hard labour in the House of Correction.—*Hurk.* December 19.

Khoda Bux was tried for stealing a pair of shoes, of the value of 4 annas, and a dhoote valued 3 annas.

Verdict Guilty. Sentence 1 month's hard labour in the House of Correction.

Chand was tried for stealing a cow value 14 rupees, and the Jurors, when about being addressed by the court at the close of the trial, said they were agreed on a verdict of guilty. Sentence the like as in the above cases.

Rampersad was tried for stealing a book of the value of 17 Rs., a turband 6 annas, a chudder and a few other trifling articles, and was found guilty and sent to the House of Correction for three month's

Soberathe was tried for stealing 1 lotta value 8 annas, 1 thalla and 1 lotta value 1 rupee 8 annas. Verdict guilty. Sentence 1 month in the House of Correction.

Manick was tried for stealing a copper dish and a seat, value 2 8. Verdict and sentence as above.

Byjoo Misser, was also tried for stealing a piece of saul-wood from Mr. J. M. Voss's premises, of the value of 6 annas. Verdict guilty and sentence 3 months in the House of Correction, this prisoner being the Durwan in charge of the stolen property.—*Hurk.* December 10.

December 11 1838.

Sebo was tried for stealing a piece of cloth of trivial value. In this case the Foreman of the Petty Jurors returned a verdict of guilty, but it appeared the Jurors were not agreed. The Court therefore remarked to them, that such a verdict was wrong, and they, after a little reconsideration, repeated their verdict as unanimous, and the prisoner was sentenced to one month's hard labour in the House of correction.

Gour Dass next tried for stealing one dhoote, one chudder, and gumla value 1 rupee 11 annas, verdict guilty. Sentence last above.

Govind Dass tried for stealing a gumcha, value half an anna, a canvass bag value one anna, and pice of the value of 3 rupees and 10 annas. Verdict, and sentence as above.

Gour Dass tried for stealing a piece of cloth, and a total, value 2 rupees. Verdict and sentence as above.

Wuzurren, was tried on two indictments, one for burglary and the other for larceny. Verdict of acquittal on the former and guilty on the latter, on which sentence was passed for 6 month's labour in the House of Correction.

The next trial was that of Rammohun Dhobah and Sodochurn Ghose, charged with breaking and entering into a house and stealing property therefrom of a very trifling value. Verdict guilty. Sentence 18 months' hard labour in the House of Correction. The crime being aggravated by the fact as proved, of the breaking into the house in question.—*Ibid.*

DECEMBER 12, 1838.

Jhomun, Naykbeedes and Isserchunder Law, were tried for entering a dwelling house, and stealing therefrom 26 pieces of wearing apparel, value 60 rupees, a brass thali value 3 rupees, and on the evidence before the Jury, they returned a verdict of guilty. Sentence 2

years' imprisonment and hard labor in the House of Correction.

Gurrys was tried for stealing 2 rupees and 12 annas Verdict guilty. Sentence for 3 months to the House of Correction.

Kemaram Manick, was tried for stealing a lota and a piece of red broad cloth, value 6 rupees. Verdict no guilty.

Meajon, was tried for stealing various articles of wearing apparel. Verdict guilty. Sentence 1 month's hard labor in the House of Correction.

Denmahomed, was next tried for stealing various articles of value, and was found guilty and sentenced to 3 months' hard labor in the House of Correction.—*Hurkaru, December 15.*

DECEMBER 13, 1838.

Dhunno was tried for burglary. Verdict guilty. Sentence of death recorded and commuted to Transportation for 5 years to the East Coast of the Bay of Bengal, South of Martaban.

Hurry Roweth was tried, convicted and sentenced as above, for larceny in a dwelling house.

Muddosodun and Ramdoss were also tried, convicted and sentenced as above, for stealing from the person of Juggernath Day a necklace, &c., value 4 rupees.

Hurry Doss was tried for larceny and acquitted.

Shaik Munnoo was tried for larceny, found guilty, and sentenced for one month to the House of Correction.

Ramchand the like as above, except the sentence, which in this case is for 6 months' imprisonment in the House of Correction.

Hillaram, the like as above, for 2 months in the House of Correction.

Pallaram, the like as the last preceding case.—*Ibid.*

DEC. 14, 1838.

The Court finding that for the last two or three days, several persons did not answer to their names, the following absentees to-day were fined 50 rs. each. The Court observing, that this course was imperative as previously intimated, considering the state of the present Calendar. The absentees were H. B. Harman, Hurrochunder Ghose, and Callikisto Ghose.

Khodo Bux, late a hulkerry in the employ of Mr. H. J. Palmer, was tried for stealing from the house of his master, money and bank-notes to the extent of 1,200 rupees. Verdict guilty. Sentence 2 years' imprisonment and hard labor in the House of Correction.

Bungauli, was tried for stealing the barrel of a pistol, value 10 rupees, and was found guilty of the charge and sentenced to 2 months' hard labor in the House of Correction.

Khyratty, was tried for stealing a silk shawl, from the person of a boy aged 10 years. Verdict guilty. Sentence as above, for 1 year.

Ramchand Chuckerhuty, tried for Burglary and stealing a lota. He was acquitted of the first charge

and found guilty of the other. Sentences as in the last preceding case.

Muckhoo was also tried and convicted of stealing; he was charged with having stolen a cow of the value of 5 rupees. Sentence 3 months' hard labour in the House of Correction.

Hurry Doss and Premchand Potter, were next tried, convicted, and sentenced as above; the first for stealing a brass lota of the value of 12 annas, and the other for stealing various brass vessels of value.

The Grand Jurors having gone through their branch of the business for this seasons, were this day discharged with thanks for their attention and labor. They made the following presentments to the Court.

1st.—The petty cases sent to this Court for trial by the Magistrates, against which the Grand Jurors complained.

2dly.—The filthy state of the drains and streets in this city.

3dly.—The neglect of the Police in not preventing lepers and beggars from going about the streets of Calcutta.

4thly.—The discharging of fire arms and display of fireworks being allowed in the streets and in the compound of houses. Lastly, as to the native processions, &c. being allowed to pass as they do at present.

The Chief Justice said, that the Presentment as above, could be received by the Court only as an address to the Judges and not as a Presentment in its legal sense, and continued, by explaining what "Presentment" meant. His Lordship added, that the address would be forwarded through the proper channel to Government, where, no doubt, it would meet due attention, as it should, considering the respectable body, such as the Grand Jurors, who compose the address, and that this is what his lordship presumed they desired, to which the foreman assented and then took leave of the Court.

It is supposed that for the remainder of this Sessions, Sir H. W. Seton alone, will preside on the Bench, except on such occasions as when a full Bench might be legally necessary.—*Hurkaru, December 19.*

Dec. 15, 1838.

(Present Sir H. W. Seton.)

Culloo was tried for stealing 1 rupee 8 pice, and a handkerchief value 4 annas,—verdict not guilty.

Choppoye and Kartick Mochee were tried for stealing, the first a lotah, and the other, 2 odd shoes. Both were found guilty and sentenced, each for one month's hard labour in the House of Correction.

Nobbex and Commul, were also tried for theft; the former for stealing a dhotee and the other a goat. The Juror's returned their verdict of guilty as to both of them, and each were sentenced to hard labor six months in the House of Correction.—*Hurkaru, December 21.*

17th DECEMBER.

Eusuff and Hurry Doss, were tried, Easuff for stealing a couple of turkeys, and the other some pice, and both were found guilty and sentenced, each for 3 months in the House of Correction.

Sir H. W. Seton left the Court at about 2 P. M. relieved by Sir J. P. Grant, who took his Seat and resumed the business for the day.

Kartick was tried, convicted, and sentenced for 1 month in the House of Correction, for stealing a lota value 8 annas.

Kaorah was also tried and convicted for stealing 1 rupee and 14 annas of pice, and a small silk purse value 1 anna.

SENTENCE RESERVED.

Gunga Chobah was next tried and convicted for stealing some wearing apparel. Sentence 6 months hard labour in the House of Correction.

In the course of this day, Sir John Grant, whilst delivering his charge, on summing up for the Jurymen, observed, that they were seated, and remarked to them, that such practice was unusual; the contrary on such occasions being, and having heretofore been, the proper course; the Jurymen accordingly were on their legs in a moment, in obedience to His Lordship's mandate. —*Ibid.*

18TH DECEMBER, 1838.

(Present Sir J. P. Grant.)

Peerbux was tried and convicted for burglary, and was sentenced to be transported for 7 years to the East Coast of the Bay of Bengal and South of Martaban.

Ammer Ally was tried for stealing a goat, and Jungoo for stealing a horse. Both were convicted and sentenced each, to 6 months' hard labor in the House of Correction.

Juttoo was also tried for stealing some Commercially feathers, and the Jurors found him guilty, but recommended him to the mercy of the Court. Sentence 3 months' hard labor in the House of Correction.

Sydo Khan was next tried for stealing 3 brass thaulrees. Verdict guilty. Sentence as in the last preceding case.

This day again some of the Jurymen being absent the Court directed a fine to be levied of 50 rupees from each absentee. —*Ibid.*

DECEMBER 19, 1838.

(Before Sir J. P. Grant, and Sir W. H. Seton.)

S. Surroo Ghose, was tried and convicted for stealing from a dwelling house property to the value of 50 rupees. Sentence, 1 year's hard labor in the House of Correction.

Goberdhun, was also tried, for burglary and stealing from a dwelling house. Verdict guilty. Sentence of death recorded and commuted to transportation for 7 years, to the East Coast of the Bay of Bengal, South of the Gulf of Martaband.

Himrauz, was next tried, for breaking and entering in to a shop and stealing property therefrom. The prosecutor in this case did not appear. The Police Nab deposed, on oath, that owing to serious indisposition, the prosecutor was unable to attend. The Court observed, that this infirmation ought to have been given to the Clerk of the Crown previous to the prisoner being arraigned for his trial, and now that he was arraigned and the Jurors were sworn, the prisoner had a right to insist on his trial, which, accordingly proceeded, and two witnesses were examined; but these witnesses did not prove the charge against the prisoner. The Jury therefore returned a verdict of not guilty, and the prisoner was discharged.

Jugga bearg, was next tried and convicted of larceny. Sentence 4 months' hard labor in the House of Correction. —*Hurkaru, Decemr 24.*

THURSDAY DECEMBER 27, 1838.

THE QUEEN V. J. B. O'GILVY—THE QUEEN V. THE SAME

These two cases, (both for trespass and false imprisonment) which had been traversed from last sessions, were mentioned to the Court this morning. Their Lordships said, that they should appoint a day specially next Monday.

THE QUEEN ON THE PROSECUTION OF DEENONAUTH GHOSAUL V. ROBERT BARLOW.

This case was called on *pro forma*, and the parties were permitted by the Court to speak with each other.

THE QUEEN V. AUDINATH GHOSAUL.

The prisoner was arraigned for burglariously entering, with intent to steal, into the dwelling-house of Biso nauth Poramanick, in September last.

Mr. Norton appeared for the defence. The prosecutor, being called as a witness, deposed to having found the prisoner in his house about midnight, whereupon he gave the alarm, and a chokedar came up and seized him. The witness admitted that nothing was found upon the prisoner, and no property was found missing or even removed from its place; nor could he speak with precision as to the mode in which the prisoner had obtained entrance. There was an old mat partition, which appeared to have been partly torn or cut in the fastenings, but the prosecutor was quite uncertain whether the matting had not been in the same condition previous to the night in question.

Sir Edward Ryan, addressing the jury, said, that it appeared useless to go on with the case, as the prosecutor, who was the party most likely to be able to speak to the point, gave no evidence of a breaking and entering. No actual robbery was attempted to be proved or even charged, and the substance of the case, therefore, was to prove that there had been a forcible entry with felonious intent. It was impossible for the jury to draw the inference from such vague evidence, that this had actually happened.

The jury then returned a verdict of *not guilty*.

The prisoner was ordered to be discharged.

THE QUEEN V. RAMDIAL NOY.

The prisoner was arraigned on a charge of embezzling money, the property of his Master, and found *Guilty*, but recommended to mercy.

The Court adjudged him to suffer six months' imprisonment, with hard labour, in the House of Correction.

Upon this Jury being discharged, and informed, that their attendance would be required on the day after to-morrow at ten, one of the gentlemen rose and addressed the Court with great gravity, requesting that as that day would be the first of the Rares, (which the whole world were very anxious to behold!) the Court would kindly postpone the hour of attendance from ten to eleven o'clock.

Sir E. Ryan, with great courtesy, granted the request, adding that he should expect their attendance punctually at eleven.

THE QUEEN V. SALIGRAM TRAKJUR AND TOO OTHERS.

The prisoners were arraigned upon a charge of stealing certain maunds of Mint copper, on the 30th of October last. The indictment contained three counts one laying the property in Kriparam, another in Lochun Dow, and a third in those parties jointly.

Mr. Norton appeared for the defence. There was no counsel for the prosecution.

The first witness, who was the Gomastah of the prosecutors, stated, that he purchased the copper in question (15 bags) for his Masters, and gave it in charge of a Jemadar, for the purpose of being put on board of a boat. It appeared from this witness's testimony, that the prosecutors were partners, (father and son) and that there was a third partner not named in the indictment, a grandson, by name, Nundilall. This grandson, who was 28 or 30 years of age, was in fact the managing partner of the firm.

Sir E. Ryan said, that it was useless to go on. The copper was proved to be the property of three persons jointly, and it was described as the property of two

only. This misdescription did not arise from any fault on the part of the Clerk of the Crown; for by him everything had been done to obtain the requisite information, but that information had not been supplied. The present acquittal of the prisoners of course would not prevent a fresh indictment from being preferred against them.

Mr. Morton begged leave to mention, for the sake of his client, that witnesses had been summoned, who (he was instructed) would have been able to prove a clear *alibi*.

The prisoners were acquitted.—Hulk. December 28.

INSOLVENT COURT.

DECEMBER 4, 1838.

(Present Sir E. Ryan.)

IN THE MATTER OF G. H. SWAINE.

This Insolvent was not opposed, and, after the usual oath, was discharged.

IN THE MATTER OF MAURICE CHARDON.

Mr. Attorney Waddington applied for an Adjudication of Insolvency in this matter, the Insolvent having departed from out of the jurisdiction to evade payment of his debts. He made the application on the part of Messrs. Cantor and Co., creditors of the Insolvent, to the extent of 3,800 Rs. on a promissory note.

IN THE MATTERS OF JAMES CULLEN AND R. BROWNE; COLVIN AND CO.; M. SCHLAFER; CALDER AND OTHERS; MACKINTOSH AND CO.

The Assignees in these several matters applied for and obtained leave, to file their respective accounts.

IN THE MATTER OF KISTNO BENDER SEAL.

Mr. Strettell applied on the examiner's certificate for further time for the examiner to make his report in this matter, which was granted.

IN THE MATTER OF BEBE LUMFRUN.

This case, as reported on the 20th ultimo, stood over for this day; but the Insolvent having been in the interval discharged from custody by her detaining creditor, no order passed in this matter.

IN THE MATTER OF BEBE SOHO.

The like as the above preceding matter.

IN THE MATTER OF JAMES YOUNG AND OTHERS.

Mr. T. Holroyd, an assignee in this matter (cojointly with Mr. W. C. Hurry) applied to be relieved, as to his assigneeship. The Court granted it. Mr. Hurry to continue, and of course not relieving Mr. Holroyd as to past responsibilities.

IN THE MATTER OF W. F. CLARKE AND OTHERS.

Mr. E. McNamara made the like application as in the next preceding matter, and Mr. J. W. Alexander was proposed by several creditors to be placed in the stead of the resigning Assignee. Mr. Clarke, on the part of several other creditors, opposed Mr. Alexander's

nomination of Mr. Alexander, or rather, as Mr. Clarke termed it, he proposed more a modification than an opposition, viz. that a co-assignee be deputed with Mr. Alexander, to whom there could be no objection other than that he, Mr. Alexander, was acting as assignee to 200 estates, and being a Commissioner of the Court of Requests, he could not devote that time which would be necessarily requisite in the discharge of the duties of Assignee in this Estate, wherein a great deal yet remained to be done, for the purpose of winding up the affairs. The Chief Justice refused Mr. Clarke's application on two grounds.

1st. That his Lordship felt quite satisfied that if Mr. Alexander was unable to discharge the duties of the Assigneeship, he, Mr. Alexander, would have relinquished the appointment, and the absence of any such information on Mr. Alexander's part, considering also that Mr. Clarke represented only a few of the creditors in his present application, his Lordship could not maintain the application.

2dly. A decided objection exists as to the gentleman intended by Mr. Clarke's application to be associated with Mr. Alexander, Mr. H. Holroyd, whose avocations in the Supreme Court, could not possibly admit of his nomination, owing to the arduous duties he was to perform. It, however, a largely body of creditors than what Mr. Clarke represents in his present application, could make out a case, that the Assignee, Mr. Alexander, could not discharge his duties as ought to be, or that the business was retarded, and not conducted with that ease and facility so as to render them, the creditors, ample justice, the Court might, in that case, entertain the application differently. Mr. Clarke repeated that he wished it to be understood, that no ground of complaint laid against Mr. Alexander, or any other objection than that he was Assignee to too many estates. The Court replied, that most of those to many estates entitled a great deal of trouble on Mr. Alexander and yielded but little, if any, emolument; and therefore it would be very unfair towards this gentleman, to take away from him the Assigneeship of this estate, likely to remunerate him, and that for no other reason than that he acted as Assignee to estates which cost him labor with no gain.

Mr. Alexander was nominated.

IN THE MATTER OF J. CULLEN AND OTHERS.

Mr. T. Holroyd applied for leave to be discharged from the Assigneeship, and Mr. J. W. Alexander, was proposed by several creditors to the substituted.

Mr. Clarke, on the part of several other creditors took objections, first as to the irregularity of the application, the resigning and the proposed Assignee applying together; whereas Mr. Clarke maintained, that it

ought to have been two distinct orders, for the one could not be before the Court until the final and actual removal of the other. The Court informed the learned Counsel, that the order had been so framed by the directions of the Court, there having been no application to the contrary when the order passed.

Mr. Clarke resumed his application and said, that creditors to the amount of 22 lacs applied for Mr. Alexander, but Mr. Clarke applied for Mr. Leighton, on the part of creditors, to the extent of 40 lacs, and had affidavits to prove the signature of these creditors, and also to those who signed by proxy; and Mr. Clarke pointed out, that amongst the grounds put in, in the application for Mr. Alexander's nomination there was no affidavit filed as to the correctness of the debts of the creditors applying for Mr. Alexander, nor as to the signatures by proxy on the part of those creditors.

The Court intimated, that this objection taken by Mr. Clarke, bordered upon that of irregularity for want of the affidavit, as alluded to by Mr. Clarke, and that that deficiency could, and would, be allowed to be supplied; for it cannot be supposed, that the signatures were not genuine. Mr. Clarke then went on to state, that Mr. Leighton had been the principle and managing assistant in this firm for many years previous to its insolvency, and had a thorough and perfect knowledge of all its affairs and business, and of the several and extensive constituents and debtors and creditors of the firm, together with that of their residences and resources in different parts of the globe; and that the resigning Assignee and his predecessor, acted in the office solely with the aid of Mr. Leighton, who in fact, conducted every thing under their superintendence and direction, to the entire confidence and satisfaction of all parties, and Mr. Leighton was a person of probity and property, is in a lucrative mercantile business on his own bottom; under these circumstances, Mr. Clarke contended, that it would be unjust and unfair towards Mr. Leighton, to disconnect him now. Moreover, that creditors to the extent, as before mentioned, of 40 lacs of rupees, were anxious that Mr. Leighton should continue, which could only be by appointing him, no doubt from an impression, and very justly, that Mr. Leighton alone could do them justice; and this gentleman, not from any desire on his part, but to meet the wishes of these creditors, had arranged with his partner to be allowed to devote a part of his time to this matter, wherein Mr. Leighton interested himself, in order that the assets and effects be rightly appropriated and disposed of to the benefit of the creditors, many of these creditors being his relatives and intimate friends.

The court proposed to associate Mr. Leighton as a Co-Assignee with Mr. Alexander. The question as to the nomination, the court intimated, did not rest as to the extent of the amount of the debts due to the creditors, and that nominating Mr. Leighton a co-assignee with Mr. Alexander, would be meeting the wishes of all classes of the creditors, keeping in view the distinction of the creditors, one class applying for Mr. Leighton and another for Mr. Alexander; and the court observed, that most part, or at any rate a great number, of the proxy signatures to support Mr. Leighton's nomination, appeared to be signed by one of the Insolvent Partners, (Mr. Cullen) as the constituted attorney.

Mr. Clarke repeated to the court, that the matter had been forced on Mr. Leighton; it was no wish of his; and Mr. Clarke concluded, by reading a letter that passed by which this fact appeared; and he informed the court, that as Mr. Leighton wished barely to meet

the wishes and interest of his friends, he, Mr. Leighton, not being nominated the Assignee, refused to act as a Co-Assignee with Mr. Alexander. Mr. Clarke immediately afterwards mentioned to the court, that he wished it to be reserved until the next Court-day, for Mr. Leighton to decide whether he would or would not accept of the Co-Assigneeship. The court accordingly reserved him the option, and Mr. Alexander was of course appointed the Assignee.

IN THE MATTER OF A COLVIN AND OTHERS.

Mr. E. McNaghten resigned his office of Assigneeship.
Mr. J. W. Alexander was appointed to succeed him.

IN THE MATTER OF JAMES CALDER AND OTHERS.

Mr. T. Holroyd resigned his office as Assignee and Mr. Alexander was substituted.

IN THE MATTER OF JAMES JACOB.

This matter, as reported on the 20th ultimo, came on to-day for rehearing, and Mr. Strettell, attorney for the insolvent, applied for leave until the next Court day for the hearing of this matter, to enable the insolvent to file an amended or additional Schedule, which, Mr. Strettell added, the insolvent had not time to prepare, owing to his accounts and papers being partly destroyed by white-ants and the remainder in a confused state. Moreover, that he has not been able to get access to certain accounts of the late firm of Alexander and Co.

Mr. Strettell then put in an affidavit, verifying these facts, and also a book containing accounts, that the insolvent had prepared, stating that he had not been idle or dilatory so far as laid in his power, and asked for leave to put in this book of account, which the court said could not be received but by the Assignee; and the court granted the extension of time for the hearing as asked for, observing at the same time, that the grounds as set forth by the application, did not seem altogether satisfactory, particularly as to the allusion to the accounts of the late firm of Alexander and Co., which it cannot but be presumed must at all times be come-at-able at the office of the Assignees to that Estate. Mr. Strettell wished to offer some explanation, but the court said that at present nothing remained, but to allow the matter to stand over until the next court day, and the insolvent was remanded to prison.

Mr. Strettell filed with the Assignee the book of accounts before spoken of. Mr. Leith mentioned to the Court, that it would perhaps enlarge the order by adding, that in the making up of the amended or additional schedule, certain sums of money be brought into hotch-pot, viz. monies received by Mr. Jacob from time to time, subsequent to her marriage with the insolvent, which are alleged to have been legacies and presents to her, and to have been appropriated towards the building of a house, in the purchase of which is invested a sum of 4,000 rupees that had been settled on Mrs. Jacob by a deed, previous to her marriage. The learned Council added that the 4,000 rupees and the deed in question, having preceded the marriage, that sum alone, and not these others, received by Mrs. Jacobs, either as legacies, presents, or otherwise, ought to be reserved to her under that deed, in exclusion to the creditors.

The court entertained Mr. Leith's application as premature, and concluded by adding, that the additional or amended schedule to be filed in Court at least a week previous to the next day of hearing. *Hurkaru.*
December 6.

HOOGHLY SESSIONS COURT.

NOVEMBER 29, 1838.

(Before J. Curtis, Esq., Sessions Judge.)

TRIAL OF PERTAB CHUNDER.

Assad Ullah, nazir of Zillah Burdwan, deposed. I recognize the *sai disant* Pertab Ghunder, the Rajah of Hurdun, Hafiz Futehollah, Radakissen Ghosaul and the other prisoners in this case. I first saw the *pseudo* Rajah in April last at Culna. The darogah of Culna having, in Bysack last, reported to the Burdwan Magistrate the arrival of the *sai disant* Rajah at that town; and having further added, that this Rajah intended to have landed with an armed retinue at Kaity Khal, and that he had dissuaded him from it, the Magistrate thereupon dispatched at two dispatch at two different times, two jemadars with some hired burkundauzes to prevent this Rajah from landing with his followers; subsequently the darogah dispatched another report to the Magistrate, that the pretended Rajah had landed near the burial-ground of the Burdwan Rajah, and followed by a drunken mob all armed; and this Rajah had ordered his adherents to seize the muskets of the *sepoys* on guard at the burying ground, and it was with the greatest difficulty that he dissuaded him from it. "The Magistrate, on receipt of this report, said the deponent, dispatched me on the 29th April to Burdwan, to disperse this Rajah's assembly and to arrest him and take him prisoner to Hooghly. I arrived there the next day, and saw only the naib darogah, the moonshy and a peon on guard; and having heard that the darogah had gone to see the *sai disant* Rajah. I sent information to him of my arrival and he came. I enquired of him whether the assemblage had dispersed, and he replied in the negative. I then gave the darogah's purwannah to him, and desired him to accompany me to the Rajah, to disperse the Rajah's party. I saw several boats moored to the shore, and 30 or 40 boats and the Rajah's budgerow at anchor in the stream. I desired the darogah to go and give the Rajah notice of my arrival. The darogah then called Futehollah, the Rajah's darogah, and Mirza Hossanee, the petition-presenter of the Rajah, and I requested them to communicate to the Rajah my arrival and wish to see him. They replied, the Rajah is not at leisure to see you at present, and advised me in the interim to go to the Hurdun Rajah's boat and see him; and I did so, and informed the Hurdun Rajah the reason of my coming, and explained to him the purport of my purwannah. The Hurdun Rajah spoke a great deal about this *pseudo* Raja being the real Rajah, and the probability of his soon seating himself on the Burdwan guddy. I replied, I have no interest in this matter; all that I have to do is disperse the assembly. The Hurdun Rajah then left me in his budgerow, and proceeded to the *pseudo* Rajah's budgerow, and shortly afterwards one of their domestics, called me to come on board this Rajah's budgerow. I then proceeded there, accompanied by the zemadar and a few armed burkundauzes. The men on guard at the Rajah's, informed us that we could not go on board thus armed; but that I and the darogah, with 2 or 3 others, may come unarmed and communicate our message. In compliance with this request, I and the nazir, accompanied by 2 or 3 peons, went on board. I gave the purwannah to the Rajah and he looked at it; and Monshy Hurrochunder read its contents to him; after which I told the Rajah that it was necessary for him to disperse his retinue. The Rajah replied they are not a mob, but my domestic

and indispensable servants. I replied, be that as it may, you should not keep so many persons about you. The Rajah replied, I wish to go to Burdwan. I said if you desire to proceed to Burdwan, discharge this concourse, keep a few necessary servants, and I will see you safely attended; then, on his objecting to go with so few servants to Burdwan, I counselled him, in compliance with the purwannah, to return to Hooghly and I would accompany him there. He replied, my attorney, Mr. Shaw, is arrived; I will see him during the day and give you, in the evening, a final reply to your orders. I then returned home, and, as I imagined from the obstinate and overbearing conduct of the Rajah and his rabble, that they would not disperse, I reported this conversation, and the state of the affairs at Culna, to the Magistrate, and began to investigate into the correctness of the statement of the Rajah having landed at Culna with an armed force, and the general conduct on shore; and having ascertained the correctness of the darogah's report on that subject, and dispatched it to the Magistrate. Towards the evening, although I despaired of dispersing this Rajah's men, yet, that the Rajah may not have cause to say that I had failed to call for his reply, as he had desired me, I went to the boat and desired the darogah to go on board; and if the Rajah should show any dispositions to disperse, let me know. Some delay having occurred in the darogah's returning, I, after dusk, returned to the thana, after having desired a person to call him. Soon after my arrival at the thana, the darogah and the police peons came. I enquired of the darogah what reply the Rajah gave him. He said that Mr. Shaw, on behalf of the Rajah, had told him that the Rajah was proceeding to Burdwan with the sanction of the Governor General in Council, and he would go there with his whole retinue. I then sent another report to the Magistrate, informing him of my inability to disperse this concourse; and this report I dispatched by horse-dak. This was on the 30th April, and the Magistrate arrived on the night of the 12th May at the thana, with the military and the civil surgeon and awoke me and inquired how matters stood. I said in *statu quo*, and showed him the Raja's boat; and I took the gentlemen to the residence of Mr. Alexander, and, by the Magistrate's desire, stationed persons on the road to give intimation of the arrival of the soldiery. During the night, the officers retired and slept with their companies, I in my palke, and the Magistrate and Doctor at Mr. Alexander's. Early next morning, before day break, we proceeded and woke the military and roused them on the banks of the river, and pointed out the Raja's boats to the Magistrate. The firing then took place and the men were captured. I took out a gold-milted sword from under the Raja's pillow, and the other arms were found by me on searching the other boats.

Cross-examined by Mr. Shaw.—I, on that evening, received two letters from the Raja, written in Persian. The Raja had brought 11 concubines with him, and there were 7 in his budgerow at the time I found the sword under the Raja's pillow. There was no riot in Culna, from the time of my arrival till the dispersion of the assemblage. I never told Mr. Shaw that the darogah's reports were all false. Rada Kissen Ghosaul presented a petition to the Magistrate of Burdwan, previous to my departure from Burdwan. When I was going, I heard a popular rumour at Burdwan, that neither the Raja of Burdwan nor the Nabob of Moorshedabad are dead, but they have become accursed, and

are wandering over the country. The robbery written by Takoor Ally, was engrossed from rough drafts after the Magistrate's return to Burdwan.

Govind Sing, Jemadar, deposed. The witness corroborated the evidence of Mayaboulla, late the daroga of Culna, and of Asseod Ally, the nazir of Burdwan, regarding the transactions which occurred at Culna during the stay of the pseudo Rajah at that place.

Dusseut Palluck, deposed like the former witness, in confirmation of the transactions which occurred at Culna during the period the *sui-distant* Rajah was anchored off that town.

Hurochunder, was brought up from the jail. It appeared that he was connected with the charge against these prisoners, and is to get his release from the jail on this charge, provided he spoke the truth.

Mr Bignell said, that he had no charge at present against him, but if he perjured himself he would have; and the Zillah Magistrate said, that the written agreement with the man is in conformity to the existing regulations in this country; and if he does not depose to the truth in this case, he can be sent back to jail, and recommitted on the present charge.

This witness deposed. I know all the prisoners—I was the Secretary to the *sui-distant* Rajah, and wrote his letters for him by his dictation. Letter No. 1 is signed by Burcklawar Sing, the nazir of this Raja. Who wrote the contents of it, I don't know. No. 2 is signed by the Raja. Who wrote the body I do not know. No. 3 was written by me, and signed by this Raja. It is addressed to Mudden Soodun Nundy, desiring him to meet the Raja at Ambeeka. I cannot say whether it was ever dispatched or not. No. 4 is likewise signed by the Raja, and written by me to the Nazir Assood Oodeen, appointing him the Jemadar of the female household, the salary to be settled on his being installed as the Raja of Burdwan. No. 5 is a list of names. It is not signed, and who wrote it I cannot say. On re-examining it, he said, it is signed in Nagree, which I cannot read. No. 6 is missing. No. 7 is a petition from Assood Ally. Who wrote it I know not. The next No. is 15, and it is a draft of a letter written by me, to Matab Chunder, at the dictation of this Raja. There was a letter copied from this, addressed to Matab Chunder, at Goyah, but as it could not find Matab Chunder there, it was returned. Another draft by me, written to Matab Chunder, is a letter complaining of his arrival at Burdwan, and his fears of Prawu Boboo, and that he has employed persons for his protection; and that his case regarding the Rajahship of Burdwan, was to be tried in the Supreme Court of Calcutta. No. 17 is signed by this Raja. Who wrote the body of it I cannot say. It is addressed to Thakoor Ghosal, desiring him to attend to the Raja's business as a salaried person at Houghly, and after the Raja would succeed to his gudgee, he would appoint him daroga of the Rajbarry at Ambeeka. No. 18 is missing. No. 19 is not written by me, and bears no signature. No. 20 is an unsigned memorandum, written by me, of the arrival of 200 guests of the Rajah to play the holes. No. 22 is written by me; it is a memorandum, not read, of the arrival of the kettle-drums and flags. The next is not numbered, and is an order to Rau Chunder Motes, to come and attend to his duty within seven days; and Sebou Jemadar, to entertain 100 seppys to attend the Raja's train at Ambeeka, and to accompany him to Burdwan. Two letters, signed by the *sui-distant* Raja, to the address of Poybit Raja, were admitted.

Cross-examined by Mr. Shaw.—I was one year in the *sui-distant* Rajah's service. I was with him all the time he was moored off Cutty. There was no disturbance caused by him there. When the darogah explained to the Rajah the purwanna for him to disperse his subjects, the Rajah replied, I have no unnecessary attendants

about me, but only my domestic, who have accompanied me from Calcutta. Report this reply of mine to the Burdwan Magistrate, and let me know his order on this representation. The nazir arrived after this, and the darogah accompanied him to the Rajah's boat, and shewed to him the purwannah to disperse the illegal assemblage. On that evening the darogah went again, unattended, on board the Rajah's boat, and he did not appear to be alarmed. There were two burkundazes with him, who stand out whilst the darogah went to the Rajah's room. The darogah never attempted to apprehend the Rajah. Mr. Shaw, on this occasion, sent for the nazir; but he did not come. There was a purwanna read that evening. Mr. Shaw dictated a letter to the nazir, signed by the Rajah, requesting him to mention how many persons he was to disperse. I wrote it in Persian. Pentaub told the darogah I am come, send for the nazir, and let him explain his purwanna to me, and then I will take measures to comply with its purport. The Rajah had the same servants with him at Culna that he had at Calcutta. Some of the shopkeepers and others of Culna, used occasionally to wait on the Rajah with presents. The only respectable person that came to see the Rajah, was the Hurdun Rajah. The pseudo Rajah had presented a petition to Government, to be permitted to proceed to Burdwan to be recognized, and from the evidence the application was refused; but a letter was dispatched to the Magistrate to see that no collision took place between the pseudo Rajah's and Prawu Boboo's men. I do know Mr. Graham, the attorney of the Supreme Court. He had promised the Rajah to accompany him to Burdwan. He is a very good man, and had no wish to quarrel with any person. This Rajah had 60 or 70 burkundazes; they formed his guard and sentinels at his house, offices, and boats at Culna. The Rajah had 1 pinnare, 8 or 9 budgieows, and 2 or 8 bhoolies and 334 boats. There was an aviary in one of the boats, and the music and the kettle-drums on another. One was a bottle khana and the other the abloie-khana, a fourth the cookroom, and the sleeping budgieow was separate from the audience boat. The burkundazes were employed in guarding the boats. I was for a few days in the criminal jail, after my arrival from Burdwan, but since have become a Government witness, I have been removed to the civil side. The men in custody on this charge, were some of the Rajah's servants and some merely candidates for services. I was 8 or 9 days in the criminal jail. I was arrested on the 21st of Bysuck last. I was 10 days released on bail and then remanded to custody. My bail did not render up his bail. I do not know whether my bail has been released from his liability on my account. I did not commit any fresh crime during the time I was out on bail. I had a subpoena served on me from the Supreme Court. I waited on the Magistrate to inform him of it, and the Magistrate then said, you are a Government witness, you must remain confined in the civil jail. My bail-bond was not returned to me. I was sent down by the Joint Magistrate in custody of 2 peons to Calcutta. The Rajah is a peaceable and noble looking man. Mr. Bignell remarked, that this was irrelevant to the case. Mr. Curtis concurred in this opinion. Mr. Shaw replied that he only wished to show how the prosecution got their witnesses, but if the Judge objected he would discontinue it.

Cross-examined by Mr. Bignell. The Rajah wrote to the darogah, that he had 350 men with him at Culna. He did not discharge any of them, because he waited for the Magistrate's reply to his letter, which he had requested the daroga to forward to him.

Mr. Shaw, when Mr. Bignell was about to file the documents found in the Rajah's boat, said, that he opined that if Mr. Bignell filed these he ought to file them all. Mr. Bignell replied, that he would file those he thought

favourable to his case, but they were all acceptable; and if Mr. Shaw wished he could apply for and file the others.

When this witness had concluded his testimony, the Judge ordered him to be released.—*Hurkaru, Dec. 1.*

The case of this person has been postponed from Friday the 30th November 1838, until Monday the 3d December 1838, in consequence of the indisposition of the prisoner. Dr. Wise, the civil surgeon of the station, reported, that the prisoner was attacked with a fever and a swelling in his legs, likely to end in elephantiasis, and that it would be advisable to let him have two or three days rest.

Mr. Shaw wished to know whether, under the present circumstances, bail would now be taken for the prisoner; he likewise wished to be permitted to accommodate him with a charpoy and a coverlet.

Mr. Bignell replied, that he believed it was against the jail regulations to admit the articles Mr. Shaw requested; and as to bail, he considered that if the prisoner's removal from jail was necessary, no place could be more appropriate for him than the station hospital, where the civil surgeon, no doubt, would in such case order his removal.

Mr. Shaw stated, that at present the Rajah is obliged to sleep in his palkee.

Mr. Curtis replied, that if a petition were presented to him on this subject, he would order what he considered necessary for the prisoner's comforts. With regard to the bail, he had better apply to the Nizamut Adawlut. *Hurkaru, December 3.*

MONDAY, 3d Dec. 1838.

Premchund Bonerjee, nazir of the Criminal Court of Zilla Nuddea, deposed:—I recognize the prisoner Kisto Lal and the Hurdion Raja. In the Bengal year 1234, when I was the kootwal of Goowaree, Kishenagur, Kisto Lal was then a candidate for the situation of a jemadar or a thana. At that time his father, Sham Lal, and his two brothers, were alive. Sham Lal's monkey had, during that period, strayed into the tent of a European merchant, who had his tents *pro tempore* pitched opposite Sham Lal's house. This led to a disturbance, and some men were wounded on both sides in the affray. I got notice of it from Jawun Sing, the patrol of the division. Two of three men in the service of the Europeans and Kisto Lal and his two brothers, were arrested on that occasion, and examined before Mr. D. McFarlan, the magistrate of the division. Kisto Lal was the complainant in that case, and I was entrusted to observe, that the European did not quit the village until the decision of this suit. It lasted fifteen days. At the expiration of that period, the case was compromised, and Kisto Lal filed the deed of adjustment. I believe that the prisoner who alleges himself to be Pertab Chunder, the late Rajah of Burdwan, is the Kisto Lal I have been deposing about. I resided near his homestead fifteen years; but in consequence of his assuming the titles of the Rajahship of Burdwan, I cannot speak confidently as to his identity. Kisto Lal composed a book which no resident of Kishenagur could read. He formed a picturesque arbour, in which he secreted a corpse, and used to read this mysterious book during the night over the body. During the first ten years of these fifteen years, I repeatedly saw him at various times; but during the last five years, I lost sight of him, and only saw him last year near the Ayherretollah ghaut in Calcutta, when he was riding in a tonjohn in great state, followed by about two hundred attendants. He once, about ten years ago, quitted his house for about six months, and then returned

again; and then he again quitted his house for five years. During this period I did not see him.

Questioned by the Mohomedan Law Officer. I cannot tell the exact year of the quarrel between Kisto Lal and the Europeans at Kishenagur. I was the city daroga at that period.

Deponent added. Kisto Lal was for a few days appointed acting darogah of Santipoor; but on the representation of the shristadar of his Court, that Kisto Lal was a debauched character, Mr. McFarlan recalled him. Sham Lal died intestate; his property is in the custody of the judge of Zilla Nuddea.

Cross-examined by Mr. Morton. Prisoner is darker and stouter than when I knew him in Kishenagur. Kisto Lal had apparent small pox marks on his face, Sham Lal Bose knew Kisto Lall.

Neel Comul Ghose, shristadar of zilla Nuddea, Criminal Court, deposed. I recognize the Hurdion Rajah, and I saw a person resembling the pseudo Pertab Chunder at Kishenagur, named Kisto Lal, son of Sham Lal; but whether this prisoner is that person or not, I cannot certify. I knew Kisto Lal and might have spoken to him occasionally.

Brijmohun Mookerjee, peeshkar of the Criminal Court of zilla Nuddea, deposed. I recognize the Hurdion Rajah and the pseudo Pertab Chunder, whose name is Kisto Lal. I have known him for seven years at Kishenagur. He is the son of Sham Lal, and he had two brothers, Gour Lal and Roop Lal. This prisoner's countenance resembles Kisto Lal's. The rest of this deponent's evidence was in confirmation of the testimony of Premchund Bonerjee.

Cross-examined by Mr. Morton. The statement in the Magistrate's Court, in which it appears that I expressed my doubt to the identity of this prisoner with Kisto Lal, is not correctly engrossed. I deposed there the same as I do now here but; I had no time to read it and correct the error, before I signed it.

Ramchunder Biswas, deposed. I am a retail dealer, reside at Kishenagur, and have known the pseudo Pertab Chunder for ten years intimately. His name is Kisto Lal, and he is the son of Sham Lal. His two brothers, Gour Lal and Roop Lal, are dead. I kept a school at Gwarree in those times, and the prisoner used to come there and read Bengally and Persiad. The prisoner's uncle was a robber. Kisto Lal has studied astrology and law; but latterly he kept a concubine and became a drunkard, I therefore discontinued his acquaintanceship. About 18 years ago, the prisoner, who was 18 years of age, had a fall from a horse. I saw the prisoner latterly at Chorebagan, in Calcutta. He is 36 years old.

Cross-examined by Mr. Morton: When the prisoner fell from his horse he was hurt severely and bled, and there was a seer of blood came from somewhere towards his back.

Gunga Govind Bonerjee, deposed:—I recognize Kisto Lal, the son of Sham Lal. I have known him ever since he was 10 or 12 years of age, and I was educated in the school of Finkoordoss, a resident of Burdwan, with Kisto Lal, for our years. About 15 or 16 years ago, Kisto Lal quitted his house, but returned again, after staying away eight or 10 years.

Cross-questioned by Mr. Morton. During the last 16 years I saw Kisto Lal three or four times, and once since his return. When Kisto Lal went away, he was about 21 years old. Although I only saw Kisto Lal during the last 16 years three or four times, yet I am positive that the soi disant Pertab Chunder is that person. Within this time his complexion has not changed, but he is a little stouter. I do not remember whether he was marked with the small pox or not.

Questioned by Rada Kissen Ghosaul. I never gave evidence before in the Court of Requests, or any other Court.

Moyhes Pundit, deposed. I first saw the *pseudo* Pertab Chunder, when he called himself Kisto Lal. It was about six years ago, at Burdwan, on the Sealmaree road. Four years ago I saw him at Kishenagur. When at Burdwan he wore the Brahmanical thread, and his hair was long and tied up behind in a knot, and he was dressed as a devotee. At Kishenagur he had his hair cropped, and did not wear the same fashioned clothes as he did when I saw him at Burdwan. He used there to argue with me, Paul Christian and Padre Krukenberg, on the theology of the Hindoos, and did so for three years. Prisoner reminded me of my former acquaintanceship with him at Burdwan. I questioned him with regard to his change of dress and appearance. He replied it is not the same day that you now see; it has undergone a change since I quitted Burdwan I conjectured from this reply that there was some mystery in the prisoner's conduct, which he wished to conceal. I went to the Hooghly Jail with the clergyman, and there, in the presence of Mr. Samuell, the Magistrate, and Dr. Wise, the Civil Surgeon of the station, said, I recognised the prisoner to be Kisto Lal, the son of Sham Lal. Prisoner's father was a Bremacharee, i. e. a hermit devotee. I was introduced to him by Mr. Krukenberg, whose pundit I was, to dispute with him on the Hindoo theology. He declined to dispute with me; but referred me to his son Kisto Lal, and I from that period commenced these religious disputations with him. I am positive that this prisoner is Kisto Lal, the son of Sham Lal, Bremacharee. I have not the slightest doubt on this subject.

Cross examined by Mr. Morton. I saw Kisto Lal once at Burdwan, and seven or eight times at Kishenagur. When I first saw the prisoner in jail at Hooghly, I did require 10 days to consider of it, before I could state precisely whether he was Kisto Lal or not. This I did because, although certain that he was Kisto Lal, I did not wish to depose to his identity on oath, without seeing him again, two or three times within these ten days. I did not see him within those days, so I was not enabled thereby to refresh my memory; but as I am a pundit, I can, from that very circumstance, remember facts more tenaciously than other people do, and in proof, thereof, witness recounted the particulars of a meeting he had with Mr. Curtis, when he was Judge of Burdwan; but Mr. Curtis denied all knowledge of this meeting. Questioned by the prisoner. Although I reside at Burdwan I am not a servant of the Rajahbarry there.

Gunga Persad Teewarry deposed. I recognise the prisoner to be the son of my Cousin Sham Lal. His name is Kisto Lal. I knew him at Kishenagur ever since he was 10 years of age. He was the eldest of three brothers; the next eldest to him was Roop Lal, and the youngest Gour Lal. I am a resident of Jessore and am a Brahmin. In B. S. 1230, he resided near Ramchand Mitter's house at Kishenagur, in whose house I used often to see Kisto Lal; but I did not see him for these five or six years, until I lately saw him in custody at Bancoorah. His dress and habits were then changed. He kept then a long, bushy beard. I had no conversation with him on that occasion, but after it I have heard much of his movements. I have not seen him subsequently, with the exception of the time when I was examined in this case in the Magistrate's Court of this district. I am quite sure this prisoner is Kisto Lal, the son of Sham Lal, Bramacharee, of Kishenagur. I have known him ever since his childhood. He is 36 years old. When my brother-in-law, Jugmohun, was a jemadar of the Kuang Mahal of the Burdwan Rajbarry;

and when I used to go there I used to put up with him. He was a witness in this case, and gave his deposition regarding the death of Pertab Chunder in the Magistrate's Court. He died last Kartick. I have within the last 18 months resided at Ambeeka. Sham Lal's relatives were originally natives of Mooltoodee, in Zillah Jessore; and they removed to Kishenagur during Kisto Lal's infancy. With the exception of three years' journey to Burdwan. I never knew Kisto Lal to quit his house, and I used invariably to see him at intervals of two or three months. The prisoner is my nephew. Questioned by Mr. Morton. Though I have for these two years, know that the person alledging himself to be Rajah Pertab Chunder, is my nephew, Kisto Lal, yet I never mentioned this circumstance to any person. I am out of employ and will be most happy to get a situation wherever I can. I have no hopes of procuring service in the Rajbarry of Burdwan, as I have no friends there. I never was called by any other name than Gungapersad Tewary.

Mudden Chuckerbutty. The whole of this witness's evidence tended to corroborate the testimony of the witnesses whose examination preceded to-day, regarding the *pseudo* Pertab Chunder being the son of Sham Lal, a resident of Kishenagur, and his name being Kisto Lal.

To a question of Mr. Bignell, Mr. Graham replied, that he would give to-morrow the names of some of those witnesses whom he required the soonest.

It was arranged that by consent of parties the evidence of Mr. Alexander before the Magistrate, should be read in this case, and filed a documentary testimony.

A charpoy and warm clothing were ordered to be supplied to the *pseudo* Rajah to-day by Mr. Curtis. Mr. Trower has objected to come up and give his testimony before the Sessions Judge, unless his expenses be paid to him. Major Stork Carter Webber, formerly commandant of the Burdwan Provincial Battalion, has made the same objections to come down as witnesses.—Harkaru, December 5.

DECEMBER 4, 1838.

Rambur Tewary, a retainer of the *pseudo* Rajah, was brought up from the Civil Jail of the district and deposed. I recognize Maha Rajah Pertab Chunder and his retainers, the darogah, mookhtar and others. I likewise recognize the Hindhan Rajah. In Chat last, Ghosaul dispatched me with letters to Rajah Gour Narain of Kishenagur, and to the mad Rajah of Pachite; and likewise with a letter to Sadoo Baboo, the brother-in-law of the Pachite Rajah. This letter I lost on the road. Ghosaul, when I left him, said, the Rajah will go with Government permission to be recognized by the Ranees of Burdwan. This son of the Pachite Rajah replied, that when Pertab Chunder will mount the guddle, I will go and visit him. I was arrested by Captain Hannington at Purreelea. No letters were in my possession, but on the bed of Moothoor Mohon Aliter, by Captain Hannington's sheristadar. I am subject to fits of aberration and cannot read and write, but by a mark on these letters, I can recognize them. (Here, Mr. Shaw remarked, that these letters had been admitted.) Witness recognized No. 18, in which it was stated, that the Rajah would come, aided by the authorities, to mount the Burdwan Raj, and craved aid of money; and two others which he recognized were much of the same tenor. The 4th, deponent could not identify.

Cross examined by Mr. Morton.—I first saw Rajah Pertab Chunder to the North of Moonghur, in a village;

mounted in a palkee about 7 or 8 years ago and he had two deer with him. I had on conversation with him on the occasion, but I recollect his features perfectly. I first became acquainted with him about three or four years ago, at Busienpoor; at that period it was generally reported, that he was Rajah Pertab Chunder. After this witness had finished his depositions he was released.

Kasinath Bose, deposed.—I recognize the *soi-disant* Rajah. I do not know his name. I first saw him about six months previous to the bruit of the reappearance of Rajah Pertab Chunder. He was then living with a young man at Shampoook, in the house of Goopenath. I went to see him there in company with others, in consequence of a rumour, that two hand-some devotees had come to reside there, and some believed them to be sants. I am not certain as to the purport of this conversation, but I believe that one of them said, when four persons combine, in a short time the world will know who we are. I have on further recollection if ought else transpired between us.

Questioned by Mr. Bignell.—I was acquainted with Rajah Pertab Chunder. I saw him chiefly at Burdwan. I believe I have distinct remembrance of his features. I have seen the *pseudo* Rajah subsequent to my interview with him at Shampoook, at Mr. DeSouza's, and likewise at his residence in Calcutta. No, from my recollection of the features of Pertab Chunder, I cannot say that I believe the prisoner to be that individual. I cannot say whether in assuming the name of Pertab Chunder, he is or is not an impostor; but he is not like that individual. I saw Mr. Hutchison, of the Civil Service, after a lapse of eighteen or nineteen years, in Messrs. Tulloh and Co.'s Auction, and we mutually recognized each other. The prisoner is taller than Pertab Chunder and younger. His teeth are dissimilar, and the Rajah was much fairer.

About 8 or 9 years ago, Kishen Chund, who is likewise called Lalla Bahoo, brought me a Bengally bond, executed by Bebee Foutah Koomary, the sister of Rajah Tej Chunder, in favor either of Rajah Tej Chunder or of Rajah Pertab Chunder, I am not sure of which; and he offered to dispose of the same to me for sicca rupees 500; leaving it to my option, either to pay the money myself or to prevail on Bebee Foutah Koomary to pay it and redeem the bond. I believe it was for sicca rupees 5,000; but of this I am not quite sure. At the time Kishen Chund brought me this bond, I had money transactions with Bebee Foutah Koomary. How Kishenchund obtained the bond I am not aware. I believe he held a confidential situation under the late Rajah Pertab Chunder; but the nature of it I do not know.

Mr. Morton observed, he could not conceive what this bond had to do with the present investigation.

Examined by Mr. Morton.—I never told to Mr. DeSouza, in his garden, in the prisoner's presence, that I believed him to be Rajah Pertab Chunder of Burdwan. Mr. Shaw showed me a letter from Mr. DeSouza, in which it was stated that I had recognised the prisoner to be Pertab Chunder, but I denied the correctness of the assertion. To the best of my recollection, I never told Mr. DeSouza that I believed the prisoner to be Pertab Chunder, neither to Mrs. DeSouza or Mr. Graham. I have invariably told Mr. Graham that prisoner is not Pertab Chunder. In fact, I never made the above assertion to any person. I am a Putnee Talookdar of the present Rajah of Burdwan, of several talooks.

Gound Biswas deposed, that he had known the prisoner since 4 years ago, when he was named Aluk Shah, and had some followers. He used to worship the God Shiva. Deponent saw Kirpanund in his company.

Deponent had no conversation with them. Deponent saw him twice at Maulaubepoor, zillah Burdwan, deponent's village. At the latter time Kirpanund was not with him. He made short stays at each time and put up in the house of Ruttenchund. His first sojourn was for 20 days. Ruttenchund died during the month of Kartick last year.

Examined by Mr. Morton.—I would recognize Kirpanund, if I were to see him. I went to the Jail with the Shristadar to day.

Questioned by the pseudo Rajah.—No person has taught me, to state what I have deposed to-day.

Ramchunder Mitter.—This witness, on being required to take his oath, before giving his deposition, began to blubber like a child, and said I know nothing, why swear me? He even refused to sign the ekramatna, and began to roll on the ground; and although he was threatened to be taken to the prison, he still refused to be sworn, and was ultimately removed to the Hooghly Jail.

After this witness had been removed to the jail, it appearing that there were no other witnesses in attendance at the Court to day, and none expected before 3 or 4 o'clock p. m., the Court adjourned at half past 1 o'clock p. m. till 10 o'clock to morrow morning.

Mooshy Hurroochunder, who was brought up from the Civil Jail, on Thursday last, the 29th ultimo, and ordered by the Judge, after he had given his testimony in this case, to be released, as he was what the law termed a King's evidence, and there was, Mr. Bignell stated, charge against him. Yet he was after this order of the Judge, sent off by the Shristadar of the Magistrate's Court, on that night to the jail, and brought up the next morning before the Magistrate, when, it appearing that there was no charge of any nature pending against him, either in the civil or criminal Court, the Magistrate ordered his immediate release.

Previous to the examination of Ramrutton Tewarry, the judge particularly enquired whether there was any charge against him of any nature connected with this case, and after he had ascertained that there were none, and that he likewise was a King's evidence, he then proceeded to take his deposition. This witness during his examination swore, that he had been ill-treated and almost starved in the zilla jail, and had got cramps in his legs from confinement, and requested permission to sit down whilst being examined. This was granted to him by the judge. He likewise stated, that he had watery effusion from his ears, and was partially deaf. The judge, after this witness had concluded his testimony, ordered his release. The Magistrate, who happened to be there in the Judge's Court, very humanely backed the order and desired his Shristadar to let him go where he pleased, without making him undergo the same formula as Mooshy Hurroochunder had undergone.

To a question of Mr. Morton, Mr. Bignell replied, that he believed that he would be enabled to close the case for the prosecution by the expiration of another week, but much depended on the speedy and punctual arrival of the witnesses subpoenaed in the case.

From what fell from the judge during the trial of this case, we believe it is not his intention in future to take up the miscellaneous civil duties of his court every Saturday, and defer the hearing of this case on those days, as he had originally proposed; but to proceed with it every day without intermission, until it is finally terminated in his Kutcherry.—*Hurk., December 6.*

DECEMBER 5, 1837.

Prannath Mookerjee deposed. I think I recognise the prisoner Kiato Lal, but I cannot speak with

certainty to this prisoner's identity with that person ; for I have not seen Kisto Lal for about eight years. When I last saw him it was when Mr. McFarlan was Judge and Magistrate of the Kishenagur District. He was then very young and slighter made than this prisoner is ; but my impression that this prisoner is Kisto Lal, is very strong, from the close resemblance he bears to his late father Sham Lal, who died last year at Gwaree, and who was my priest, and I saw him often at Kishenagur. Sham Lal never told me what had become of his son Kisto Lal. During the eight years I have mentioned, I was temporarily absent from Kishenagur, and went to Jessore. Sham Lal had three sons, Kisto Lal was the eldest, Roop Lal the next, and is dead ; but what has become of Gouri Lal I don't know. I was not very intimate with Sham Lal, but he lived for upwards of 20 years at Kishenagur, where he died ; but his native village was Mohr-poor, Thana Dowlutpore, Zillah Nuddea. I do not know any of the other prisoners. I am Sherishtadar of the Judge's Court, Zillah Nuddea. I am not acquainted with Gungapersad Tewarry. Sham Lal died intestate and there are no heirs to his estate, although notice has been proclaimed in the Judge's Court, for the heir to come forward and claim the estate of the deceased. I knew Sham Lal for 37 years, and Kisto Lal when he was a child. Kisto Lal was a permanent resident of Kishenagur, with the exception of two or three months, when he might have been absent from it ; but of this I am not aware. Kisto Lal was very learned for a native ; he knew Persian and Sanscrit, and composed an astrological work in the latter language. When I knew him, he was a candidate for employment. Whether he assumed the habit of a Bramacharjee, I do not know. I imagine the prisoner to be Kisto Lal, but I cannot say so to a certainty. Possibly he may not be Kisto Lal, but I cannot conceive him to be any other individual.

Questioned by Mr. Shaw.—I know Joychurn Sicar, of Kishenagur, but whether he knew Kisto Lal intimately or not, I cannot say. Joychund lived near Kisto Lal's house in Gwaree. Joychunder told me that he believed the prisoner to Kisto Lal. Joychunder was examined before the Magistrate of Hooghly in this case. I do not know whether Joychunder is subpoenaed to give evidence in the case before the Sessions Judge. Joychunder practices as a Mooktear of Zilla Nuddea. I have had no conversation with him within 15 days. Joychunder never told me that he could not recognize the prisoner to be Kisto Lal in the Magistrate's Court. I saw a Clergyman in Kishenagur once, but I do not know his name. I do not remember whether Kisto Lal was marked with the small pox or not, as I never closely examined his features. Sham Lal Bose, Mr. McFarlan's shristadar, must have known Kisto Lal.

Harrookund Hujra. I know the pseudo Partab Chunder ; his name is Kisto Lal. I likewise know the Hurdhon Rajah. I am a vakeel of the Judge's Court in Zilla Nuddea. This witness likewise deposed, that the *sai-disant* Rajah was known to him at Kishenagur, as Kisto Lal, the son of Sham Lal, for 25 years ; and that he had not seen him of late for 8 years. In fact his evidence was but a corroboration of the other witnesses regarding this prisoner's residence at Gwaree, the suburb of Kishenagur, for many years.

Whilst the Fouzdari Shristadar was reading the deposition of this witness, as given before this Magistrate of Hooghly, there was a passage on it, in which this witness had stated before the Magistrate, that the pseudo Rajah's features were the same but there was a slight alteration. The prisoner here addressed the Court, and began to state what he conceived to be the purport of that passage ; but the Judge immediately stopped him, and he should be silent you—. Here an angry, half-suppressed expression was uttered by the Judge, which Mr. Shaw is subsequently appeared, during the proceedings, understood to be offensive to his client and injurious to his case.

The passage which caused this interruption was this : This witness before the Magistrate had deposed to the following effect :

The prisoner resembles Kisto Lal, but he is somewhat altered. Kisto Lal was fairer than this prisoner, and this prisoner is stouter and taller than Kisto Lal was.

During the examination of Pronath Mookerjee, Mr. Shaw objected to the judge's writing, that the prisoner was versed in the Persian language, &c. He said, that as this witness had not deposed positively that the prisoner was Kisto Lal, he believed, strictly, under these circumstances, it would be more appropriate to write Kisto Lal knew Persian, &c. then to write the prisoner knew Persian.

Mr. Curtis replied, that he considered that the witness had sworn to the identity of the prisoner with Kisto Lal to the best of his knowledge and belief, and this he imagined was construed by law to be fully sufficient to justify his writing the passage as he had done.

After the Shristadar had finished the reading of the witness's depositions before the Magistrate, the Judge asked Mr. Shaw, whether he had any questions to put to this witness. Mr. Shaw replied, that after the expression the judge had used to his client from the Bench, he declined to put any question to this witness.

The judge replied, that it was irregular in the prisoner to interrupt the Shristadar, whilst he was reading the deposition of this witness as given before the Magistrate, and whenever the prisoner would attempt irregularly to interrupt the Court, he would always check him.

Mr. Bignell remarked, that it is always optional with the prisoner to appeal either in *propria persona* or through his vakeel ; but if he files a vakultnama, as this prisoner had done in his case, it was, according to the Mofussil practice, irregular in him to interrupt the proceedings, but properly he ought to leave his case entirely to the discretion of his vakeel.

Mr. Shaw replied, that it was not his intention to dictate to the Court what its practice should be, or to interfere with it ; but he certainly would continue examining this witness after what had just occurred.

The Judge then asked Mr. Graham, whether he had any questions to put to this witness. Mr. Graham replied in the negative, as likewise did the prisoners when questioned on that point.

The defendant's mooktears to-day filed, we believe, the names of nine witnesses, whom they most urgently required immediately after the case for the prosecution would be closed.

Whilst Mr. Shaw was cross-examining one of the witnesses to-day, a conversation arose from it, in which Mr. Shaw informed the Court, that he had understood from Mr. Samuells, the Magistrate of this district, whilst he was conducting the examination of the witnesses for the prosecution in this case, that all the witnesses who had been examined before the Magistrate for the prosecution, would likewise be examined before the Sessions Judge in this case.

Mr. Bignell replied, that he, as the Vakeel for the prosecution, would call only such witnesses to be examined as he imagined would tend to prove the charges stated in the indictment, which he had preferred against these prisoners, and omit the examination of those whose testimony he did not consider to be essential to his case ; although they might have been previously examined before the Magistrate of the district, preparatory to drawing up the indictment against the prisoners ; but he had no objections to the defendants subpoenaing any of these witnesses for the defence if they considered their evidence to be serviceable to their case ; but with regard to the Revd. Mr. Deere, regarding whose evidence this

dispute arose, all that he could say was, that his testimony would not injure his case, for he had seen Mr. Deere since he gave his evidence before the Magistrate, and Mr. Deere had informed him, that he had since that period seen the prisoner, and he could now confidently say, that he was Kisto Lal.

Mr. Shaw remarked, that as Mr. Curtis had, in consequence of the testimony of Prawokissen's evidence, subpoenaed many witnesses whose names were not in the list of witnesses submitted in this case for the prosecution, he supposed that the Judge would have called all those who had been examined before the Magistrate in this case. Such he had understood the practice generally to be, but if he had been misinformed, he stood corrected.

Mr. Curtis replied, that those witnesses had been called in consequence of some unforeseen circumstance having arisen from the case; but generally speaking, it was not his intention to interfere, but let the parties call their own witnesses to prove their respective cases.

There being no other witnesses in waiting, the man who had been yesterday sent to the jail, because he refused to take his oath, on any of the forms prescribed by the Court, was brought up again to-day, and on his persisting in his refusal, recommitting to jail. Afterwards Mr. Bignell proposed to adjourn the further hearing of this case until Friday next, the 7th instant, which, he said, would be preferable; by that time there would arrive witnesses enough to occupy the Court for one whole day instead of sitting for one or two hours over every two or three witnesses, as they may happen to arrive. This proposition being acceded to by both the Judge and the prisoner's vakeels, the Court adjourned till 10 o'clock a. m. Friday, the 7th instant, in consequence of the present non-attendance of witnesses for the prosecution.
—Hurkaru, December 7.

DECEMBER 8, 1837.

Paul Christian deposed.—I have for the last six years been a resident of Kishenagur, but formerly I resided in the district of Burdwan. I recognize Sham Lal's son Kisto Lal, and the Rajah of Hindun. In the month of December 1833, I went to the residence of the Rev. Mr. Kraukenberg at Kishenagur, and we went to preach the gospel to the residents of that town, where we saw Sham Lal standing in the verandah of his house. After a short conversation with the clergyman, Sham Lal introduced us, in a small room, to his son Kisto Lal, and requested us to converse with him, and we there had an argument with Kisto Lal on various religious topics. The next day we repeated our visit accompanied by Mohes Pandit, and renewed our theological arguments. During the controversy Kisto Lal frequently interrupted it by indecent bursts of laughter, Mohes Pandit told Kisto Lal, that he believed he had seen him previously. Kisto Lal replied:—“May be, when this soul inhabited another body.” Hearing this reply the clergyman remarked to me in English, this man appears to be an impostor, and has no fixed notion of religion, it is needless conversing with him. After this the Clergyman ceased to visit him during the months of December 1833, and January 1834. I on various occasions have seen him seven times at Kishenagur and I saw him in company with Mohes Pandit. When he was in the Jail at Hooghly, I was directed to see and recognise him by the Clergyman. I did not then wish to expose him, and, therefore, when questioned by Mr. Walters, the Commissioners, after my interview with the prisoner, I requested ten day's time to consider and give my reply to his and Dr. Wise's queries regarding the identity of the prisoner; but I even then told them that I believed him to be Kisto Lal, but I could not then speak positively on that subject. The prisoner was lying on a cot. He was then very much

emaciated, and had a beard and long hair tied up in a knot behind his head, and his dress was likewise different from what it is now. In consequence of Mr. Kraukenberg been enabled to recognize the prisoner as Kisto Lal by the tie of his hair, prisoner refused to tie it in a knot in my presence. I spoke to him and advised him to desist from persisting in this imposture. This was in 1836. After my return to Kishenagur, the Rev. Mr. Deere requested Sham Lal to send for his son Kisto Lal, and he would get him a situation in the zilla court; but the Gossain replied, that Kisto Lal had gone to the village of Maulpoor to collect some money, and said “go and search for him there.” When I heard this, I replied there is no necessity of searching for Kisto Lal across the Pudda river, for he is in confinement in the jail of zilla Hooghly. After this I wrote to Dr. Wise a letter, informing him that if he wished to be satisfied of the identity of the prisoner with Kisto Lal, if he would send their travelling expenses, there were many residents at Kishenagur who had been acquainted with Kisto Lal and could proceed to Hooghly and recognize him. To this letter I received no reply. From the time I ceased my visits to Kisto Lal in January 1834, I neither saw nor heard of him, until I saw him in the zilla jail of Hooghly in 1836. I saw his father Sham Lal in 1835, at the house of an Indigo planter. His son was not then with him. Mr. Kraukenberg is not now residing within the East India Company's territories. I have no doubt that the prisoner is Kisto Lal, he is so exactly like him. If it were possible for two persons to be the exact resemblance of each other, then there may be a doubt, not otherwise.

Questioned by Mr. Graham. I did not see yesterday evening Menk Sing. I saw the Shristadar, Munsaram, on the road, and questioned him regarding the payment of my expenses in coming as an evidence in this case. He referred me to the sessions judge. The reappearance of Rajah Pertab Chauder at Bancoorah, was a common rumour amongst the vulgar people: I took no notice of it. I neither know whether the Pseudo Rajah was arrested at Bancoorah, or that Porau Baboo wrote to the Rev. Mr. Deere to come and see the prisoner, his expenses being paid to him, nor did Porau Baboo make me any similar offer.

This witness claimed 11 rupees as his travelling expenses, and the Sessions Judge allowed him 10 rupees.

Ramchunder Mittur, Mohorir, in the Collectorate department of Burdwan, deposed. I reside in the village Lomalpoor, zillah Burdwan. I recognize Kisto Lal, the son of Sham Lal, alias Shamanund Gossain. Shamanund used often to come to my house, at Tailmarree, in Burdwan, and put up there for 10 days at a time. He was my family priest. In the year 1237 B. S. Kisto Lal quarrelled with his father, and came and resided for 2 or 3 months at my house. In 1241 B. S. Kisto Lal again visited me at Tailmarree. During the first visit he was a candidate for employment under Government, but at the latter he had assumed the habits of a sacerdotal character. He on that occasion resided 15 days in my house. Subsequently in 1242, I saw him at Komul Raur, and many persons came to see him, and said the young Rajah is returned. I never contradicted this rumour. I advised him to desist from this imposture, otherwise he would get into trouble; but he paid no attention to this counsel. I gave no contradiction to the rumour, because if I had done so, I would have been taken before the authorities, and my depositions taken and an order passed in it. I only mentioned the circumstance to my brother. My brother likewise saw the prisoner when he visited me in 1237 B. S., and 1241 B. S. My brother still resides in Burdwan. His name is Jugget Mitter, and he has not been subpoenaed in

this case. When the prisoner was at Komul Raur's, I did not see any person attending on him.

Questioned by Mr. Graham.—It was a little previous to the Doorgah Pooja, that the prisoner was at Kishnagar, in his assumed character of Pertab Chunder. He was never in circumstances to be able to engage my brother's service. Gouri Lal was younger and shorter than the prisoner, but he resembled him very much; he was rather sun burnt. I have no recollection as to whether he was pock-marked or not. Kisto Lal had ten toes and 10 fingers.

Deoanath Gangoly, deposed, I resided at Sreekanth in Zilla Burdwan. I know this man, (pointing to the Pseudo Rajah) but I do not know his name. I saw him during the month of Assaur, four or five years ago, dressed as an ascetic, in the house of Doorga Doss Mundel, for some days. Doorga Doss Mundel died in Kirtick last. Another ascetic accompanied the prisoner to Sreekanth, and Prawnikissen waited on him there. Prawnikissen had three names. He called himself at Bancoorah Kirpanund and Ghasreeram. I am certain that this prisoner is the Gossain. I saw him at Sreekanth four years ago; but I do not know this name. I never went with Ke panund to Kishnagar. The Chota Gossain had different feature from this prisoner. Prawnikissen invariably accompanied the minor ascetic to Doorga Mundel's house. I never saw either of the two Gossains drink any intoxicating liquor.

Questioned by Mr. Bignell. I never heard these Gossains' names at Sreekanth. They went under the appellation of the Burra and Chota Gossains.

Questioned by Mr. Graham. I do not know from whence the prisoner came to Sreekanth. Sooroop Naran Deo, the Chota Gossain, was handsomer than the prisoner, and was shorter.

Sham Hograh, deposed, I am a resident of Sreekanth, where I saw the Pseudo Raja resting as a Gossain four or five years ago, in the house of Doorga Mundel. I never heard his name. Seven months previous to this Gossain's arrival, another Gossain had come and resided for some days. I know Prawnikissen. I did not see him with the Gossain that came first to the house of Doorga Mundel, but he used to attend on the Chota Gossain.

Questioned by Mr. Graham. Prawn was at Sreekanth when the prisoner was there. I do not know the prisoner's name, or who he is.

Anoopchunder Dutt, resident of Sreekanth, deposed I recollect having seen the *soi disant* Rajah three or four years ago, at the house of Doorga Mundel Doss, in Assaur or Shirabon. He was then in the dress of a Gossain. I do not know his name; but I have subsequently heard that he is called Pertab Chunder. I saw him once or twice at Sreekanth. I know Kirpanund, alias Prawnikissen. He has become insane and embraced Christianity. He was at Sreekanth when prisoner was there. Prisoner only came once to my village. The other Prawnikissen waited on the Chota Gossain, who was fairer and about the same height as this prisoner. Prawnikissen did not accompany that Gossain to Sreekanth; but in consequence of his having performed a miraculous cure on Doorga Mundel, Prawn became his disciple. I do not know the name of either of the Gossains, or from whence they come, or where they intended to go. About seven days after the departure of the prisoner, the inhabitants of Sreekanth bruited about that "the burra Gossain, who had resided at Doorga Mundel's, was the young Raja of Burdwan. On my inquiring of Doorga Mundel who this Gossain was, he said I need not tell you now who he is, you will know that in a few days; and I guessed from this reply that he was some great personage.

Solochurn Buttachar, resident of Sreekanth, deposed. I am a Bramun beggar. I know the principal person, his name is Gossain. He was in Doorga Mundel's house, about four years ago in Assaur for 12 days. Kirpanund was with him, during his stay at Sreekanth. I saw him three or four times. The inhabitants of the village mobbed together and threw stones at him to turn him out of the village and pelted him with mud, because he was a magician. The magician then went to Burdwan and about 20 days after his departure, there was a rumour in the village that he was changed to Raja Pertab Chunder of Burdwan. Kirpanund did not accompany him. I never heard from whence this Gossain had come. Some months previous to this Gossain's coming, another, taller than him, came to Sreekanth, about six or seven days after the chota Gossain's arrival, called on him at Doorga Mundel's dwelling.

In consequence of the Sessions Judge's language to the prisoner on Wednesday last, during the hearing of his case, Mr. Shaw has declined any further attendance on his behalf in this Court professionally.

Mr. Shaw has, we learn, been interdicted from visiting the prisoner in jail.—*Herk. Dec. 10.*

DECEMBER 10, 1838.

Wookinchund Chowdry, inhabitant of Moosabgunge, Zillah Burdwan, being sworn, after some difficulty, recollects the prisoner Kisto Lal, who had in 1239 or 1240, B. S., resided about 18 months in his house. I knew, said the witness, a father Sham Lal; he used occasionally to visit me. I know the prisoner to be Kisto Lal, because his features resemble that person. When he resided with me, he led a devotional life, and came in a palkee attended by a servant named Bhola-nauth. Gouri Lal, prisoner's brother, likewise came to my house occasionally, attended by Kirpanund. Prisoner in the morning eat milk and rice, &c. and drink liquor at night. He had no disciples with him. Prisoner is darker and stouter than he than was. Thakoodoss wrote my father's accounts occasionally.

Questioned by Mr. Graham. Never expecting to be examined regarding the prisoner. I took no notice whether he was pock-marked or not. In consequence of his drinking liquor, I did not go near him. He was not deeply marked. The Shristadar, the Nazir, and the Darogah of Chinsurah, and another, took me yesterday morning to the Hooghly Jail. Besides me the whole of my village of Moosabgunge could recognize the prisoner to be Kisto Lal. Here he named about 16 persons. My father supplied his meals, but never lent him any money.

Mr. Trower wished to put some questions to the prisoner previous to his swearing positively to his identity after the lapse of time. This being assented to,

C. Trower, Esq., was sworn and said.—I was formerly very intimately acquainted with Rajah Pertab Chund for 8 years, and I think from the strong recollection of his countenance on my memory, I would be able to recognize him again if I were to see him. The picture which I saw in the Cutchery of the Magistrate of this district, I considered to be a striking likeness of Pertab Chund. I have met the prisoner twice, once in Mr. Prinsep's office, and once in the Magistrate's Court here, and I do not trace the least resemblance between him and Rajah Pertab Chund, as far as my recollection will enable me to speak on that point. The witness here wished to put the questions afore alluded to, to enable him to speak with greater certainty on this point.

The prisoner on being consulted said, I will recollect striking circumstances, but trifling matters have been all

forgotten by me. I will, however, endeavour to reply to them to the best of my remembrance.

1st question. Do you recollect my going to Burdwan, as the Collector of Burdwan and Hooghly. A. It was about 10 or 12 years before my quitting my Raj? I recollect the circumstance.

2d. Do you recollect who was then the Judge and Magistrate of Burdwan? A. It was before Mr. Martin was appointed Judge and Magistrate of Burdwan. I think it was in Mr. Bayley's time.

Mr. Trower declined putting any further question, and said, that from the particular circumstances that occurred regarding these questions, he could never have forgotten the man's name, and it was neither Mr. Bayley nor Mr. Martin.

Mr. Graham wished to place the prisoner beside the portrait, and have them examined.

Mr. Trower replied, from his voice, his features, his height and every circumstance that has occurred since I have seen him, coupled with his replies to my questions, I have not the least hesitation in saying, that he is not Pertab Chund. I have already examined him twice minutely, and I do not trace the least resemblance between him and Pertab Chund.

Questioned by the Prisoner. Was not Mr. Peter Emmer and Mr. Ridley in your service? A. Peter Emmer I brought up. Ridley was in my service.

2d. Was not my Dewan Seeboob Colleeah? A. Yes, I made him my Dewan.

Questioned 3d. Did they not visit me in the Rajbarry? A. I cannot say, I was not acquainted with their habits.

Prisoner wished to converse with Mr. Trower further to assist his memory in recognizing the prisoner to be Pertab Chund.

Mr. Trower replied, that if the prisoner were to speak to him till eternity, he would never be able to convince him that he was Pertab Chund.

Questioned by Mr. Bignell. Peter Emmer called on me and consulted me as to his giving evidence on the identity of the prisoner, and he told me during the conversation, that he was very young at the time when he had seen the Rajah, and he therefore imagined, that he could not give any satisfactory replies on this point. I declined giving him any advice on the subject. Dr. Scott was in 1816 or 17 at Burdwan.

Takoordoss Chuckerbutty, resident of Moosabgunge, deposed to having seen the prisoner Kisto Lal in his village, whom he recognized, and added, that he likewise knew his father Sham Lal, who used to visit his village and reside with Budden Chowdry and Premchund, there. They were devotees, but they used to drink intoxicating liquors and taught both Budden and Premchund to get drunk likewise. I have accounts written by me of the expenditure which Premchund and Budden Chowdry incurred on account of the prisoner Kisto Lal, his father Sham Lal, and his brother Gour Lal, whilst they resided in their houses. I was a servant of Budden and Premchund, and wrote their accounts occasionally, and can produce them from my employers house, if requested to do so, in a few days. Kisto Lal resided for 18 months in Premchund's house in 1839 B. S.

The witness was desired to produce these papers by the 3d of the ensuing Bengally month in Court, and testify to them.

Bykanth Nath Chowdry, inhabitant of Moosabgunge, deposed. I do not recognize any of the prisoners distinctly. I did not yesterday, in Jail, recognize the prisoner to be Kisto Lal. I used seldom to be in my

native village, but generally with my employer, Mr. David Hare, at Calcutta. I heard that Gossains named Sham Lal, Kisto Lal, and Gour Lal did occasionally reside at Premchund's house at Moosabgunge, but I never saw them there.

Questioned by Mr. Bignell. — Yesterday, when I saw the prisoner in the jail here, I told the jail Darogah, that I could not speak to his identity as Kisto Lal.

Doorgadoss Gungooly, inhabitant of Moosabgunge. I do not recognize any of the prisoners. On the Judge pointing out the pseudo Pertab Chunder to the witness, witness said, I only saw him last night at the jail here, and never before in my life. I never saw him at Moosabgunge, nor do I know either Sham Lal, Kisto Lal, nor Kissenpersud. I never visited Premchund at Moosabgunge. I never heard of any Gossain in my village in 1239, B. S.

Questioned by Mr. Bignell. I saw the prisoner in jail yesterday evening, but I never told the darogah that I had recognized him to be Kisto Lal. I am a distant relation of Premchund's, but in consequence of a law suit I had with him regarding some ancestral property, I am on indifferent terms with him.

Mr. Bignell applied to have securities taken from them, because he intended to move the court to prosecute the two last witnesses for perjury.

The Judge then intimated to this witnesses, that both he and the last witness must give security of 200 rupees each, to answer to the charge of perjury about to be brought against them by the Government prosecutor in this case.

Deponent added, that ever since his arrival the night before last, he has been kept by the Nazeer in strict confinement, and not allowed to converse with any person whatsoever, not even his brother, who is a Mohair in the employ of the Mahomedan Law officer of the court.

Gungapersad Tewarry was re-called and re-examined this-day on his former written assertion. There are other uncles of the prisoner besides myself, viz. Sewapersad Tewarry, a resident of Mooktardar in Zillah Jessore, and Mudden Tewarry, residing in the same place, Tukeer Tewarry and Sooroop Tewarry. There are no other relatives besides these and myself of the prisoner Kisto Lal Tewarry. They have all seen Kisto Lal.

Subpoenas were, in consequence of the evidence of this witness, ordered to be issued against these relatives of the prisoner.

Gungapersad Tewarry, questioned by Mr. Graham. I do not know whether Kisto Lal had six toes on any of his feet.

Mr. Bignell intimated, that he would forego the prosecution for perjury against Bykanth Nath Chowdry, but he had sufficient proofs to convict Doorgadoss Gungooly. In consequence of this intimation, the Judge ordered Bykanth Nath to be released, but ordered Doorgadoss to be made over to the Nazir of the Civil Court, and kept in custody until he gave bail for 200 rupees, to appear in this court and answer to the charge of perjury about to be instituted against him.

Mr. Bignell intimated, that there were only six witnesses remaining, and requested that the case may be postponed on Wednesday next, as he had urgent business to compel his attendance at the Sudder Revenue Board of Calcutta on that day.

This request was complied with by the Court. — *Hurkaru*, December 12.

DECEMBER 11, 1838.

Bholanath Roy, resident of Barnagore, deposed. I recognize the *soi disant* Rajah. About 12 or 13 years ago, I went to Kishenaghur to learn to read and write, where I saw Kisto Lal, and I subsequently heard at Calcutta, that a Burdwan Rajah had come to the Foujdarry Balakhana. I went with some others to see him. The *soi disant* Rajah on seeing me, recognized me, and asked me whether my name was not Bholanath. I replied "yes." It struck me at the time, that the *soi disant* Rajah resembled Kisto Lal. I have heard that Kisto Lal's father's name was Sham Lal, but I never saw him. I have heard that the prisoner had been to Barnagore, but I was not present when he went there. This was about three years ago, previous to my seeing him in Calcutta.

Ram Narrain, Moonshy of Barnagore, I saw the *soi disant* Rajah about two or three years ago at Barnagore. He resided at a garden there called Khass Bagan. He was then attired as a devotee. I do not know his name. I think this prisoner is the same person, I then saw there. How long he resided there I do not know. I saw him four or five days in that state. I remember not whether he had any followers or companions with him. Many Gossains come and go through my village under similar circumstances. There was nothing peculiar in him to attract my attention particularly. Who he is or what is his name, I am not aware. My house was surrounded by the police peons, and I was prevented ingress and egress from and to it, unless I would attend to the subpoena in this case. This compulsory process forced me to come here and give my deposition in this case.

Seebokur, of Barnagore, deposed. I recognize the *soi disant* Periab Chunder. I weave cloth in my house and not under a tree. I am of the same caste as Rada Kissen Bysack. This prisoner's home I do not know. I saw him about two or three years ago at Khass Bagan in Barnagore. He was then attired as a devotee and had a beard. He resided about six months at Khass Bagan, and about eight months altogether at Barnagore. His complexion was then darker than it now is. He lodged there in the house of an aged widow. He employed his time in tying up his hair, eating sweetmeats and drinking milk. I used to see him daily during his stay at Barnagore. I am sure this prisoner is that devotee; but he is a little stouter. He had a few women in his employ. He never told me who he was and from whence he had come, or where he went. During his stay at Barnagore, many women waited on him. I heard of his being subsequently at Calcutta, but I never saw him there. I am not intimate with or on visiting terms with Rada Kissen Bysack. He is a rich man and I am a poor one. I do not know the name of the widow in whose house the prisoner resided. He had two or three bearded servants, who were his disciples and ministered to his wants.

After the close of this witness's testimony, Mr. Bignell remarked, that there were no more witnesses for the prosecution required by him, with the exception of Moothoor Mookerjee, who has concealed himself in his house at Chitpoor; and the witnesses subpoenaed from Mooktada, viz. the relatives of Kisto Lal, as deposed to by his uncle Gunga Persad Tawarry.

The Judge replied, that these were, in his opinion, very material witnesses, for they could depose to the prisoner's identity as Kisto Lal.

Mr. Graham remarked, that if these men are the relatives of Kisto Lal, why do they not, in the absence of Sham Lal, come forward as next of kin, and claim the property of Sham Lal their brother, deceased, which the amias of the judge's Court of Nuddea have sworn in now, for want of an heir, to the custody of that Court, and which Court has issued a proclamation for the heir to come forward and claim his property; for in the absence of Kisto Lal, they evidently appear to be next of kin, and entitled to it?

The judge replied, that as long as Kisto Lal was alive they could not claim it; and Mr. Bignell added, that Mr. Graham, he believed, had himself stated in a correspondence in one of the Calcutta papers, that he would produce the real Kisto Lal, who, Mr. Bignell has been subsequently informed, was got into a scrape and is in custody by the orders of the Magistrate of Zillah Peigunnaah.

Mr. Graham replied, that his letter stated, that if he produced a Kisto Lal, it would be the real one, and that it is yet remaining to be determined upon.

The judge here suggested, that it would be advisable to give notice to the defendants, and their mooktars, to prepare themselves to enter upon their defence.

Mr. Graham wished timely notice to be given him of the day on which he would be required to enter upon the defence, so that he may be able to secure the services of Mr. Morton for the prisoner on that day.

Mr. Bignell observed, that he believed that his case would be closed by Saturday the 15th instant, by which time, if Moothernath Mookerjee did not arrive, he would not stop the case for him.

The judge likewise remarked, that he believed that Mr. Morton had been engaged as Counsel in the case of Mr. Shaw versus Mr. Ogilvie, for a false imprisonment, and until that case was decided at the Sessions, he would not be able to attend here; but be that as it may, Mr. Morton has already filed a mooktanama in this Court, as the prisoner's mooktar, and he can come whenever he likes; the Court certainly will not postpone the case a single day for his accommodation.

After this the judge asked Mr. Bignell, whether he intended to bring a charge against the witness who had been committed yesterday into custody at his request, on a charge of perjury; for if so, he must order his writ of commitment to be drawn up, and refer him to the district magistrate to have his case tried before him.

Mr. Bignell replied, that he could distinctly prove that the prisoner had, when taken to the jail, the evening previous to his giving his depositions in this Court, stated before the Police Authorities there, that he had recognized the prisoner to be Kisto Lal, the devotee, who had resided for some time formerly in his village: whereas he has now on oath denied all knowledge of him in this Court. Mr. Bignell did not add whether the statement which he asserted this witness had made before the police amias in the jail, was on oath or casual conversation; but he remarked, that the prisoner having sworn on oath that conversation to have passed between him and the police amias, constituted the ground of perjury.

Mr. Graham wished to move the Court, that if this witness was committed the other witnesses, as the prosecution was a Government one, would get cowed, and the witnesses for the defence made to refrain from speaking boldly; and he added, if he did not think so, he would have moved for the commitment of one of the prosecutors witnesses, Kassinath, who had formerly stated, that he had recognized the prisoner to be Rajah Periab Chunder, and afterwards, in this Court, denied that fact on oath.

Mr. Bignell said, that if Mr. Graham would undertake to prosecute, he was welcome to have any of the witnesses, either for the prosecution or the defence, committed for perjury, if he thinks he can produce sufficient evidence to prove the charge against him.

The judge then ordered the commitment of the witness in question to be drawn out, and the prisoner made over to the magistrate on a charge of perjury.

After this the witness, who had been confined for some days, because he had refused to take his oath, was

again brought up and asked if he would now be sworn in any form; but he persisted in his refusal. The judge then, without swearing him, asked him if he recognized the *soi disant* Pertab Chund, and whether he recollected ever having seen him in his village as a gossain, 3 or 4 years ago. The witness replied to both the questions in the negative.

The judge then remarked, that it would be useless in examining this man any longer in custody, and that his deposition, it is evident, will be of no avail in this case.

Mr. Bignell replied, that he considered the man had been sufficiently punished, and he may be released.

The judge then ordered his release, and the Court adjourned for the trial of this case till Friday the 14th inst. — *Harkatu*, December 13.

DECEMBER 14, 1856.

Jugget Nurrean Mitter, resident of Tailmaree, deposed. I recognize the *soi disant* Pertab Chunder. His real name is Kisto Lal. He is the son of Sham Lal Bramacharee. I have seen him 2 or 3 times when he visited me at my house in Tailmarree, Zillah Burdwan. His father was with him when I first saw him. He first visited me 1235 B. S., and staid two or three months. On the second visit 1237 B. S. his brother accompanied him; and he then staid about two months. On these occasions he was a candidate for employment in the Company's Court. His third visit to me was in 1247 B. S. He then came in the habit of a Gossain, and was accompanied by a Brahmin. He staid 10 days with me, and then a palanke came for his use, and he set off for Moosab ganee. After this, when I was in the employ of Mr. Taylor, the Collector of Resumption in Zillah Hooghly and Burdwan, during the last mohorum, I heard a great rumour of the re-appearance of the late Rajah of Burdwan. I, in consequence of this report, went with others across the river to see him at Bhatpara, where his boats were then moored. When I saw the pseudo Pertab Chunder, I recognized him to be my old intimate acquaintance Kisto Lal. He held a Nepalese creese in his hand, and was seated in a budgerig in great state, surrounded by many attendants. He recognized me and ordered his guards to seize me, and four up-country peons seized me and brought me to him. The peon lifted up the creese and threatened to slay me with it. This greatly alarmed me, and I fainted away. Afterwards Kisto Lal ordered four men to keep watch over me, and I was taken up under their custody to Culna, where, during the confusion occasioned by his arrest by the Magistrate of Burdwan, I jumped over board and escaped by swimming across the river, and fled to my house. During the period Kisto Lal was proceeding up to Culna, he studiously avoided anchoring on the Hooghly side of the river. In the B. S. 1242, there was a report in Burdwan, that the young Rajah of Burdwan had come to Kishenaghur. I was then at Calcutta, and on my return from thence, four months subsequent to the rumour, I enquired of my brother, Ramchund, the particulars of this rumour, who informed me that it was only our old friend Kisto Lal, who had been endeavouring to pass himself off for the late Rajah of Burdwan. I know Kisto Lal. I have heard he was an inhabitant of Kishenaghur. I got acquainted with his family, because I am well known to keep open house in Burdwan for all devotees, and they, therefore, availed themselves of it and used to put up at my house whenever they went there. Prisoner is darker and slouter now than he was then. He is fairer and taller than Gour Lal was, and bears not the least resemblance to him. What has become of Gour Lal I do not know. I cannot say precisely how many days Kisto Lal kept me in confinement. I suppose it was four, five or six days; but I was during the whole period insensible, and could not distinguish night from day

Why he confined me I do not know. When I saw him I said, why have you assumed this imposture? It was on hearing this he became enraged and ill-treated me.

Questioned by Mr. Shaw.—I heard there was a person named Therroo Chunder Moonshy, in Kisto Lal's retinue, but I never had any conversation with him, or any one in the boat. I might have called the prisoner Maharajah, but I never called him hazoor—(adds subsequently) I never called him Maharajah. There was a person named Moodoo Podar, who distributed pice to the prisoner's men. He now and then gave me a few pice for diet money, I never distributed pice to any person. I was insensible during all the period I was with the prisoner. I never presented a petition to the prisoner for employment, and if my name is enrolled amongst the prisoner's servants on that occasion, it must be a false entry. I am a mohorir, and I can read and write. I never wrote the entries of the expences of the prisoner's train during the period I proceeded with him to Culna. I do not know who is my zemindar, but my father's zemindar was the Rajah of Burdwan.

Luckynath Bose deposed. I saw, about four or five years ago, the *soi disant* prisoner in the village of Mailladeepoor, where I resided. He then lived as a devotee in the house of Ram Rutten Chatterjee, and said his name was Aluck Shaw. He had no attendants on him to the best of my knowledge. He lived at Mailladeepoor about one month, and I used at intervals of three and four days to call on him and pay my respects to him. Since that period I never saw him, until I saw him the day before yesterday in the jail of this district. I am not sure whether he called more than once in my village. No other devotees came to the house of Ram Rutten Chatterjee at Mailladeepoor to my knowledge. The prisoner Sagur Dhur was in a village near my habitation. From whence Aluck Shah came to Mailladeepoor, and where he went to from thence, I know not. I have no ostensible means of livelihood at present. I do not know Prawnkissen nor Kirpanund.

Roopchund Ghose deposed. I am a resident of Mailladeepoor. I recognize the *soi disant* Rajah and the prisoner Sagur Dhur. I saw the former about five years ago in the house of Ram Rutten Chatterjee, at Mailladeepoor, where he resided as a devotee for one month, and I saw him four or five times during that period. I do not know his name, or who he is, from whence he came, or where he went. He had no attendants with him. From that period I have never seen him until to-day—(adds afterwards) I saw him the day before yesterday, in the Hooghly Jail. Three or four year previous to this prisoner visiting Mailladeepoor, another devotee came there. I do not know who he was, whence he came, where he went, or how long he staid there. He likewise put up at the house of Ram Rutten Chatterjee. I know neither Prawnkissen nor Kerpanand.

Jugget Mundal, being called, Mr. Curtis asked whether, as this deponent is likewise a resident of Mailladeepoor, and had nothing more to say beyond what the three witnesses who had just preceded him had deposed already, it would not be unnecessary to have him examined. Mr. Bignell, after having consulted the Sheristadar Munsa Rao, and learnt that the witness could not confirm what the others had already deposed to, he saw no necessity for examining him, unless the defence wished it. Mr. Shaw replied, that he did not wish to have the witness examined, and the witness was consequently dismissed without being examined.

The Sheristadar then informed the Court, that there were no more witnesses in attendance to-day, but two were expected this evening; and that the houses of a few more had been surrounded, notices stuck at their doors, and egress and ingress to and from the houses denied them, until they attended to their subpoenas in this case.

Mr. Curtis proposed; that if the witnesses for the prosecution are not all in attendance before Tuesday, then to put the prisoners on their defence on that day.

The Mohamedan Law Officer said, that Tuesday and Wednesday, were Mahomedan holidays, viz. the *Eed*. The day was then fixed for Thursday in consequence thereof.

Mr. Bignell said, that the only witness for whose attendance he was anxious, was Ram Mohun Mookerjee, whom he expected daily. And the Sherishtadar said that Ramgol Mohun, was expected daily from Dinagepoor by dawk, to swear to the prisoner's identify. With the exception of these two, there were no very material witnesses; and Mr. Bignell said, that after Monday, if the evidence of the witnesses for the prosecution are not in readiness, they may commence their defence that day; and if any of the witness for the prosecution come, they can be taken up and examined as they come.

Mr. Shaw, who resumed to day the case for the prisoner, said, that he wished two days' clear notice previous to his, client being put on his defence.

Mr. Shaw then brought to the notice of Mr. Curtis, that he had been denied access to the prisoner in jail, which, as he was the counsel for the prisoner appeared strange to him. The Judge replied, that the jail was exclusively under the Magistrate's control, and on Mr. Bignell informing the court, that Mr. Samuells was very willing to assign his reason for the prohibitory order, if officially requested to do so, Mr. Curtis had an official letter addressed to Mr. Samuells on that subject.

Mr. Graham presented an English petition on behalf of the *pseudo* Rajah, praying, in the event of the Government not being disposed to assist him in enforcing the attendance of his witnesses, and as many of them had refused to come unless their expenses were paid to them, that the property now under the custody of the Zillah Court of Hooghly, which had been seized at Culna as his, may be sold for his benefit, and the proceeds appropriated towards the expenses of his case.

Mr. Curtis had refused to take this petition on the plea, that the preamble of it insinuated that the Government were exerting their influence to convict the prisoner on the indictment now pending against him, which he said was an unfounded and gratuitous slur on the Government, and sent for Mr. Bignell.

Mr. Bignell replied, that he thought the insinuation too absurd to notice it, and that the prayer of the petition might be granted. He added, that he had, however, seen the prisoner in the jail the other day, in consequence of some reports he had read in the daily papers, regarding the complaints made by the prisoner as to his comforts in the jail, and had asked him whether he required anything, and whether he had any cause of complaint. The prisoner on that occasion had informed him, that he had no cause of complaint and required nothing; and when questioned to his petition of complaint, the prisoner had told him, that the gentlemen about him had drawn up the petitions, and he had signed them without being aware of their contents; and Mr. Bignell insinuated, that, perhaps, the like may be the case in the present instance.

Mr. Shaw herein interrupted Mr. Bignell, and informed him, that he questioned to the prisoner,—considering that he had all along his counsels to guide him and attend to his wants, and that Mr. Bignell was the counsel for the prosecution,—were both unbecoming and gratuitous; and his intimation as to the prisoner not knowing the contents of the petitions presented on his behalf, was an unbecoming and unbecoming slur on his Counsel in open court, and he requested that the like may never be again repeated before him.

Mr. Bignell here explained to Mr. Shaw.

Mr. Shaw then informed the Judge, that the prisoner in presenting this petition, did not mean any thing offensive to the Government, as he on a further perusal of it would perceive; but one thing is evident, that there is a strong feeling existing abroad, that the Government feels an interest in the conviction of the prisoner, and that at one time Mr. Samuells and Mr. Smith had entertained an idea of prosecuting Rada Kissen Bysack and others in this case, for having assisted the prisoner with money.

Mr. Curtis then passed an order for the sale of the prisoner's property in custody of this court, and that public notice of five previous days be given within the district, by a public crier, of the intended sale; and Mr. Shaw said, that he would advertize the same in the papers.—*Hurkaru*, December 17.

DECEMBER 15, 1838.

There being no witnesses in attendance to-day, on behalf of the prosecution, the case was postponed till Monday, the 17th instant.

Mr. Shaw requested to know whether the Judge had received from the Magistrate any reply to the letter which the Judge had yesterday dispatched to that officer requesting him to assign his motives for his interdiction to Mr. Shaw being permitted to see the *pseudo* Rajah in the Criminal Jail of the district.

Mr. Curtis replied, that he had, and Mr. Samuells had stated, that it having been brought to his notice that Mr. Shaw had gone into the civil jail and the hospital, and held conversation with the witnesses for the prosecution who were king's evidence, he had in consequence thereof interdicted his being permitted to go into the Jail, as Mr. Shaw's proceedings on that occasion had been irregular and contradictory to the Mohamedan Jail regulations.

Mr. Shaw replied, that if he had in the instance alluded to by Mr. Samuells, transgressed the Jail regulations, why did not the people on duty there, prevent him. They surely had nothing to dread from him, for he never betrayed any symptoms of resisting the public authorities; and even if he had, there could be no apprehension of violence from him, as he only had his walking stick about with him. Mr. Shaw further added, that Mr. Samuells was not justified in insinuating these remarks against him; nor was this the first unjust insinuation Mr. Samuells had cast against him. There appeared sometime ago, a letter in the *Englishman* newspaper, of which letter Mr. Samuells had the kindness to consider Mr. Shaw to be the author. The letter was signed INTERLOPER, and related to certain circumstances regarding the treatment the prisoners who had been apprehended with the *soi disant* Rajah had undergone in the Hooghly Jail and hospital. "Now," said Mr. Shaw, "if I were ascharitably inclined to wards Mr. Samuells in this instance as he has been to me, I might with equal justice suspect him to be the writer of the letter, which appeared in reply to that letter in the *Bengal Hurkaru*, signed JUSTITIA." Mr. Shaw added, that with regard to the alleged conversation, the sum total of it went no further than his admonishing these witnesses to testify the truth before the Court, without fear or apprehension. He concluded by informing the Judge, that having been informed by the Magistrate that the prisoner was now solely under the Session Judge's control, he begged to know whether the Judge would permit him, Mr. Shaw, the prisoner's monkster, to see him in the Criminal Jail, and thus overrule the Magistrate's prohibition on that point; or whether he would uphold the magistrate's order regarding it?

Mr. Curtis replied, that with regard to the persons on duty in the Jail and hospital, and their discourse with the witnesses, which was an irregularity on his part,

was that, they perhaps, were afraid of him, he being a European. Be that as it may, Mr. Shaw had no right to go either into the Civil Jail or the hospital, in neither of which places any of his clients were then confined; and his discoursing with the witnesses for the prosecution, was certainly contrary to the existing regulations. With regard to his now permitting Mr. Shaw to see the prisoner in Jail, he begged to inform him, that the Jail was wholly under the control of the Magistrate, and he could not well interfere with him in his duty; but that as the prisoner could be brought to the Sessions Court, almost daily, Mr. Shaw could there both see and speak to him, and Mr. Graham could go any time that he might wish to see the prisoner into the Jail, and communicate Mr. Shaw's messages to him; added to which, if Mr. Shaw would on any occasion intimate to him that he wished to see the prisoner, he (the Judge) would direct the Magistrate to send him to the Sessions Court, where Mr. Curtis said Mr. Shaw may retire with the prisoner into Mr. Curtis's private room, and converse with the prisoner uninterruptedly even for hours, if he wished it. And as to whatever the newspapers might publish about the case, he advised Mr. Shaw to take no notice of these publications; for, added he, although I am informed that you published in the *Hurkara* paper that I abused your client in Court during the trial of his case the other day, which I never did, yet I never paid any regard to it, nor do I intend in future to pay any attention to whatever they may publish about me in this case.

Mr. Shaw thanked the Judge for his courteous offer in tendering him his private room in the Court whenever Mr. Shaw might wish to speak to the prisoner apart; but he begged to decline this offer, as likewise that of making Mr. Graham the medium of his communication with the prisoner whilst in Jail; remarking, that he was not applying for Mr. Graham, but for himself. He then told the Judge, that in the Supreme Court the prisoners' attorneys were permitted to see them even after their conviction, which was not the case in the present instance. With regard to the publication in the *Hurkara*, he denied all communication or contact with that paper, with which he believed Mr. Samuells had more to do than him; and so far from wishing to give publicity to the matter mentioned by the Judge, he had exerted all his influence to suppress it altogether. He concluded by requesting the Judge to furnish him with an official copy of Mr. Samuells's objections to Mr. Shaw being permitted to visit the prisoner whilst in the Jail, and by the Judge explicitly answering him whether he would set aside, as the presiding Judge before whom the prisoner's case is now pending, that order or not. He begged to and that he now made the application on his own behalf, as the mooktar of the prisoner in this case.

Mr. Curtis replied, that on Mr. Shaw making a written official application, he would ass an order on it for Mr. Shaw being permitted to obtain an official copy of Mr. Samuells's reply to the Judge regarding his objections to admit Mr. Shaw into the Jail; but with regard to whether he would set aside, or not, Mr. Samuells's order on that matter, he would consider of it and let Mr. Shaw know his determination within a few days.

Mr. Shaw then requested Mr. Curtis to know whether he would, on an official application being made, permit the witnesses for the defence, whilst down here, to remain under his custody. Mr. Shaw added, that his reasons for making this request were, that the Magistrate's Sheristadar, Munshram, may not see them and converse with them previous to their being brought into the Judge's Court to give their evidence in the case; for, Mr. Shaw added, that the Sheristadar had already had some conversation, which Mr. Shaw considered objectionable, with some of these witnesses; and this application was to prevent his doing the like again.

Mr. Curtis replied, that he could not grant Mr. Shaw's request, as in so doing he would be departing from the usual practice of his Court in similar instances. The witnesses must all, on their arrival at Hooghly, be made over to the Fouzdary Nazir, who will after that be answerable for their appearance in the Court, to give their testimony in the case; but he (Mr. Curtis) would take special care that the Fouzdary Sheristadar shall not be permitted to hold any objectionable conversation with any of them, and would order the Nazir to prohibit his repeating this mode of procedure.

Mr. Curtis then informed Mr. Shaw and Mr. Graham, that if the witnesses for the prosecution were not in attendance at the Court by Thursday next, he would, without postponing the case again for their convenience, order the case for the prosecution to be closed, and desire the prisoners to commence their defence forthwith. — *Hurk. Dec. 18.*

DECEMBER 17, 1836.

Gungapersad Moakerjea, resident of Santipoor, deposed, that in the B. S. 1220, when I was about 20 years of age, I studied Persian in the school of Moonshy Ekram Ullee, at Kishenagar, and resided there with my brother in that city, who was then in the employ of Kasnath Baboo. I then used to see a person named Kisto Lal, the son of a devotee, resident of Kishenagar, who had an idol there. The *pseudo* Rajah strongly resembles that person, in so much so, that I would be very apt to take him for that individual; but whether he really is Kisto Lal or not, I cannot speak positively, as this occurred upwards of 25 years ago.

Questioned by Mr. Shaw. I now reside at Tallmarree. I came with others to see the *pseudo* Rajah in the Kutcherry here, and on remarking the strong resemblance the prisoner bore to Kisto Lal, it was overheard and some person reported it to the Magistrate, who, about 20 days ago, served me with a subpoena in this case. Kisto Lal, when I saw him, was fairer and much thinner than this prisoner is, had not any mustacheos, and was about 16 years of age. Here Mr. Shaw named several witnesses' names, who had been examined in this case as witnesses for the prosecution, and who had deposed, that they had seen Kisto Lal at Kishenagar, about the time this deponent had seen him there, and who had testified that they were inhabitants of Kishenagar; but this witness denied his acquaintanceship with all but two of them, who, it seems, are amlahs in the Judge's Court of zillah Nuddea. Deponent added, that for many years he has not been to Kishenagar, and it is 25 years since he last saw Kisto Lal.

Mr. Shaw remarked, that he had understood from Mr. Samuells, that he would not direct any more witnesses to be subpoenaed in this case after it had been closed in his Court; whereas by this witness's testimony, it appears, that he had been subpoenaed after this promise had been given.

Mr. Curtis replied, that he had nothing to do with that.

Seebnarrain Gangoly deposed, that he is resident of Dowlut Gunge, Zillah Nuddea; that about 15 or 16 years ago, he saw a person named Kisto Lal, the son of Sham Lal Bramacharee, residing at Kishenagar, whom the *Pseudo* Rajah strongly resembles; but whether he is that Kisto Lal or not, he could not positively declare. "I was then", continued the witness, "a candidate for a situation in the Magistrate's Court of that district, and was studying Persian. I resided at Kishenagar from 1220 B.S. until 1230 B.S. Kisto Lal had a brother, named Gour Lal. I do not know whether Sham Lal had another brother besides Gour Lal. I only heard of two brothers, Sham Lal and Gour Lal, Kisto Lal had a brother, but

whether his name was Gour Lal or Sham Lal, I do not know. Kisto Lal, when I saw him, was fairer than the prisoner, and had no mustaches. I have not seen him for the last 17 years. From whence Sham Lal come, I know not. Moosabgung, is 10 coss from my village. This witness, it appears, was likewise one of those who had come to see the Pseudo Rajah in this case, and having expressed his opinion as to his resembling Kisto Lal, was reported to the Magistrate and served with a subpoena, at the same time as the last witness, with whom he had come to see the Pseudo Rajah.

Questioned by Mr. Shaw. Sham Lal had an idol at Gwaree; but he was not rich. Sham Lal was lame, but I never saw any horse in his possession, nor did I ever see Kisto Lal ride on horseback. I was acquainted with the officers of the district of Nuddea, and some of the inhabitants there. Here Mr. Shaw named some inhabitants of Kishenaghur, who had deposed in this case, but witness knew none of them. I only knew Kisto Lal, Sham Lal, his father, and his younger brother; whether he had any other relatives or not I do not know.

Mr. Curtis informed Mr. Shaw, that if the other witnesses for the prosecution were in the attendance, would he examine them, and then put the prisoners on their defence; if not, he would put the prisoners on their defence at once, and examine the witnesses whenever they may come.

Mr. Curtis informed Mr. Shaw, that he had issued orders to Mr. Samuells to admit Mr. Shaw into the jail, to see his clients whenever he may wish to see them there. He further allowed Mr. Shaw to take his witnesses as they arrived here into the jail, for the purpose of seeing whether they could recognize the pseudo Rajah. He very properly remarked, that as the prosecution had been allowed this indulgence, it is but fair that the defendants should be allowed the same privilege.

Mr. Shaw intimated to the Judge, that as there were now upwards of 20 witnesses for the defence already in attendance, and the number subpoenaed amounted to upwards of 270 altogether, if he were permitted to receive them on their arrival here, he would give a receipt for the witnesses and release the nazir from all responsibility for their re-appearing in this case as witness; but he would take the responsibility of it altogether on himself; and if let them escape, it would be his own loss. By this means the would save the Government from great expense, by doing away with the testimony of many whose evidence he may consider superfluous, as these witnesses get two annas a day diet money whilst here.

Mr. Curtis replied, that there can be no impediment to Mr. Shaw having free communication with the witnesses whenever he might wish to do so.

Mr. Bignell remarked, that whatever might be the practice, the Zillah Courts, as to who is to have charge of the witnesses, should be adhered to.

Mr. Curtis said, that he cannot make the witnesses over to him altogether; but he ordered the nazir to permit Mr. Shaw to converse with them whenever he felt inclined to do so; and on the nazir remarking, that it is requisite for him to be present to prevent Mr. Shaw from instructing the witnesses; to which Mr. Curtis replied, that there is no necessity for his surveillance, for he does not think Mr. Shaw capable of such conduct; and even if he were, they must have been tutored long before this. The nazir replied, perhaps he might refresh their memory; to which Mr. Curtis replied, no, no.

A petition from one of the defendant's witness was put in, stating his inability to attend, in consequence of indisposition. He was ordered to furnish a medical certificate.

The Foudrarry Sheristadar stated, in the case of the man whom Mr. Biguell had moved to be committed for perjury in this case, that the prisoner's brother, who is a Mohorir in the Court of the Mahomedan law officer here, had written privately to some persons who were subpoenaed by the Magistrate to substantiate the commitment, informing of them these subpoenas, and they had in consequence absconded, and there would be a difficulty in getting them to attend. The Mohorir has been suspended.

Mr. Curtis replied, that he had nothing to do with that.

Tuesday and Wednesday being native holidays, the case has been postponed until Thursday, the 20th inst., at 11 o'clock a m., to enable Mr. Morton to come up and conduct the defence.—*Hurkaru, December 20.*

DECEMBER 20.

Soorooopchunder Tewary, resident of Mooktada, deposed, I know Kisto Lal. I am his maternal uncle. His mother's name was Muunah, a Brahmune, and his father was Sham Lal Brahmacharee. It is 8 years since I saw Kisto Lal at Kishenaghur. His parents are both dead. He had two brothers, the elder named Roop Lal and the younger Gour Lal. His father was originally an inhabitant of Mohespoor. Gungapersad Tewary is my cousin. It is about 22 years since Sham Lal removed from Mohespoor to Kishenaghur. Kisto Lal was born at Mohespoor, and his brothers at Mooktada. Kisto Lal was about 12 years old when Sham Lal removed to Kishenaghur. Kisto Lal has studied the Bengallee, Persian and the English languages—the latter slightly. Sham Lal never resided at Mooktada, but his family used frequently to visit us, and I used to see him occasionally in Kishenaghur. Mudden Tewary and Shupersad Tewary are my brothers. They, about 5 years ago, removed their homesteads from Mooktada, to Moulee. I never saw Kisto either in any service or in the habit of a devotee.

Fakeerchund Tewary, of Mooktada, deposed. I am the maternal uncle of the prisoner Kisto Lal and the brother of the last witness. I was very young when my sister married the prisoner's father Sham Lal. Roop Lal died at Kishenaghur 5 years ago, and Gour Lal quitted his village much about that time. Gour Lal quitted his village, and I have not seen him since. Sham Lal died about 12 months ago. I have not seen Kisto Lal for the last 7 or 8 years. None of the uncles of Kisto Lal were concerned in any gang robbery.

Ishurchunder Tewary, resident of Chandpoor, deposed. I know the prisoner Kisto Lal, he is my aunt's son. I have never been to Kishenaghur, but Kisto Lal came 2 or 3 times to my village. Kisto Lal was then 6 or 7 years old and pursuing his studies. I have never been to Mohespoor. When he was 15 or 16 years old, he came again to Mooktada, when I saw him for the last time. How long it is since that period I do not remember. Fakeerchund Tewary resides in my village—he is a bachelor. Besides Mannah, who married Sham Lal, Fakeerchund Tewary had another daughter named Praun, who married Paunchoo Shookool, a resident of Burdwan.

Mr. Bignell informed the Court, that there were two or three more witnesses, one or two of whom, if he could have got them he would have been most happy; but as he has hitherto failed, in spite of all his efforts to get them, he will not keep the prosecution open for them any longer.

The pseudo Pertab Chunder in his defence, stated, rather warily, that he was not Kisto Lal, and that the evidence for the prosecution had abused him, by making him the son of Sham Lal, for that if there were so, 10,000

persons at Kishnagur would have known it. The Judge ordered the indictment to be read to him, and then told the prisoner, that if he would reply calmly to them; he would hear all his objections fully, and write them down; but if he forgot himself and misbehaved, he would order him down amongst all the other prisoners.

The charges were then read, and the prisoner replied, I am neither Kisto Lal nor Aluck Shah. I am Rajah Pertab Chunder of Burdwan, and the son of Rajah Tej Chunder Bahadoor, late Rajah of Burdwan. I never went with a tumultuous assembly to seize either Culna or the guddee of the Burdwan Raj; nor did I disobey the orders of the Magistrate of Burdwan, conveyed to me by the Daroga of Culna, whilst I was there; nor did I nor any of my followers cause any disturbance during my stay there; nor have I in any instances, under false pretences, taken money from either Radhakissen Bysack or any other person whatsoever, as alleged in the indictment against me. I have, besides what I have now stated, a written defence, in which I have more fully stated the nature of my defence, and which I will file to-morrow in English, with a Bengally translation. Prisoner added, that his witnesses were named in the schedule, and if he should require more, he would inform the Court.

Mr. Leith, who appeared to day for the defence, but who will return to Calcutta to-morrow, detailed slightly the nature of this written defence, which he said was much the same as what the prisoner has now stated and contains a commentary on the evidence against him as given on behalf of the prosecution, regarding his identity as Kisto Lal, and the particulars of his alleged death and burial, denying the correctness of these assertions, and naming the witnesses who will prove his case generally, some of them his relatives.

Mr. Curtis said, that he did not think the old Raja Tej Chunder's sister, Ranny Tootah Koomarree, would ever come to this Court and give evidence in the case; and he did not think the evidence of his wives will be legally available in the case, as wife and husband are legally one and the same person.

Mr. Bignell said, that he would not start this objection, for if he did so and allowed the Rannees subpoenaed for the defence as the wives of the late Raja Pertab Chunder to be the prisoner's wives, and objected on that ground, he would thereby, by implication, be admitting the identity of this prisoner with the deceased Rajah Pertab Chunder, who he pretends to personate.

Mr. Leith replied, that he believed that Ranny Tootah Koomarree, the prisoner's aunt, who had brought up Raja Pertab Chunder from his infancy, and was very fond of him, and is very anxious to see him, could recognise him by some particular marks on his body.

The Hurdhon Rajah, Hurrykar Narrain Raj, pleaded not guilty to the charges against him, and said, that he was not a follower of Raja Pertab Chunder, but had merely proceeded to Culna to see the Rajah, after having heard of his arrival there, and was unjustly seized as one of his accomplices.

Radakissen Ghosal, the prisoner's mooktar, pleaded that he was not at Culna, when the affray is alleged to have occurred.

Tulluk Allah Shah, the darogah of the prisoner, pleaded that he merely read the papers to the Raja, and wrote some for him, and carried a few letters and messages as a part of his duty. He neither saw any riot whilst at Culna nor did he commit any.

Sugaur Dhur, pleaded, that he likewise was a servant of the pseudo Rajah, and had as such followed him to Culna, where he was arrested. Whilst at Culna he neither saw nor heard of any riot there, committed either by the Rajah or his partisans.

Kally Jemadar, pleaded, that he had been the Jemadar of the pseudo Raja, previous his to arrest at Bancoorah, for a disturbance said to have been committed by the Raja there. He was there sentenced to six months' imprisonment as an accomplice in that affair. After his release, he never entered the Raja's service, but he has gone to Culna, to get the wages of his former services from the Raja, and was there arrested as one of his followers. Whilst at Culna, he neither saw nor heard of any disturbance committed by the Raja or his partisans.

Joomoon Khan, Kidmutgar, in the *soi distant* Rajah's employ. His plea was, that he wished the Rajah to get his guddee—that is what he wished. Mr. Curtis said, no doubt, in that case the Rajah will promote you to be his Dewan for your fidelity towards him, especially as you have already suffered ten months' incarceration, for being his accomplice in his affair at Bancoorah. The prisoner said, that there was no breach of the peace committed at Culna, neither by the Rajah or his retinue, and therefore he could not possibly be an accomplice in an affray, which never occurred. He would, he continued, in spite of every obstacle, continue to serve the Raja till he was restored to his rights, or he would die.

Besides the pseudo Raja, who had 273 witnesses, the Hurdan Raja had 5 and Radakissen Ghosal 6 to prove their *alibis*. The other prisoners had none.

The following is the charge against the prisoner, to which he put in the succeeding written reply.

Alak Shah, *alias* Rajah Pertab Chunder, *alias* Kisto Lal Pauree Bramhmacharee, charged with gross fraud and imposture, in falsely and fraudulently, assuming the name of the deceased Maharajah Dneraj Pertab Chunder, Bahadoor, formerly zemindar of Burdwan, and pretending, in various places, during the last two years, to the great disturbance of the general peace and quiet of this country, that he is in verity the aforesaid zemindar of Burdwan, and that the zemindary of Burdwan belongs of right to him; and in obtaining money from various individuals, and more particularly from one Radhakissen Bysack, dewan of the Government Treasury in Calcutta, by means of these and such like false pretences. 2nd count. And charged further with having, in furtherance of the fraudulent pretences abovementioned, instigated and prevailed on divers subjects of the British Government, and others, to the number of 300, and more, unlawfully and tumultuously to assemble, at or near the Town of Culna, in the district of Burdwan, such proceeding being intended or eminently calculated to produce a most serious breach of the peace, and with having there remained, at the head of this unlawful assembly, from the 13th of April, 1838, corresponding with the 2d of Bysack 1245, up to the 2d of May 1838, corresponding with the 21st Bysack 1245; and with having, during that period, on various occasions, by the display of superior force, resisted, and set at defiance, the constituted authorities of the district, he the said Alak Shah, *alias* Rajah Pertab Chunder, *alias* Kisto Lal Pauree Bramhmacharee, having previously, on the 4th August 1836, been convicted of a similar offence, before the Sessions Court of this District of Hooghly.

Government, the prosecutor in this case, having closed the evidence against me, I shall respectfully submit a few remarks on the case attempted to be made out against me. I feel that I have been harshly treated, and I may add, unjustly, in a manner unauthorized by either precedent or regulation, and, most certainly, opposed to all the principles and rules of practice of English Courts of Justice. Since the year 1835, I have been hunted like a felon, and treated like a convict; I have been made a mark to shoot at, and I have been plundered of my property on two different occasions

by the Police authorities, acting under the immediate orders of Government officers; and the only time during that period in which I have enjoyed safety of person, and protection for my property, has been, whilst imprisoned in a Mofussil jail, or residing within the Jurisdiction of the Supreme Court in Calcutta. The only charge that the malice of my enemies, and the ingenuity of the Government officer, The Magistrate of Hooghly, have been able to bring against me, amounts to nothing more if made out, than a misdemeanour; while it is not attempted to be concealed, that this charge, brought and supported by the official influence, and *extra official* labours of a Government functionary, the magistrate of Hooghly, was merely intended to be subsidiary to that which has all along been admitted to be the chief object of this prosecution, namely, to try, in this criminal proceeding, a mere civil right. In fact, to prove that I had no right to the Gaddie of Burdwan. I mention this, not for the purpose of impeaching the motives, or exposing the conduct of a Government servant, the Magistrate of Hooghly; but to convince you, Sir, as others have been convinced, that I have been most harshly treated, and to point out to you the difficulties which have been thrown in the way of my defence. At all times and in all places where Government influence is exerted, it has its weight in the scale of justice; but in this country, where the people are proverbially timid and fearful of offending Government, the Government influence, when exerted, as it has been in this case, has a most grievous and prejudicial effect on the case of the party against whom it has been exerted. The mere fact that I was charged by Government, and prosecuted by Government as a criminal, would, of itself, deter many from coming forward to declare their knowledge of me, being fearful, that by so doing, they might identify themselves with me, and render themselves obnoxious to Government, and involve themselves in difficulties. I have already experienced this. Was it fair, then, to mix up the trial of my civil claims,—my right to the zemindary of Burdwan, in a case in which I was charged to be a criminal? But this is not the only hardship I have to complain of. Not satisfied with the silent effect which the knowledge of the part which the Government took in the prosecution and the publication of the evidence of the herd of witnesses driven down to Hooghly by the various native officials in the neighbouring zillahs, to prove that I was not the Rajah Pertaub Chund, but one Kisto Lal Burmacharee, the magistrate of Hooghly, Mr. Samuells, in his official capacity, issued, as I am credibly informed, written circulars, publishing officially, (and observe, sir, issued during the pendency of these very proceedings, and before my case had been either opened or gone into, and knowing, as he himself had several times asserted publicly in his own Cutchery, that his were but *ex parte* and preliminary proceedings,) that he had proved, that I, the prisoner, was that Kisto Lal, and not the Rajah Pertaub Chund! I make no comment on this conduct of the magistrate. It is sufficient for me to state it respectfully to you, Sir, to shew what I have suffered, and to ask you, Sir, as a Christian judge, to give the statement, if correct, the weight it deserves, in considering the defence which I may be able, notwithstanding, to make, and to refer to it as a sufficient reason for the absence of many of those natives who might, under more favorable circumstances, have come forward to speak on my behalf. My defence has also been very much impeded by my long imprisonment. I was arrested on the 2d day of May last, and I remained from that date until the middle day of the month of June last, without having been tried or examined, and without having been able to obtain any statement of the charge upon which I was arrested and detained in custody. On that latter date I was examined by the magistrate before a single witness, who produced against me, without knowing the charge

against me, and without being informed who was my prosecutor; and I have been ever since confined a close prisoner in jail, notwithstanding my repeated applications through the regular channels to be bailed. Bail has been refused, by the magistrate, *yourself* and the Nizamut Adawlut, contrary, as I am informed, to the express rules laid down in the regulations of Government; although bail was offered to be given to any amount, and I am still a prisoner in the Hooghly jail. Thus have I been detained nearly eight months in a common jail, on a charge of misdemeanour only. I trust, Sir, that you will keep these facts in view in dealing with this case, and in considering the nature of the defence which I, opposed by such fearful and preponderating influences as are exerted against me, shall endeavour to make.

First, Sir, let me call your attention to the previous conviction, (the record of which has not been attempted to be put in evidence in this case,) and the manner in which that conviction was obtained. In that previous case, I was denied the assistance of a professional adviser, to defend me against the unfair and malicious charges brought against me; although Mr. Turton, the Barrister, had generously offered to defend me. What chance of justice had I then when I was refused the aid of a legal adviser, prosecuted at the instance of the Government, and tried by an officer of Government, who had refused me that aid?

If the conviction was properly obtained, it appears to be a complete answer to the present allegation that I am Kisto Lal Pauree Burmacharee. If I was convicted as Aluck Shah, as is alleged, in the charge, but is not proved, and if I was Aluck Shah, as must have been sworn on oath in Court in that former case, and as it is now sworn that I am Kisto Lal, there must be perjury in one or other of the cases; and in one or other, if not in both, I am grievously wronged. I can scarcely be both Aluck Shah and Kisto Lal Burmacharee. This is not pretended. But, can it be believed, that if I was Kisto Lal, who appears to have been a well-known person, that between the period of my arrest at Bancoorah in 1835, and my former trial here, Mr. Elliot, Magistrate of Bancoorah, and Mr. Samuells, Magistrate of Hooghly, with all their power and influence, and with indefatigable endeavours to procure evidence on which to convict me, would not have ascertained that I was, as now alleged, the son of a Burmacharee? I say, that Mr. Elliot did endeavour to ascertain who I was, and if evidence of that fact could have been received here in this trial, I could have given it. But I am debarred doing so by the prosecution not proving the conviction. But I pray you, look at the terms of that conviction. I do not deny that, I was convicted; I was debarred the assistance of Mr. Turton. Does it not on the face of it shew that the Judge who tried me, considered me a person of some consequence, and of much higher rank in the world than Kisto Lal Pauree, the son of Shaum Lal Burmacharee? If he did not, why did he impose on me the terms of giving security for 40,000 rupees? He must, by imposing such terms, have considered me either a man of rank and consequence, or he must have passed that sentence with the view of making me a prisoner for life. With these remarks I dismiss the previous conviction, and I feel satisfied, that you will give it no weight in forming your judgement on the case before you.

I now proceed to a consideration of the charges at present preferred against me, and I pray you to peruse them carefully. They are as follow (Copy of charges put in. You will observe, that I am charged with having disturbed the general peace of the country for the last two years, and I submit, with every confidence, that no attempt even has been made to produce a tithe of evidence in support of this part of the charge. The prosecutor knew that he

could not substantiate it. He must have known this before the charges were framed, and they have only been so framed to create a prejudice against me. I am satisfied that with you it will have no such effect, and that, on the contrary, it will open your eyes to the ridiculous nature of the charge. A short statement of my conduct for the last two years, will shew you how far it was an honest and a fair charge for a Government to put on the records of its Court.

In the end of 1835, I was arrested by Mr. Elliot, the Magistrate of Bancoorah. Applications were made to that gentleman for a copy of the charge and the warrant on which I was arrested. He stated in reply, that he could give no such charge; that no warrant existed; and that I had been arrested by his orders. To this day I do not know the charge on which I was tried and convicted; but as I was convicted, I must attribute this to my ignorance. I was detained in custody until August 1836, when I was tried in this district for a crime alleged to have been committed in the Bancoorah district. I pray you, Sir, with reference to the present trial, to bear this in mind. On that trial, I was sentenced to six months' imprisonment, and required to give security to keep the peace for one year. On the expiration of my period of imprisonment, I gave the security, and I was released. I then proceeded to Calcutta, and remained there for upwards of a year, when I was visited by all classes of people. No attempt has been made to shew that I was, during that period, guilty of any improper conduct. Whilst residing there, I did not conceal myself. I openly represented myself to be the Rajah Pertaub Chund. I courted the society or acquaintance of those who had an opportunity of knowing me. I was acknowledged by many, and supported by others. I had the means afforded to me of commencing a suit in the Supreme Court of Calcutta, the whole object of which was to prove my identity as Rajah Pertaub Chund. I did commence that suit, and it is now pending there. Was there in that proceeding, gross fraud and imposture? Being advised that it was proper that I should proceed to Burdwan, the place of my birth, for the purpose of being identified, and of obtaining evidence in support of my claims, and fearing the power and influence of Prawn Chunder Baboo, who has been from my youth my implacable enemy, as I shall prove to you, and who with his family and retainers, are now in possession of my property, I applied to Government to afford me protection. Whether my application was proper, or whether the refusal of Government was just, is now a matter of no moment. The application was made, and that of itself shews, that in proceeding towards Burdwan, I had no illegal object in view. Government did refuse my application, however, and I proceeded towards Burdwan, as it has been sworn by one of the witnesses for the prosecution, and whose testimony must have full weight with you, with only the same servants who had attended on me in Calcutta. I was delayed in my progress by various circumstances, which it is here unnecessary to relate. I passed through the districts of the twenty four Pergunnahs, Barraset, Hooghly and Kishenaghur on my way to Culna. The prosecutor has not ventured to call a single witness to prove that I created any disturbance in passing through these districts. If he had been able to obtain the *slightest* evidence of misconduct on my part during my progress, extending from the beginning of March, to the middle of April, he would not have failed to have produced it against me. In not having done so, he has admitted that I did not misconduct myself up to the date of my arrival at Culna on the thirtieth of April last. It is rather out of place to allude to it here, but, as regards the allegation that I am Kisto Lal, I beg to draw your attention to the fact, that I was for several days at Santipore, a place only twelve miles distant from the birth place of Kisto Lal. There was no necessity for me going there, for I could have anchored on the other side of the river, and was it

likely that, if I were Kisto Lal, I would have gone to and remained at the place where it was, most likely I would be identified as an impostor? Whilst at Santipore, did I conceal myself, or my claim to be the Rajah Pertaub Chund? No, on the contrary it was well known, and numbers of persons, including the local authorities, had an opportunity of seeing, and did see me. If it were true that I am Kisto Lal, was it not likely that some person at Santipore would have recognized me, and published my imposture? But, was that done? No, it was not, nor was it to my knowledge ever whispered that I was Kisto Lal, until long after I was under the charge of the Magistrate, who has committed me for trial before you. If I were, as is alleged, Kisto Lal would I have selected the zillah where I was born to play off imposture? If you believe this, I have no doubt you will believe evidence of the Rajbarry people that I do not resemble Rajah Pertaub Chund in *one* features and you will feel satisfied that I am not only an impostor, but moreover a very stupid impostor in representing myself to be a man to whom I have not the slightest resemblance and from whom I in fact differ as much in appearance, as black does from white. I feel unwilling to detain you with remarks about my alleged identity with Kisto Lal, for I feel satisfied, that to that part of the charge and the evidence in support of it, you give no evidence. Indeed, I believe, the vakkel for Government, whose liberality and courtesy during this trial I take this opportunity of acknowledging, thought so little of that part of the charge, that until the appearance of Prawkissén Christian, he had no intention of going into it.

I now return to the period of my arrival at Culna, and I beg you to bear in mind the evidence in support of the charge made against me, of resisting the constituted authorities by a superior force. I shall not take up your time with detailing the evidence I mean to adduce on that part of the charge, but I shall shortly draw your attention to the evidence for the prosecution. Before doing so, however, let me ask why the Government has not produced *one* respectable inhabitant of Culna, to prove my misconduct? Is it fair, just or honorable in a Government prosecution, to put forward as witnesses to support a Government prosecution in a Government Court, only Government servants? If during my residence on the river, opposite Culna, I had done any act to endanger the public peace, can it be believed that witnesses could have been wanting to give evidence against me? Is Peary Lal Baboo a man of character at Culna? He is the only man produced to give evidence against me, who is not a servant of Government. He says he is not in the employ of Government, but by his own account he was in constant attendance on the Magistrate whilst at Culna. Was he not the party who arrested Mr. Shaw? If he were not in the employ of Government, he must have been seeking for Government employ; and as Government has shewn so great a desire to convict me, he may think his strong swearing against me, may entitle him to claim employment.

I have to apologize for troubling you with remarks on so insignificant a character as Peary Lal Baboo. In the Magistrate's Court he was treated as a man worthy of belief. In this Court it appeared to me, that the extravagance of his evidence, only afforded amusement, and that you were surprized at the fertility of his imagination. I now proceed to the evidence of the Police authorities against me, and out of the whole body which was produced against me, I select only two on whose evidence I shall remark, viz. the Darogah of Culna; and the Nazir of Burdwan; merely reminding you that they, and all the rest of the witnesses for the prosecution, agree in one point, viz. that neither by myself nor by any of my followers was any disturbance or outrage whatsoever committed upon a single occasion.

And first as to Mahaboolah, darogah of Culna. Can any thing be more confused, and unintelligible than the whole evidence of this exemplary official? And yet, if I am convicted of riot and resistance to the constituted authorities, it must be on his evidence or on that of the crafty Assaut Ally, Nazir of Burdwan. But let us see to what the evidence, of the darogah, if true, amounts. He says that during the period of eighteen days that I resided at Culna, I only went on shore once. That he requested me not to come on shore, but that I went. That I was accompanied by a large body of armed men, which dwindled down on cross examination to four or five. That I was desirous of doing certain acts, and going certain roads, but at his request I neither did such acts, nor went such ways. That, in truth, with the exception of coming on shore, I was a most obedient person. I admit I went on shore, but I deny that I took with me an armed force, or any person capable of creating, or, as the charge has it "eminently calculated" to create a disturbance. But is there any rule or regulation of the Company to prevent me, or any man from going on shore? Was it a great and heinous crime against the Honorable Company, that I went on shore once during a period of 18 days? I am certain that even the Magistrate of Burdwan, did not think so; for I went on shore on the 9th of Bysack or 20th April, and no steps were taken to punish me for any crime, as has been sworn by the Government witnesses, until the thirtieth of April, or nineteenth of Bysack, when the Nazir arrived at Culna. But has there been the slightest reason given why the Nazir was sent? The darogah has spoken to no subsequent act of mine which could be construed or magnified into a crime, as having occurred between the ninth and nineteenth Bysack. It does not appear that any orders were sent, or any reports made, for not a single purwanah or report has been proved. I shall not trouble you with further remarks on the evidence giving up to the time of the arrival of the nazir by this individual; who was proved unable to read or write, and to be dependent on others for the reports he made to the Magistrate, who could not identify his reports, and who swears, that during the whole period of my residence at Culna, there was no duagah or actual disturbance.

I now come to the evidence of Assaut Ally, from the date of his arrival at Culna. He says he arrived at Culna in the forenoon, and it is proved he came to me, whilst I was engaged in bathing and dressing. It is also proved that he came on board my boat, and he says he reads purwanah to me, but he has not identified that purwanah; and, therefore, so far his evidence goes for nothing. But I admit, that he stated he had come with an order from the Magistrate, to me, for to discharge my attendants. He was extremely civil in his manner, and treated me with respect. He informed me, as he and Mahaboolah have informed you, that my attorney, Mr. Shaw, had arrived, and I would like to consult him first, before giving an answer to the order of the Magistrate. I was surprised at the order, for I had sent my mookteers to Burdwan, to apply to the Magistrate for protection. I was then ignorant of the harsh and illegal proceedings of that Magistrate to my mookteers. I did not then know that, whilst at that very time, the Magistrate and a joint Magistrate of Burdwan, and the Doctor of the station, were employed in assaulting my mookteer and plundering him of his papers, and consigning him and another mookteer to jail. The Nazir has sworn, that his order was resisted by an armed body of men; can you believe I had such a force on my bathing boat? But, Sir, I go no further with this witness than his report, forwarded that day to the Magistrate, regarding his interview with me. In that report he says, that he had received my answer, and that report was forwarded on the next day. In this evidence, even if that Mahaboolah is clearly shown that the answer was not obtained until late at night, will you believe that a witness

statement, give credence to the fact deposed to by this witness? This report is false, and he has proved it to be so. But to continue his evidence. He has sworn that I requested him to come for an answer after I had seen Mr. Shaw. Did he do so? No. He swore that I wrote to him that I was willing to discharge any servants if he would point them out. Did he answer this application either in writing or personally, or by a substitute? No. He put my letter into his box—he never saw me again, until the morning of my arrest. He has sworn that during the time he was at Culna there was riot. I shall now shortly allude to the evidence of Mahaboolah, as to what occurred between him and Mr. Shaw.

This man's evidence is in all material parts contradicted by another witness for the prosecution, and will be more fully contradicted by my witnesses, should you require witnesses to disprove the statements of this part of the evidence for the prosecution. But even supposing the evidence of Mahaboolah, as to what occurred on the evening of the thirtieth of April, to be true, to what does it amount? It amounts to this—that he, insisted on coming on board my boat, where there was no disturbance, with a large body of armed men. That orders were issued by Mr. Shaw not to permit him to enter with such a force; and that, after all, he was permitted to enter, accompanied by several armed burkundauzes. That, with the exception of some jokes passed on his unwieldy size by Mr. Shaw, he was treated with all the respect due to his exalted official character. That he was desired to call the nazir to receive a communication, which was of too great consequence to be intrusted to a man of his station. That the nazir did not come, and he shortly afterwards took his leave, without attempting to arrest me, or without having been assaulted. I am well aware that many reports were made by this man to the Magistrate of Burdwan, but the prosecutor's vakool has done well for his case, in not endeavouring to prove them. He knew they could not be supported, and he wisely refrained from attempting to do so. If there was any resistance to the constituted authorities on that evening, there is not a particle of evidence that I was the party resisting. The whole of this man's evidence goes to shew, that Mr. Shaw was the active party. Am I to be charged with crime, if he be to protect one from being insulted, where the evidence is, that another party committed the alleged crime? If my servant had committed murder or robbery, and there was no evidence to shew that I was a party to the crime, would you, because he was my servant, convict me of felony?

I conclude my remarks on that part of the evidence, which goes to charge me with disturbing the general peace of the country for the two last years, and with resisting, by means of a superior force, the constituted authorities, by reminding you, that you have only heard one side. That there is no case made out against me, even by that evidence. That the witnesses for the prosecution have contradicted themselves. That all swore there was no riot. No one swore that an attempt was made to arrest me. That not an individual except the nazir, said that I was even asked to go to Hooghly jail. He said I was, but he also said he offered to accompany me to Burdwan, if I would discharge part of my retinue. He was told I would consult my attorney and give him an answer to his proposal in the evening. He did not object to this arrangement, but concurred in it, and from thence he went straight to the thannah, and made a false report to the Magistrate. Can you believe the evidence of such a man? I am sure you cannot. What was the consequence of this report? It was an evidence, but it is notorious that this report frightened the Magistrate of Burdwan so much, that he immediately called in military aid, and that with the advice of the vakool of Burdwan, and the assistant Magistrate, he, in company with the civil surgeon, proceeded straight to Culna, and on the day of his

arrival, after communicating with the Reverend Mr. Alexander, his nazir and darogah, he proceeded with his surgeon and his spiritual adviser, his nazir and darogah, and supported by a military force, to the banks of the river. It is now matter of history (I know not upon whose head the responsibility rests, but so it is) that this military body fired upon unarmed and sleeping men lying in their boats on the river that many were killed, several were wounded, and that I escaped partly by a miracle, and partly by my expertness in swimming.

I have little to say about the evidence of the arms seized on board the different boats: there is evidence before you that one sword, a pair of pocket-pistols, a fowling piece, and two or three spears, were seized on my boat, but there is no further proof before you. A large body of arms has been brought into Court with the view, no doubt, of producing an effect. You, Sir, will not be led away by any such attempt; you will alone be guided by the evidence produced before you. It is said there is a list in the nuthee. Has any evidence been produced to shew, that that is a true and correct list? No, none. If the report of the 30th of April to the magistrate, made by the nazir, is false, may not that list also be false? If I shew you in that nuthee, a roobitary, dated Ambekkah 2nd May, signed by the magistrate of Burdwan, which recites the death of an individual, Tarrachund Cluckerhuty, who died at Burdwan on the 21st of May, will you believe any one document in that nuthee to be a true proceeding. If I shew to you, that the magistrate of Burdwan made a solemn declaration under his hand to the Supreme Court of Calcutta, in a return to a writ of habeas corpus, directed to him for the release of Mr. Shaw, that a warrant for the arrest of Mr. Shaw was in existence on the 2nd of May, and if I have proved to you that that warrant was not then in existence, will you be able to put any trust in any one proceeding in this cause, which has not been fully and satisfactorily proved? I feel confident that you will not.

It now becomes necessary that I should draw your attention to the circumstances connected with, and subsequent to my arrest; and this I shall endeavour to do shortly. You have seen the amount of crime alleged to have been committed by me at Culna. I do not allude to the charge of fraud and imposture, and to obtaining money under false pretences. At the time of my arrest there was no intention of charging me with these crimes; these were charges subsequently got up against me, as I am credibly informed at the suggestion of the Superintendent of Police, and the Magistrate of this district.

I was arrested within the jurisdiction of the magistrate of Nuddeah, by the magistrate of Burdwan, under false reports. I was shot at, plundered of my little property, seized, ill-treated, marched through the streets of Culna under a large military guard, with scarcely sufficient clothing to cover my body at any hour, morning, noon or evening. I was taken through the streets, my papers were read, my boxes were broken open and I was dependent on others for my food. I was confined in a hut, I was not examined, nor was I told my crime, neither were my accusers confronted with me. The only party near at hand who could have assisted me, my legal adviser, was arrested, and committed to close custody. I was forwarded to this district, under a large military guard, and confined in jail. My servants, boatmen, visitors, and others totally unconnected with me, were arrested, and they, with my attorney, were forwarded to Burdwan jail? Why was I not sent there. Why was I placed under a large military guard, and sent to a district where it was not alleged I had committed crime? For no better reason, than that it was supposed these proceedings would satisfy the public, that I was a great and notorious criminal, and that they would produce all the effect, I will not take up your time in stating the mode in which I was treated in this jail,

and I will only say, that I was confined a close prisoner, without knowing my crime and without being examined, as I have before mentioned, from the 6th of May until the middle of June, when the examination before the magistrate began. The circumstances under which that examination took place, I will not now detail. I now drop that subject, and I wish I could efface from my memory all the injustice I have suffered since my first incarceration in Koochly jail. I shall not detain you with detailing the mode in which the examination of the witnesses produced in the Magistrate's Court, to prove that I had been guilty of riot and resistance to the constituted authorities, was conducted. I thank the Government for sanctioning my commitment for trial before you, for here I expect fair and impartial justice.

Though I was arrested on something like a charge of riot, I, after being confined in a common jail for nearly four months, and after suffering every indignity which could be heaped on me; after being deprived of my liberty, and plundered of my little personal property; after being refused a copy of the charge on which I was committed to custody, after being refused to be held to bail; and after being told by the magistrate, that there was no intention of trying me on a charge of obtaining money under false pretences, I was arraigned on the following charge, viz, that I, having another name, deceitfully and wickedly caused myself to be called by the name of the former zemindar of Burdwan, Maha Rajah, Dhee Raj Pertaub Chunder Bahadur.

On the illegality, the informality, and the nonsense of such a charge, I will not now comment. That the charge embraces no crime,—that it is childish, and the production of one ignorant of what constitutes crime, must be apparent to all. Still, on this allegation, a charge, or by whatever name it may please the framers of it to call it, I was, on the 1st of September, arraigned by the magistrate. With such a vague charge, how could I meet the evidence produced against me? I shall only say on this subject, that so satisfied were my legal advisers of the small chance which I had of obtaining justice in the Magistrate's Court, that they advised me to reserve my defence for this Court. Here I mean to set it up. Here I mean to shew, by clear and undoubted testimony, that I am no impostor, but, in truth and verity, the zemindar of Burdwan. I shall adduce to you satisfactory testimony, that I am not Kisto Lal; and I shall have no difficulty in removing from your mind the impression, which I am afraid has taken hold of it, that I am an impostor. That such an impression should have been made on you, I do not wonder, nor am I surprised that persons should be biased against me, after all that power and influence have laboured to do against me; and, considering the positive testimony which has been thereby procured, of my being Kisto Lal. But you, Sir, are Judge, and as such, ought to be, and as I am anxious to believe you, are, above receiving a bias from any quarter, however influential. It is your duty to weigh the evidence given; and which is to be given, as you have as yet only heard the evidence for the prosecution.

And here permit me to observe, Sir, with all deference, that it is under protest that I am about to submit witnesses, and enter upon my defence to the present charge; and the ground of my protest is, that I am advised, that upon the face of these proceedings, and even assuming the truth of the whole evidence which has been adduced for the prosecution, there is not a scintilla of criminality made out against me. The case which has been attempted to be established, involves, in substance, two distinct and heterogeneous charges. First, that I have been guilty of disturbing the peace of the country; and, secondly, that I have fraudulently obtained money by false pretences and representations. Neither one nor the other has been supported even by the slightest evidence which has been heard with respect to the charge of disturbance, or breach of the peace.

already shewn, that the witnesses for the prosecution, have themselves distinctly and expressly declared, that there was no disturbance or breach of the peace, and have thus negated and disproved what they were specially summoned to support. With respect to the insidious and unfounded charge of swindling, and procuring money by false pretences; I utterly scorn and repudiate the imputation with all the indignation which it merits. Even if I were proved to be an impostor, in claiming the Raj of Burdwan, there would not be a single point of resemblance in common between my case and that of a procurer of money by false pretences. In the first place, my claims are not clandestinely urged. All that I assume, I have assumed openly and publicly. Nay; I have commenced legal proceedings in her Majesty's Supreme Court of Calcutta, in order to assert and prove my claims, and to recover my paternal property; which proceedings are at this time pending, and would, ere this, have been brought to a legal issue, and brought to a close, by a judgment in my favor, if I had not been prevented carrying on the suit by the unjust and oppressive proceedings of the mofussil functionaries. I have asked no one to believe my bare statements; but to go and enquire, and form their own opinions; and if they form an opinion favourable to me, is this to be wrested as my undoing? Again, Sir, in the second place, the money which I have received, has been offered to me voluntarily and at no solicitation of mine. The only witness upon the point, is Baboo Radakissen Hysack, and to his deposition we must confine ourselves in discussing this part of the case. Radakissen distinctly declared, that he did not advance the money upon my representations, and that his firm belief in the truth of my story, was not founded upon statements of mine, but upon the representations of disinterested third parties, with whom I had no connection, and over whom I had no control. In the third place, Sir, all the money that I have received from Baboo Radakissen, is proved to have been advanced by way of loan, and to have been properly secured by formal instruments of security. His right to recover back that money from me is not made contingent upon my succeeding in the claims which I put forth. His title to recover back his loans is absolute and unconditional; he may put his bonds in suit tomorrow, if he pleases, and there is no evidence whatsoever before the Court, to shew that I am unable to discharge the debt to the uttermost rupee. And whether it be alleged or proved that I am Kisto Lal Burmacharee, Afluck Shaw, or Rajah Pertaub Chunder, I individually am responsible for, and may be, by legal suit, made to pay the amount so borrowed, whenever it may please the lender to enforce his securities. Is this any thing more than a common and fair pecuniary transaction of every day's occurrence? Baboo Dwarkanath Tagore admits, that he himself has been engaged in many similar transactions. He has over and over again advanced money in support of civil claims, both in the mofussil and the Supreme Courts, and, notwithstanding the Baboo's known sagacity, some of these speculative claims have double-turned out unsuccessful. Lastly, Sir, I will merely remind you, that there is no Complainant; that there is not one person to come forward and say that I have injured him. Can there be a greater anomaly than to make a matter of public prosecution, an alleged private wrong, of which the pretended sufferer himself, does not complain, and which, in fact he has justified, in this Court, declared he considered to be no wrong? Can there be a greater hardship and absurdity, than to seek to convict a man of a crime by no other testimony than that of an individual who has acted, and would, if he were not afraid of making himself obnoxious to Government, still continue to act as the friend and supporter of the accused? Upon these grounds it is, that I submit with confidence that the case against me has utterly failed, and that no charge whatever, involving criminality, has been proved against me.

therefore, at once, urge my immediate acquittal, and decline to enter upon a defence where no tangible charge subsists. But I don't wish, in the last degree, to appear to shrink from meeting the question which has been raised, affecting my identity as the veritable Rajah Pertaub Chaud, and although I feel the disadvantages imposed upon me in contesting a civil claim, in the position of an accused party in a criminal prosecution, brought and supported by the Government, and now standing at the bar of a criminal Court, I shall (under protest, as I have already said) enter into a formal defence, and adduce full evidence in support of my identity, and in contradiction of the evidence which you have heard.

I deny being Kisto Lal, and I beg of you to bear in mind in what a difficult position this charge places me. I do not pretend to prove where Kisto Lal is, nor where he died, nor where he sojourned, but I mean to prove that I am Rajah Pertaub Chaud. I shall give you general evidence that I am not Kisto Lal. The evidence which I will produce will be respectable—it will not be liable to a charge of being interested. I am prosecuted by Government, and prosecuted by those of whom better things might have been expected as Englishmen and Christians. My friends, who support me, are threatened with the loss of situation, and prosecution, if they continue to assist me. I have not the means nor the inclination to adopt the degrading and dishonest practice of purchasing evidence, or bringing forward hired witnesses. All my witnesses will be impartial men, swayed by no feelings of interest, and guided by no prospect of gain. Many will be deterred by the fear of the consequence of opposing the Magistrate and the Government. Still with all these obstacles in my way, and having justice on my side, I do not despair of obtaining a judgment in my favor.

Before proceeding to remark on the evidence which has been produced, that I am Kisto Lal, I beg to draw your attention to the fact, that the Magistrate stated, that every witness called for the prosecution in his Court, would, as a matter of course, be produced before you for examination. I ask, has that been done? I say, and you must now know, that it has not been done. The Magistrate has carefully excluded from the list, those witnesses who spoke favorably of my case, in his catchword. Does such conduct in a Government servant reflect credit on the Government which prosecutes me? Let me instance specially the case of the Reverend Mr. Daers. This Gentleman is the only European witness who was called to prove my identity as Kisto Lal, and I believe that his expected testimony against me, was very much relied on, in the Magistrate's court. Mr. Daers distinctly swore, to his belief, that I was not Kisto Lal, and the consequence has been, that he has not been re-examined before you.

In regard to the evidence produced against me, that I am Kisto Lal, I confess I feel a difficulty in knowing which part of the evidence to select as most worthy of belief. In a case where the Government servants have shewn such a decided anxiety to convict me, it is natural that those who depend on Government for their means of livelihood, and who look forward for promotion in Government service, should feel inclined to support a Government prosecution. Premchand Bonnerjee, Nazir of the Magistrate's court at Nuddea, says he cannot swear positively that I am Kisto Lal. Bijomohan Moukerjee, the Preskar of the same court, says he could not swear positively that I am Kisto Lal. Neelconrui Bose, the Sheristadar of the same court, says that I am like Kisto Lal; but he has said before you that he does not distinctly recognize me. Baddinath Buxse, the moonshiee of the same court, could not recognize me as Kisto Lal. Ramnath Mookerjee said, he would not swear positively that I was Kisto Lal. Now all these witnesses, with the exception of Baddinath Buxse, swore they knew Kisto Lal well, and if any saw him, they would

recognize him. True it is they swore I was like to, and they believed me to be like Kisto Lal. But is that evidence of identity? Certainly not; and I ask what other testimony could they be expected to give? Would they have ventured to come forward to disprove that which the Magistrate of Hooghly, had asserted as before mentioned officially, that I was not Kisto Lal.

I think it unnecessary to enter into an examination of the evidence of the witnesses Pal Christian and Prawnkisen Christian; for I am confident you place no reliance on their testimony. The latter comes into Court, and confesses, without a blush, that his whole life has been a lie; that he is a thorough adept in the art of deceit and fraud; and that he dates the period of his amendment, only from the time when he composed an extorted statement, which he calls a confession, only to escape from the horrors of perpetual imprisonment. If it shall become necessary in the course of my defence, I shall, without much difficulty, tear from them the cloak of sanctity with which they have covered themselves, and expose them to you in their true light. I admit, that these apostates to their religion have sworn point blank enough that I am Kisto Lal. I shall, in all probability, show what they are; but I put it to you, Sir, to state what respectable witness has been produced to prove that I am actually Kisto Lal? Is it Gungapersand Tewarree, who swore, that when I was a prisoner in Bancoorah jail he was an omel-war to the Magistrate's Court there I knew, as he says, that I was Kisto Lal, but did not mention it. Was it the man who says he was an mel-war from that time, until he give evidence in the Magistrate's Court here against me? Was it Ramhunder Byswas, who swore that I was Kisto Lal and that I got the mark which I have on my back from a fall from a small horse on a piece of kunkun on a jeel? Look at my back, examine my wound, and see if that could have been so obtained. Was it Ramhunder Bhadaree, who swore he could not say if I was Kisto Lal? Was it my alledged uncle, Iserehunder Chatterjee, who swore to his recollection and belief that Kisto Lal had six toes on his feet, and I having only, thank God, the same number of toes as common men, namely five? Was it Gungagowin Bonnerjee, who swore in his examination in chiet, that he had not seen Kisto Lal for about six years, and on his cross-examination, that it was about sixteen years since Kisto Lal went away? Was it Mudlen Chuckerbutty, who contradicted the last witness? Was it Ramhunder Roy, the Fusseeldar of the kishnals, who swore he knew Kisto Lal well, but could not swear I was him?

I shall not detain you farther with reminding you all the inconsistencies of these witnesses, who have been produced to prove that I am Kisto Lal, still I submit; that all those witnesses who have sworn that they knew Kisto Lal well, and cannot swear positively that I am him, must be considered as favorable witnesses for me. And what do the majority of the witnesses for the prosecution swear, even if they are to be believed, which they cannot lie? Why, nothing more than that there is a likeness between me and Kisto Lal.

But what is the course which has been pursued against me? On one occasion I am tried as Uluk Shah; on another as Kisto Lal; and when this farce is over, the Government will perhaps provide me with another name. What is the general description of evidence produced by the prosecutor that I am Kisto Lal? Why, men, who for a sufficient consideration, or, if it were their interest, would swear that I am any other person who might be named to them. I feel so confident that you give little or no weight to their testimony, that I shall say no more. I have been obliged to suspend your judgment until your witnesses shall come forward. I have not the means of the influence of Prawnchunder Baboo, who is the most interested party in this proceeding; who as manager of the revenues of Budgeon; and as a revenue and a mighty personal interest in opposing the rightful

claimant of the guddes, and of being, as he has been doing, the immense wealth in his possession, and the influence arising therefrom, against me. I do not possess the influence of Government to collect together servants of Government, and others to support my case. I am placed in this position, that until it came out in the Magistrate's Court, that I was charged with being Kisto Lal, I had not the slightest idea by what name I was to be called. I have some witnesses who will be able to give testimony whether I am Kisto Lal. They are, and you will I am sure admit them to be, impartial witnesses.

The evidence produced against me, to shew that I am not Rajah Pertaub Chund, is of two classes. One class consists of the retainers of Prawnchunder Baboo, the other of gentlemen in the employ of Government.

I shall first remark on the evidence of the gentlemen who have been produced against me; but before doing so, I ask, why the general rule of practice has been broken through in my case, and why, in accordance with the assurance given by the Magistrate, all the witnesses who were examined in the Magistrate's court here, not been given in the calendar. Has there not been a selection made? Have not, contrary to practice and to the express assurance of the Magistrate to the contrary, many new witnesses been added? Has not there been every appearance of making up a case against me? Is it honorable in a Government prosecution to do so? Does it not look more like a proceeding for ensuring a conviction at all events, than an impartial investigation for the discovery of the truth? This ought to be the only object of a Government-like that of the East India Company. What crime have I committed against the Government that it has adopted such harsh proceedings against me? Is the Burdwan property the property of Government? No; but Government has extended to the present possessors of it, that paternal protection and assistance which it has done to Rairakisen Bysack. Has not the present possessor sufficient means to protect himself? Has he not come forward and taken defence to my suit in the Supreme Court at Calcutta by this legal advice? Did the Government entertain a fear, that, even with the immense wealth at his disposal, and the influence which wealth generates, Prawnchunder Baboo would be unable to resist my just claims, that it thought it necessary to intervene and commence, in its own name, a criminal prosecution against me, on charges as beneath the dignity of a Government to support, as they are beneath the dignity of a court of justice to entertain? But how are these charges supported? Did not the Magistrate himself, the immediate prosecutor under Government, voluntarily say in open Court, after examining Messrs. Trower, Pringle, Pattle, Hutchinson, Overbeck, Harklote, Becher, and that paragon of integrity, the Rajah Buddinauth Roy, that all Government witnesses, that all the evidence given by these gentlemen, was of a very inconclusive nature. Let my next remark, on the evidence of Rajah Buddinauth Roy, who spoke in favor of the prosecution. Was not that witness proved to have committed gross perjury? As much was stated by the Magistrate after his examination. I ask, did the Government officers indict or commit that witness for perjury, as they have committed one of the witnesses in this court? I do not advocate such a proceeding, as it would have, I am afraid, most likely, the witnesses which were produced coming to give evidence against me; but no such consideration weighed in charging with perjury one of the witnesses who spoke favorably towards me, and of committing him at once to jail. The effect of this proceeding is not much calculated to induce respectable natives to come forward and give evidence in my favor. The Magistrate thought proper to produce a picture in evidence against me, Mr. Trower said it remained him very much of Rajah Pertaub Chund, Mr. Pattle said he could not say upon seeing it, that he should at once have said it was the picture of the

Rajah. On his cross examination he says, that the picture at a certain time, was like Pertaub. Mr. Pattle said, that if the picture was like Pertaub, he did not recollect Pertaub—he thought Pertaub had a Grecian nose. And Mr. Hutchinson, who does not recollect the picture, says he had an aquiline one. Mr. Overbeck said the picture was like Pertaub Mr. Becher said that it did not recall the appearance of Pertaub to his memory. Now, I beg to remind you, that this picture was produced from the Rajbarry as being the picture of Rajah Pertaub Chund. What do these witnesses say as to the likeness between me and the picture? Mr. Trower says nothing. Mr. Prinsep, Mr. Pattle, and Mr. Hutchinson say, that they see no resemblance between me and the picture: Mr. Overbeck said there was an evident likeness between me and the picture. Mr. Herklotz said nothing on the subject. Mr. Becher said he saw a very strong likeness; and if we believe him, Rajah Buddinauth Roy said, he saw a likeness between me and the picture. Mr. Prinsep said it was taller than Pertaub. One of the native witnesses, Pearymohun Baboo, swore that Rajah Pertaub was taller than I am, Mr. Pattle did not recollect whether I was tall or short. Mr. Hutchinson said I appeared considerably taller than Pertaub. The picture being measured and compared with my height, Mr. Becher swore they corresponded exactly. Mr. Trower said there was nothing in my countenance which reminded him of Pertaub. Mr. Prinsep said I did not answer to his recollection of Pertaub. Mr. Pattle said he knew nothing about it. Mr. Hutchinson said I appeared to be altogether a different person from Pertaub Chund. Mr. Trower said his memory was treacherous. I know it to be so. He only swore that he did not think I was Pertaub; but he could not swear positively that I was not. He has seen me only once at an interview. Whether his account of that interview is correct, you will hereafter be able to judge. He swore that frequent applications were made by me to see him, but he refused, and why? Because he thought in such a case his character might suffer. On this reason I make no remark, and dismiss Mr. Trower's evidence as inconclusive. Mr. Prinsep also saw me once, and he swears that because I did not recollect the particulars of an interview I had with him at Burdwan in 1819, I could not be Pertaub. The account given by Mr. Prinsep of the interview which I had with him in his office, is, in many respects, incorrect. You will hear my version of it, and you will be enabled to judge of the weight to be given to it. Mr. Prinsep said that he could not swear positively that I was or was not Pertaub, and therefore his evidence is inconclusive.

Mr. Pattle's evidence was that of an impartial witness. The length of time which had elapsed had weakened his memory, and he would not swear whether I was or was not Pertaub.

I admit that Mr. Hutchinson's evidence has more in it against me than that of any of the witnesses who preceded him. He could not swear positively that I was not Pertaub, but he believed I was not; and, as he was well acquainted with Rajah Pertaub, and did not swear that I was not Pertaub, his evidence is inconclusive. I had more to remark on this gentleman's evidence, but he is dead and I refrain from doing so, and I leave the prosecutor to all the benefit he expects from his testimony. I need scarcely say that the evidence of Mr. Herklotz amounts to absolutely nothing; for, by his own statement, that gentleman never saw the Rajah Pertaub Chund more than three times altogether, and the aggregate duration of these three interviews, (some twenty years ago, too), was about a couple of hours.

But what opportunities have these gentlemen had of ascertaining whether I was or was not Rajah Pertaub Chund? Have I avoided them? Have I not begged for private interviews? Have I not

courted inquiry, and have they not refused my applications? Why did they do so? Because before they saw me they believed me to be an impostor; Mr. Trower refused my application because he thought his character would suffer. In the name of reason how could it suffer by granting me an interview? I admit that these gentlemen gave me one interview. You shall hear the circumstances under which that interview was granted, and what occurred at it, and you will judge how far it bears against me. A great stress has been laid on my not being able to recollect certain circumstances which occurred to the Rajah Pertaub Chund, and it has been concluded, that because I have not been able to recollect every circumstance which occurred between me and every individual with whom I had, in former days, any intimacy, that therefore I am an impostor. Was there ever a more groundless conclusion? I ask you, sir do you recollect every circumstance which occurred between you and every individual you have met with in this world? If you forget any one or many circumstances which did occur, would it be reasonable to conclude that you were not yourself—that you were guilty of gross fraud and imposture? But is not the mind of one man stronger than that of another? Is not memory more retentive in one individual than in another? Has not one man a capacity for recollecting matters of little moment or import whilst another can only retain in his mind great and important events? Is not memory improved by exertion and relaxed by inactivity? Is it not weakened by dissipation, and strengthened by abstinence or moderate living? I am accused of forgetfulness in not recollecting the names of European gentlemen. Are natives famous for retaining in their memory the names of English gentlemen? I believe not; but by whom am I accused of forgetfulness? Is it by Mr. Trower; or is it by the witnesses from the Rajbarry? If I show you that Mr. Trower did not recognize an English gentleman who attended on his own family in the capacity of Doctor, and who has a peculiarity in his appearance arising from lameness, will you consider it very extraordinary that I do not recollect the names of various individuals when asked in an off hand manner? If Mr. Trower did not recollect the individual who administered medicine to his children, and if he did not recollect the serious illness of a child at Burdwan, which terminated in its death, am I to be convicted of being an impostor because my memory is weak or defective? Because I am alleged to have forgotten who was the Judge of Burdwan during a particular year, or who preceded this man in office, or succeeded to that man? Because I did not, after an interval of twenty years, retain a sufficiently vivid recollection of the features of Mr. Prinsep, or Mr. Pattle, or Mr. Hutchinson, in an interview such as I had with these gentlemen? Because I did not recollect the particulars of an interview with Mr. Prinsep? Mr. Prinsep appears to forget altogether that circumstances and events, which have appeared important to one person, may have had little interest for another; and, that the details of that interview, upon which he dwells so much, and the minutest particulars of which seem to have been fixed indelibly upon his remembrance, might have been forgotten by Rajah Pertaub Chund within twelve months afterwards.

Mr. Pattle did not recollect Pertaub Chund's appearance after seeing his acknowledged picture. He said his recollection of Pertaub was incorrect. If the recollection of so acute a gentleman was incorrect, might not that of Pertaub also be incorrect? When Mr. Pattle said he did not recollect Pertaub, he was not treated as an impostor; but because I did not recognize at him once, I am treated as one.

Though all these gentlemen declared they believed the Rajah to be dead, and burnt; they would not take upon themselves to swear that I was not the Rajah Pertaub Chund. I shall produce most unexceptionable and highly respectable witnesses, who will swear that I am Rajah Pertaub Chund. Their evidence will not be founded on mere recollection. It will be founded on something more satisfactory.

I now proceed to the evidence of Dwarkanauth Tagore. I will do him the credit of saying, that his evidence before you was given in a very different manner from his deposition before the magistrate; but I will shew to you, that his evidence is not correct. He was not on an equality with me. He had very little opportunity of knowing me. He was employed by the Magistrate to get up witnesses against me. He was prepared by the Magistrate as to the evidence which was required. He says he gave Mr. Turton several questions to put to me and that I did not answer them. He did not venture to say what these questions were, and they might have related to matters impossible to be answered. But did Mr. Turton desert me? No; the refusal of Mr. Harrington, the Judge who tried and convicted me to allow me, to avail myself of his services, did not make him desert me. Ill health deprived me of his assistance. I am aware that the position of Dwarkanauth Tagore, gives to his evidence considerable weight with many. I may be able to weaken the effect, if any, that it may have had on you.

The only other person bearing an appearance of respectability, who was produced against me, independent of the retainers and dependants of Prawn Baboo, was Ossinath Bose. He said he did not recollect whether he had said to Mr. DeSouza and to others, within a few short months past, that I was Rajah Pertaub Chund. He did say so, and Mr. DeSouza will prove this to be true.

I now come to the evidence of the Rajbarry witnesses, and regarding their testimony I have little to say. They have detailed the circumstances connected with my alleged death and burning with an almost painful particularity; but they were unable to mention any particulars connected with the death of my father, or any member of my family. My death is alleged to have taken place upwards of twenty years ago, whereas that of my father occurred within a few years. I am accused of not remembering the names of the English Gentlemen who were at the station at Burdwan. Did they remember them? No; they did not, and yet they continued all along at Burdwan whilst I was absent from it. I pray you remember who these parties are. Are they not all the relations and retainers of Prawnchunder Baboo, who has managed to get his son placed in possession of my property? Have they not all the greatest possible interest in keeping me out from my rights? If I shall succeed in establishing my identity, what will become of them? Were there no other witnesses to produce against me except these relatives and creatures of Prawn Baboo? Where are my own and my father's old servants, and why were they not produced? Where are those persons who were in the habit of visiting me, and were on terms of intimacy with me? What has become of the five thousand persons who were present at my alleged death and burning and the respectable zemindars of the country, who knew me and the affairs of the Rajbarry? Was Bissonauth sircar, the tax mohurer, the only person who could be produced to speak to the death and burning, out of the five thousand who are alleged to have been present. He was immediately recognized by the Mulowrie as having given evidence in the case against Jadub Ghose, for perjury, and he did not venture to swear that I was burnt.

I put it to you, Sir, is there any thing more easy for a witness to do, than to swear to the death and burning of an individual? From the mode in which these witnesses gave their evidence, it is manifest that they came into Court, resolved to swear at all hazards, to every fact which could militate against me; and this is not very surprising or unaccountable, when the deep interest which they have at stake, is taken into consideration, and that they were all and each immediately connected by the ties of blood, marriage, or pecuniary interest with Prawnchunder Baboo, whom they have not ventured to call. No relative of the deceased Rajah Lej Chunder or of myself has been produced.

A curious proof of their readiness to swear so strongly against me, is furnished by the earnestness with which they replied to the question relating to the similarity, or dissimilarity between Rajah Pertaub and myself. They would not allow a single point of resemblance. Each particular feature was totally unlike eyes, nose, lips, hands, feet, expression, gait, every thing. One man swore my feet were two long, though he could not see them. Another that the Rajah Pertaub Chund had very different teeth from these I have, although, during all his examination, my mouth was never open. A blind witness swore he knew I was not Rajah Pertaubchund from feeling my body. It is needless to adduce more instances of the strong swearing of these persons. Any impartial observer of the mode in which their testimony was given, must have been surely satisfied that these witnesses were quite overdoing their case, and that they were defeating their own object by a too obvious anxiety to obtain it.

Let us now consider whether the direct evidence given by these witnesses of my alleged death and burning, is more entitled to consideration and belief. It may appear at the first view, that when several persons depose to the details and particulars of the same event, their depositions compared, one with the other, are calculated to afford abundant room for searching cross-examination but the reverse will be found to have been the case here. The commonest Native ordinarily acquainted with the usages and customs of his countrymen, might have sworn safely and almost without any previous preparation, to all the minute circumstances connected with my alleged death and burning stated by the Rajbarry witnesses, although at the date of that alleged event, he might have been a thousand miles distant from Calcutta. All that the Rajbarry witnesses required, was a little schooling with respect to dates, and places and persons, and then the rest was a simple matter; for they had only to tax their memories to recollect the ordinary routine of rites and ceremonies which are performed upon the occasion of the death and cremation of every Hindoo who is of the same caste with that of the Rajah Pertaub Chund, and which had been actually performed on numerous other occasions when these very persons were present. Let me remind you, Sir, that the majority of these witnesses were of the Khetree caste, the same caste as that of the Rajah Pertaub Chund, and that it was their constant duty and practice, to attend at the performance of such ceremonies. Some of them had probably been present at such ceremonies at least fifty times; now, how was it possible to entrap them into discrepancies, even in the minutest particulars? Nay, I put it to you, Sir, whether minor variances and discrepancies in their evidence would not, infinitely, rather have strengthened, than weakened the probability of their story? Too great exactitude, with reference specially to trivial events, that have happened very many years ago, is far more fatal to the credibility of narrators, than even a considerable degree of contradiction and discrepancy, but these witnesses agree as to the circumstances of

double and cremation, to a laughable nicety and particularly while they differ widely. (When they do not urge forgetfulness) in answering questions respecting important circumstances of a much more recent date, and of an equally impressive character. When a variety of witnesses, in denoting a succession of by-gone events, differ here and there in the subordinate circumstances, preservin consistency of course in the main outline, such little variances furnish rather a corroboration of the truth of their tale, and lead to the conviction that each has come untutored to tell his own story, honestly and fearlessly. But, when some twenty individuals lay claim to such marvellous minuteness of recollection, as to detail trivial events which happened a score of years ago, without making a single slip, and when the testimony of each one accords with that of all the rest, with such suspicious exactitude and particularity, the most probable inference is, that they have concerted to enter to support a false and fabricated story. Before concluding these comments upon the evidence for the prosecution, I beg to remind you that I am placed before you, who are sitting as a Judge in a Government Criminal Court; that you are a servant of that Government, and that I am to have my civil rights tried, though not decided, under a criminal charge and proceedings framed, instituted and supported by Government influence. That if I shall satisfy you that I am Raja Pertaub, you cannot put me, under these proceedings, into possession of the property to which I lay claim. That if in this trial, notwithstanding all the disadvantages to which I am subjected, by the unjust, illegal and harsh proceedings of a Government functionary, the Magistrate of Hooghly, I shall obtain an acquittal, my rights will not be thereby decided; whereas if I am convicted on any one of the extraordinary charges preferred against me, a prejudice will thereby be created against me in any civil Court in which I may require to sue for my rights. That Government has not, at least it ought not, to have any interest in supporting the claim of the present possessors of the Burdwan Raj. That the Burdwan zemindary is private and not Government property, and that my claim to be the Raja Pertaub, does not, at least ought not, to affect the Government. That no person save Government officers have complained against me. That in claiming to be the Raja Pertaub, I have committed no crime against the Government, and that the principal charge against me is, that I do claim to be Raja Pertaub. That the Government has accused me of swindling; a person who says he has no complaint to make against me, and that he is not a party to this prosecution. That though I am charged with instigating and prevailing on many people, unlawfully and tumultuously to assemble at Calna, there is no evidence adduced; that I did instigate and prevail on any person to assemble at Calna, and the only witnesses which have been produced; being Government servants, have proved the falsity of the charge of my doing any thing "eminently calculated" to produce a breach of the peace. That there is no evidence that I instigated and prevailed on any parties tumultuously to assemble at Calna; and it is in evidence, that I went to Calna for a legal purpose. That there is no evidence that I during my stay at Calna, on various occasions, by the display of superior force, set at defiance the constituted authorities of the district and it is in evidence, that I expressed my willingness to obey all orders of the constituted authorities of the district. That the usual practice of the Court, has in this case, on the part of the Magistrate who committed me, been broken through. That the Magistrate has stated that certain things would be done which have not been done. That the Magistrate has produced new witnesses before you, after saying he would not do so. That the Magistrate has sworn back from you the names of witnesses explained to him

Court contrary to practice, and to his own word. That the Magistrate and his sheristadar, have, contrary to practice, taken an unusual interest in the proceedings in this Court. That a European gentleman of great talent, has been selected by Government to conduct the prosecution against me. That I have been prevented having free communication with my legal advisers and witnesses, and that several of my witnesses who have arrived, have been detained in charge of a Government officer. That my principal witnesses have not yet arrived; and, lastly, that after being arrested by a Magistrate who has falsified his proceedings a nazir who has made a false report, a darrogah who can neither read nor write. After being shot at by a military force and plundered by Government functionaries. After being detained in Ho hly jail (though arrested in the Burdwan district,) for months without knowing my crime, or being subjected to any prosecution. After being tried for riot, I have been committed on a charge which is unintelligible detained a close prisoner for nearly eight months and refused to be held to bail to any amount. The first witness for the defence, Robert Scott, Esq. Surgeon, 37th Madras Native Infantry, was called up and deposed I am acquainted, with the prisoner sitting, (meaning the alleged Pertab Chunder.) I was officiating Zillah Surgeon at Burdwan from 1815 to the end of 1817. I knew him as the young Rajah of Burdwan. He was usually known as such by Europeans, but in his notes to me he subscribed himself Maharajah the Rajah Pertab Chund Bahadur. He wrote English in those days, and spoke it, but not fluently. Questioned by Mr. Lenth. During my stay at Burdwan, I had many opportunities of seeing and conversing with Rajah Pertaub's hind, both in private and in public. I was very intimate with him, and visited him personally, and when he was there, I was his regular medical attendant. I generally saw him two or three times during the weeks. Since my arrival here, I have had three interviews with him in the jail, and conversed with him, and put some questions to him to satisfy myself as to his identity; and his replies convinced me that he was Rajah Pertab Chund. I examined his person in the jail, and the result of it confirmed my former opinion I attended him in 1817, when he had an ulcer in the inside of his right cheek; the mark of that ulcer still seen in the prisoner's cheek, and the tooth opposite to it is gone. When I attended on him, I gave him a guggle, which he said had such an effect on him that he could not close his mouth for two days. The ulcer was caused by a decayed tooth, and had the appearance of a sinus. The Raja had lost a tooth which I attended him. The prisoner has likewise the mark of a buboo on the right groin, corresponding to what Pertab Chunder had. The prisoner's face is darker than Pertab Chunder's was, but the body is similar. Exposure of the face to the atmosphere will darken it. A person might surely make a sore on his cheek, but I do not think that he could have made it so accurately on the spot as in the Raja's mouth. It could only have been made by one who had known the young Raja had one there. I saw no one at Burdwan that resembled Pertab Chunder, and if I had seen any person bearing that strong resemblance to Pertab Chund as the prisoner does, I should not have forgotten it. I knew many Mo-aihs. The Raja used to perspire even in the cold weather; the prisoner is troubled with the like complaint. The prisoner's gait whilst sitting, and his habit of laughing and clearing his throat previous to speaking, is the same as the Raja's was. The prisoner's nose is exactly like the Raja's, but the Raja's lips were protuberant and his face broadened from his regular habits. The Raja's eyes were very prominent, but age will flatten them. I have a very retentive memory, and on my first arrival here, the November 17th, particularly to the Raja's family, made a strong impression on me. My situation as a Regimental Surgeon, enabled

to speak decisively to the ages of natives, in consequence of all recruits for my regiment having to pass examination before me, before they are enlisted in it. From my examination of the prisoner in jail, I should suppose him to be between 45 or 46 years old. I asked the prisoner why he did not converse in English, as he formerly did. He replied that from having discontinued it he had forgotten it; he, however, made one or two attempts, but failed to speak intelligibly. When I returned from England to India in 1832, after an absence of two years, I had greatly forgotten the Hindoostanee, which I formerly spoke fluently. Pertab Chund was a hard drinker and his memory might have been affected by it. The prisoner drew for me in the jail, a plan of the Rajbarry at Burdwan, and as far as he sketched it, the plan was perfectly correct. The prisoner appears somewhat taller than the Rajah was, but the rotundity of the muscles being diminished by age, the leanness of the body makes the person appear taller than when he is stout. The prisoner is thinner than the young Rajah was. I, after my arrival here, saw Mr. Trower in his office. He did not recognize me, and from my conversation with him then, he did not appear to have a good memory. From all that I have seen of the prisoner since my arrival here, I have no doubt that he is Pertab Chund.—*Hurkaru, Dec. 22.*

DECEMBER 20, 1838.

Dr. Robert Scott's examination continued.—Questioned by Mr. Bignell. My eye-sight is not so good as it was, but still I can see clearly without glasses. I occasionally use them in examining minute objects. I have a pair now of extra magnifying power, and this precludes my using two pair of spectacles. When I saw the prisoner in jail, I had my usual spectacles on, and only one pair. I first arrived in Bengal in 1815. I came out a Doctor's mate in the Ship *Lady Castlereagh*. I became so intimate with the young Rajah during my stay at Burdwan, as he spoke the English, and I did not then know the native languages, and I associated more with him than the other natives. I visited him at all hours with the exception after midnight. The Rajah was very sociable.

During the examination, Mr. Bignell put questions as to whether he saw scenes of drunkenness and obscenity, and went even so far as to ask whether the witness's character was notorious up to the present day for owing venereal complaints at Burdwan. Witness answered no.

Mr. Leith objected to these questions. He said, that they were irrelevant to the case in question, and tended to disparage the witness's character. He was in the Company's service, and that was a sufficient guarantee of his character.

Mr. Bignell replied, that he had his instructions from Government, and to them only he was responsible for his conduct in the case.

Mr. Leith then submitted the objection to the judge, and he coinciding in opinion with Mr. Leith, Mr. Bignell therefore discontinued this line of procedure.

Examination of Dr. Scott continued.—I was at a match given by Pertab Chund, I saw Mr. J. Martin, the Judge, and his family and Captain Webber, the commandant of the Provincial Battalion, at the Rajbarry. I am not aware that amongst the papers seized by the Burdwan Magistrate at Culna when the prisoner was arrested, a sketch of the Rajbarry at Burdwan, was found. The questions which I put to the prisoner when I saw him in the jail, and his replies to them are these. I asked him whether he recollected me and if he recollected any of my particular pursuits in those days. His answer was, that he perfectly recollected me, and that he was very fond of shooting pariah dogs with a

piatal. The next question was whether he had lost off his habit of drinking Madeira wine. His reply was that he had discontinued drinking wine, as he liked braggly much better. I then asked him about his coachman, who drove his four-in-hand carriage. He replied, the man is dead. I asked him what had become of the Rajbarry at Chiasarni. The reply to which was not very satisfactory. I then asked him about the ore in his mouth, the particulars of which I have already deposed to. I then questioned him regarding the Judges and Magistrates in those days at Burdwan. He could not name any of them with the exception of Mr. Martin. I then inquired of him whether he recollected any circumstances that took place in the civil jail at Burdwan. He replied, that Russo Baboo, who had been committed to that Jail by Mr. Butler, had poisoned himself, and that I had opened and examined his body to ascertain the cause of his death, which reply was perfectly correct. These were all the material circumstances on which I questioned him. I am not a volunteer witness. I come in consequence of a subpoena from this Court, and if I had disobeyed that subpoena, I was afraid of being fined for a contempt of Court. Before I received the subpoena I did write to the prisoner's agent, that I had been formerly a Surgeon at Burdwan, and that if I were to see the prisoner, I thought I would be able to identify whether the prisoner was the Burdwan Rajah or not, as I was on very intimate terms with him whilst at Burdwan; but if I did not sign my name to the letter, but sent it under an anonymous signature, I most distinctly deny that I have any prepossessions in the prisoner's favor, and I have no interest or bias for any party in this case. As people grow older they seem generally to grow shorter. Habitual intemperance, if carried to a great extent, would affect the constitution and alter the delineations of the face, but some strong constitutions stand it out longer than others. The memory required to retain the remembrance of a language, learnt ungrammatically, by mere colloquial conversation with the natives, is more liable to fade during two years of its discontinuance than the remembrance of any striking event that has made a strong impression on the mind at the time it had occurred. I did attend Mr. Trower's family. I sent three doses of calomel to Mrs. Trower to give to her three children. She mixed them all up and gave them to the youngest, an infant, and returned the next day to Burdwan, and, I believe, the child died. Whether Mr. Trower recollects my having attended his family or has forgotten it, I cannot say. Mr. Trower came from Hooghly to Burdwan for three or four days, and she it was who wrote to me to attend on the children, and, perhaps, Mr. Trower might not have been aware of this fact, and this may account for his denying that I attended his family. Otherwise I cannot account how Mr. Trower's memory has faded on this point, and he has denied the fact.

Re-examined by Mr. Leith. I use the spectacles of the larger magnifying power, when I read or perform any surgical operation. The spectacles which I wore when I examined the prisoner in the jail, are perfectly sufficient for any ordinary purpose. When I knew the Rajah at Burdwan, I was a bachelor and about 24 years of age.

Mr. Bignell objected to Mr. Leith's re-examining the witness. He said, that the practice was unusual and contrary to the Mofussil practice, and he did not see the propriety of any Barrister coming forward to upset those rules; and if so, he may claim another re-examination after Mr. Leith has finished, and then there would be no end to this examination.

Mr. Leith replied, that it would be very unusual, as his, Mr. Leith's questions, bear only on the replies dictated by Mr. Bignell on the cross-examination of the witness, and he certainly did not suppose, that Mr. Bignell, as the

Government pleader, would make this objection when the object of Government ought to be to elicit the truth and not to make itself a party to the case.

Mr. Bignell replied, that he is the best judge of his conduct, and what are his instructions from Government on the subject.

Mr. Curtis remarked, that he could not well give a reply to the objection of Mr. Bignell. Vakeels are only admitted in the Mofussil Court in civil cases, as the admitting a mooktar on the prisoner's behalf is a departure from the general practice. He cannot comply with Mr. Bignell's objections.

Re-examination of Dr. Scott continued. The mark in the prisoner's cheek was of old standing. When I examined the prisoner in jail, it was in the cold weather. I have not received my expenses for coming here, and intend to petition Government on the matter.

John Ridley, writer in the Secret and Political Department, deposed. I was formerly a writer in the Collectorate of Burdwan, during the years 1815, 16 and 17 and had opportunities of becoming acquainted with Rajah Pertab Chund. The prisoner resembles him, I saw the prisoner at Calcutta and questioned him and his replies were satisfactory. I have been 23 years in Government employ. Fraser Be Bourdeaux, Jack Clermont, and Latout were in Pertab Chund's service. Peter Emmer went to Burdwan after I resigned my situation there, in consequence of obtaining a situation in the Marine Board at Calcutta, and I saw him at his residence in Park-street. From these visits I had sufficient opportunities to recollect his countenance. In May 1837 Mr. Graham requested me to visit the prisoner for the purpose of identification. My questions during that interview were of a nature to enable me to satisfy myself as to the prisoner's identity and from his replies and appearance. I am quite positive that he is the real Rajah Pertab Chund. I sold the Rajah in 1819, a gold alarm watch. I asked the prisoner when I saw him in May 1837, whether I had sold him any articles, and he said that I had, and he detailed to me the particulars of the sale.

Cross-examined. During the year, I went as an assistant to Mr. Pitman, Secretary to the Revenue Board to the Upper Provinces. I am now a section-writer and earn from 100 to 300 rupees a month. I was not on intimate terms with the Raja, but I went to visit his Christian assistants and used to see him occasionally then. The questions which I put to the prisoner were these. I asked whether he recollected the dispute between his sepoy and the Provincial Battalion sepoy at Burdwan. He said he did. I asked him how it ended, he replied that an order was passed by the Revenue Board to allow his sepoy to wear uniforms of a green collar. This reply was correct. The next question was regarding the watch, and then I put to him several minor questions and his replies were correct. The sale of the watch was a ready money transaction and the Raja paid me 650 rupees for it.

Re-examined by Mr. Leith. I have besides my daily earnings, two houses in Calcutta.

A petition was put in by the prisoner's mooktar, stating that if the case was postponed until Wednesday next, the 26th instant, to enable Mr. Shaw to examine the witnesses that are subpoenaed on behalf of the defence, and see if he could not dispense with many of them, whose testimony would be of no avail to the prisoner, and whose detention here would only incur an expense and inconvenience to the Government; and he contended that if this request were complied with, that this short postponement would eventually tend to shorten the case considerably, by getting rid of the testimony of several unnecessary witnesses.

Mr. Bignell remarked, that if the granting of the proposition would eventually tend to shorten the proceedings, he had no objection to the request being complied with.

Mr. Curtis remarked, that the only objection he could have to the petition, was a fear that the Nizamut Adawlut might suppose that he had postponed the case for his own convenience. He, however, in consideration that he could have yesterday taken up the examination of the witnesses of Hurry Narrain Roy, the Hurdhun Rajah, five of whom are in attendance, and which examination will perhaps take up the greater part of to-morrow, and that as Tuesday is a holiday, there would, in granting the petition, be already one day's postponement of the trial strictly speaking. He, therefore, on the petition being presented, complied with its prayer.

Mr. Leith stated, that Mr. Samuells's has prohibited Mr. Shaw from taking any witness to the prisoner in the jail, previous to their deposition being giving in Court, unless some person connected with the jail was present. This, Mr. Leith stated, was a hardship; for when the witnesses for the prosecution were brought to see the prisoner in the jail, no notice was given to the defendant's attorney of their being taken there. Now it so happens, that in the case of the evidence of one of one of the witnesses for the prosecution, one of them had been handed over by the Government pleader to the Magistrate, on a charge of perjury, because the public officers who had accompanied him when he was taken to the jail to recognize the prisoner, could depose in the case against that witness, as to his having perjured himself, whereas in cases where other witnesses had testified on the truth, the defence could not prosecute them, because if they were to do so, they could have no evidence to produce but that of the amlahs who were Government servants; and of the prisoner, who could not legally be an evidence in his own case. Further as to the supposition of Mr. Samuells, that if one of the Government amlahs were not present during the prisoner's interviews with the witnesses, they might be tampered with, which he hoped that the character for respectability which Mr. Shaw and Mr. Graham have borne, will keep them from abetting any transaction of that nature, which would ultimately be a stigma on their character, if they were to do so; and, besides, if that was all that Mr. Samuells apprehended, these witnesses could be equally well tampered with and tutored without seeing the prisoner and out of the jail as in the jail, and in a private interview with the prisoner; and that confining the witnesses on charges of perjury and the surveillance which they undergo before being examined before the Court, tends to deter many from coming forward and testifying to the truth, and thereby retards what he considers ought to be the sole object of the prosecution, viz. the elucidation of the truth; he therefore moved the Court to set aside Mr. Samuells's order and permit Mr. Shaw to take the witnesses to his client in jail, and let them communicate with them without the check of a Government functionary; for otherwise he was apprehensive that they might dread meeting the same fate as the witnesses already confined on a charge of perjury has met.

The Judge replied, that he believed that the man alluded to by Mr. Leith, must be speedily liberated, as it did not appear to him that there was sufficient evidence to convict him. With regard to Mr. Shaw or Mr. Graham, he had not the least intention to throw a slur on their character, when he said that his setting aside Mr. Samuells's order, as requested by Mr. Leith, might possibly give ground to a report of tampering with and tutoring the witnesses for the defence; he therefore declined revoking it; but in the ample verandah of his Court, the prisoner was welcome, during the Court's

Sittings, to see and speak with any of his witnesses in private for an hour or so, and whenever he would intimate his wish on that subject to Mr. Curtis, he would grant him permission to do so.—*Hurkaru, Dec. 24.*

HOOGHLY MAGISTERIAL COURT.—DECEMBER 20, 1838.

(Before E. A. Samuells, Esq., Magistrate.)

CONTEMPT OF COURT.

Mr. W. D. Shaw attended the Magistrate's Court this evening, accompanied by his legal adviser J. F. Leith, Esq., to answer to a summons issued against him for a contempt of Court, alleged by the Magistrate to have been committed by Mr. Shaw in addressing him a letter, which contained certain highly improper expressions, that formed the basis of the charge against Mr. Shaw.

With a view to elucidate this matter more fully and to avoid disputations regarding the accuracy of our report, we here give copies of the correspondence which caused this investigation.

To the Magistrate of Hooghly.

SIR.—I have arrived from Calcutta with the intention of visiting my client, the Rajah Pertaub Chund, to-morrow morning, before the Court sits, and I find, that notwithstanding the orders of the Sessions' Judge (and which were concurred in by Mr. Bignell) I am only to be allowed admission into the jail between the hours of 10 A. M. and 4 P. M., the very hours in which my client is in Court. I also understand, that you have issued orders to prevent the Rajah's legal advisers and the witnesses for the defence, having any communication with the Rajah except in the presence of one of your people. I object to these orders, and I have to request that you will issue an order for my admission into the jail between 6 A. M. and 4 P. M., or one hour after sunrise to sunset or an hour after the Court rises, and for my being permitted to visit my client with not more than two witnesses during those hours, and without any of your people attending within hearing. To your people keeping a proper guard, I can of course make no objection. Your answer by bearer will oblige.

Yours obediently,

(Signed) W. D. SHAW.

December 19, 1838.

P. S. I beg to give you notice, that it has been reported to me, that my client is unwell and has been suffering all the day from dysentery.

On receipt of this letter, Mr. Samuells, the Magistrate, addressed the following reply.

To W. D. Shaw, Esq., Attorney at Law.

SIR.—I have received your letter of yesterday's date, and have to inform you in reply, that from 10 A. M. to 4 P. M. are the ordinary and the regular hours of admission into the jail; that you were frequently admitted at all hours, was an indulgence, the continuance of which you had no right to expect after the discovery of the manner in which that indulgence had been abused. As these hours, however, would in all probability be inconvenient to the prisoner and his witnesses, and as I do not conceive that any misconduct of yours ought to be allowed to affect their interests, I will issue orders for the alteration of the hours of admission; you will henceforth accordingly be admitted from 6 A. M. to 10 A. M. and from 4 P. M. to 6 P. M. Mr. Graham must also be content to restrict himself to these hours.

2ndly. The jail-darogah has no orders to prevent you or Mr. Graham, when alone from communicating with your client in private, as much as you think proper; he has orders, however, to prevent any witness from holding an interview with the prisoner in the absence of himself or one of his subordinates. When the witnesses for the prosecution visited the prisoner, you had the advantage of hearing from your client any circumstance which occurred at these interviews; and I am quite determined, that as far as I am concerned, both parties shall have equal advantages. You are, therefore, distinctly to understand, that you are prohibited from introducing any witness to your client in private. I must desire also, that you will leave the names of the witness who may take with you, and their places of abode, with the jailor at the door, previous to entering the building. This is the only condition upon which I can dispense with the customary application to myself. Your visits to the jail are to be confined to the ward of the criminal jail in which your client is confined. Having now distinctly explained to you all the orders affecting yourself, which have been issued to the jail darogah, I have only further to warn you, that any infraction of these rules upon your part, will subject you to such punishment as the nature of your offence may appear to demand.

I am, Sir, &c., &c.

(Sd) E. A. SAMUELLS, Magistrate.

Zillah Hooghly, Dec. 20, 1838.

[To this letter Mr. Shaw returned the undermentioned reply]

To the Magistrate of Hooghly.

SIR.—I have been honored with your communication of this date, in reply to my letter sent to you last night; and in answer to the first paragraph, I beg to say, that I consider it no indulgence, being permitted to communicate with my client. I consider that I have a right to a free communication with him whilst in prison. Since, however, you have granted to me what I have required, I shall say no more on the subject. With regard to your assertion, that I have misconducted myself and abused my right of admission to the jail, I beg distinctly to deny the truth of that assertion, and to say, that the insinuation contained in your letter to the Judge, viz. that I had been tampering with the witnesses selected by you from my client's attendants, to give evidence for the Company, is without foundation. Mr. Bignell's voluntary admission in Court, that the evidence of one of the only two of these witnesses who were examined, viz. Harrochunder Moonshy, was fair and impartial, is of itself a contradiction of your insinuation. Having heard that improper means had been adapted to induce these witnesses to give evidence contrary to the truth, I did visit the civil jail, and told the four attendants of the Rajah to tell the truth and not to allow themselves to be frightened into saying other than the truth. I said no more on the subject and only asked them how they were treated. I visited the hospital in consequence of having heard that many of the persons who were arrested at Culna, were suffering much from sickness, want of clothing and proper nourishment; and I found that the report I had heard was a correct one. That on other occasions I visited the civil jail and the hospital. On none of my visits was any objection made to my going into these places, and my visits, therefore, cannot be considered improper. Knowing as I now do, there is an objection, I shall not visit these places without permission. In reply to that part of the second paragraph of your letter, in which you say that I had the advantage of learning from my client what occurred at the interviews between him and your witnesses, and that you are quite determined so far as you are concerned, that both parties shall have equal advantages, I do admit that I had

the advantage, of hearing from my client what did occur, and I beg to say, that if I had the means of giving that statement in evidence to the Judge (which I have not, as you must be well aware, my client being a defendant), it would shew that gross perjury had been committed by many of the witnesses for the prosecution. I shall leave this matter, however, to be decided by the Judge. In reply to that part of the second paragraph of the letter under reply which requires the names and residences of the witnesses to be given to the jailor, I beg to say that as it appears reasonable it shall be complied with.

4th. In reply to the last part of that paragraph in which you threaten me with such punishment as the nature of the offence which I may commit may appear to demand, I have only to say that I have no doubt that when you succeed in proving that I have committed an offence, you will not fail to inflict a sufficient punishment.

I remain, &c.

December 20, 1838.

(Sd) W. D. Shaw.

This letter was delivered to the Magistrate's penon who took it to him, and he on receipt of it issued a summons for Mr. Shaw's appearance in his Court to answer to the charge of having been guilty of a contempt of Court by sending him this letter; and Mr. Shaw, as aforesaid, appeared accompanied by his Counsel Mr. Leith.

Mr. Leith *prima facie* objected to the jurisdiction in this case, which objection being overruled, he then proceeded to argue that there was no contempt of Court, as stated in the Magistrate's summons. The matter to which the alleged contempt of Court relates, was not a matter relating to a Court of Justice; but it was merely in reply to a written communication made by the Magistrate to Mr. Shaw; and the alleged contempt of Court is asserted to be contained in that reply, which was in fact only a letter, addressed to the Magistrate by Mr. Shaw, and simply a vindication of his conduct against certain charges made against him in the Magistrate's letter, and which charges were made in an extra official proceeding. Further, with regard to all contempts of Courts, all Courts of Justice which are vested with a power of punishing for a contempt of Court, exercise that power only in extreme cases, for it is a power granted by law, whether in conformity with some regulation or custom, not to the individual, but solely for the protection of the Court, in which he is at the time sitting in exercise of judicial functions. And even in Her Majesty's Courts of Records, which are the highest Courts because the Majesty of the Crown is ever supposed to be present even there, this is the law. In this particular case Mr. Leith informed the Magistrate, that he was not sitting either as a Judge or a Magistrate nor was Mr. Shaw present in any Court when he committed the alleged contempt.

Mr. Leith then contended, that there was nothing in any of the passages which the Magistrate had read to him from Mr. Shaw's letter to the Magistrate of the 20th instant, which could possibly be construed into a contempt of Court.

Mr. Samuel's replied, that the word *insinuation* was the objectionable word, and he likewise added, that in the latter part of Mr. Shaw's letter, where he had stated that the Magistrate would, he doubted not, *superannually* punish him if he committed an offence, went to charge the Magistrate with personal malice against Mr. Shaw.

Mr. Leith argued, that the word *insinuation*, as applied in the letter alluded to by the Magistrate, could not in his opinion be construed into an offensive meaning. Moreover, it was the very expression which had been adopted by the Magistrate's senior functionary, viz. the Sessions Judge, in describing the Magistrate's communication, and if it had in that instance been made use of

the Judge sitting in a public Court of Justice, and whose words are supposed to be well weighed before they are expressed, surely if he could apply it in open Court, without an offensive meaning being put to it, then Mr. Shaw's adopting the expression in his letter, could not possibly be construed into a contempt of Court, if that was the term by which the Sessions Judge described his subordinate officer's communication to Mr. Shaw. After he had read it, assuredly Mr. Shaw, who had never seen this communication, could form his ideas of it only from what Mr. Curtis had mentioned to him of it; and in so doing, he could not be blamed if he described it in the very words in which Sessions Judge had described it; and if there is any thing wrong in that expression, then the blame, if any, ought to be attached to the person who first used it, and not to the individual who simply adopted it. Mr. Leith added, that if he had received the letter in question, he could not have supposed the word *insinuation*, as contained in it, to be objectionable. There is nothing objectionable in the term itself, and he is at a loss to discover in the context ought to make that objectionable; for it will be observed, that the word *insinuation* has direct reference to the Magistrate's letter to the Judge, and whether the Magistrate had a right to make that *insinuation* to the Judge, appeared to Mr. Leith to be the question which ought to be previously answered. Mr. Leith then drew the Magistrate's attention to the fact, that he was sitting as an arbitrator in his own case and deciding a matter between him and Mr. Shaw, and it could not be imagined that he could be divested of all personal feeling on the occasion. Now the tenor and the practice of the law regarding contempts, were not to put a contemptuous meaning on any expression used by a party in any Court, if there could possibly be put any other meaning to those expressions. Could the Magistrate take upon himself to say, that the expression in question, as used in Mr. Shaw's letter to him, could not bear any other construction than the one he had put upon it? If it could, then the magistrate was in duty bound to suppress all individual feelings in the case and put the mildest construction he possibly could on the term in question.

The magistrate confessed, that when he received Mr. Shaw's letter to him, his feelings had been roused, and at the time that he issued the summons against Mr. Shaw, he had an intention of punishing him more severely than he would now probably do.

Mr. Leith went on to contend, that there could not possibly be any harm in Mr. Shaw's stating that he doubted not that the magistrate would punish him sufficiently if he committed an offence. It puts no more than to say, that the magistrate would do his duty strictly, and what more can be required of a conscientious magistrate, than to punish offenders on conviction adequately to their crimes.

The magistrate said, that Mr. Shaw, in his letter, had stated that the witnesses for the prosecution had been tampered with; now as those witnesses are under the magistrate's charge he considered this expression of Mr. Shaw, as an insinuation against himself.

Mr. Leith replied, that he was quite astonished to hear the magistrate talk so. It was supposing the dignity of the magisterial office to be degraded to that of an attorney's clerk, in tutoring and keeping witnesses. Surely Mr. Samuel's character for respectability, is too well known to encourage the idea of such an insinuation being ever cast on it. It would be madness in Mr. Shaw if he were to attempt to do so, and it was certainly not very wise, in Mr. Leith's opinion, for Mr. Samuel's to suppose the charge to be against himself.

The question, said the magistrate, is, what had Mr. Shaw insinuated? It was clear to him that much was intended in the letter which was highly of a disrespectful nature.

Mr. Leith replied, that Mr. Samuells's letter to Mr. Shaw was very bad. Mr. Shaw was in it accused of misconduct, and he had but defended himself.

Mr. Samuells said, that the expression used in his letter to Mr. Shaw, was quite incidental, and it needed no reply.

Mr. Leith remarked, that he differed from the magistrate on that point.

The magistrate then summed up. He said that he had his doubts as to whether the Sessions Judge had received his letter to him in the light stated by Mr. Leith, but he certainly did concur with the magistrate in his orders he had passed regarding Mr. Shaw's views on this point. With regard to the offence of Mr. Shaw, he in spite of the very ingenious argument of Mr. Leith, still considered his sending him that letter to be a very serious contempt of Court, and were it not for the observation of Mr. Leith that the magistrate is now sitting as a Judge in his own case, he would have fined Mr. Shaw more severely than he now was disposed to do. With regard to Mr. Leith's assertion that the expression was not used in a Court of Justice, he begged to inform him, that his Court is not confined to time and place, but extends all over the Hooghly district, and at any time that he chooses to transact his official duties at any place within his Zillah, then and there his Court is constituted; and that the letter was an official one is apparent from its direction, it being addressed to the magistrate of Hooghly. He, therefore, under all the circumstances of the case, in order to uphold the dignity of his office, which he considered had been contemptuously treated by Mr. Shaw in the present instance, could not fine him less than 50 rupees. He then ordered his Sacristadar to record this conviction and fine.

Mr. Leith begged the Magistrate to inform him by what law or regulation the conviction had been made in this case.

The Magistrate replied, by the common law of all civilized countries.

Mr. Leith asked whether it had been made by the common law of England.

The Magistrate replied, no.

Mr. Leith asked then, by what common law is the conviction made, if not by the common law of England; for there was no common law of India or the best of his knowledge and belief, and the law of any other country, could not be applied upon in this country, it not being under their dominion?

Mr. Samuells replied, that the conviction had been made by the regulational laws of India, and it is by the power vested in every Court of Justice to convict and punish for contempt of Court. It is an inherent power of the Court.

Mr. Leith wished to know, under what particular regulation the conviction was made; for, if Mr. Shaw paid the fine, which he must, in order to avoid incarceration, it will be under a protest against the proceedings, and he will appeal to a higher Court against this decision.

Mr. Samuells attempted for a short time to recollect and point out the regulation under which this conviction had been made; but failing to do so, he replied, it is not made under any particular regulation, but partly under regulation and partly by the inherent power and practice of this Court; and he added, that if Mr. Shaw wished he could to-morrow have an official copy of his proceedings in this case, together with the order he had passed on it, and that would specify under what regulation and authority he had made this conviction and imposed the fine he had done.

After this the Magistrate took Mr. Leith's security for the payment of the fine next morning, and the parties retired.

It is Mr. Shaw's intention to appeal from this decision.

HOOGHLY SESSIONS' COURT.—DECEMBER 22.

(Before J. Curtis, Esq, Sessions Judge.)

DEFENCE OF HURRY HUR NARRAIN ROY, RAJA OF HURDHUN, ONE OF THE PARTIES IN THE CASE OF GOVERNMENT VERSUS THE PSEUDO RAJAH PERTAB CHUNDER, &c.

Ram Chunder Chatterjee, Gomastah resident of Moosunda, Zillah Nuddea, deposes, I know Rajah Hurry Hur Narrain Roy, Rajah of Hurdhun. In Bysack last, about the 19th instant, I went to Culna, to search for a man who had run away with some of my money, and after searching vainly for him all day, as I was returning home, on my way to my village, I saw from the ghaut at Culna, the Hurdhun Rajah, seated on the top of a howleah. I went to him and paid my respects to him, and asked what had brought him to Culna. He replied, that he was proceeding to Kishnagar, and had stopped for a day or two in the way to witness the miracle of a dead man having come to life again. I asked him when he intended proceeding on his voyage. He replied to day or to-morrow. I then took my leave and proceeded on my journey, and know nothing of the subsequent transaction which occurred there. The Rajah had about 20 or 25 attendants with him, besides the boatmen. He generally travels with about a similar retinue. I am now out of employ.

Chunder Seekur Roy, resident of Anundapoor, Zilla Nudleah, deposed, I know Rajah Hurry Hur Narrain Roy of Hurdhun. I am his tenant. I saw him, on the 17th Bysack last, leave his residence with a palkee and about 30 followers to proceed to Kishnaghar in a budgehow. On the 19th of that month I went to Culna, to ascertain the price of some mustard seed. I then learned that the Hurdhun Rajah was there. I went on the 20th to see him in his boat and asked him what detained him there, and he said that he had stopped to see the miracle of a dead man having come to life, and said, "I will return to-morrow." I then took my leave and went home, and know nothing of the subsequent transactions that occurred there. The Hurdhun Rajah always travels with a retinue of 30 or 40 persons.

Govind Ghose, Milkman, resident of Moosunda, Zilla Nuddea, deposed, in confirmation of the evidence of the two former witnesses. There were two other witnesses in attendance to follow in the wake of the three witnesses, but neither the Sessions Judge nor the Mahomedan Law Officer considered it necessary to take further evidence on this point.

After this had been intimated to these witnesses, the Hurdhun Rajah expressed a wish to cross-examine the last witness, who then further deposed, that the Hurdhun Rajah had never assembled any riotous mob, nor been guilty of a breach of the peace, nor did he enlist any followers to forward them to the pseudo Pertab Chunder. In fact he never took any interest in his affairs and was a complete stranger to him, and in passing Culna on his way to Kishnagar, hearing that the man who had caused such a sensation in the country for the last two years, by asserting himself to be Pertab Chunder, the late Rajah and Zemindar of Burdwan, was at Culna, he had merely gone from motives of curiosity to see him.

Ranee Footah Komarre, the sister of the late Rajah Fej Chunder of Burdwan, Ranee Peary Comarree, the widow of Rajah Pertab Chunder and Beebee Badamee, his maternal aunt, have, in reply to their subpoenas on behalf of the defence, written that the death of Rajah

Pertab Chunder at Culna in 1227 B. S. is a well known fact, and clear as the sun at mid day, and that as they are women of the respectability and puidah nusbees, they decline attending on their subpoenas, as their testimony would be no benefit to the inposter (as they state the prisoner is); and that the subpoenas are only vexatious processes against them, and their being carried into execution, would only tend to degrade their respectability and that of the family of the Rajah of Burdwan, therefore they declined to attend on their subpoenas and submitted objections to the Sessions Judge's consideration.

Mr. Curtis wrote a letter to Mr. Shaw, informing him that the witnesses for the defence had refused to go to Chinsurah and be tested by him; but that they were within the Court compound, and if Mr. Shaw wished to see them previous to their being examined, he could come to the Court and do so.—*Hurkur Dec. 25.*

DECEMBER 27.

William James Deere, Clergyman, resident of Kishenaghur, deposed. I have seen the prisoner on a former occasion here, in the Magistrate's Court. I went to Kishenaghur in 1837 from Burdwan. I knew Kisto Lal Brumacharee. My acquaintance with him commenced in 1832 at Kishenaghur. If not altered much within these six years, I think I could recognize him. I saw him last in 1832. I cannot say decidedly whether the prisoner is that Kisto Lal or not. In my former deposition, I stated that my impression was that he was not, but I could not swear that he was not. The prisoner is of the same stature, and his nose of the same formation, only Kisto Lal's pointed upwards and the prisoner's downwards. His eyes are of the same color. Kisto Lal had a fine, broad, open chest and shoulders. In 1832 and 1833 I was in Europe and returned to India in 1835. When the prisoner in 1836 was forwarded from Bancoorah to Hooghly, two men, who represented themselves to be Purran Baboo's servants, requested me to go to Hooghly and recognize the prisoner as Kisto Lal. They promised to pay my expenses. I declined to interfere personally, but offered to give them all the information in my power. These men never returned, but two men who pretended to be Purran Baboo's people came, but they appeared to be spies. Purran Baboo is the present Burdwan Rajah's father. I heard in 1821 bazat reports that Pertab Chund left his country to go to Runjet Singh to form a conspiracy against the British Government. Ramdhon Catechist lived with me when Kisto Lal visited me. I have a good opinion of Ramdhon. I know Mohes Pandit.

Mr. Leith asked witness's opinion of Mohes Pandit. Mr. Bignell objected to the question, and Mr. Leith waived it.

Witness deposed. I once had Mohes Pandit in the Court of Burdwan for a defamation of character. I would believe him on his oath on a matter which I knew to be true, otherwise I would take his deposition into consideration before I credited it. He would never be employed as a Catechist. Mohes Pandit is not now with me. He left me in 1833.

Examined by Mr. Bignell.—I received a letter from Mr. Shaw. I ought no damages from Mohes Pandit in my suit against him. I subsequently forgave him and re-employed him in the school. My impression as to the prisoner's identity is the same as it was, when I deposed before the Magistrate. I cannot speak positively on that point.

Re-examined by Mr. Leith. The letter from Mr. Shaw I received within these eight weeks, and I have destroyed it because I dreaded being entangled with attorneys. The letter advised me to ascertain the marks on Kisto Lal's body and the time of his disappearance,

and it disapproved of certain proceedings in the prisoner's case, and added, that he would report it to Lord Brougham. The letter did not offer me any remuneration for my expenses, nor did it call on me to attend as a witness in the case. Here is the bill for my expenses.

Daniel Antonio Overbeck deposed. I have already deposed that I could not recognize the prisoner to be Raja Pertab Chund. I never met Pertab Chund in the plight and apparel as I did the prisoner two years ago in the Hooghly Jail. I never saw Pertab in Jail, and I always met him apparelled as a native prince. I was formerly Governor of Chinsurah, and in 1826 I was one of the commissioners appointed by the Netherlands Government to deliver Chinsurah over to the English. About 18 months previous to my being examined before the magistrate, I, at Doctor Wise's request, saw the prisoner in the Hooghly Jail. I at first considered him to be an impostor; but when I took him a little aside from the other gentlemen, I told him by way of threatening him, that he could not very easily deceive me, as I was acquainted with all the marks which Pertab Chund had on his body, and though he at first was very much abashed, he brightened up directly, and answered, all these marks are mine. There was a slight mark behind Pertab Chund's right ear, occasioned by the little glazed stone of a kite. He had a mark on his back between the shoulder occasioned by the bite of a vicious horse. His coachman Peter Emmer, Neemo and Sydon, will be better able to particularize it. He also had a mark on his knee, of which Dr. Halliday could give the history, a mark on the upper part of his left hand, occasioned by a scald received in some foolish love affair, and some other trifling marks, which in the course of my examination I may recollect. I have not seen these marks on the prisoner, as I had no occasion to examine him in the Jail. I requested permission to examine him in the Magistrate's court, but both Mr. Sannells and Mr. Leith disagreed with me on this point and objected to it. Mr. Leith said that when I would be examined before the Sessions Judge on this point, then I could inspect his body. I have not as yet examined the prisoner's body. I had many opportunities of seeing Pertab Chund. He visited me frequently. The mark which I saw on Pertab Chund's hand, I would be able to recognize. It was of the size of an eight annas piece. The other I know by the accurate descriptions I have heard of them many years ago from several persons.

Here the witness and Mr. Leith, requested to examine the prisoner, and the permission to examine, was granted to him in an adjoining room, accompanied by Mr. Bignell, Mr. Leith, and Mr. Graham. They retired for about half an hour, and then returned and the witness deposed.

I have traced the contour of the prisoner's face in the picture which was shown me as the picture of Raja Pertab Chund. I have traced all the marks, which Pertab Chund had on his body, and by examining the prisoner closely in the presence of the Counsels, for the prosecution and the defence, he has answered every question which I put to him of days past satisfactorily, without any hesitation; consequently, to the best of my belief, the prisoner is Raja Pertab Chund. He gave a description of the interior of the Rajbarry at Chinsurah, and he answered as well as could be expected after 20 years. He likewise answered, with like correctness respecting the interior of my house and the manner of his reception there, and described the persons of Mr. Van Braden, and my son. The house in which I lived when Pertab Chund visited me, and respecting which I questioned him, was broken down in 1827, and the barracks were subsequently erected on the spot. The questions were calculated to satisfy me as to his identity—he could not otherwise have described

it. The floor, the furniture and one of the pictures, described by him, were sold in 1835. The floor was boarded and painted all over with wreaths, and flowers. It was a very large room. I heard of Rajah Pertab Chund's sickness, and death. Shortly afterwards I heard that he was alive and had absconded. I made particular inquiries and learnt that at sunset he took a bowl of broth; he was in the evening taken out in a palkee into a tent near the river, surrounded by kum-neuts, and attended by his servants. At night he was suddenly seized, and Prawn Baboo searched for his body, and he had the Ganges dragged for the body ineffectually; and then the persons reported to Raja Tej Chunder that his son was glorified. He ordered his funeral ceremonies. A trunk was subsequently brought filled with shells, and burnt on the pyre, and the ashes were collected and carried to Amboeka. The report was, I believe, very general. His servants were, I think, Musselmans. I do not know their names. Major Marshall was an ensign in the 20th N. I. in 1814. He was often here and was a visitor of mine, and he might have seen Raja Pertab Chund. Pertab was generally called the Young Raja; of Burdwan. Wallce Mohamed, the Nazeer of the Foudary Com at Hooghly, was then in my service. Ram Nuraun Sunda, a writer in the Sudder Downy at Calcutta was my writer, and John Anthony Pootoo and Chocheal, now in my service, were then in my employ. One of Pertab's upper front teeth projected slightly. In the left side of the right eye of Pertab Chund, there was a slight mark of a mahogany color, only observable when Pertab Chund elevated his eye. This mark exists in the prisoner's eye, but it is a little faded.

Cross examined by Mr. Bignell. I hear that now they will not admit any person into the Rajbarry at Chinsurah. There was no similar name, nor room in Chinsurah like the house in which I lived when I saw Pertab Chund. Some times large parties used to be given there, and many people used to go there. It is not impossible that a person, by making enquiries, might have ascertained the furniture of the old Dutch Government house; but who is there living here that could give any information regarding it except Mr. Horkelous and his family, with the exception of some of the old native servants. I saw the mark behind the prisoner's ear, but it is very faint. I have never seen a similar mark in any person's eye. The report of the escape of Pertab Chund was merely a rumour, if it was not an idle one, before 1832, the year that Raja Tej Chunder died. One of the Government Agents reported to Government, that a person who had reported himself to be Raja Pertab Chund, was living at the place of his residence. The Government, through one of their Secretaries, intimated this communication to Rajah Tej Chunder, and Rajah Tej replied, that he had never seen the corpse of his son, but that Prawn Baboo and Bussant Baboo had reported the death of his son to him. The truth of this statement can be ascertained by a reference to the Government archives of those days. I have been 52 years in India, and I have not seen or heard of the body of a Khectree being burnt in a chest. If it were done it must be done for the purpose of deceit. I would never mistake a cheat for a corpse.

Harriett Keating deposed.—I am a married lady, residing at Calcutta. I am a daughter of the late Mr. John Athanasa. My father was the proprietor of a great many houses in Calcutta. I recollect Rajah Pertab Chund of Burdwan. I frequently saw him in Calcutta. I saw him in 1816. He was then residing in my father's house, No 19, Park Street. I was then residing in No. 1, Gooreahmah's Lane, my father's residence. I was then verging on my 16th year. I used to see him from an adjoining house of my father. We used to be in that house every evening, accompanied by my sister and my father. My sister's name is Sophia Crane. I

have a distinct recollection of the features and appearance of Rajah Pertab Chund. I have seen the prisoner at his house, near the Foudary Batakhuva, during last year, accompanied by Mr. A. DeSouza, of the firm of DeSouza and Co., and Dr. Charles Pearce. I visited him to put questions to him with the view of identifying him with Rajah Pertab Chund. I did question him and all his attendants were satisfactory with the exception of two unimportant ones. There were no persons present who could have suggested the answer to the prisoner nor did I mention the questions to any person but Mrs. Crane, who joined me in questioning the prisoner. I saw him three months previous to this interview at my house. He came to be identified. I saw him through the venetians of an adjoining room, and in consequence, I returned his visit. From what I had seen of the prisoner and from the result of the replies to my questions, I believe him to be Rajah Pertab Chund. Pertab Chund wore his hair a little above his shoulder and much frizzed out. I recollect the Rajah's features. I do not recollect each individual feature so particularly as to speak of them separately. My father died on the 31st September 1835, his sugar may be able to identify the Raja. Mr. Antony DeSouza did know Pertab Chund, but Dr. Pearce did not.

Questioned by Mr. Bignell. I was never in the same house with Raja Pertab Chund. I do not understand what a bird's eye view means. I some times saw him for a whole day together. He used to give parties, and the attention paid by him to his guests induced me to look at him. I was never his guest. The guests used to assemble in the hall of that house. That was not the only opportunity I had of seeing him. I have several times seen him sitting in his veranda smoking. The questions I put to the prisoner were regarding what my sister had observed to transpire in my presence. Neither my sister nor I mentioned these circumstances to any other person. My sister and I had agreed not to divulge these matters to any person. The questions and the answers were written by Mr. A. DeSouza, who is a witness in this case, and they are here in my books. They heard of his being in distress, and termed an impostor. I wished to see and identify him.

Re-examined by Mr. Leith. I used to see Pertab Chund and ride out in his carriage. There were many particular circumstances in Raja Pertab's manner to attract my notice. Prisoner described me and other persons very correctly. My father died, leaving considerable property, and a great part of it will descend to me.

Questioned by Mr. Bignell. The estate is in the Registrar's hands. Mr. Dickens married my niece and is administrator to the estate.

Sophia Crane, sister to the last deponent, deposed in corroboration of the evidence of her sister almost verbatim. In consequence of this fact, Mr. Bignell declined to cross-examine her, with the exception of one or two unimportant and he took no notice of these witnesses' questions evidence.—*Hurkari, December 29.*

DECEMBER 28, 1836.

Ramdhon Christian deposed.—I recognize the Hurdhon Rajah. I have never seen the other prisoners. I knew Shaum Lal and Kisto Lal his son. I saw him at Mr. Deer's for about one year. For the last six years I have not seen him. Kisto Lal was somewhat taller and much fairer than the Pseudo Pertab Chund is. His nose and features were different. When I knew Kisto Lal seven years ago, he appeared to be 32 years of age. I frequently saw him during the year. The prisoner does not appear to me to be Kisto

Lal. I have been residing for the last nine years at Kishenagar. I was on intimate terms with Kisto Lal and his eyes were smaller than the prisoner's. I accompanied by three other natives of Kishenagar, was taken by the Magistrate of Hooghly to the jail to see whether the prisoner was Kisto Lal or not; we replied in the negative. One of us four was examined in the magistrate's court. Paul Christian was once executed for one year by the Reverend Mr Wybrog, who discharged him from his situation as a catechist at Burdwan. I never saw a Bengally so fair as Kisto Lal was.

Questioned by Mr. Bignell.—The prisoner does not resemble Kisto Lal at all; there is a difference in their appearance.

Kissen Mohon Banerjee deposed.—I only recognize the Hurdhon Rajah; I never saw the other prisoners, I was in 1820, toll darogah for two years and six months, under the contractor, and was subsequently re-appointed in 1835, and held the situation 18 months. I was acquainted with Sham Lal and his three sons. They resided near my catechery. The elder sons were named Kisto Lal and Gour Lal, but the name of the youngest I have forgotten, Kisto, the eldest, was to attend in my court, in hopes of getting an appointment. Kisto Lal was somewhat taller and much fairer than the Pseudo Pertab Chund is. His face also was longer, and he had some marks resembling pork marks on his face. The prisoner does not resemble him. When I was darogah in 1835, I stopped a boat at Kishenagar. There was a devotee in the boat, resembling Kisto Lal, and Sham Lal said, my son has become a Bramin, charge, release him and his boat, and he paid me four annas, the tax for which the boat had been stopped. This was the last time I saw Kisto Lal.

Mr. Bignell declined cross-examining this witness.

Kissen Mohon Sutar, Vakeel of the Judge's Court at Zilla Kishenagar, and a resident of that place, deposed.—I recognize the Hurdhon Rajah and none of the other prisoners. I knew Sham Lal and his son Kisto Lal. Sham Lal is dead and I have not seen Kisto Lal, since seven years. I was not on intimate terms with Kisto Lal, but I used to meet him occasionally at the catechery and in the road. The Pseudo Pertab Chund is a stranger to me, and he does not resemble Kisto Lal. Kisto Lal was taller, leaner, and much fairer than the prisoner is. I have no recollection of Kisto Lal's features. I was subpoenaed in the magistrate's court, in this case. I was taken with three other residents of Kishenagar, by the Nazier of Hooghly, to the jail, to see the prisoner. None of us were examined in the magistrate's court. Eight of us were sent back to Kishenagar, without being examined in the magistrate's court, viz. Ram Mohon Christian, Isurechander Bonnerjee, Huro choudet Bonnerjee, Chunder Kaunt Mitre, Bogman Chuprasse, Annoudon Kybut Ram Mohon Dutt and myself. When I saw the prisoner in the jail, the Nazier asked me do you recognize the prisoner to be Kisto Lal? I replied that whether I do or not I will state when examined in court and not to you.

Mr. Bignell declined questioning this witness.

Gour Mohon Bishacharjee, Mooktear in the Mofussil Courts at Kishenagar, and a resident of that place, deposed.—I recognize the Hurdhon Rajah and none of the other prisoners. I knew Sham Lal Bramacharjee, he is dead. I knew his three sons. The eldest was Kisto Lal, the second Gour Lal, but I do not remember the name of the youngest. When I was a candidate for an appointment at Kishenagar, he was a fellow candidate with me and he lent me, a palkee to carry me to Ranna Ghant in 1829, when I was appointed darogah to that place. I recollect sufficiently Kisto

Lal's figure and features to be able to recognize him if I were to see him. It is eight years since I last saw Kisto Lal. The prisoner does not resemble him. Kisto Lal was thinner, taller and much fairer than the prisoner is. The prisoner does not resemble him anywise.

Mr. Bignell put no questions to this witness.

William Fraser, resident of Serampore, deposed. I am a Carver, Gilder, Musician, and repairer of Musical instruments. I was for twelve years in the service of Rajah Partab Chund of Burdwan. I used to repair his toys and furniture. I recognize the prisoner to be Rajah Pertab Chunder. On Thursday the 20th, I was taken to the jail to identify the prisoner, and I knew him to be the Rajah. When my sister was married I quitted the Rajah's service and left my brother Thomas Fraser as my substitute. He was in the Rajah's service till the period of his alleged death; and I heard from him, that under pretence of indisposition, Rajah Pertab Chunder was taken to the river side at Culna, and brought in a palkee into a tent from whence he ran away and escaped. My brother is dead. This occurred about three years after. I had resigned my situation, and it is about 17 years since my brother Thomas told me of it. It is 27 years since I last saw Pertab Chunder, with the exception of my visit to him in the Hooghly jail. He is a little darker and thinner than he was formerly. I came in compliance with Mr. Shaw's letter, directing my attendance in this case (this letter, at Mr. Shaw's request, was filed. During the 12 years I was in Rajah Pertab Chund's service, I saw him daily. I am quite certain the prisoner is Pertab Chund. Aga Abbas was in the Rajah's employ for nine years. I saw Abbas nine days ago, at Hooghly, after a lapse of 18 years, and I immediately recognized him. If the prisoner is not Rajah Pertab Chund, I will willingly be hanged. It is the gentlemen who make this mischief and keep him out of his right.

Questioned by Mr. Bignell.—I received Mr. Shaw's letter nine days ago, and as I can neither read nor write, I took it to Hurry Paul Christian, who read it and said it requires your attendance as a witness in the Rajah's case, and I obeyed it. I do not know if any letter was published in the *Samachar Durpan* regarding my knowledge of the Rajah's case. I was paid by contract for the jobs I did for the Rajah. The sums varied from 4 to 6000 rupees. I can only write my name. I cannot read nor write in any language. I never see the *Samachar Durpan*. I do not know who wrote any letter in it.

Peter Emmer, resident of Entally and Section writer in the Judicial and Revenue Department, deposed. I was in 1818 employed by the young Rajah of Burdwan, whom I now see at the bar. I was his amanuensis. I was about 10 or 12 months in his service. From his present appearance and his resemblance to the portrait, I am convinced that he is Rajah Pertab Chund. I was in 1818, 18 years old. The prisoner appears rather darker and more aged than Pertab Chund was. He used to dress his hair similar to what the prisoner's is dressed. I observed no peculiarity in his teeth. I generally waited on him from 10 o'clock a. m. till 2 o'clock p. m. I was turned off, and have been in Government employ ever since 1817.

Questioned by Mr. Bignell. I was formerly employed in the Revenue Board. I do not know whether I resigned that situation or was dismissed from it. I never mentioned to Mr. Trower that my recollection of the Raja was so imperfect that I could not speak positively as to his identity. I had no conversation with Mr. Trower regarding the Raja. Mr. Graham was present all the time during my interview with Mr. Trower. When employed under Mr. Baile, I got 50

rupees a month. Mr. Beatty, whose daughter I married, died rich. He did not leave his property to me, but settled it on my wife and her issue.

Haji Ulee Mahomed native of Schuar, and resident of Chinsurah, deposed. I have been 25 years in this country, and was married here. I deal in shipping goods to Buzhere. That is my old and intimate friend Raja Pertab Chund. I do not know any of the other prisoners. I do not speak Bengally well. I have bought some lands across the river, and the villagers neither understand me nor I them. One year after my marriage, Aga Abbas came to my house, and said that the Raja Pertab Chund wished to purchase some jewellery and kinkobs from me, I went to the Rajbarry, which is close to my house, and he purchased two pieces of cloth from me. Learning that I understood Persian, he desired me to visit him. This was the beginning of my acquaintance with him, and for five years, whenever Pertab Chund came to Chinsura, he always sent for me, and I visited him and played chess with him. Afterwards I went to Benares. The prisoner is darker and thinner than he then was.

Questioned by Mr. Bignell. I am distinctly related by marriage to Aga Suffer Ulee; but as he is a bad character, I shun his acquaintance. I do not know whether Mr. D. C. Smyth, the former Judge of this Zillah, made any remark regarding the evidence of the Moguls of Chinsura in his Court. If he did, my name could not be in it, for I never gave evidence in any case before to-day.

Gulam Hossain, resident of Allpore, late Fouzlayry Nazir of the suburbs of Calcutta, deposed. I recognize Raja Pertab Chund Bahadour and Hapoz Tulleh Allah, but none of the other prisoners. I know Pertab when he resided in Moolcheekhah. I visited him during a month and a half about 10 or 26 times. This was 25 years ago. I was then the Fouzlayry Nazir of the suburbs of Calcutta. It is my conviction that the prisoner is Raja Pertab Chund. He is darker and thinner than he then was, but his features are the same. I saw him after his return from his exile. I visited him in Rada Kissen Mysack's house, and at his house in

the Fouzlayry Balakhana, about two months previous to my departure for Calna.

Aga Mohammed Isphany, merchant, resident of Chinsurah, deposed. — First is Maha Raja Pertab Chund. Is he one of the prisoners? I am grieved to find it so. He is Rajah Pertab. Meer Aboul Hossain's house is about 200 yards distant from the Rajbarry in Chinsurah, and my house adjoins Aboul Hossain's. I used almost daily to go and see Aboul Hossain in the evenings to play chess with him and from there I used to see Raja Pertab Chund on the terrace of his house flying kites, and sometimes I saw him playing chess and smoking and going in his carriage to a take drive. This I saw for many years afterwards he went to Burdwan and from thence to Moorshelabad. I afterwards heard of his sickness and death at Calna, and then I soon after heard the rumour of his death contradicted. I after this saw the prisoner when he was sent in custody here from Bancoolah. Directly I saw him, he recognized me and I him. Since then I have seen him both at his house in the Fouzlayry Balakhana at Calcutta and here at Hooghly. I never spoke to him, but I used to bow to him, and he used to return the bow. I saw him, however, so clearly and often, whenever he used to come to Chinsurah, that I retain a perfect recollection of his features and figure, and I am quite certain that the prisoner is Raja Pertab Chund. I have no doubt on that point. The man is neither of the same religion as myself nor is he a friend or acquaintance of mine, nor have I received any money from him, nor has he held out any promise to me to give me any thing. I am totally unshaken in any evidence.

After this witness, whom Mr. Bignell and Mr. Shaw both asked a few questions, the Court adjourned at 5 P. M. till 10 A. M. to-morrow.

The Sheriff informed the court at its rising, that the Magistrate of Jessore had caught and forwarded two more maternal uncles of the Pao to Rajah Pertab Chund, and they are here in attendance to give their evidence. They were ordered by the Judge to be kept back till another day. — *Hark, Dec. 31.*

ZILLAH TWENTY-FOUR-PERGUNAHS—DEWANNY.

ALLIPORE, TUESDAY AND THURSDAY, 4TH AND 5TH DECEMBER, 1858.

(Before A. Grant, Esq., Additional Judge.)

PETITION FOR REVIEW OF JUDGMENT ON REHEARING.

Wm. Storm Appellant, George Jessop, Jeremiah Homfray and others Respondents.

This case originated in an encroachment made by the respondent, Mr. Jessop, on some ground which Mr. Storm had purchased from the Pontine society, by whom it was possessed by a foreclosure of a mortgage, which Mr. Homfray made with them previous to his insolvency. For the recovery of the encroached land Mr. Storm ultimately filed a plaint in the Court of the Sudder Ameen of the 24-Pergunnahs. The case was at first thrown out for the want of parties, and after its revival was dismissed, against which dismissal Mr. Storm appealed to the Judge some time in last year, when it was admitted, and on the 7th of September last Mr. Storm obtained a decree, on which he moved for an execution about a fortnight ago. On the 4th instant, a

petition attested by a native mooktear empowered by Messrs. Edward, White and Parker, was taken up by the additional judge, when Mr. Dias raised an objection in the first instance to the mooktear coming into Court previous to proving that Messrs. White and Parker had the power to constitute an agent for Jessop, and unless the power of those gentlemen was proved, Mr. Dias submitted, that the subject of the petition could not be entered upon. Mr. Homfray informed the judge, that he would produce the power, and would immediately apply to Messrs. White and Parker for it. The hearing was then put off to this day, when Messrs. Storm and Homfray appeared, the former with Mr. Dias, his mooktear, and the latter with Mr. Jessop's mooktear and two native pleaders.

The judge, previous to hearing the petition, asked Mr. Homfray if he had brought the power of attorney, which was immediately produced. The judge remarked it was a general power and was proceeding to file it, when Mr. Dias said he had read it, and submitted it was not a sufficient power in the present case, as all the premises contained in it did not empower Messrs. White and Parker to defend this suit, or any other; and as the case had pending in this Court for a period anterior to

Mr. Jessop's departure, that if he intended the power to operate in this case, he would have empowered his attorneys accordingly. The power was then read, but not filed, and Mr. Dias not pressing his objection, the hearing was proceeded upon.

The first ground of the petition set forth, that the notices for the trial of the appeal were not served upon Mr. Jessop's attorneys; the second, that under a circular order of 1814 of the Sudder Dewanny Anawlut, Europeans resident within four miles of the suburbs of Calcutta, were not amenable to Mofussil Courts; and the third, after entering into the merits of the investigation upon which the judge had recorded a decree in favor of the appellant, prayed for a rehearing under Clause II, Section IV, Regulation XXVI of 1814.

Mr. Dias replied as follows, to the first ground; that it appeared on the Sheriff's return, that his officer went to serve the notice upon the respondent, Mr. Jessop, but was informed by the appellant that Mr. Jessop had gone to Europe; and not knowing that he had left attorneys, the Sheriff served the notice upon another respondent, Homfray, who was and continues a tenant of Mr. Jessop's on the land in dispute, which Mr. Dias submitted was good service on the proprietor of the land. To the second ground Mr. Dias cited Section II Act XI, of 1836, under which all British subjects were made amenable to the jurisdiction of the Mofussil Courts; and in reply to the third ground, Mr. Dias urged that the recapitulation of the grounds of the judgment were at present superfluous to the application; but as regarded the Regulation under which application was made, Mr. Dias contended, that it went much against the admission of the prayer, as after a careful perusal of Mr. Jessop's petition, he did not find that it contained any new point of evidence, or even adverted to any new documentary proof, and therefore under the clause cited, it was necessary some new ground should be shown for a rehearing.

Mr. Homfray replied, that he, as a tenant, was not bound to give notice to his landlord, and that as the court had in the first instance, he alluded to the institution of the suit, served notice at Mr. Jessop's house of business, if the same had been done in the present case, Mr. Jessop's attorneys would have come in with a defence. In reply to Mr. Dias's third objection, Mr. Homfray said, he could produce the original deed of sale, which had not been produced before in court, as the sudder ameen would not have been able to understand it; which Mr. Homfray said would be a sufficient new ground for the admission of the rehearing.

The Judge said, he felt inclined to make a reference to the Sudder, on the ground of non service on Mr. Jessop, the ostensible respondent, and as Mr. Homfray said he could produce a deed which had not before been filed, the Judge thought it would not put Mr. Dias's client to greater inconvenience than it would Mr. Homfray, were the rehearing not admitted; as under the decree, Mr. Homfray would have to pull down a wall which had encroached on Mr. Storm's land.

Mr. Dias replied, that if the Court was of opinion, that the grounds for the rehearing were made out, he would say no more; but if on consideration of all the circumstances before adverted to by Mr. Dias, and the fact that this litigation had been going on for a period of about 10 years, the Court thought Mr. Storm would be put to no inconvenience, Mr. Dias would feel surprised, as in the first place a reference to the Sudder would throw the case back for at least a year, and Mr. Storm would have to come in with fresh fees for the rehearing. If Mr. Homfray would agree to pay up all costs, and the Court would allow the execution to be put in force, Mr. Dias would waive all objection to the rehearing; but withal, Mr. Dias submitted, that Mr. Homfray had not made out good grounds for his case, as the Court should consider that at the admission of Mr. Storm's appeal before Mr. Cracroft, Mr. Homfray attended, and strenuously opposed it; if he had no interest in the case, why did he himself appear; and his saving it was not his business to give notice to his landlord, was inadmissible, for he had just given proof of the interest he had in the case; and under the provisions of regulation VII. of 1799, it was an ordinary practice to recover Government dues by attachment of the property of the tenant, and it became compulsory on the tenant for his own safety, to give notice to his landlord. Mr. Dias concluded by observing, that the Court could not pass judgment on what was not before it on record, as Mr. Homfray's *ipse dixit*, that he had a deed to produce, was no ground; as if he had one, it would have been filed when he opposed the admission of Mr. Storm's appeal. Mr. Dias thought that under the provisions of clause II, section IV, regulation XXXI, of 1814, which are very ultimate, that the whole of the respondents could from time to time shew grounds for rehearings, which would, without doubt, subject his client to another ten years litigation at least. Mr. Dias, therefore, begged the Judge to consider the objections previous to admitting Mr. Jessop's petition.

The Judge said he had attentively and patiently heard all that was urged on both sides; and though he at first felt inclined to admit the petition, he was now of opinion that he could not pass judgment on any matter not included in the petition; besides which concerned, it was evident that Mr. Homfray was cognizant of the appeal and of its trial, and though Mr. Jessop was a principal respondent, Mr. Homfray was just as much concerned, as he was in occupation of the land, and was seriously interested in the dispute. Furthermore, that Mr. Homfray opposed the admission of the appeal, and if he did not do so for himself, he must have done it for Mr. Jessop. The Judge considered the service of notice on Mr. Homfray, a tenant in occupancy of the land in dispute, and a joint defendant, as good service on Mr. Jessop, and he could not help taking into consideration the inconvenience as to costs, which would be heavy upon Mr. Storm. He could not, therefore, admit the petition. *Petition rejected.* This order ends a litigation which has been carried on for the last ten years.—*Hurkaru, December 10.*

RULES FOR THE TRANSMISSION AND LEVY OF POSTAGE ON PARCELS.

From the *Bombay Government Gazette* of the 22d November, we obtain the following rules for the transmission and levy of postage on parcels, by the Honorable Company's Steam Packets from Bombay to and from Alexandria:

1. All parcels shipped from Bombay by the Red Sea Steamers, must be paid for in advance.

2. All parcels or packages must be distinctly addressed to the parties to whom they are to be delivered, and must not have any marks or numbers put on them.

3. All parcels received at Bombay by the Red Sea Steamers, must be paid for on delivery, and in addition to the rates herein mentioned, the authorized Bangy

Rates of Postage should be added on such as are for-
warded to the interior.

4. No package to be larger than one man can
conveniently handle, or to weigh more than forty
pounds.

5. No parcel is to contain any goods or merchandize
except samples.

6. No parcel is to contain letters, bills, or money.

7. Every parcel is to bear the name and address of
the person for whose use it is intended.

8. No more packages will be received on board than
can conveniently be stowed away in each vessel, and
in no case is more than seven tons weight altogether to
be received in any one of the Steam Packets.

9. Particulars of the contents must be sent with
them in writing, without which they cannot be received
or registered.

10. The amount of import and export duty on ar-
ticles liable to entry in the Custom House, must be paid
over and above the charge for freight at the time the
parcel, &c. is brought; any evasion of this rule to
the prejudice of the Customs Revenue, will entail the
penalties of the Custom laws.

11. The Government will not be responsible for any
loss or damage.

12. The Post Master General shall have authority
to open any parcel that he has reason to suspect con-
tains letters, bills, or money, or other contraband
articles.

SCALE OF CHARGE FOR FREIGHT.

Size of Parcels.	Between Bombay and Egypt, that is Alexandria, Cairo Suez, or Cossiar
Not exceeding 400 cubic inches or 1 foot in length and 6 inches in breadth and depth	Rs. 6 0
Not exceeding 1,000 cubic inches or 1 foot in length and 9 inches breadth and depth,.....	" 9 0
Ditto, ditto 1 cubic foot.....	" 12 8
Ditto, ditto 1½ ditto ditto,.....	" 15 0
Ditto, ditto 2 ditto, ditto,.....	" 17 8
All packages above 2 feet and not exceeding 3 feet.....	" 20 0
Above 3 feet, per cubic foot,.....	" 6 0

[Calcutta Courier, Dec. 4.

MISCELLANEOUS.

CALCUTTA.

The *sai-disant* PERTAUB CHUNDER.—The case for the
prosecution against the *sai-disant* Rajah Pertah Chund,
has now closed, and the defence was entered upon on
the 21st instant. The number of witnesses to be ex-
amined on behalf of the accused, even after striking out
the names of several who were at first subpoenaed, but
whose testimony is dispensed with, is stated at two
hundred and seventy. Dr. Robert Scott, of the 37th
M. N. 1. one of the witnesses for the defence, speaks
very confidentially of the identity of the prisoner with
the real Rajah Pertaub Chund; and has pointed
out several scars on the body of the man, which cor-
respond exactly with those he knew to be on the person
of the Rajah.

Mr. Curtis, the Sessions Judge of Hooghly, has
submitted to the Nizamut Adawlat his motives for
refusing to accept bail from the *sai-disant* Rajah Pertaub
Chunder and his accomplices. They are, that the ex-
citement which the appearance of this prisoner in the
Hooghly jail, had created amongst the inhabitants of
Hooghly and Chinsurah, having considerably subsided,
he does not consider that it would be beneficial to the
public to have it renewed; and it is his opinion, that if
the prisoner were permitted to be released on bail and to
reside at Hooghly or its immediate vicinity, which he
must needs do to enable him to attend the district Ses-
sions Court daily pending his trial, this measure would,
Mr. Curtis opines, be the means of re-exciting the sup-
pressed feeling amongst the populace of Hooghly and its
vicinity.

The evidence in behalf of the prisoner, has greatly shake
en the almost universal opinion previously entertained, of
the man's being an impostor. A. Mrs. Keating Mrs.
Crane, and Mr. Overbeck, all individuals of respect-
ability, have declared their firm belief that he is
the real Pertaub Chund and no impostor, and Mr.
Overbeck mentions, that there was a rumour,
shortly after the period when Pertaub Chund is stated
to have died, that he had made his escape from the
tent he occupied at Culoa, and that a trunk, filled with

shells, had been burnt instead of him, to deceive the
people. The mystery, however, must now soon be unra-
velled, and if the man proves to be a cheat, he certainly
is a most daring and clever one.

MR. SHAW.—Mr. Shaw has been fined fifty rupees, by
the Magistrate of Hooghly, for a contempt of Court.

THE INSTALLATION OF THE BISHOP OF COCHIN CHINA.—
The above ceremony took place early on the morning of
the 2d inst., at the Principal Catholic Church, in the
presence of a small congregation, although it had been
anticipated otherwise. The Bishop, attended by the
Rev. Mr. Moore, made his appearance at half past
seven o'clock, and walked up, through the nave, to the
middle altar, where the usual ceremonies of installation
were performed by the Rev. Fr. Antonio de Santa Ma-
ria, the choir singing "Gloria, &c." In the midst of the
ceremony, an East Indian Catholic Priest, mounted the
moveable pulpit, and read aloud the Pope's Bulls, on
the authority of which the Bishop was appointed Vicar
Apostolic for the time being, in the room of Dr. St.
Leger.

REV. DOCTOR R. ST. LEGER.—On the 14th instant,
the members of the Catholic Community met at the
Principal Roman Catholic Church, and voted an ad-
dress to their Vicar Apostolic, the Revd. Dr. R. St.
Leger. On the 19th instant, on his retirement from
office, shortly before the embarkation of the Reverend
Gentleman, the address was presented to him, and
he returned a very pathetic and characteristic reply.
A silver chalice was also presented by the Catholics
to the Vicar Apostolic on the occasion, and a silver
crucifix to his brother, the Revd. John St. Leger.

SHIPWRECK.—The following extract from the *gol* of
the *Scotia*, gives an account of a wreck.

"Tuesday, November 26th, 1838, at 7-30 p. m., light
breezes and clear, heard a voice in the water to wind-
ward. Shortened sail, hove too lowered the quarter
boats, and a sent them to look round. Succeeded in
rescuing a lascar named Setupar from a raft, who stated

that he belonged to the sloop *Augerua Mannaa*, from Chittagong, in ballas, and going to Cape Roos for salt, and was upset in a gale six days ago; that he and three others got upon the raft; that his three companions had perished, and the rest of the crew and passengers 40 in number, were all supposed to be lost. Found a bag containing 57 rupees attached to the raft and 16 rupees 12 pice on his person. At 8, up boats, filled and made sail.—“Arracau River N. E. 130 miles.”

MR. MADDOCK.—Mr. Maddock has gone to join the Governor-General in the Upper Provinces, to take upon himself the duties hitherto performed by Mr. Macnaghten, and Mr. J. P. Grant will officiate for Mr. Maddock at the Presidency.

DOCT MANOMED.—Private letters from the Commander-in-Chief speak confidently of Doct Manomed having proposed to the Governor-General to vacate his throne and to accept a jaghere; but having already expressed our doubts of the correctness of a report so much at variance with the known chivalrous character of the Chief of Cabul, we shall content ourselves with a bare allusion to the fact of the report being still in circulation.

PRISONERS TO BE TRIED AT THE SESSIONS.—The number of prisoners committed to be tried at the sessions, which commenced on the 8th instant, is very great. There were, on the evening of the 6th instant, 121 persons confined in the Great Goal for that purpose. For the last 45 years there has not been so large a number of persons committed for trial at the Supreme Court, on such very trifling charges as those now imprisoned. Petty theft is the crime for which most of them have been confined, and, in some cases, the value of the property stolen, is as small as six annas. To engage the Supreme Court, Judges and Juries, in the investigation of such frivolous trials as these, is an unnecessary and vexatious taxation of their time, against which, we expect, our fellow citizens will energetically appeal. The remedy is the revival of the Court of Quarter Sessions of the Peace, with short juries and local judges.

ORPHAN MANAGEMENT PROCEEDINGS—PROTEST.—We, the undersigned managers of the Orphan Fund, representing the undementioned divisions and station of the Bengal Army, hereby protest against any proceedings of the General Management, in reference to the case of Mr. Grierson, which may be voted by the members present subsequent to our quitting the meeting that took place this day, the 10th of December, 1838, for the following reasons:—

First.—The meeting having been convened by the Deputy-Governor for the special purpose of taking into consideration drafts of letters to be sent to Major Turner and Mr. Grierson, the votes of the army restoring the latter gentleman to his office of Home Agent, was openly questioned, and after dividing on the proposed drafts in which there were five votes for and five against, it was avowed that no letter should be sent to Major Turner, and that the resolutions of the management of the 20th ultimo, should not be carried into effect. On this, we the undersigned, declared that we should quit the meeting unless the votes of the Army were carried into effect, and the resolutions of the last meeting enforced.

Secondly.—Perceiving that there was a determination to annul the votes and resolutions referred to, we protested individually against the acts of the members then present, and quitted the room.

Thirdly.—The meeting that assembled, was unattended by the Deputy-Governor, though convened by him, and his recorded opinion was read, that had he been present at the last meeting, he would have voted for carrying into effect the majority of the votes of the Army without delay.

Fourthly.—The Deputy Governor's vote together with Major Penny's (absent on duty) confirmatory of his last vote, restoring Mr. Grierson, was tendered by Capt. Butler in Major Penny's hand-writing, and rejected. Thus a minority of the managers virtually annulled the deliberate decision of the army officers and thereby precluded us from taking any part in their proceedings.

To conclude. We hereby disclaim all responsibility for the acts of the members present on this day, though resolved to retain our seats so long as our constituents confide in us.

(Signed) S. SHAW, Lieut. Colonel, Manager, Saugor Division—G. N. C. CAMPBELL, Major, Manager, presidency Division—JOHN BUTLER, Captain, Manager, presidency Station.

THE BLACK ACT MEETING—MR. MACAULAY.—The Black Act Meeting, has drawn forth the defenders and impugnors of the Supreme and Molossil Courts, and the daily papers have been teeming with their communications. A Mr George Taylor, indigo-planter of Turbont in a letter on the Black Act, states, that Mr. Macaulay has been indulging on his imagination for the statement he made in his minute, that the indigo planters were indifferent whether the Black Act passed or not.

THE COOLY TRADE.—We are happy to state, that Government have determined to grant no more licences for the shipment of Coolies, and have given directions to the Superintendent of Police, to make the same public.

UNION BANK.—The following resolutions were passed, at a meeting of the proprietors of the Union Bank, held on the 15th instant.

1. Resolved. That it is expedient to adopt a plan, for facilitating the purchase and sale in London of Union Bank Shares, thereby enabling the Proprietors resident in England to convert, without delay, their shares into money, and attracting British capital to the Calcutta money market.

2. That the shares in the Union Bank be henceforth divided into two classes to be denominated Indian shares and English shares, and that Indian shares be transferable to new proprietors in Calcutta only, and English shares be transferable in London only; but that the Proprietors may at any time exchange an Indian for a corresponding English share, or an English for a corresponding Indian share.

3. That a mercantile or Banking house in London be appointed Agents for the purpose of effecting the transfer of Union Bank shares in England, who shall be entitled to charge a fee to be paid by the purchaser for each transfer, the amount of the fee to be fixed by the Directors.

4. That a counterpart of the deed of copartnership be deposited with London Agents, and that after the intending purchaser shall have been accepted by the London Agents, he shall sign the counterpart deed, and that no transfer of a share be complete, nor the old Proprietor released, until the deed be signed by the purchaser.

That at the time of executing the counterpart of the deed in London, the new Proprietors shall also sign in triplicate, a power of Attorney, directed to the eight junior Directors of the Union Bank, empowering them jointly, or severally, to execute for him in the counterpart of the copartnership deed in Calcutta, and that duplicates of these powers be forwarded every three months by the London Agents to the Secretary in Cal-

cutta, and that one of the Directors named in the power, do accordingly execute the counterpart deed.

6. That a new form of certificate be prepared to be entitled Indian and English certificate, and that no share held under an Indian certificate, be transferred to a new Proprietor in London, nor any share held under a London certificate be transferred to a new Proprietor in Calcutta; and that on all the Indian certificates the following notice be conspicuously printed in red ink "N. B. This share can only be transferred at the Union Bank in Calcutta," and on the English certificates the following notice be printed. "This share can only be transferred at Messrs. A. B. and Co's. street, London, the Agents of the Bank."

7. That Indian certificates shall be exchangeable for English certificates in Calcutta only and not in London, and that English certificates be exchangeable for Indian certificates in London only and not in Calcutta.

8. That when a Proprietor shall be desirous of converting his Indian, into an English share, he shall deliver his certificate, to the Secretary of the Bank by whom it shall be cancelled, and an English certificate shall be prepared corresponding in number, date and every other respect with the cancelled certificate, excepting, that it need not be signed by the same Directors, and that a similar course be observed by the Agents in London, on converting an English into an Indian share.

9. That the dividends in Indian shares be payable in Calcutta only and that the dividends on English shares be payable at the London Agents only, and that the Remittances be made in Bank post Bills at three days' sight, at four per cent. per annum from date to time of payment, which bills may be negotiated in Europe.

10. That the London Agents be authorized to sign the Certificates which may be granted on the transfer of shares in England or on converting English into Indian shares,

11. That the London Agents transmit every two months a list of the transfer of shares, which may have been made during that period.

12. That printed copies of the copartnership deed be sent to the London Agents, and that every half year a complete list of the names of the Proprietors and of the number of the shares held by each, be transferred to the London Agents, and likewise copies of all resolutions passed at general meetings of the Proprietors, and that the above be always open to the inspection of any Proprietors in England.

13. That the Secretary's Report, and the Accounts published every half year in the Calcutta papers, be likewise published in the Times and Morning Chronicle, and that a book containing copies of all the Reports, since the commencement of the Bank, be likewise forwarded to the London Agents, for the inspection of Proprietors in England, and that all future Reports be entered in the same book.

14. That Mr. Thomas Holroyd be requested and empowered to make arrangements with the London and Westminster Bank, to act as our agent; or in case of that not being practicable, then with Messrs. Coutts, or some other established Bank.—Carried unanimously.

THE CALCUTTA SCHOOLS.—The pupils attached to the several schools in Calcutta, have been undergoing their annual examination. We have been informed, that those attached to the Prebendal Academy and the High School, have distinguished themselves more than the rest.

of the Lord Bishop, held to decide the locality to be assigned to the statue of Bishop Heber, the question of greatly enlarging the Cathedral came under consideration. His Lordship expressed his confidence in being able to procure, by private donations and subscriptions, the very considerable sum of 50,000 rupees, and with the co-operation of the community at large, and the Government, it is intended to lengthen the present aisle of the Cathedral and to construct at the Eastern extremity, a cross aisle which will be occupied by statues, monuments, tabular inscriptions, &c. There is no doubt but that this undertaking, for the beautifying of the Cathedral, will be grateful to the feelings of the Community, and will receive extended support.

SUICIDE.—Thomas Fielding Browne, late second officer of the *Seringapatam*, committed suicide, while in a state of inebriation, on the night of the 9th instant.

MASONIC PROCESSION, &c.—Thursday being St. John's Day, was celebrated by the brethren of the mystic tie in Calcutta, with unusual spirit. In the morning there was a procession to the Church in the Fort; in the evening a Meeting of Lodge *Industry and Perseverance* was held at the Town Hall. The W. M. and brethren of that Lodge, with their usual hospitality, had invited many brethren to join them, and the number assembled was greater than has met together in Lodge, we believe, for many years. After the Lodge was closed, the whole of the brethren assembled sat down to an elegant banquet, which was worthy of the hospitality of Lodge *Industry and Perseverance*, and creditable to Mr. Spence, who supplied and arranged the material. The viands and wines were all admirable. Among the honoured guests of the evening were the R. W. brother Blacquire (Deputy P. G. M. of Bengal) and the worshipful brother Ryan (Sir Edward) who is a distinguished Member of a Cape Lodge. There were present also, among the visiting brethren, the Masters, Past Masters, and wardens of all the Lodges in Calcutta. The number assembled on this "happy occasion," was about fifty, and the evening passed off with great conviviality; but not without a due regard to the important objects of the Masonic Institution, which were duly stated in some very good speeches made in the course of the evening, and especially in one which commemorated that distinguished member of the fraternity, the Late M. W. G. M. of India, the Marquess of Hastings. The evening was hailed by many of the brethren as the revival of Masonry in Calcutta, whereof late, owing to various untoward causes, it has been rather in abeyance; and we understand, that it is chiefly, if not entirely, owing to the moral influence and to the great exertions of the worthy W. M. Birch, of Lodge *Industry and Perseverance*, that the enthusiasm now displayed among the brethren to restore the palmy days of Masonry, is to be ascribed.

THE RACER ABSENTEE.—The fine horse *Absentee*, dropped down dead while exercising on the Race course on the morning of the 17th instant. His death has spoiled much of the sport expected at the ensuing races.

A SUITEE.—It is stated, that the rumour of a suitee having lately been performed within the Hoogly district, has been communicated to Mr. Samuells, who has departed an Ameen to proceed to the spot where this horrid rite is stated to have occurred, and after holding amicable enquiry into the particulars of it, forward him the result of his investigations.

JAMES YOUNG, ESQ.—James Young, Esq., has been re-appointed to be Sheriff of Calcutta for the ensuing year.

CURIOUS APPROPRIATION.—A few days ago, the bell belonging to the little Episcopal place of worship at Myzapore, which was only a short time ago cast by Major

Hutchinson at the Cossipore foundery, and put up near the gate of entrance, was found missing, it having been carried away during the preceding (bright moonlight) night, by some persons with the intention of melting it down and making a penny by it. Due enquiry was made for the bell, when the robbery was discovered, but for some hours without any success. Certain of the native Christians were then desired to rouse up the neighbourhood with the cry of "all hands for a search, and the reward of fifty rupees to the discoverer of the culprits who took the bell away." An old woman, soon after this, made her appearance stating that, in a ditch of dirty water within a neighbouring cluster of huts, she had seen a number of lads baling the water out, and subsequently finding a rope at the bottom, they had all put their hands to it and were tugging at something heavy affixed to the end of it, which they could not succeed in hauling up. The old lady thought that could be nothing else but "the bell," and accordingly had immediately posted off to give the happy information. The "proper authorities" accompanied her to the spot. Their approach was in some measure opposed by the dotalul of the place, but they made their way good and discovered the object of their search lying prostrate in the mud. How the bell, which was of sufficient weight for ten men to take up, was removed from its place of suspension, has never been satisfactorily made out—that the durwan was an aider and abettor in the deed, there cannot be the least doubt.

THE MOORSHEERABAD NABOB.—Ruh-en ood Dowlah, the brother of the late Nazim of Moorsheerabad, and who came down to the presidency to prosecute his claims to the *gudde* in person, has been unsuccessful in his attempt,—the late Nizam's son, Syud Munsoor All Khan, having been acknowledged by the Government as the rightful heir, under the style and title of *Muntizam ul Mulk Mashed ood Dowlah, Furree doon Jah Syud Munsoor Ali Khan Bhadour Nusrut Jung*.

A SUSPECTED SPY.—In addition to the spys and suspicious characters recently discovered at Patna and Benares, about the beginning of last month, an individual, apparently a Nepalese, having about twenty followers, was brought before the Magistrate of Mizapore, charged with being to the Reges unknown. It appears, that this man had been observed going about to the different petty chiefs in Bundelcund, urging private interviews, the object of which was to induce them to join the Nepalese, in case of the latter attempting a descent on our plains. Be it as it may, the Magistrate was unsuccessful in getting any information out of this "charge demissions secreted," who pleaded that he had come thither as a pilgrim. However, when his papers were searched, nothing of importance was found, with the exception of an exceedingly correct drawing of the Allahabad fort. The man was released and the circumstance reported to Government by Mr. Money.

PARENTAL ACADEMIC INSTITUTION.—The Annual Examination of the pupils attached to the Parental Academic Institution, took place last Friday, before a respectable assembly of ladies and gentlemen, consisting of upwards of 300 individuals. The Revd. Messrs. Fisher, Preece, Campbell, Bozzy the Revd. Dr. O'Hare, Dr. F. Corby, and several others, took a great interest in examining the pupils, and at the close of the examination expressed themselves satisfied with the progress and the acquisitions of the boys.

It was stated on the occasion, by one of the Committee of management, that in consequence of new situations opening in the Mofussil for the employment of East Indians, it was in the contemplation of the Committee to introduce among the regular class students, Bengalee and Hindostanee, as well as the principles of the Laws of England and the Revenue and Judicial Regulations of

the Local Government. Prizes consisting of medals and books were then awarded with suitable remarks by Mr. W. Byrn, the Secretary of the institution, and Mr. Montague, the head Master.

THE FERROZPORE MEETING.—The following extract from a letter dated Loodiana, the 23d ultimo, gives an amusing account of the straits to which the sight-seeking folks in the Upper Provinces are reduced from the "high pressure" on the road:—"The whole of this station is of course on the wing towards Ferrozpore—and scarcely a thing to be had in the Bazaar. Here we are, five strangers, setting our wits to work and producing the fragments of our *dak* supplies to furnish breakfast, dinner, &c. Bearers are any thing but plentiful as blackberries, and with difficulty one set is screwed out, to enable us to proceed in single blessedness one at a time. I start, I believe, to-morrow evening, and shall arrive at Ferrozpore before the Camps. It is said, that the meeting is not to take place before the 28th or 29th, and that Runjeet treats the thing very coolly, is making no haste down, and is likely to keep Lord Auckland waiting. We have a very pleasant man here, who has just returned from a tour in Cashmeer, Peshawer, &c. He is intelligent and well informed. He says, we are all wrong in our present policy, and that the Sikhs, as a nation, hate us, and the Affghans like us."

Private letters from Ferrozpore announce the arrival of the Governor-General on the 27th ultimo, on which day Runjeet-Singh also made his appearance, and joined his troops encamped on the opposite bank of the river. A complementary deputation was sent to the Maharajah, who received it *most graciously*, and desired his son, Kuruck Singh, to return the visit and convey his "salam" to Lord Auckland. Runjeet Singh waited upon the Governor-General on the 29th of November, and Lord Auckland intended to return the visit on the following day. The following is an account of the meeting, by a correspondent of the *Bengal Hurkaru*:—

"The first interview took place this morning. The hour was fixed for 8, but the Maharaj did not present himself before 9, when Lord Auckland, with a full staff, accompanied by Sir H. Fane with all his, went down to the end of the line of troops, about a quarter of a mile in length, to meet his Highness, who was attended by his sons, ministers, ordars, &c. and troops about 2000. After due salutation, His Lordship assisted the Maharaj into his own howdah, where the usual embrace and shaking of hands was gone through: then the whole assemblage, in somewhat confused order, and amidst clouds of smoke and dust, moved towards his Lordship's Durbar tent, and at first the push into the tent was tremendous, and the little "Loo," though between Lord Auckland and Sir H. Fane, had some chance of being trodden under foot. By the exertions of Messrs. Macnaghten and Fane's, some order was restored, and after His Highness had rested for some minutes in the first tent, where "the ladies," rather unusual additions, I heard said, to the scene, were seated, was with some difficulty made for the great people to pass into the inner tent, from which the "of *polli*" was excluded; so that I can only tell you of this part from hearsay. After conversation, the presents were produced. Her Majesty's picture, painted, I understand, by Miss Eden, and in a magnificent frame of solid gold, studded with jewels, was first brought in by Sir W. Cotton, supported by Messrs. Torrens and Captain Osborne, and presented to His Highness, who said every thing that was proper on the occasion, examined it thoroughly, and said, he would suspend it in his own tent, under all honors of salute, &c. Trays of jewels, shawls, cloths, &c. were then presented, and after these were removed, others were presented to Khoruck Sing Sheer Sing, Duham Sing, Atur Sing and others of the

chief sirdars. His Highness was then conducted to the room where the two howitzers were, as it is said, slung over some shrapnells which were ranged alongside. The room was crowded, and there was considerable confusion the whole time. Guns and pistols were here given, and afterwards an elephant magnificently caparisoned, and four really splendid Hissar colts in gaudy trappings, &c. His Highness of course expressed great satisfaction, &c., and was "biot kush" the whole time. Lord Auckland did the honors *a merueille*, and was most handsomely dressed, as also were the political Staff, Messrs. Macnaghten, Colvin and Torrens. After a few minutes' conversation with Miss F. Eden, His Highness took leave, and was led to his elephant by Lord Auckland and the Commander-in-Chief, and the whole tainasha soon after ended. I heard that "the Buffs," as they stood in line, were particularly noticed by the Maharaj, and it is said they are by far the most efficient and best ordered regiment here. Lord Auckland will return Runjeet Sing's visit to-morrow morning.

Rumour says, General Tackwell is to come up here to take the command of the whole cavalry. Some Regiments of Local Horse and some Bombay troops are added to the force of the Indus; but it is not supposed there will be much work for it. We hear that the Commander-in-Chief has decided on going down the Indus, but it is not certain how he will go, whether in a private or public capacity. Captain Mitchell is said to be going as Aide-de-Camp to Brigadier Arnold, also that Colonel Wain will have the Command of Artillery vice General Faithful."

30th NOVEMBER.—Lord A. returned the Maharajah's visit this morning, and the spectacle was grand in the extreme. His Lordship had H. M. 16th Lancers, and 2nd Native Cavalry, in addition to his body guards as an escort, and arrived at the bridge of boats about eight. His escort formed a street until it joined Runjeet Singh's troops, who were advanced about half a mile from the Maharajah's camp. His Highness came down about half way and the same ceremony of meeting and embracing occurred as yesterday, upon which there was a grand salute of some 100 guns mounted on camels. The line of elephants advanced to His Highness's encampment, which was an enclosure of red khanauts of about 800 feet square, in the centre the state tent, with semannah, &c. and the household troops all dressed in silk drawn up, so as to form a double cross throughout the square through which the Maharajah conducted His Lordship. As there was abundance of space and the number permitted by his Lordship to go over very limited indeed some officers were turned back from the bridge, and the Sikh chiefs showing no disposition to crowd into the durbar, and the proceedings taking place under the Semannah, the whole was seen without any difficulty, and the greatest order prevailed throughout. The Maharajah was dressed as yesterday, most plainly, a suit of red tushminah without the slightest ornament; but his chiefs and sirdars in their gaudiest and most jewelled apparel, and with the handsome tent of red cloth, gilded cornices, semannah of Cashmere shawls, carpeted with the richest Turkey carpets, the *coup d'œil* was magnificent. After the usual "bat cheet," the Heads of Departments were introduced to his Highness and the Sikh chiefs to His Lordship; then came nautching and singing, which were not of the best; then the return of presents took place, among which a gilded "charpoy," enamelled and jewelled at the four corners, a shawl tent, elephant with silver howdah, six horses better than usual, &c. The Commander-in-Chief, Messrs. Macnaghten, Osborn and Torrens, the General of Division, and some others received each their pearl necklace, and other jewels; and after exchange of compliments, &c., Lord A. took his leave. The whole thing was very complete, and I should think in no wise inferior to the meeting at Roopur; but

it is not easy to convey in writing any idea of the magnificence of the scene. The arrangements throughout, were admirable and there was not the slightest confusion. I may tell you that the usual portrait of Runjeet Singh, that in Mr. H. T. Prinsep's book for instance, was not at all like His Highness, who, to speak plainly, is the ugliest little, old, decrepit, shrivelled-faced man I ever saw; and from wearing his head-shawl down to his eyebrows, you cannot judge whether his forehead would give any sign of his undoubted ability. He has a fancy of wearing only one sock, the reason why I cannot say. Some of the Sikh chiefs are certainly very handsome men, and their infantry really showed well in line. I can't say much for the cavalry exhibited this morning.

DECEMBER 2.—"Yesterday evening we had a nautch, illuminations, and fireworks at Runjeet's tents—rather so so; but the spectacle was worth seeing from the splendid dresses of the Sikh Chiefs, (Runjeet himself excepted, who wisely eschews the gingerbread) and the beautiful effect the lights had on the magnificent semannah and carpetings of the tents. He displayed his jewels, not of course forgetting the famous "Koh-i-noor," to obtain which he procured such courtships on our protest, Shah Sujah. We praised also his ruby with 13 King's names inscribed on it—an emerald of enormous size, and another large diamond, which he stole, or which Shah Sujah pawned to him, some time ago. Lord Auckland gives a return party on Monday evening, and on Thursday, he marches for Lahore.

The Commander-in-Chief, it is settled, goes on in command to Shikarpour; but the army, in consequence of the supplies not being ready, cannot move yet. The cavalry will start on Monday week, and theappers sad miners to day. The roads are execrable, provisions, water and fuel are not expected to be very abundant, and although the Commissariat are making great exertions to "pucker the" all on both sides the river within the reach of their ropes, the returns are not optimistic. In the mean time the Dugald Dalgetties are stowing away "like bricks."

DECEMBER 3.—The grand review came off this morning, and was certainly a most splendid affair. Altogether about 10,500 men reviewed, 15 regiments of infantry, 8,500; 6 of cavalry, Skinner's horse, artillery, &c. &c. 2,000. It was rather hard work, for we were under arms from 5 A. M. to noon. The Maharaj, with Lord Auckland, came on the ground about 8, and after marching down the whole line, attended by an innumerable train of horsemen and elephants, of Europeans and sheiks, mixed in the most admired disorder, and kicking up the devil's own dust in our faces, the manoeuvres commenced. We then marched past the Lord in reviewed order, and I heard from some of the spectators on the elephants, that the effect was very grand; that the Buffs, the European regiment, the 16th and 5th N. I., were considered to march best; that the Buffs really seemed as one man, and attracted the Maharaj's special notice; yet by "the lottery," this fine regiment is cut out of the "active service" to be,—not that much cutting work is expected. The best authorities, it is said, proclaim there will be nothing but a harassing and arduous march, little fun and no glory.

DECEMBER 5.—This morning there was a review of the Maharajah's troops, which went off remarkably well. It was far better than any of us expected: the cavalry no great shakes, but the infantry manoeuvred in excellent style, the movements of their light companies something quite new. The ground was well kept, and the morning being clearer than on our field day, we were enabled to see every thing, except when the cavalry charging past raised clouds of dust. The infantry marched past the flag, quite as well as many

of our native corps, and a very fine body of men they are. It was calculated there were about 9,500 men out, 1,600 cavalry, and 8,000 infantry. The Maharaj presented at our review 11,000 rupees to be distributed, whether Lord Auckland returned the compliment this morning I can't say. His Lordship yesterday evening gave a return "evening party," to the Maharaj, illomations and fireworks, and a very good "tunasha" it was. The Misses Eden made return presents, among them one exceedingly handsome, a Prince of Wales' feather, about six inches high, composed solely of diamonds. His Highness's presents, they say, have not half equalled ours in value. This morning concluded all the gay doings, and to-morrow Lord Auckland will commence his march, *via* Umrithis, where he is to remain four or five days, to Lahore, where he is to remain about a week. Our troops commence their march on Monday; the Cavalry Brigade first.

Among the anecdotes current, of the Ferozpoore Meeting, is one which, however strange, we implicitly believe, and according to which Shah Shoojah refused to allow the Governor-General a chair in his presence.

We have also learned that Runjeet Singh took a characteristic advantage of his Lordship's contempt of, or indifference to him, and that every slight, snout of open insult, was liberally heaped upon us. His Lordship and the whole of the troops were kept waiting by the intentional disappointment of Runjeet for four hours; from eight o'clock a. m., the hour fixed for the interview, until past noon. The rest of the Sikh Chief's conduct was in perfect keeping with this proceeding.

When Lord Auckland's cavalcade went forth to return the visit of the Maharaj to Runjeet Singh, the elephant which bore Mr. Colvin, the Governor-General's Private Secretary, taking fright at some object, with whose appearance the sagacious brute was evidently unacquainted, shied, and plunged against the elephant which carried the proud burthen of the Commander-in-Chief. Sir Henry Fane, with a promptitude which we must say does as much honor to his energy as to his judgment, drew forth "his long sword," and inflicted divers wounds upon the head and trunk of the offending animal.

MR. PRESIDENT.—"The road between Ferozpoore and Ludhiana is nearly impassable; not only thieves, but murderers, infest the highways even at mid-day. Bodies are constantly found by the way side."

We hear the 1st Division has been forced to halt for want of grain, Shaw Shoojah and his force having consumed the little that was collected. The Chief was perfectly engaged in the future of the arrangements regarding supplies. So decidedly imbecile have been the pains taken on this head, that the last two days it is whispered that it will be necessary to delay the advance till next year. The Bhowalpoor Rajah has fled and the plenty which was to be enjoined, appears to have flown with him. Murmurs, however low, are heard; and the general opinion is, that they will end in some unpleasant outbreak. Desertions have commenced and fears entertained of a hesitation on the part of the Bramho sepoys to cross the Indus. Much of all this—if not "all this," is attributed to the silly manner in which our Government go to work.

Not a word has been published to the Army as to where they are going—how long their services will detain them from India, and no pains taken to shew them their comforts shall be attended; in short, expect Mr. Macnaghten, there is not a capable man near the Governor-General. His Lordship's visit to Lahore will lower the character of our Government more than you can possibly imagine.

Gentlemen of the first rank were grossly insulted by the Sikhs in our own Camp, and this will be much more the case after crossing the Sutlege. Then again, the idea of ladies accompanying the Camp, is but a finish to the degradation of our Governor-General visiting Lahore. Every thing is attributed to petticoat influence.

To-day we hear that the 5th Brigade are to march to Ludhiana, but nothing appears certain.

The order imposing the duty of shooting to death on the sepoy, was a most atrocious attack on the prejudices of the natives—they should be hung.

A letter from Camp mentions that Skinner's Brigade remains behind.

MOFUSSIL.

AGRA.—Recent letters from the Camp of the Indus Army, state, that intelligence has been received by Government from Cabool, to the effect, that Dost Mohammed and his brothers had finally come to the resolution of co-operating with Government in effecting the restoration of Shah Shoojah, on condition of salaries or pensions being guaranteed to them. This is one of the most probable of the reports lately circulated, as the arrangement is one the Affghan chiefs are most likely to come into.

MOORSHEDABAD.—The substitution of the vernacular language will take effect from the first January next, for the transaction of business in all the departments of the judicial courts at Moorshedabad, and the total supersession of the Persian language, which was hitherto allowed to be used in them.

AMJERE.—The following is an extract of a letter from Amjere, dated November 15th:—"There has been abundance of rain at Mhow, Neemuch, and all the surrounding countries, but we have had but a poor portion of it here. The *Beechla* will, I fancy, be dried up by the end of the present month; and the *Anna Singur* will not, I imagine, last out until the next rains, so that the gardens, cultivations, &c. are obliged to be supplied from wells. There are some slight cases of fever but not of a serious nature, among the native inhabitants and European residents now here. Colonel Alvos started a few days ago for Jeypoore, where serious disturbances have lately broken out. One regiment of Infantry and one troop of Cavalry have been despatched to the same place. These refractory people will not be content, I imagine, till the whole country be taken from them. This is a very cold morning, regular English weather, easterly winds with abundance of clouds occasionally. Grain of all kinds is tolerably cheap—sixteen and seven'teen seers of wheat can be obtained for a rupee; and other articles in proportion; so that we cannot as yet complain, considering the state of some other parts of the country around. Of ghee not more than two seers can be had."

NATIVE STATES.

JAYPOORE.—The following is an extract of a letter from Jeypoore, dated 30th November, 1838.

Matters here have been all settled satisfactorily. The mutineers (from 4 to 5,000 in number, with 18

pieces of cannon) after standing their ground till arrangements had been made for attacking them in position, laid down their arms, gave up their guns and other materiel, and have been disbanded, selections from them having been received into a new levy to be incorporated with Foster's Brigade: this latter point of the arrangement being with a view to obviate the possible injury to public tranquility, which might have resulted from throwing so many dispirited men loose on the face of society at the same moment. The force, under the command of Lieut. Colonel Bell, was expected to return to Nusseeraabad on the 5th instant.

JHANSI.—The following is a short statement of the movements of the Jhansi Force. The camp was near Oorcha on the 4th instant, a place, distant south from Jhanssee eight miles.

On the morning of the 29th ultimo, the Infantry Regiment and Artillery Company of Scindia's reformed contingent, joined the department under command of Lieutenant Colonel Hewitt at "Oorcha;" the 33d N. I. are expected on the morning of the 6th instant; the 6th Cavalry marched from Saugor on the 2d instant, the Train with Lieut. Burke, commissary of Ordnance, and the 72d Native Infantry, were to leave Saugor on the 4th inst., the 63d Native Infantry on the 7th, and the 60th Native Infantry with Brigadier General Sir Thomas Aubury and Staff, on the 10th November.

Two Companies of the Infantry Regiment Scindia's reformed Contingent with a detachment of Artillery and two guns, proceeded yesterday towards Mhote, a small Ghurree about 32 miles from Oorcha.

The affair at Jhansi has since been settled, but our troops still remained before the place. The cause of the outbreak, it appears, was different to what we represented it to be.

When in 1818, our Government succeeded to the rights of the Peshwa over this small territory, the succession in the usual order, was guaranteed to the family in possession, and the parties now at issue on this point, are the relict of the grandson of the Rajah whom we found in possession, and the third brother of the latter. The widow, who has no issue by her husband, asserts the rights of an adopted child, but by our agreement with the old Rajah, and the usage of succession, the next male heir of the family is the legitimate successor, who is the surviving only brother of the old Rajah; and when he has been put possession of his rights, the army will, it is supposed, be withdrawn. His entire rights will not, however, it is said, be restored.

PESHAWAR.—Hurkarahs from towards Peshawur state, that the Puthan plunderers having descended from the Hills of Shikarpore, and taken their quarters in the valley of Peshawur, say, that they will drink the blood of Runjeet's army and that of the English forces, before they reach Cabul.

CABUL.—No laws from this place, as Dost Mahomed Khan has issued strict orders to his subjects not to write any intelligence to Lahore. A short time ago a great merchant, Synd Azeem, had taken some fine horses with him for sale on his way from thence to Lahore, when Dost Mahomed sent his express sowars after him, who apprehended the merchant on the Durreh Khybur and took him back to Cabul.

CANDAHAR.—Intelligence has been received from Shikarpore, stating, that the communication between the former place and Candahar, was cut off. All couriers and travellers found in that route, were put to death. The chiefs, it is further said, are fortifying their strongholds, and Dost Mahomed is represented as determined to fight.

MADRAS.

DEPARTURE OF REGIMENTS TO MAURITIUS.—A despatch has been received by Government's express from Calcutta, containing important matter relative to Burmah. It is believed that three regiments are in consequence to be sent across at the earliest possible moment, and that the somewhat sudden order for the departure of H. M. S. Victor, arose from the same cause.

MR. FULLERTON.—Mr. Fullerton has been appointed Sheriff of Madras, for the year 1839.

SCARCITY OF RAIN—FAMINE.—In the northern districts of the Madras Presidency, the annual supply of rain has this season been so scanty, that the reports of the revenue authorities are of the most gloomy nature. In the Vizagapatam and Masulipatam districts, nothing can prevent a famine. In Kattywar, and the Northern districts of the Bombay Government, a famine has already commenced, and the streets of the Presidency seem to be swarming with natives, whose appearances sufficiently denote their sufferings.

In Madras and to the southward, the case is very different; indeed in almost all the districts south of the Presidency, the reason is spoken of as one of the least ever known.

VIOLENCE OF THE SURF.—On the 6th instant, the surf was tremendous. The rapidity and fury with which the long lines of waves dashed after each other, their monstrous size, and the violent pitching and rolling of the shipping in the roads, indicated that there must have been a severe gale in the north-eastern part of the Bay of Bengal. The surf commenced at a great distance from the shore. Some idea of its violence may be formed, from the fact of its having washed on shore the remains of the *Thalia*, which had remained firmly imbedded in the first position for more than twelve months.

BOMBAY.

ADEN.—Captain Haines, at the date of the last intelligence from Aden, had not succeeded in obtaining possession of it. This, we understand, is to be attributed partly to the unwillingness of the Arabs to part with their patrimony without the semblance of force being employed to justify their surrender, and partly to the intrigues of Mohomed Ali, whose influence, both political and commercial, would be greatly diminished in the Red Sea by the establishment of the British power at such a place as Aden.

In addition to the particulars relative to the force about to be dispatched to Aden, published above, it is now stated, that the command of the military part of the expedition will devolve on Major Baily of the 24th Regiment in consequence of Colonel Bagnold, the officer to whom it was originally offered, having declined on the plea of ill health. Three officers and a detachment of Sappers and Miners have also been added to the force, which swelled out by the artificers and camp-followers of all descriptions, will present a formidable show to the pugnacious regiments of our Government. H. M. Ships *Valage* and *Cruiser*, will also be despatched to augment the naval force now before Aden, carrying with them a portion of the troops to be employed there.

It was determined, in Council on the 7th instant, to send the remainder of the European Regiment, about 430 serviceable men, the 24th Native Infantry about 350 ditto, 30 European Artillery men, and a troop of Colossatz, 60, to take possession of Aden; but they will not leave until the Regiments from Yaroda relieve one in Poona, which will then be marched down here; this will not be until the end of the month. The force thus

sent, with the Artillery men, Marines, and a detachment of the *Coote's* seamen, will not make up more than seven hundred and fifty men. Col. Bognold is to command the expedition.

DEATH OF THE RAJAH OF KOLAPOOR.—The death of His Highness the Rajah of Kolapoor, occurred on his pilgrimage to Tooljapoor, a place about 35 miles distant from Punderpoor. After leaving the latter place he had fever for several days, and expired on the morning of the 29th of November, in a village about five miles distant from Punderpoor. He was about 37 years of age, and much liked by his subjects. He was buried in sandal wood, and his funeral was very numerously attended.

IRON STEAMER.—An iron steamer was launched on the 7th instant, and named the *Indus*.

LIBEL.—That trial of Mr. McCallum, the Editor of the *Bombay Gazette*, for a libel on Sir Charles Malcolm, which commenced on the 15th instant, before Mr. Justice Awdry, and a Special Jury, has terminated by a verdict of guilty. Judgment deferred. It is understood, that a motion is to be made in arrest of judgement.

THE SCIND FORCE.—It is said, there is an intention of adding to the force accompanying Sir John Keane to Scinde, and that this increase will consist of 4,000 men. The 10th, 16th, and two other regiments, have been named to us about to form part of his force.

The following is an account of the state of the Scind force, Camp Vickur:—"We landed a most defenceless Army, and it is well we had not an active enemy to oppose us. We had Dragoons without swords or saddles; we had Infantry without a round of ammunition, besides what they had in their pouches, and artillery without horse; neither is the position of the Camp such as a Napoleon or a Wellington would have selected; we have a river in our rear, without boat or craft of any kind to receive our troops in case of repulse. One would think that the river should have been chosen as a protection to one of our flanks. Several Baloochees have appeared in our Camp within the last few days; they seem to constitute the principal part, if not the only, troops in the place. They are a fine race of men. With a determined, soldier like aspect. The arms of those who are mounted are the sword and spear, and many the sword only. They are mounted on small but active horses. No carriage is to be had for love or money, and it is said to be the intention to move onward as soon as cattle can be procured for the transport of the men's baggage, leaving the officers the enviable privilege of getting on how best they may. It is rumoured, that one of the most influential of the Scind chiefs expressed a wish to have an interview with H. E. Sir John Keane, which was refused.

APPOINTMENT OF SHERIFF.—Mr. J. L. Johnson has obtained the appointment of Sheriff for the ensuing year. This gentleman was also Sheriff for the year 1837.

DEMAND.—It is stated, that the troops at Demaud compelled the Governor to leave the place, and have appointed a Governor of their own.

THE LIBEL CASE.—On the 9th of December, 1838, Sir John Awdry sat in the Supreme Court to pass sentence upon the Editor of the *Bombay Gazette*, found guilty, of a libel on Sir Charles Malcolm, late Superintendent of the *Indus* Navy. The sentence of the Court was, that he should be imprisoned in the Common Gaol of Bombay for the space of three months, to be fined 1,000 rupees, and to be further imprisoned till such fine be paid; and also to enter into recognizance, himself for 20,000 rupees, and two sureties, each for 10,000 rupees, that he keep the peace towards the Queen and all her subjects for two years.

BURMAH.

Letters have been received from Rangoon to the 10th of December. One dated the 30th of November says:

About ten days ago three of a party of seventy conspirators, who were taken a few leagues below Prome, were crucified at Rangoon, having their mouths cut from ear to ear, and a stick thrust down their throats. One lived about six hours, the other two about twelve hours. Their bodies remained on the cross three days. A cousin to Tharrawaddie is said to be the leader of this party on the mountains N. W. of Amerapoor. The above men died like noble martyrs to their cause. From the bold and confident manner with which they spoke of the ultimate success of their cause, added to the seeming disinclination to execute the remainder, affords grounds for supposing that this proof of Tharrawaddie's unpopularity, is an unexpected discovery. Tharrawaddie having successfully played off one party against Col. Burney, and induced them to build a brick building at his capital, by which he was encouraged to insult our Government, another party has risen to claim for Tharrawaddie the right to exercise the functions of the paramount power. But our military and naval attitude at last evince, that we are not to be bullied out of those rights and privileges, which our arms have acquired.

The numerous traders, the slaves or dupes of Tharrawaddie, raise and promulgate all kinds of absurd reports to lull our Government into a false security. We had a report a few days ago that a splendid road way was made from the residency to the Palace; then a respectable Armenian wrote to Rangoon from the Capital, that an interview was to take place on the 6th instant, and now we hear that the Woonghees have paid our Resident a visit.

DECEMBER 8.—The *dak* boat arrived this morning from Amerapoor, with accounts that our Resident had met the Woonghees at the Lootaw or Vale of Justice. The Rangoon Government had this news yesterday, for to day five of the rebels are crucified opposite Rangoon. Tharrawaddie's civility may be placed to the account of this spreading rebellion.

On the arrival here of the steamer, the Local Government took fright at the warlike appearance of our Government, and dispatched a fast boat to the capital, imploring "His Majesty to give our Resident an interview.

DECEMBER 10.—Not until our military demonstrations are pushed to the point of attack, will Tharrawaddie break down. Our Mauhmain column should take post at the northern extreme of our Provinces—it is his weak point. The Shans are ripe for revolt. It is very remarkable that just in proportion as our Government exhibit a firmness of character to sustain the influence due to the paramount power, in the same proportion the friends and dupes of Tharrawaddie seem disposed to admit that our countrymen or our Government will not be insulted with impunity.

Burmese Military barracks are erected near the Pagoda, and the houses in front of Rangoon, west of the wharf, are removed.

A private letter from Rangoon, of the 19th December, states, that by the last reports from Ava, the Resident had re-embarked in his boat; but that the *dak* boats of the above day, brought news, that in consequence of the fair promises and assurances of the Court, Colonel Benson had been induced to re-land. Our correspondent informs us, that a few days previous to the date of his letter, there had been a great demand for muskets for the capital, but that it is anticipated the news of the Persian retreat from Herat will induce Tharrawaddie to adopt a course of dissimulation. It is clear, however, that the *Englishman's* correspondent M., with his "eight elephants," is either a would-be boazer, or one of the "Six innocent."

GOVERNMENT NOTIFICATIONS.

FORT WILLIAM,

LEGISLATIVE DEPARTMENT,

THE 29TH DECEMBER, 1837.

The following Regulation, made by the Hon'ble Court of Directors, under the authority vested in them by the Act of the 37th George III. Cap. 117, is published for general information, by the Orders of the Hon'ble the President of the Council of India in Council:

Whereas by a Regulation for rescinding and re-enacting with modifications the provisions contained in Regulation VII. 884, for regulating the Trade of Foreign Nations with the Ports and Settlements of the British Nation in the East India and adjacent Seas by the Court of Directors of the East India Company on the 11th of August 1809, and which was promulgated by the Governor General in Council on the 26th January 1830, by the Governor in Council of Fort St. George on the 31st June 1831, and by the Governor in Council of Bombay on the 21st of March 1830, it was declared:

1st. That Foreign European Ships belonging to any State or Country whether having a Settlement of its own in the East Indies or not and Ships belonging to the Empire of Brazil so long as such States, Countries, and Empires respectively should remain in amity with His Majesty, might freely enter the British Sea Ports and Harbours in the East Indies, where they might arrive from any part of the world, and should have liberty to trade in all Ports, and to receive and export to the Regulations established in such place, provided that it should not be lawful for the said Ships, unless in the West Indies, to export from the said British Ports, without the special permission of the British Government, any Military Stores or Naval Stores, Saltpetre or Gunpowder, nor to receive or export from any Port or Place in the East Indies, but it might be lawful for Foreign, or for any vessel in the Empire of Brazil, to export to any Port or Place in the East Indies, where they should be permitted to trade for the country to which such Ships should be respectively bound.

2dly. That the Trade between the British Possessions in India and the United States of America should be continued to be regulated by the Convention of Commerce between Great Britain and the United States of America, signed at London the 3d day of July 1815.

3dly. That nothing in the said Regulation should be construed to affect the provisions contained in the then existing Regulations for defining the duties to which the Trade of Foreign Nations with the said Ports and Settlements of the British Nation in the East Indies.

And whereas it might have arisen how far the terms of the said second Regulation would permit any Foreign Ships to carry Goods, not a Commercial Cargo, from one Port to another, or to carry on re-exporting or country Trade.

And whereas it is expedient that such doubts should be removed, and also that the liberty of trading with the said Ports and Settlements should be extended to the Ships of some American Countries and mentioned in this Regulation the Court of Directors of the said Company by virtue of the power vested in them by the Act passed in the 37th year of the King of Great Britain King George the Third entitled "An Act for regulating the Trade to be carried on with the British Possessions in India by the Ships of Nations in amity with His Majesty," have resolved so much of the said regulation as is hereby abrogated, and in lieu thereof have framed the following Regulation:

Foreign Ships belonging to any State or Country in Europe or in America, so long as such States or Countries respectively remain in amity with His Majesty, may freely enter the British Sea Ports and Harbours in the East Indies, whether they come directly from their own Country or from any other place, and shall be there hospitably received. And such Ships shall have liberty to import into such Sea Ports from their own respective Countries Goods the produce of their Countries, and to export Goods from such Sea Ports to any Foreign Country, wherever, conformably to the Regulations established or to be established, in such Sea Ports. Provided, that it shall not be lawful for the said Ships, in time of War between the British Government and any State or Power whatsoever, to export from the said British Territories, without the special permission of the British Government, any Military or Naval Stores, Saltpetre or Gunpowder, nor to receive or export from any British Port of India to be conveyed to another British Port of India on Fire-ship or otherwise; but nevertheless the original Inwards Cargoes of such Ships may be discharged at different British Ports, and the outward Cargoes of such Ships may be laden at different British Ports, for their Foreign destinations.

THE 30 JANUARY, 1838

The following Act is passed by the Hon'ble the President of the Council of India in Council on the 3d January 1838, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.

ACT No I. of 1838.

It is hereby enacted, that from the 1st February, 1838, all Regulations of the Bombay Code passed before the year 1827 and now in force, with the exception of Sections I. II. and III. Regulations VI. 1200, and of clause 2. Section VII. Regulation IX. 1896, and of Sections XIV. XVII. XX. XXI. and XXV. Regulation I. of 1830, and of the whole of Regulations II. 1810 and VI. 1814, shall be repealed. And it is further enacted, that Act No. II. of 1837 shall also be repealed, except in so far as it relates to any regulation of the Bombay Code.

II. And it is hereby enacted, that Chapter II. IV. VI. VIII. and IX. of Regulation XX. 1827 in the said Code together with the Appendix A. B. C. E. H. I. J. K. of that Regulation, also Regulation II. 1810, Regulation XIII. 1831, Regulation I. 1832, Regulation IV. 1833 and Regulation IV. 1834 of the said Code, and all such parts of any Regulations of the said Code as require the payment of any fee, whether on a receipt of any vessel which may enter any port in the territories subject to the Bombay Presidency, and likewise the provisions of any kind contained in clause or in any other regulations, for fixing the amount of duty to be levied on goods imported for export by sea at any port within the limits of the Bombay Presidency or the drawback payable on the same shall be repealed.

III. Provided also, that nothing contained in the two preceding sections of this act shall be construed to prevent the levy of any town duty, or of any municipal tax, or of any toll or any bridge, road duty, or cause way for repair and maintenance of the same, or of any fee for the erection and maintenance of light-houses.

IV. And it is hereby enacted, that duties of customs shall be levied on goods imported by sea into any place in the territories subject to the Government of the Presidency of Bombay, after the said 1st January next, according to the rates specified in schedule A annexed to this act, and with the extent in such specified schedule and the said schedule with the notes attached thereto shall be taken to be a part of this act.

V. And it is hereby enacted, that duties of customs shall be levied upon goods exported by sea from any port of the Bombay Presidency after the said 15th January next, according to the rates specified in schedule B annexed to this act, with the exception therein specified, and the said schedule with the notes attached thereto shall also be taken to be a part of this act.

VI. Provided, however, that the ships of any European nation having a right of privilege in the port of Surat, shall not be subject to either duties of import or export than may be prescribed for their homeward respectively, any thing in the schedules or in this act to the contrary.

VII. And it is hereby enacted, that duties of customs shall be levied on goods passing by land in or out of foreign European settlements, situated on the line of coast within the limits of the Presidency of Bombay, at the rates specified in the schedules of this act, for goods imported or exported on foreign bottoms if any British port in that Presidency.

VIII. And it is hereby enacted, that it shall be lawful for the Governor in Council of the Presidency of Bombay to declare by notice to be published in the Gazette of that Presidency, that the territory of any native chief, not subject to the jurisdiction of the Courts and civil authorities of that Presidency shall be deemed to be foreign territory, and to declare goods passing into or out of such territory to be either in the duty free or the British foreign bottom or as the said Governor in Council may think fit.

IX. And it is hereby enacted, that for the levy of duties of customs on goods imported in goods exported by land to or imported by land from such foreign territories, customs, check-rooms may be established at such places as may be determined by the said Governor in Council, and every officer at every such check-rooms shall have power to detain goods passing into or out of any such foreign territory, and to examine and ascertain the quantities and kinds thereof, and such goods shall not be allowed to pass across the frontier line out of or into the territory of the East India Company until the owner or person in charge thereof shall produce and deliver a certificate showing that the customs duty leviable thereon has been paid in full.

X. And it is hereby enacted, that it shall be lawful for the said Governor in Council to appoint such officers as he may think fit to receive money on account of customs duties and grant certificates of the payment thereof, and that such a certificate being delivered to any check-officer shall entitle goods to cross the frontier into or out of the East India Company's territories, provided that the goods correspond in description with the specification thereof contained in such certificate, and that the certificate show the entire amount of duty leviable on those goods to have been duly paid. And if upon examination the goods brought to any check-officer be found not to correspond with the specification contained in the certificate presented with the same, the difference shall be noted on the face of the certificate, and if the payment of duty certified therein shall not cover the entire amount of duty

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leviable on the goods as ascertained at such examination, the goods shall be detained until a further certificate for the difference shall be produced.

XI. And it is hereby enacted, that the said Governor in Council shall give public notice in the Official Gazette of the Presidency of Bombay of the appointment of every officer appointed to receive customs duties on goods crossing the land frontier of the said foreign territories, and the officers so appointed shall on receipt of money tendered as customs duty be bound to give to any merchant or other person applying for the same a certificate of payment, and to enter therein the specification of goods with the values and description thereof according to the statement furnished by the person so applying, provided only, that the proper duty leviable thereon according to the descriptions and values stated, be covered by the payment made.

XII. And it is hereby enacted, that no certificate shall be received at any chucker that shall bear date more than thirty days before the date when the goods arrive at the chucker. Provided however, that any person who has taken out a certificate from any authorized receiver of customs duties shall at any time within the said period of thirty days on satisfying such receiver that such certificate has not been used and on delivering up the original be entitled to receive a renewed certificate, with a fresh date, without further payment of duty.

XIII. And it is hereby enacted, that it shall be lawful for the said Governor in Council to prescribe by public notice in the Official Gazette of the Presidency of Bombay by what routes Goods shall be allowed to pass into or out of any such foreign territory, as is described in Sections VII and VIII of this Act, and after such notice shall be given, goods which may be brought to any chucker established on either route or passes that those so prescribed shall, if provided with a certificate, be so taken, and if not provided with a certificate shall be detained and shall be liable to confiscation by the collector of customs, unless the person in charge thereof shall be able to satisfy the said collector that he is carrying them by that route was from ignorance or accident.

XIV. And it is hereby enacted, that goods which may be passed in which an attempt may be made to pass across any frontier guarded by chackers between sunset and sunrise, or in a clandestine manner, shall be seized and confiscated.

XV. And it is hereby enacted, that any chucker officer who shall permit goods to pass across the frontier which are not covered by a valid certificate, or who shall permit goods to pass by any prohibited route, shall be liable on conviction, before the collector of customs, to imprisonment for a term not exceeding six months, and to a fine not exceeding five hundred rupees, commutable, if not paid to imprisonment for a further period of six months.

XVI. And it is hereby enacted, that if any chucker officer shall be deviously and intentionally figure goods under the pretence of examination, or in the course of his examination or shall wrongfully detain goods for which there shall be produced a sufficient certificate such officer shall, on conviction before the Collector of customs, or before any magistrate or justice of the peace, be liable to imprisonment for a term not exceeding six months and to a fine not exceeding five hundred rupees, commutable if not paid to imprisonment for a further period of six months.

XVII. And it is hereby enacted, that all goods imported by sea into any port of the Presidency of Bombay from any Foreign European settlement in India, or from any Native State, the inland trade of which has been declared by the Governor in Council of the Presidency of Bombay, under Section VIII of this Act, to be subject to the duties levied on inland navigation shall be liable to the same duties as are imposed by Schedule A or imports on foreign bottoms.

XVIII. And it is hereby enacted, that no goods whatsoever entered in either of the Schedules of this Act, as liable to duty, shall be exempted from the payment of such duty or of any part thereof, except under special order from the Governor in Council of the Presidency of Bombay. Provided always, that it shall be lawful for the collector of customs, or other officer in charge of a Custom House to pass free of duty any baggage in actual use at his direction, and if any person shall apply to have goods passed as such baggage, the collector acting under the orders of the Government shall determine whether they be baggage in actual use or goods subject to duty under the provisions of this Act.

XIX. Provided always, that when goods are imported at any port of the Bombay Presidency from any other port in that Presidency under a certificate that the export duty specified in Schedule B, has in full duty paid thereon, or that there has been a re-export, and that the import duty specified in Schedule A has been duly paid, the said goods shall be admitted to free entry.

XX. Provided also, that when duties of customs shall have been paid on any goods at any port in any part of the territories of the East India Company not subject to the Presidency of Bombay, and when such goods shall subsequently be imported at any port of the Presidency of Bombay, credit shall be given at such last mentioned port for the sum that may be proved by the production of due certificates to have been so paid.

XXI. And it is hereby enacted, that it shall be lawful for the Governor in Council of the Presidency of Bombay from time to time, by notice in the Official Gazette of that Presidency, to fix a value for any article or number of articles liable to *ad valorem* duty, and the value so fixed for such articles shall still altered by a similar

notice, be taken to be the value of such articles for the purpose of levying duty on the same.

XXII. And it is hereby enacted, that when goods liable to duty for which a value has not been fixed by such a notice as is above directed or for which a fixed duty has not been declared by the schedules annexed to this Act, are brought to any Custom House in the Presidency of Bombay, for the purpose of being passed for importation or exportation, the duty leviable on such goods shall be levied *ad valorem*, that is to say, according to the market value of such goods at the place and time of importation or exportation as the case may be.

XXIII. And it is hereby enacted, that the market value for assessment of duties on *ad valorem* goods shall be declared by the owner, consignee or exporter, or by the agent or factor for any of these respectively, upon the face of the application to be given in by him in writing for the passing of the goods through the Custom House, and the value so declared shall include the packages of merrises in which the goods are contained, and the application shall truly set forth the name of the ship in which the goods have been imported or are to be exported, the name of the master of the said ship, the colours under which the said ship sails, the number, description, marks, and contents of the packages and the country in which the goods were produced.

XXIV. And it is hereby enacted, that every such declaration when duly signed shall be submitted to the officer of customs appointed to appraise goods at the Custom House, and if it shall appear to him that the same is correct he shall certify sign it as submitted, but if any part or the whole of the goods shall seem to him to be undervalued in such declaration, he shall report the same to the collector of customs who shall have power to take the goods of any part thereof to appraise for the Government at the place of export, and when the collector of customs shall so take goods for the Government, payment thereof shall be made to the consignee or importer if there shall be imported with duty from the date of the declaration, the amount of import duty leviable thereon been introduced, and if the goods be intended for exportation the entire value so declared shall be paid without deduction on account of customs duty.

XXV. And it is hereby enacted, that it shall be lawful for the Governor in Council of the Presidency of Bombay to cause by public notice in the Official Gazette of that Presidency what places within the same shall be open for the landing and shipment of merchandise, and any Goods that may be landed, or which an attempt may be made to land at any other port than such as shall be so declared, shall be seized and confiscated.

XXVI. And it is hereby enacted, that when any vessel shall arrive in any port of the Presidency of Bombay, the master shall deliver to the manifest of the cargo on board made up according to the form annexed to this Act and marked C, to the first person duly empowered to receive such manifest that may come on board, and if no such person shall have come on board before the arrival of the said vessel, the manifest shall be forwarded to land on board of the first ship that leaves the vessel or dropper anchor, and if the port be an open river or at a distance from the land first mentioned it shall be lawful for the said Governor in Council, by an order published in the Official Gazette of the Presidency, to fix a place on any river or port beyond which place it shall not be lawful for any vessel bound to pass, except such country craft as may be described in Section LI and LIJ of this Act, to pass, and the master shall give forward with such manifest as may be ordered by the said Governor in Council if such a manifest as is required by this Act.

XXVII. And it is hereby enacted, that if the manifest, so delivered by the flag at such port contain a full and true specification of all the goods imported in the vessel the said master shall be liable to a fine of one thousand rupees, and any goods or packages that may be found on board in excess of the manifest so delivered, or differing in quality or kind or in marks and numbers from the specification contained in the manifest shall be liable to be seized by any customs officer and re-embarked, or to be charged with such increased duties as may be determined by the collector of customs under the orders of the Government.

XXVIII. And it is hereby enacted, that if any inward bound vessel shall remain on board or below the place that may be fixed by the said Governor in Council for the first delivery of manifests, the said Governor in Council may by a manifest as the embargo press there, to the first person duly empowered to receive such manifest that may come on board, and if any vessel staying a port for which there is a Custom House established, shall be at anchor therein for the space of twenty-four hours the master thereof shall refuse to deliver the said manifest in the manner above prescribed, he shall for such refusal be liable to a fine not exceeding one thousand rupees, and no entry or port clearance shall be given for such vessel until the fine is paid.

XXIX. And it is hereby enacted, that no vessel shall be allowed to break bulk, unless a manifest as required by this Act, and another copy thereof to be presented at the time of applying for duty inwards, as required by the collector of customs shall have been received by the said collector, nor until order shall have been given by the said collector for the discharge of the cargo, and that the said collector may further refuse to give such order if he shall see fit until any port clearances, tickets or other papers known to be granted at the place from which the vessel is sent to have come shall likewise be delivered to him.

XXX. And it is hereby enacted, that no goods shall be allowed to leave any vessel or to be put on board thereof until

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entry of the vessel shall have been given duly made in the Custom House of the port, and until order shall have been given for discharge of the cargo there of as above provided, no it shall be lawful for every customs officer to seize as contraband any goods which have been returned or put on board of any vessel in contravention of the above provision, or which any attempt shall have been made to remove from or put on board of any vessel in contravention of the above provision. And after entry of the vessel at the Custom House in due form such part of the cargo as may not be declared for re-exportation in the same vessel shall be sent to land and export cargo shall be laden on board according to the forms and rules that may be prescribed for the port by the act or by order of the Governor in Council of the Presidency of Bombay, and if an attempt be made to land or put on board goods or merchandise in contravention of the forms and rules so prescribed the goods shall be liable to seizure and confiscation.

XXXI. And it is hereby enacted, that if goods entered in the manifest of a vessel shall not be found on board that vessel, or if the quantity found be short and the deficiency be not duly accounted for, or if goods sent out of the vessel be not landed at the Custom House, or at such other place as the collector of customs shall have prescribed, the master shall be liable to a penalty not exceeding five hundred rupees for every missing or deficient package of unknown value, and for twice the amount of duty chargeable on the goods deficient and unaccounted for, if the duty can be ascertained. Provided however, that nothing herein contained shall be construed to prevent the Collector of customs from permitting at his discretion the master of any vessel to land in convenient places or to stow on deck his goods on board, or in convenience by furnishing an amended or supplemental manifest.

XXXII. And it is hereby enacted, that there shall in every port of the Presidency of Bombay be one or more places appointed for the landing and shipment of goods, and also a small port or landing at any other place without the special order in writing of the collector of customs for the port, and if any goods be landed, or an attempt be made to land any goods at any other than the said authorized places without such order they shall be seized and confiscated.

XXXIII. And it is hereby enacted, that if the Governor in Council shall see fit for the security of customs at any port to maintain special establishments of boats for the landing and shipping of merchandise, or to license and register the vessels boats plying in any port since their construction thereof, it shall not be lawful for any person to convey goods to or from any vessel in such port without the written order of the collector of customs at the port, and any goods that may be found on board of such boats in contravention of the order shall be liable to be seized by any officers of customs and shall be liable to confiscation.

XXXIV. And it is hereby enacted, that when the Governor in Council of the Presidency of Bombay shall see fit to maintain at any port an establishment of a pier to be used on board of vessels to which their masting and rigging, then after due notification shall have been given by that establishment is so maintained at any port the collector of customs at the port shall have power at his discretion to sentence or in the absence of such establishment to remove on board of any vessel in such port by night and by day and the vessel shall leave the port at it shall be otherwise ordered by the collector.

XXXV. And it is hereby enacted, that any master of such vessel of such port who shall refuse to receive such officer with one's consent on board with a small cabin shall be so departed as above provided, or shall not be received on board, and such persons shall be liable to be removed and receive accommodation while on board, and likewise furnish them with a proper allowance of fresh water if necessary, and with the means of cooking on board, shall be liable to pay not exceeding the value of one hundred rupees for each day during which such officer and servants shall not be received and provided with suitable shelter and accommodations.

XXXVI. And it is hereby enacted, that whenever a collector of customs shall see cause to direct that any vessel shall be searched he shall issue his warrant or written order for such search addressed to any officer under his authority and upon production of such order the officer bearing it shall be competent to require any cabins, lockers, or bulkheads to be opened in his presence, and if they be not opened upon his requisition to break the same open, and any goods that may be found concealed, and that shall not be only accounted for to the satisfaction of the collector of customs shall be liable to confiscation and any master or person in charge of a vessel, who shall resist such officer or refuse to allow the vessel to be searched when so ordered by the collector of customs, shall be liable upon conviction for every such offence to a fine of one thousand rupees.

XXXVII. And it is hereby enacted, that every master of a vessel who shall remove from such vessel or put on board thereof any goods, or cause or suffer any goods to be removed from thence or put on board thereof between sun set and sun rise or on any day when the Custom House is closed for business without leave in writing obtained from the collector of customs, shall be punished with a fine not exceeding five hundred rupees.

XXXVIII. And it is hereby enacted, that no cargo boat, laden with goods intended for exportation by sea shall make fast to or be alongside of any vessel on board of which there shall be a customs officer stationed unless there shall be on board the boat,

or have been received by the said customs officer a Custom House permit or order for the shipment of the goods, and the boats on board of any boat that may so be alongside or be made fast to a vessel, if such goods be not covered by a Custom House pass accompanying them, or previously received by the customs officer on board, the said vessel shall be liable to confiscation.

XXXIX. And it is hereby enacted, that when goods shall be sent from on board of any vessel having a customs officer on board for the purpose of being landed and passed for importation there shall be sent with each boat land or other separate despatch a boat note, specifying the number of packages, and the marks and numbers of other description thereof, and such boat note shall be signed by an officer of the vessel and likewise by the customs officer on board, and if any imported goods be found in a boat proceeding to land from such a vessel without a boat note, or if be accompanied by a boat note they be found out of the proper track between the ship and the proper place of landing, the boat containing such goods may be detained by any officers of customs duly authorized by the collector, and unless the cause of deviation be explained to the satisfaction of the collector of customs, the goods shall be liable to confiscation.

XI. And it is hereby enacted, that when goods shall be brought to be passed through the Custom House either for importation or exportation by sea, in the packages in which the same may be contained shall be found not to correspond with the description of the packages in the application for passing them through the Custom House, or if the contents thereof be found not to have been correctly described in regard to sort, quality, or if any goods not so stated in the application be found concealed in or mixed up with the specified articles, all such packages with the whole of the goods contained therein, shall be liable to confiscation.

XII. And it is hereby enacted, that if any person after goods have been landed and before they have been passed through the Custom House makes any attempt to remove them with the intention of defrauding the revenue, the goods shall be liable to confiscation unless it shall be proved to the satisfaction of the collector of customs that the removal was not sanctioned by the owner or by any person having an interest in or power over the goods.

XIII. And it is hereby enacted, that it shall be lawful for the collector of customs, whenever he shall see fit to require that goods brought by sea and stowed in bulk shall be weighed or measured on board ship before being taken to land and to levy duty according to the result of such weighing or measurement.

XIV. And it is hereby enacted, that an application by the exporter of any salt that has paid the export duty fixed by act No. XXVII of 1872, a certificate shall be granted by the collector of customs at the place of export under authority of which certificate the quantity of salt specified therein shall be found at any other port of the said Presidency of Bombay, and shall be passed from such port into the interior without the levy of any further duty either of export or of customs.

XV. And it is hereby enacted, that when a customs officer shall be sent on board of any vessel to superintend the entry of cargo, twenty days, exclusive of Sundays and holidays, shall be allowed for the discharge of the import cargo of vessels not exceeding six hundred tons burden, and forty days, exclusive of Sundays and holidays, for the discharge of the import cargo of vessels exceeding that burden, and the said periods shall be calculated from the day when the customs officer first went on board. And if the whole cargo be not discharged by the expiration of the above mentioned periods, the master shall be charged with the wages of such officer, and other expenses for any further period that such officer may be detained on board. And if the owners, importers, or consignees do not bring their goods to land within the periods above fixed, it shall be the duty of the master so to do.

XVI. And it is hereby enacted, that when there shall be no customs officer sent aboard vessels discharging cargo, it shall be lawful for the collector of customs to fix a period, not being less than twenty days, for the discharge thereof and clearance of the vessel's cargo, and if any goods remain on board at the time so fixed or after the time allowed in the last preceding section of this Act, the collector may order the same to be landed and weighed for the security of the duties chargeable thereon and of any fines and penalties and other demands that may be due thereon, giving his receipt to the Master for the same. Provided always that in no case it shall be lawful for the collector or other officer in charge of the Custom House, with the consent of the master of the vessel, to cause any packages to be brought on shore and to be deposited in the Government warehouses for the security of the duties and charges thereon, although twenty days may not have expired from the entry of such vessel; and in case any goods brought to land from any vessel be not claimed and cleared from the Custom House within three months from the date of entry of the ship in which such goods were imported, it shall be competent to the collector to sell the same on account of the duties and other charges due thereon, and the balance remaining after deducting the said duties and charges shall be held in deposit and paid to the owner on application.

XVII. And it is hereby enacted, that when a customs officer shall be sent on board of any vessel discharging cargo, a further period of fifteen days, Sundays and holidays excluded beyond the period of fifteen days above specified, shall be allowed for putting on board export cargo if the vessel shall be not exceed six hundred tons burden, and twenty days if it exceed that burden, when the loading and unloading thereof shall be continuous, and the master or commander shall in no case not be charged with the wages and

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expenses of the customs officer on board until after the expiration of each additional period. And if a vessel having discharged its import cargo, shall be laid up, the customs officer on board shall certify that no goods remain on board except necessary stores and articles for use, and when a vessel so laid up shall be entered at the Custom House for receipt of export cargo a customs officer shall be sent on board, and if the said last mentioned officer shall certify that no goods are on board except as above excepted, twenty days exclusive of Sundays and holidays, as above, shall be allowed from the date of such certificate for the loading outwards of a vessel not exceeding six hundred tons, and thirty days for vessels exceeding that burthen, after which periods respectively the master shall be charged with the wages and expenses of the customs officer on board to the date of the vessel's sailing from the port.

XLVII. And it is hereby enacted, that when upon application from the master of any vessel the customs officer shall be removed from on board thereof under the provision to that effect contained in the preceding section of this act, if the manner of such vessel shall be or a customs officer have again been placed in such vessel, put on board of such vessel, or cause or suffer to be put on board of such vessel any goods whatever, such master shall be punished with a fine not exceeding one thousand rupees, and the goods shall be liable to be re-landed for examination at the expense of the shipper upon requisition to that effect from the collector of customs.

XLVIII. And it is hereby enacted, that upon any goods liable to duty that may be passed through the custom House for shipment, the application for which shall be presented after port clearance shall have been taken out double of the prescribed duty shall in all cases be levied, and if the goods be free or have already paid import duty, or have been imported free under certificate, five per cent, upon the market value shall be levied thereon, or if the same be imported goods entitled to drawback shall be forfeited, but no separate duty shall be levied on drawback goods.

XLIX. And it is hereby enacted, that when a vessel having cleared out from any port shall put back from seas or whether, or it shall from other cause be necessary that the cargo of a vessel that has cleared out shall be unshipped or re-landed, a customs officer shall be sent to watch the vessel and take charge of the cargo during such re-landing or removal from on board, and the goods on board such vessel shall not be allowed to be transhipped or re-exported free of duty by reason of the previous settlement of duty at the time of first export unless the goods shall be lodged in such place as shall be allowed by the collector of customs, and shall remain while on land, or while on board of any other vessel under special charge of the officers of customs until the time of re-export, and all charges attending such custody shall be borne by the exporter. Provided however that in all cases of return to port after port clearance, on account of damage or for stress of weather, it shall be lawful for the owner, or for the master, to enter the vessel and land the cargo under the rules for the importation of goods, and the export duty shall in that case be refunded, and the amount paid in drawback be returned, and if goods on account of which drawback has been paid be not found on board the vessel, the master shall be liable to a fine not exceeding the entire value thereof unless he account for them to the satisfaction of the collector of customs.

L. And it is hereby enacted, that when goods shall be re-landed before the landing of any vessel is complete, and before port clearance has been granted, the duty levied upon such goods shall be returned to the exporter, but no refund shall be made of duty paid on the export of any goods after port clearance shall have been granted for the vessel on which the goods were exported, unless the vessel shall have put back for stress of weather or for damage, and the goods shall have been re-landed under the rule contained in the last preceding section of this act.

LII. And it is hereby enacted, that it shall be lawful for the said Governor in Council to establish rules for the anchoring of the customs and country craft of the British territories or the delivery of manifests of the cargo of such vessels and for the landing of Goods therefrom, and shipping of goods therefrom, and that whoever being in charge of any such craft shall knowingly contravene any such rule, shall be liable to a fine not exceeding one hundred Rupees for each offence.

LII. And it is hereby enacted, that puttamars, dhonies, botelos, and other small craft from the Madive or Laccadive islands, or from the Native ports of Kattywar, Cutch and Scinde, shall be treated in the ports of the Bombay Presidency like the coasting craft of the British territory, provided that they conform to such special regulations as to the place of anchoring and mode of landing and shipping goods as may be made by the Governor in Council of Bombay for such vessels in these several ports of Bombay Presidency.

LIII. And it is hereby enacted, that no drawback shall be allowed on goods shipped on such native craft as are described in the last preceding section of this act.

LIV. And it is hereby enacted, that goods exported in the same vessels if manifested for re-export, shall not be subject to import or export duty, and if any goods brought to any port in any vessel be transhipped in such port, they shall in all cases be subject to the same duty as if they had been landed and passed

through the Custom House for re-exportation in the vessel into which they may be transhipped.

LV. And it is hereby enacted, that no transhipment shall be made of any goods except under special order in writing from the collector of customs of the port, and an officer of customs shall in all cases be deputed to superintend the removal of the goods from vessel to vessel.

LVI. And it is hereby, that at every port subordinate to the Bombay Presidency, the port of Bombay excepted, an anchorage fee shall be levied once at each port according to the burthen on all country craft above the burthen of (100) one hundred maunds, at the rates hereinafter specified.

Above	10 Candies (equivalent to 100 maunds)	Not ex- ceeding	20 Candies	200 Indian maunds,	R. A.
					1 0
"	20	40	60	80	1 8
"	40	60	80	100	2 0
"	60	80	100	120	2 8
"	80	100	120	140	3 0
"	100	120	140	160	3 8
"	150	200	250	300	4 0
"	200	250	300	350	4 8
"	250	300	350	400	5 0
"	300	350	400	450	5 8
"	350	400 & upwards,			6 0

LVII. And it is hereby enacted, that in all cases in which under this act, goods are liable to confiscation, the collector of customs of the place where the goods may be shall be competent to adjudicate such confiscation.

LVIII. And it is hereby enacted, that if any person in charge of a vessel shall have become liable to any fine on account of any act or omission relating to customs, the collector of customs shall be competent, subject to the orders of the Governor in Council of the Presidency of Bombay, to refuse port clearance to such vessel until the fine shall be discharged.

LIX. And it is hereby enacted, that it shall be lawful for any collector of customs, or other officer who may be authorized to adjudicate customs cases if he shall decide that a seizure of goods made under the authority of this act was vexatious and unnecessary to adjuicate damages to be paid to the proprietor by the customs officer who made such seizure, besides ordering the immediate release of the goods; and if the proprietor accept such damages no action shall thereafter be brought against the officer of customs in any Court of Justice on account of such seizure, and if such adjudicating officer shall decide that the seizure was warranted, but still deem that the penalty of confiscation is unduly severe, it shall be lawful for him to mitigate the same to the extent of the levy or double duty, and if the said officer shall adjudicate confiscation of goods further be lawful for him to order that from the proceeds of the sale of the goods, a proportion not exceeding one-third shall be distributed to rewards amongst such officers as he shall deem entitled thereto, and in such proportion as he may direct to each respectively.

LX. And it is hereby provided, that all officers of customs shall as herebefore be amenable to the civil courts of the Presidency or Island of Bombay by action for damages on account of any execution as a donee in their official capacity or by suit of the parties injured by such as is provided, however, that no suit shall be brought against a collector of customs or other officer for any judgment awarded in a notice of customs passed under the preceding section of this act.

LXI. And it is hereby enacted, that whoever intentionally obstructs any officers in the exercise of any powers given by this act to such officer, shall be punished with imprisonment for a term not exceeding six months, or fine not exceeding one thousand rupees, or both.

LXII. And it is hereby enacted, that whoever, being an officer appointed under the authority of this Act, shall accept, or obtain, or attempt to obtain from any person any property as a consideration for doing or forbearing to do any official act, shall be punished with imprisonment for a term not exceeding two years, or fine, or both.

LXIII. And it is hereby enacted, that whoever, being an officer appointed under the authority of this act, practises or attempts to practise any fraud for the purpose of injuring the customs revenue, or abets or connives at any such fraud, or at any attempt to practise any such fraud, shall be punished with imprisonment for a term not exceeding two years, or fine, or both.

LXIV. And it is hereby enacted, that it shall be lawful for the Governor in Council of Bombay, by an order in council, to transfer any of the powers given to a collector of customs by this act to any other functionary, and to make any rules consistent with law for the carrying of this act into effect, and to establish such bauders and appoint such officers as he shall think fit and fix rates of wharfage and of rent to be paid for goods deposited or suffered to lie in the godowns of the Custom House.

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SCHEDULE A

Rates of Duty to be charged on Goods imported by Sea into any Port of the Presidency of Bombay.

No.	Enumeration of Goods.	When imported on British Bottoms.	When imported on Foreign Bottoms.
1	Bullion and Coin,.....	Free.....	Free.
2	Precious Stones and Pearls.....	Ditto.....	Ditto.
3	Grain and Pulse,.....	Ditto.....	Ditto.
4	Horses and other living Animals,.....	Ditto.....	Ditto.
5	Ice.....	Ditto.....	Ditto.
6	Coal, Coke, Bricks, Chalk, Stones, (Marble and Wrought stones excepted.).....	Ditto.....	Ditto.
7	Books printed in the United Kingdom or in any British Possession,.....	Ditto.....	3 per cent.
8	Foreign Books,.....	3 per cent.....	6 per cent.
9	Marine Stores, the produce or manufacture of the United Kingdom or of any British Possession,.....	3 per cent.....	6 per cent.
10	Ditto ditto, the produce or manufacture of any other place or country,.....	6 per cent.....	12 per cent.
11	Metals, wrought or unwrought, the produce, or manufacture of the United Kingdom or any British Possession,.....	8 per cent.....	6 per cent.
12	Metals, ditto ditto, excepting iron the produce or manufacture of any other place,.....	6 per cent.....	12 per cent.
13	Tin, the produce of any other place than the United Kingdom or any British Possession,.....	10 per cent.....	20 per cent.
14	Woolens, the produce or manufacture of the United Kingdom or any British Possession,.....	2 per cent.....	4 per cent.
15	Ditto, the produce of any other place or country,.....	4 per cent.....	8 per cent.
16	Cotton Wool not covered by certificate of the payment of Export Duty at any other Port of Bombay,.....	9 us per md. of 80 Toils to the sack.....	1 rs 2 annas per md of 80 Toils to the sack.
17	Cotton and Silk, Picee Goods, Cotton Twist and Yarn, the produce of the United Kingdom, or of any British Possession,.....	3½ per cent.....	7 per cent.
18	Ditto, the produce of any other place,.....	7 per cent.....	14 per cent.
19	Opium covered by a Pass,.....	Free.....	Free.
20	Ditto not covered by a Pass,.....	24 rs per sack of 80 Toils.....	24 rs. pr. sr. of 80 Toils
21	Salt not covered by a Pass,.....	3 us per md. of 80 Toils per sack.....	8 us pr md of 80 Toils pr sr.
22	Alum,.....	1½ per cent.....	20 per cent.
23	Gamboge,.....	1½ per cent.....	20 per cent.
24	Cuscuta,.....	10 per cent.....	20 per cent.
25	Clay,.....	10 per cent.....	20 per cent.
26	Coffee,.....	7½ per cent.....	15 per cent.
27	Cardamom,.....	10 per cent.....	20 per cent.
28	Nutmegs and Mace,.....	10 per cent.....	20 per cent.
29	Pepper,.....	10 per cent.....	20 per cent.
30	Buttans,.....	7½ per cent.....	15 per cent.
31	Tea,.....	10 per cent.....	20 per cent.
32	Vanilla,.....	10 per cent.....	20 per cent.
33	Wines and Liquors,.....	10 per cent.....	20 per cent.
34	Spirits, consolidated Duty, including any duties levied heretofore thro' the Po'uce,..... And the duty on spirits shall be rateably increased as the strength exceeds London proof, and when imported in bottles, five quart bottles shall be deemed equal to the imperial gallon.	9 us. per imperial gallon.....	1 re. per. impe ial galon
35	Tobacco,..... Which duty shall be the minimum Customs duty levied on Raw Tobacco and all preparations thereof in all the ports of the Bombay Presidency, but if at a rate of 5 per cent on the actual value, a higher duty than 1 r 8 annas per md. should be leviable on any preparation of Tobacco, the duty shall be levied <i>ad valorem</i> at that rate if imported on British bottoms, and at 10 per cent, on Foreign bottoms. And the Customs duty laid upon Tobacco shall be allowed in setting for the special duty levied on the import of this article into the Island of Bombay, which special duty shall be levied at the rate of 9 rupees for the hundred pound.	1 r 8 as, pr md. of 80 Toils pr. sack.....	1 r. 8 as pr md of 80 Toils pr sr
36	All articles not included in the above enumeration,.....	3½ per cent.....	7 per cent.

And if the Collector of customs shall see reason to doubt whether the goods liable to a different rate of duty according to the place of their production come from the country from which they are declared to come, the importer is to make lawful for the Collector of customs to call on the importer to furnish evidence as to the place of manufacture or production, and if such evidence shall not satisfy the said collector of the truth of the declaration, the goods shall be charged with the highest rate of duty, subject always to an appeal to the Governor in Council at Bombay.

And upon the re-export by sea of goods imported, excepting Opium and salt, all and goods of the growth, production or manufacture of the continent of India, provided the re-export be made within two years, of the date of import as per Custom House Register, and the goods be identified to the satisfaction of the Collector of customs, there shall be retained one-tenth of the amount of duty, levied and the remainder shall be repaid or drawback.

But no exporter of imported goods shall be entitled to drawback unless the drawback be claimed at the time of re-export nor shall any payment be made of drawback unless the amount claimed be demanded within one year from the date of entry of the goods for re-export in the Custom House Registers.

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SCHEDULE B Rates of duty to be charged on Goods exported by Sea from any Port or Place in the Presidency of Bombay.

No.	Enumeration of Goods.	Exported on British Bottoms.	Exported on Foreign Bottoms.
1	Bullion and Coins,	Free.	Free.
2	Precious Stones and Jewels,	Ditto.	Ditto.
3	Books, Maps and Drawings printed in India,	Ditto.	Ditto.
4	Horses and Living Animals,	Ditto.	Ditto.
5	Opium carried by a Pass,	Ditto.	Ditto.
6	Ditto not carried by a Pass,	Prohibited.	Prohibited.
7	Cotton Wool exported to Europe, the United States of America or any British Possession in America,	Free.	\$ 9 as pr. md. of 80 Tols has to the seer
8	Ditto ditto exported to places other than above,	9 as per md of 80 Tols per seer	\$ 7. 2 as pr. md of 80 Tols
9	Not having paid the Excise of 8 annas a maund,	Free.	Free. [to the seer]
10	Tobacco,	1 r 8 as pr. md of 80 Tols to the seer	\$ 1 r 5 as pr. md of 80 Tols has to the seer
11	All country articles not enumerated or named above,	3 per cent.	6 per cent.

And upon the re-export to Europe, the United States of America or to any British possession in America, or from any other port of the Bombay Presidency, of cotton that has been imported under certificate of the payment of the duty specified in this schedule, provided that the re-export be made in British bottoms within two years from the date of such certificate, and the amount be claimed within one year from the date of re-export as per Custom House Registers, the whole amount of export duty levied at the first place of export shall be returned.

5TH JANUARY 1838.

The following Act is passed by the Hon'ble the president of the Council of India Council, 3 on the 5th January 1838, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded.

Ord. red, that the Act be promulgated for general information
ACT NO. 11, of 1838.

I. It is hereby enacted, that from the 1st day of February 1838 Salt shall not be manufactured at any place within the territories subject to the authority of the Lieutenant Governor of the north Western Provinces, the districts beyond the right bank of the Jumna river, excepted, unless the persons conducting the manufacture shall before preparing works for the production of such Salt give notice in writing to the collector of the district in which the place of manufacture may be situated, of his intention to manufacture Salt there.

II. And it is hereby enacted that upon receiving such notice as is prescribed in the preceding section, the collector of the district shall, by an order under his seal and signature, depute one or more officers, who shall be stationed, in such time as the said collector shall think proper at every such place of manufacture, and shall have power to take account of the Salt manufactured and stored, and to prevent the removal of the Salt until the Government duty thereon shall have been paid.

III. And it is hereby enacted, that every proprietor of Salt Works within the north western provinces, at which an officer shall be stationed as above provided, shall pay to the collector the wages of an officer at the rate of 10 Rs per mensem, for so long as such officer shall be retained for the supervision of the Works, and if the collector shall see fit to employ more than one officer to watch any sets of Works, or to employ one officer receiving a further allowance than 10 Rs per mensem, the wages of such extra officers, or the extra wages of such one officer, shall be defrayed by Government.

IV. And it is hereby enacted, that if any Salt Works be found producing Salt, of which notice has not been given in the manner prescribed by the first Section of this Act, such Works shall be destroyed, and any Salt stored thereat shall be seized and conveyed.

V. And it is hereby enacted, that it shall be the duty of every party under direct engagements with Government for the Land Revenue, either as a proprietor or farmer, and of every proprie-

tor of Lukhraj Lands, upon whose Zemindaree, Farm, or Lukhraj Estate, there shall be any Works producing Salt, of which Works notice has not been given in the manner prescribed by the first Section of this Act, to give notice of the same in writing to the nearest public office of Police or Land Revenue within ten days from the date on which the Works were last prepared and every such proprietor, farmer, or proprietor of Lukhraj estate, who shall knowingly omit to give such notice, shall forfeit a sum not exceeding 500 Rs for every such Salt Works.

VI. And it is hereby enacted, that the magistate or Joint magistate of any city or district shall be competent to receive and determine all charges on account of things or coins in contravention of this Act.

VII. And it is hereby enacted, that whoever offers any resistance to any officer appointed under the authority of this Act, in the exercise of the lawful powers of such officer, shall be punished in like manner as in the resistance had been offered to the ordinary process of a collector.

ACT NO. 111, of 1838.

I. And it is hereby enacted, that Act No. VIII, of 1837, be repealed.

II. And it is hereby enacted, that whenever the Governor in Council of Fort Saint George shall appoint a Joint criminal Judge of Cochin, and shall give to such Joint criminal Judge jurisdiction over the Districts of Arang and Chingacherry, such Joint criminal Judge shall exercise, within his jurisdiction, all the powers of Joint magistate as defined in the Madras Regulations.

20th DECEMBER, 1837.—The Honorable the President in Council has been pleased to appoint Mr. G. A. C. Ploeden to act as deputy secretary to the Governments of India and Bengal in the judicial and revenue departments, until further orders. This appointment will take effect from the 9th instant.

FOR WILLI M, LEGISLATIVE DEPARTMENT THE 22D JANUARY, 1838
—The Hon'ble the President of the Council of India in Council has been pleased to appoint Mr. C. H. Cameron to be a Member and President of the India Law Commission.

ROSD MANGLES,
Offy. Secy to the Govt. of India.

CIVIL APPOINTMENTS, &c.

BY THE DEPUTY GOVERNOR.

FOR WILLI M, GENERAL DEPARTMENT, 20th DECEMBER, 1837.—Captain J. R. BOWMAN, assumed the duties of 2d assistant to the master attendant of this port, on the 11th instant, under the appointment made by the Right Hon'ble the Governor of Bengal, the 18th October last.

The Honorable the Deputy Governor of Bengal is pleased to grant to the Reverend J. Bell, district chaplain at Mhow, two month's leave of absence, in extension of the leave granted to him on the 16th August last.

The Honorable the Deputy Governor of Bengal has been pleased to direct the collector of Pooree to assume charge of the Post Office at that station from the 1st proximo.

DECEMBER, 27th.—Mr. H. M. Pigeon has been permitted to resign the East India Company's civil service from the 30th instant.

The following Errors having been discovered in the Polymetrical tables of distances prepared under orders of the Governor General in Council, and printed at the Official Gazette Press for regulating the levy of postage, the same are notified for general information, and the several Post Office authorities throughout India are directed to make the necessary corrections in their

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boat half way between them, will take them over the bar in the deepest part where there is a depth of 2 feet at high water spring tides, and they must then bear away for the small buoy, which is laid down on the point of a sandbank projecting from the north point of the entrance, and pass it on the right or South side. At low water there are heavy breakers right across the mouth whenever the wind is from the Westward, and even at high tide the swell that rolls across the bar is extremely high.

The Kedywarre mouth is situated 4 miles E. S. E. of the H. H. entrance in latitude 21° 6' 30" north, and has a channel in the shape of a slender pipe of 15 feet high on its north point. It is approached by a channel about 5 miles long, and from 600 to 800 yards broad, the entrance of which a large buoy has been placed in 13 fathoms from this buoy, the beacon at the mouth of the river bears N. E. ½ N., and that at the H. H. entrance north N. & W. After the buoy is passed steer N. E. by N. ½ N., keeping the buoy a point open to the Eastward, until the H. H. entrance is in sight N. W. ½ N., then steer for the former. Along this line there is no water less than 10 feet at high water spring tides. At both the H. H. entrance and Kedywarre mouths it is high water on the full and change of 11 hours.

(Signed) T. G. CARLESS, Lieut. Commanding H. C. S. Brig Palanurus

Dr Christie assumed medical charge of the Nipal Residency on the 1st Instant.

JAN 24—Lieutenant Colonel Boney, resident at Ayo, has obtained leave of absence for 2½ months, from the 6th of Dec last.

FOR T. WILLIAM, MILITARY DEPARTMENT, 17TH JAN. 1858.—Notice is hereby given, that the Pay Bills, and other Allowances for January 1858 of the Troops of the Presidency, and at the other Stations of the Army, will be issued on or after Saturday, the 10th Proximo.

ECCLIESIASTICAL DEPARTMENT—The Reverend J. C. Proby Chaplain on the Bengal establishment, is permitted to proceed to Europe on furlough.

JUDICIAL DEPARTMENT—The Honorable the Deputy Governor of Bengal is pleased to appoint the Revd H. S. Fisher to officiate as junior presidency chaplain, until further orders.

H. T. PRINSEP, Secy. to Govt.

FOR T. WILLIAM FINANCIAL DEPARTMENT, DECEMBER 28TH.—Mr J. A. O'Connell, the deputy accountant general and accountant in the revenue and judicial departments, is permitted to be absent from his office for ten days, from the 4th proximo. Mr G. F. McClintock will conduct the duties during Mr O'Connell's absence.

J. STUART Lt. Col. Offy. Secy. to the Govt of India Mtly. Dept.

JUDICIAL AND REVENUE DEPARTMENT, DECEMBER 26TH.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments.

Mr J. Curtis to be civil and session judge of Hooghly, vice Mr C. R. Malin removed.

Mr R. Barlow to be ditto ditto of east Burdwan, vice Mr. Curtis.

Mr W. A. Pringle to be ditto ditto of Rajshahye, vice Mr. Barlow.

Mr. B. Golding to be ditto ditto of Purneah, vice Mr Pringle.

Mr. W. J. H. Money to be magistrate and collector of Tipperah vice Mr. Golding.

Mr. C. Carson is relieved from the office of additional judge of Patna in which he is officiating, and is directed to give his attention solely to the trial at Thes.

Mr. G. Macintosh has been authorized to receive charge of the office of magistrate and collector of Purneah from Mr F. E. Kend, and to conduct the duties until further order.

Mr James Reilly to be Principal Sudder Ameen of Dacca, vice Daulat M. Hummed Yarob deceased.

Syud Junab Ali to be Principal Sudder Ameen in Hungpore, vice Mr. Reilly.

6th DECEMBER, 1857.—The following officer has obtained leave of absence from his station:

Musulin Mohomed Sudder, Sudder Ameen of Beeshboom, for one month, Kameer Jey Gopal Sudd, moonsiff of Sughan, will take temporary charge of that office.

FRED JAS HALLIDAY, Offy. Secy. to the Govt. of Bengal.

20 JANUARY, 1858.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. W. Dampier to be commissioner of revenue of the 13th or Jessore division, vice Mr. H. A. Pagon, who has resigned the service.

The Honorable R. Forbes to officiate, until further orders, as civil and session Judge of Dinseppore.

Mr. P. G. E. Taylor to officiate as collector of Moorshedabad, during Mr Forbes' absence, or until further orders.

Mr. F. Stanforth to be magistrates and deputy collector of Beeshboom, vice Mr. W. J. H. Money, Mr. Stanforth will continue to officiate as collector of the above district, until further orders.

Mr. R. M. Skinner to officiate until further orders, as magistrate of Mymensing. Mr. S. V. Irwin will continue to officiate as collector of that district, until further orders.

Mr. P. B. Kemp to officiate as joint magistrate and deputy collector of Tipperah, until further orders.

Bahoo Rissomoy Dutt to officiate as a commissioner of the Court of Requests, vice Mr. J. W. Macleod, who is about proceeding to the Cape of Good Hope, on medical certificate.

Bahoo Chatterbhogoo Putnam to be deputy collector in the southern division of Cuttack, under the provisions of Regulation IX. of 1853.

The following officers have obtained leave of absence from their stations:

Mr J. B. Elliott, special commissioner of Patna, for one month, on private affairs, from the 10th Instant, or as soon after as the return of the steamer from Allahabad in a permit.

Mr. J. J. Harvey, commissioner of revenue of the 16th or Chittagong division, for two months, to remain at the presidency, on urgent private affairs, from the 6th Instant, retaining charge of his office.

Mr W. Luke, officiating magistrate and collector of Sarun, for one month, from the 5th ultimo, to visit the presidency, on private affairs. Mr. J. Alexander will officiate during Mr. Luke's absence.

The leave of absence granted to Mr. H. Moore, civil and session judge of Chittagong, under date the 24th November last, for six weeks, on medical certificate, is cancelled at his request.

It is hereby notified for general information, that the jurisdiction of the Superintendent of Police in the lower provinces, extends to the following districts:

Backergunge; Bankura; Baraset; Behar; Beeshboom; Bhagnpore; Bogra; Burdwan; Dacca; Dinseppore; Ferozshah; Hooghly; Jessore; Mirda; Midnapore; Muzsher; Moorshedabad; Mymensingh; Noorooly; Nuddea; Patna; Purnea; Rajshahye; Sateempore; Sarun; Sirrat; Champaran; Shahabad; Sylhet; Tipperah; Farook and 24 Pergunahs.

8TH JANUARY.—The following officer has obtained leave of absence from his station.

Mr F. E. Kendall Joint magistrate and deputy collector of Purneah, for two months, to visit the Presidency, preparatory to his proceeding to Europe on furlough.

9TH JANUARY.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr W. J. Morgan to be an assisant to the magistrate of the 24 Pergunahs.

Mr. W. Adam to officiate as a commissioner of the Court of Requests during the absence of Mr. C. W. Bretzke.

Mr. H. J. Thornton, late assistant surgeon of Commercally, is transferred to the civil station of Patna.

Mr F. A. Deaman to be deputy collector for in the District of Dacca and Mymensing under the provisions of Regulation IX. of 1853.

Bahoo Joynar-in Doss to be deputy collector in the district of Bahrooch in the ditto ditto.

The following officers have obtained leave of absence from their stations:

Mr T. Wyatt officiating civil and session Judge of Bhagnpore for one month to visit the Presidency, on private affairs. Mr A. R. Young will conduct the current duties of the office.

Mr R. Torrens, additional judge of Chittagong, for six weeks on urgent private affairs.

Mr. Thos. Hay, sub-assistant to the commissioner of Assam, to proceed to the Presidency, on medical certificate.

Mr. J. Jordan, Sudder Ameen and moonsiff of Backergunge, to visit the Presidency, on private affairs, from the 16th Instant to the 15th proximo. Nabhury Sreemoney will officiate during Mr Jordan's absence.

11TH JANUARY.—Mr. T. G. Lech, assistant to the magistrate of Nuddea, for one week, on private affairs, from the 14th Instant.

JANUARY 10th.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments.

Mr A. Ozilic to be collector of 24th Nuddea, vice Mr. H. P. Russell who has proceeded to England on furlough.

Mr J. A. F. Hawkins to be register of the courts of Sudder Desanny and Nizamut Adawlut from the 10th Instant, vice Mr. J. F. M. Held.

Mr J. F. Callant to be civil and session Judge of Pusaeah, vice Mr. B. Golding.

Mr. B. Golding to be ditto ditto of Jessore, vice Mr. Cathcart.

Mr. D. Pringle to officiate as commissioner of revenue of the 8th or Jessore division from the 20th Instant, until relieved by Mr. Dampier, or until further orders.

The following officers have obtained leave of absence from their stations:

Mr W. Dent, civil and session Judge of Shahabad for one month, to visit the presidency, on private affairs. Mr. H. S. Lane will conduct the current duties during Mr. Dent's absence.

Mr. W. Luke, officiating magistrate and collector of Sarun, an extension of leave of absence to the 6th proximo, on private affairs.

Mr. Assistant Surgeon C. W. Fuller, attached to the civil station of Nuddea, for ten days, on private affairs.

GENERAL REGISTER.

JANUARY, 1878.—The Honorable the Deputy Governor of Bengal has been pleased to make the following Appointments :
 Mr. A. E. Campbell to be deputy collector in Zillah 24-Parganas; under the provisions of Regulation IX. of 1833
 Baboo Ramdhone Ghose to be ditto ditto in Zillah Naddea under ditto.

JANUARY, 1878.—Mr J Dunbar, officiating commissioner of the 14th or Jessore division, is procecd to the Cape of Good Hope for two years, on medical certificate. Mr Dunbar has likewise obtained leave of absence on sick certificate, until the sailing of the ship on which he may take his passage to the Cape.

JUDICIAL AND REVENUE DEPARTMENT, NOVEMBER 21st.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments.

Mr. F. Arough to be deputy collector in Zillah Satna, under the provisions of regulation IX. of 1833

JANUARY 1878.—The following officer has obtained leave of absence from his station :

Mr. R. T. W. Beets, deputy collector under regulation IX of 1833 in Zillah Burdwan, for six weeks, from the 1st ultimo on medical certificate

JANUARY 1878.—Baboo Doorgachurn Chatterjee to be ditto ditto in Zillah Decca under ditto

Paandi Hunderlun Goowee to be Deputy Collector in Chittagong, under the provisions of Regulation IX of 1833.

Baboo Gopal Chunder Bhow to be ditto ditto in ditto under ditto

Baboo Ramchander Bha to be ditto ditto in ditto under ditto

Baboo Nobin Chunder Ghosal to be ditto ditto in ditto under ditto

Baboo Govind Chunder Deyack to be ditto ditto in ditto under ditto

Baboo K-tree Mohan Mookerjee to be ditto ditto in ditto, under ditto

Baboo Hariyhat Mookerjee to be ditto ditto in Dulloonb, under ditto

The following officers have obtained leave of absence from their stations :

Mr. C. E. Brown officiating Commissioner of Revenue of the 14th or Bharnpore Division, for one week, to visit Gyal, on private affairs

Mr. H. T. Rykes, Magistrate and Collector of Chittagong, up to the date on which the River Steamer *Experiment* may reach Chittagong, in extension of the leave granted to him on the 3d of November last.

Mr. W. M. Dixon, officiating Magistrate and Collector of Ripon, absence, for one month, on private affairs. Mr. C. J. H. Graham will conduct the duties of the above office during Mr. Dixon's absence

Mr. R. H. Astoun, officiating Collector of Midnapore, for one month, from the date of his arriving over charge of the current duties of that office

Mr. T. C. Trotter, Assistant under the Commissioner of Revenue of the 19th or Cuttack Division, an extension of leave, on private affairs, to the 19th proximo

The unexpired portion of the leave of absence for two months, granted to Mr J. J. Harvey, Commissioner of revenue of the 16th or Chittagong Division, on the 2d instant, to remain at his presidency on private private affairs, in charge of his office, is cancelled at his request.

JANUARY 1878.—Mr Assistant Surgeon J Lamb, attached to the Civil Station of Meida, has obtained leave of absence for two months, on medical certificate, in extension of the leave for six weeks, granted to him on the 19th ultimo.

BY THE GOVERNOR GENERAL.

POLITICAL DEPARTMENT. CAMP AT PUTHIPORE, DECEMBER, 1878.

Lieutenant Colonel J Stewart, resident at Hyderabad, has obtained twelve months' leave of absence, to proceed to the Cape of Good Hope, for the benefit of his health

Major Cameron, first assistant to the resident, will receive charge from Lieutenant-colonel Stewart and will officiate as resident at Hyderabad, until further orders.

CAMP AT MULWA DEHRA, INDIA.—Ensign L. T. Fretwell received charge of the Nepal Escort from Lieutenant Gordon on the 5th instant

Mr A Campbell received charge of the Nepal Residency from Mr Hodgson on the 5th instant.

CAMP AT CAWNPUR, DECEMBER, 23d.—Lieutenant C. Timms, of the 34th regiment native infantry, is appointed to be 2d in command to the western Mowah contingent under Major Barthwell, political agent at Mahabud.

CAMP AT CAWNPUR, DECEMBER, 26th.—Mr Assistant Surgeon John McCosh officiating 2d Assistant Presidency General Hospital was appointed on the 22d instant to the medical charge of the 1st regiment of cavalry of the Oude Auxiliary Force.

Camp, Cawnpore, December 30th.

Captain R. G. Roberts, commissary of ordnance, is appointed to officiate as deputy principal commissary, from the 1st proximo during the absence of Captain E. P. Cowan at the Cape of Good Hope, or until further orders.

W. M. CASMENT, M. G.

Secy to the R. H. the Govr. Genl. Mly Dept.

CAMP, AT CHOOTYPORE, JAN. 3d.—Lieutenant Dobbs, the 3rd assistant to the commissioner for the Government of the territories of the Highness the rajah of Mysore, is appointed to be superintendent of the Nuggur division, vice Mr H Stokes resigned. Lieutenant Dobbs will continue to officiate as superintendent of the Chooty-pore division until further orders

CAMP, AT PUTHI, JAN. 12th.—Lieutenant R. Morrison, of the 52d regiment native infantry, is appointed to be assistant to the agent to the Governor General for the states of Rajpootana, vice Lieutenant Conolly. This appointment to have effect from the date of Lieutenant Conolly's embarkation for Europe.

CAMP, AT MUKLIM NAGAR, GUJAN, 1878.—Colonel C G Becher has been appointed in command of the 1st regiment of cavalry in the Oude Auxiliary Force, vice Lieutenant Hailes resigned.

Ensign Rowley Hill, from the 1st regiment of cavalry, to the 1st regiment of cavalry in the Oude Auxiliary Force as 1st subaltern, vice cornet Becher.

JANUARY, 10.—Lieutenant-colonel Low Resident at Lucknow, in charge of the duties of the residency to Captain Paton, his assistant, on the 16th ultimo.

W. H. MACNAGHTEN,

Secy to the Govr. Genl of India.

W. H. MACNAGHTEN,

Secy to the Govr. Genl of India.

W. M. CASMENT, M. G. Secy.

Secy to the Govr. Genl of India.

Camp Rajpore, January 9th.—The Right Hon'ble the Governor General has been pleased to appoint Captain S. D. C. Hamilton, of the 4th regiment native infantry, to be in charge of the 1st company of the 1st regiment of cavalry, in the command of which latter, on the 1st instant, during the period that his corps may form part of those troops.

W. M. CASMENT, M. G. Secy.

Secy to the Govr. Genl of India, Mly Dept. with the Right Hon. the Govr. Genl.

GENERAL DEPARTMENT, ECCLIESIASTICAL.

Camp, at Meerut, 25th Jan. 1878.—The leave of absence, for one month, granted by the Hon'ble the Lieutenant Governor, to the Revd W. Egan, under date the 11th November last, is to commence from the 19th ultimo, the date of that Gentleman's departure from Fatehgarh.

W. H. MACNAGHTEN,

Secy to the Govr. Genl of India.

W. M. CASMENT, M. G. Secy.

Secy to the Govr. Genl of India.

CAMP DELAWAR, JANUARY 15th.—Lieutenant J. W. Douglas to be 2d Assistant to the Resident at Indore

This appointment to take effect from the date of Major John Stoddart's return

Mr. Ass. Surg. on R. Christie assumed medical charge of the residency at Nepal on the 1st instant.

By Order of the Right Hon'ble the Governor General

W. H. MACNAGHTEN,

Secy. to the Govt. of India, with the Govr. Genl.

NOTIFICATION, GENERAL DEPARTMENT.—Head Quarters, Camp, Cawnpore, 1st Jan. 1878.—The Hon'ble Sir Charles Metcal, P. S. B., G. C. B. having this day received the sanction of the Governor General to relinquish his charge of the office of Lieutenant Governor of the N. W. Provinces, with permission to proceed to the Presidency, preparatory to his embarkation for Europe, the Governor General has, in conformity with the resolution recorded in the Legislative Department on the 4th September 1877 assumed the immediate superintendence of the Affairs of those provinces.

The Governor General has pleased to direct, that Sir Charles Metcal shall continue to receive all the honours due to the station of Lieut. Governor, and that the officers of his personal staff shall remain attached to him until he may finally vacate that office by his embarkation for Europe.

Mr C Metcal is appointed to be secretary to the Governor General for the N. W. Provinces, in the Judicial, Revenue and Military Departments

Mr J Thompson to officiate as ditto ditto during the absence of Mr Mackenzie, or until further orders

By Order of the Right Hon'ble the Governor General of India

(Signed) **W. H. MACNAGHTEN,**

Secy. to the Govt. of India, with the Govr. Genl.

10TH JANUARY 1878.—Mr. George Alexander, officiating Post Office General, has obtained leave of absence for two months to proceed to the Cape of Good Hope for the benefit of his health—to take effect from the date of his departure from Calcutta of the "Saugor" pilot vessel.

Mr H. Aubert is appointed to officiate, vice Mr. W. Adam for Mr J B Marjorie, as Clerk to the committee for controlling the expenditure of stationary.

Camp, Unrtipore, January, 17th.—Mr. R. H. P. Clarke Joint Magistrate and Deputy Collector of Marhjee, has obtained leave of absence for twelve months, from the 24th Nov. 1877, on medical certificate.

J. THOMASON, Off. Secy. to Govr. Genl. N. W. P.

GENERAL REGISTER.

BY THE LIEUTENANT GOVERNOR OF THE N. W. PROVINCES.

JUDICIAL AND REVENUE DEPARTMENT, AGRA, DECEMBER, 1837.—Mirza Aka Nawab is appointed deputy collector under Regulation IX of 1833, in Zillah Ghazipur.

13th Dec.—Mr. W. R. Tunton to officiate as magistrate and collector of Budson.

Mr. H. Montgomery to officiate as Magistrate and collector of Allahabad. Mr. Montgomery is authorised to make over charge of his present office as officiating magistrate and collector of Azimganj to Mr. H. C. Tucker, who will officiate in those capacities until further orders.

Mr. E. T. Colvin to be an assistant under the commissioner of the Meerut division.

Mr. J. J. W. Fauntun to officiate as magistrate and collector of Ghazipur. Mr. Fauntun will make over the cases under regulation II of 1819 and II. of 1820 now on his file as deputy collector to Mr. M. Smita at Allahabad, who is authorised to exercise the powers hitherto possessed by Mr. Fauntun in the districts of Benares, Jaunpur, Mirzapore and Ghazipur.

16th Dec, 1837.—Mr. E. H. C. Monckton is appointed to be an assistant under the commissioner of the Rohilkand division.

Mr. F. Currie, commissioner of the Benares division, has obtained leave of absence for ten days, or medical certificate to visit the Hills North of Dehra. Mr. E. P. Smith is authorised to continue to officiate as commissioner of the Benares division during Mr. Currie's absence.

Camp Chaypore Mow, December, 26th.—Nawab Mohammad Abdoolah Khan, Bahadour, Purshad sudder Ameen of Mysore has obtained leave of absence for ten days, to visit Futtehabad on his private affairs.

Camp Cawnpore, December, 27th.—Ahmed Oollah Khan is appointed Deputy collector under regulation IX of 1833, in Zillah Bouhar.

Camp Meerut Ka Serai, December, 28th.—The following officers have obtained leave of absence:

Mr. G. W. Bacon, Judge of Seharunpore, for fifteen days, from the 4th proximo, 1838, to visit Agra on his private affairs, Mr. W. J. Conolly, magistrate and collector of the district, to conduct the current duties of the Judge's office, until Mr. Bacon's return.

Mr. A. W. Begbie, Judge of Mynpoore, for fifteen days, from the 5th proximo, 1838, to visit Futtehabad on his private affairs.

Camp Agra, 29th December, 1837.—Mr. R. N. C. Hamilton is appointed to officiate as commissioner of the Agravalidivision.

J. THOMASON.

Offy. Secy. to the Lt. Govr. of the N. W. P.

GENERAL DEPARTMENT AGRA, 16TH DECEMBER, 1837.—Mr. assistant surgeon H. J. Tucker, M. D., officiating civil assistant surgeon at Mooruzzifnager, is, at his own request, placed at the disposal of His Excellency the Commander in Chief.

Mr. assistant surgeon J. F. Bacon, attached to the civil station of Shyehabpore, transferred to Meerut in the same capacity.

Mr. surgeon John Forsyth, of the 98th regiment, stationed at Shyehabpore, appointed to take medical charge of the civil station.

GENERAL DEPARTMENT.—Camp Sehabad, 20th December 1837.—Mr. R. Woodward, of the civil service, is permitted to proceed to Europe, for one year, on private affairs.

CAMP BROCK, DECEMBER 29th.—Lieutenant A. Ramsay, Assistant to the commissioner at Kumbhon, has leave of absence, on medical certificate, to remain at Meerut, for the reestablishment of his health, from the 23d instant to the 1st of March 1838.

R. N. C. HAMILTON.

Offy. Secy. to the Lt. Govt. N. W. P.

MILITARY APPOINTMENTS.

BY THE PRESIDENT IN COUNCIL.

Fort William, 27th December, 1837.—No. 252 of 1837.—In consequence of the severe illness of Major Stoddart, Brevet major Charles Rogers, of the 20th regiment native infantry, is directed to take charge of the office of the pay master of the presidency, until the pleasure of the Governor General shall be known.

Fort William, December 29th.—No. 253 of 1837.—With reference to General orders No. 37 of 1831, and No. 3 of 1837, the Honble the President in Council is pleased to direct that the special pay committee in Meerut be constituted as follows:—The acting paymaster of Meerut, the paymaster of Meerut, the deputy assistant paymaster and the brigade major at the station.

No. 254 of 1837.—The undermentioned men of Her Majesty's service were promoted to commissions in India as sub-commissioners of Civil and Military Hospitals, and their pay at the stations specified opposite their respective names, according to the 55th article of the pension regulations of the 14th November 1836, pending a reference to their respective stations as to the amount of their pensions.

11th Regt. Dragoon.—Falcon Major George Walker, Captain 11th Regiment Foot.—Colonel Sir John Murray, Major at Dumfries, Major David L. Poisson, Private Samuel Ball, and Private George Potts, Captains.

No. 255 of 1837.—The Honble the President in Council is pleased to assign rank to the undermentioned 2d lieutenants, cornets, ensigns, and assistant surgeons, from the dates specified opposite their respective names.

Artillery.—John Smith, 8th December, 1836, and Henry Lewis 12th June, 1837.

Cavalry.—Frederick Walker, Drummond, and Frederick Neil Edmondson, 2d June 1836; Frederick James Alexander, 20th July; John James Calloway, John Stuart, 1st August; Robert Christie, 7th ditto, and Archibald Stewart Calloway, (not arrived) 21st September, 1837.

Infantry.—Richard William Henry Fanshawe, William Mayne, Officer Cavalry, Thomas Cole, Artillery, James Peacock (not arrived), Deane Christian Shute, John Cunningham Lamb, Cecil Snowden, Trooper, Arthur Carrington, Henry James William Arthur, Richard John Fereby, Byam Martin Loveday, James Keith Forbes, Walter William Davis, Voyle, John Cooper Fitzmaurice and John Stafford Paton, 12th June, 1837; Thomas Spinkie and John Robertson, Peter Henry Knight Dewell, Hector Alexander Sanderson, Alfred Charles Plowden, Alexander Skene, Martin Balfour Wish, William Smith, Edward Close, Peter Drummond, James Grant Stephen, Douglas Crawford

Alston, and William Hooper, 13th ditto; Frederick Mills, 29th ditto; Joseph Peter Paterson, Francis Hawkey, 18th July; James Clarke, and Robert Henry Hacks, 26th ditto; Charles Patrick White, 30 August; Alexander Robinson, 27th ditto; William Henry Williams, (not arrived) 11th September.

N. B.—The rank as here assigned to Mr. James Hutton, an infanty ensign, in Government General orders No. 239, of the 27th ultimo is cancelled, in having been compelled, by ill health, to rest in his appointment, and is to be struck off the list of cadets, No. 2 of 1837.

Medical department.—Manby Nightingale, May 14 1837; Archibald Donaldson, 2d June; Lewis Thackeray Watson, 28th ditto; George Schuyler Christie, 31 August; John Abbott, M. D., 2d ditto; Lieut. Voyle Davis, 27th ditto.

J. STUART, Lieut. Col.

Offy. Secy. to the Govt of India, Civil Dept.

Fort William, December 29th.—No. 256 of 1837.—The undermentioned officers of Infantry are promoted to the rank of Captain by brevet, from the dates expressed opposite to their names.

6th Regiment native infantry.—Lieutenant Henry Beay, 16th December 1837.

6th Ditto.—Lieutenant Wm. Stuart Montebath, 15th December 1837.

17th Ditto.—Lieutenant William Biddulph, 25th December 1837.

This Court in Council is pleased in compliance with the application of Assistant Surgeon John Smith, of the medical department to direct that he shall hereafter appear on the strength of the army under the name of John Smith and as a doctor of medicine.

The undermentioned officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Honorable the Court of Directors:

Captain John Fitzcald, of the 2d regiment light cavalry, date of arrival at Fort William, 13th December 1837.

Captain Charles Griffin, of the 51st regiment native infantry, ditto 2d ditto.

Lieutenant John Bott, of the 5th regiment light cavalry, ditto 17th ditto.

Surgeon John Turner, of the medical department, ditto 17th ditto.

Assistant Surgeon John Smyth, M. D., of the medical department, ditto 16th ditto.

Assistant Surgeon Andrew Henderson, of the medical department, ditto 2d ditto.

The following gentlemen are admitted to the service, in conformity with their appointment by the Honorable the Court of Directors as cadets of artillery and infantry on this establishment, and promoted to the rank of 2d lieutenants and ensign respectively,

GENERAL REGISTER.

In Hindoostan—to be able to read and translate at the public examination
 ,, **French** }—to have observed every diligence and industry in
 ,, **Latin** } these branches
 ,, **Character**—to have borne in the reports generally a character of diligence and good conduct.

That the gentlemen of letters obtaining these certificates (which are to be engraved in a suitable manner) be allowed the privilege of signing the presidency to which they shall be posted, and that their names with a suitable statement of their merits be communicated by the court for the observation of the local Governments, and also for publication in general orders to the army.

Report of Major General Sir Alexander Dickson, K. C. B., 15th June, 1837.

It has afforded me much pleasure on this occasion to witness the promotion of honorary certificates to the following gentlemen cadets, which from their diligence and good conduct they fully merited, and I trust that the distinction thus conferred will have the best effect by exciting increased emulation in study; viz :

Names of cadets who received honorary certificates.

1. Mr Henry Lewis.
2. Mr. Robert Christie.

No. 266 of 1837.—The Honourable the President in Council is pleased to direct, that the following extract (para. 2 to 6) of a military letter from the Honourable the Court of Directors, No. 59, dated 9th August 1827, be published in general orders :

Para. 2. It is our wish and desire that regimental rise should in every case be brought into full operation at the earliest practicable period after the arrival of the cadet at the presidency for which he is appointed.

3. With this view the lists of rank of cadets are forwarded by the first opportunity after the cadets finally arranged, and upon an average no cell has been more than two or three months in length before you are apprized of the order in which he stands for accession to a regiment at vacancy. If there be then a vacancy and he is at first of the unposted cadets he should be immediately appointed to fill it, so that his participation in the honours of regimental rise may be once complete.

4. The supply of regular long duty appointments to the wants of the service will seldom happen in the above rule be carefully acted upon, that any one regiment has more than one vacancy at a time and consequently that under ordinary circumstances no accession will arise for the transfer of cadets or ensigns from one regiment to another.

5. Should cases arise hereafter in which there are two or more vacancies in any one regiment whilst other regiments of the same army are complete, we concur in opinion with the Commander in Chief that the senior cadet or ensign would earn one step by removal should it be desired to be granted that a vacant fore.

6. No cadet or ensign is removable for purposes of promotion except at his own request, and as there are difficulties in the way of ascertaining the wishes of individuals in this respect at the time when making a vacancy, we direct that it be established as a regulation that every cadet or ensign who may wish to be removed to any corps by removal to which he would gain one or more steps shall send his wish to that effect to the Adjutant General of the army, within one month from the date of his final list posted—should he afterwards desire to alter this determination he may do so the same to the Adj. General. The command in Chief will thus at all times be in possession of the necessary information to enable him to equalize the number of cadets or ensigns in each corps with due attention to the interests of all concerned.

Fort William, January 5th—No. 3 of 1838—The President in Council is pleased to make the following promotions.

Right Wing Lieutenant in Regiment—Ensign Frederick Summers Macmillan to be lieutenant, from the 15th December 1837, vice Lieutenant Andrew Dick deceased.

5th Regiment N. I.—Captain Stephen Swaine to be major; Lieutenant Charles William Hight to be Captain of a Company, and ensign Ralph Doves to be lieutenant, from the 15th December 1837 in succession to Major Peter Johnston retired on the pension of a lieutenant colonel.

24th Regiment N. I.—Ensign John Guise to be lieutenant, from the 1st January 1838, vice Lieutenant George Brockman resigned.

Medical department—Assistant Surgeon Richard Shaw to be ensign, from the 31st December 1837, vice Surgeon John Swaine, M. D. retired.

The undermentioned officers of cavalry and infantry are promoted to the rank of Captain by brevet, from the dates expressed opposite to their names.

- Lieutenant John Bracken, of the 29th regiment native infantry 2d January 1838.
 Lieutenant Edward Watt, of the 6th regiment light cavalry, 2d January 1838.
 Lieutenant John Christie, of the 3d regiment light cavalry, 4th January 1838.

The Honourable the Deputy Governor of Fort William has been pleased to appoint Assistant Surgeon H. H. Spier, to officiate until the pleasure of the Governor General be known, as 1st assistant and principal surgeon of Fort William during the absence of Dr. Bell, on sick certificate.

1st Lieutenant Francis Claude Burnett, of the regiment of artillery, has returned to his duty on this establishment without prejudice to his rank, by permission of the Honourable the Court of Directors date of arrival at Fort William, 17th December 1837.

The undermentioned officers are permitted to proceed to Europe on furlough :

Colonel Richard Colver Andree, of the 7th regiment N. I.; Captain William Godes, of the regiment of artillery; Lieutenant George Hutchings, of the 69th regiment N. I. and Assistant Surgeon Adam Murray, M. D., of the medical department, on account of private affairs.

Lieutenant Colonel Hugh Morrison, of the 57th regiment N. I.; ensign Charles Doughton, of the 14th regiment N. I. and ensign George Jenkins, of the 21st regiment N. I., on medical certificate.

Lieutenant Colonel James Tennant, the regiment of artillery, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

Lieutenant Richard Samuel Tuckell, of the 72d regiment native infantry, sub-assistant commissary general, on leave of absence from the 25th January 1838 to the 25th January 1839, to visit Simla, on medical certificate.

The leave of absence obtained by Captain William Freeth, of the 56th regiment native infantry, in general order No. 248, of the 19th ultimo is cancelled at the request of that officer.

Conductor Edward Townsend of the department of public works, is permitted to proceed to Europe on furlough, on medical certificate.

Serjeant Major Frederick Whitehead on the 26th regiment native infantry, is admitted to the benefit of the pension sanctioned by minutes of Council of the 11th of January 1797 and general orders dated the 5th February 1829, subject to the confirmation of the Honourable the Court of Directors, with permission to receive his pension at Deych.

No. 4 of 1838—The President in Council is pleased to make the following appointments :

Surgeon John Swaine, 31 and officiating as 2d member of the medical board, to be 2d member, vice Swaine retired, and to officiate as 1st member, during the absence of Surgeon Lumsden.

Surgeon the Surgeon Thomas Smith, officiating 3d Member, to be 3d member of the Medical Board, vice Swaine and to officiate as 2d member, during the absence of Surgeon Lumsden.

Superintending Surgeon John Campbell to officiate as 3d member of the Medical Board, during the absence of Surgeon Lumsden, or until further orders.

Surgeon Alexander Halliday, M. D. officiating superintending surgeon, to be a superintending surgeon on the establishment, vice Smith appointed to the medical board.

Surgeon George Kuegans, surgeon at Chunar, to officiate as superintending surgeon, during the period Mr Campbell may be employed in the Medical Board, or until further orders.

The foregoing appointments are to have effect from the 31st ultimo.

Fort William, 2d January 1838.—No. 2 of 1838—Lieutenant Arthur Conolly, of the 6th Regiment Light Cavalry, Assistant to the Governor General's Agent in Mysore, is permitted to proceed to Europe on Furlough on Medical Certificate.

Fort William, January 1th—No. 5 of 1838. The undermentioned officers are permitted to proceed to Europe on furlough : Major General Martin White, of the 24th regiment native infantry; Lieutenant Colonel Thomas Taylor, of the 29th regiment of native infantry; Captain Thomas Paine, of the 45th regiment native infantry; Lieutenant Kenneth John White of the regiment of artillery; Lieutenant Whitley Master, of the 7th regiment light cavalry; Lieutenant Samuel James Faber, of the 7th regiment light cavalry and surgeon Frances E. Baker, of the medical department, on account of private affairs.

Lieutenant Colonel Henry Cook, of the 23d regiment native infantry and brevet Captain William Baddolph, of the 45th regiment native infantry, on medical certificate.

In general orders No. 1, dated the 21 instant, publishing official accounts for the year 1837, the word "Europe" inserted by desire of Major General William Bopper opposite to his name in the statement, is changed to "India" to enable him to draw the advance of Company's rupees (3,260) three thousand two hundred and sixty six.

No. 7 of 1838.—Assistant Surgeon W. B. O'Shaughnessy, M. D., principal medical officer, is exempted from the operation of clause 25 of general orders No. 25, of the 28th January 1835, prohibiting the European assistant in that situation from intermarrying into private practice.

Fort William, January 19th—No. 12 of 1838.—The Honourable the president in Council is pleased to make the following appointment.

Lieutenant Colonel John Cleare of the corps of engineers, to be executive engineer of the 12th orkarnal division department of public works.

Ensign George Rowcroft Badd, of the 3d regiment light cavalry, is permitted to proceed to Europe on furlough, on medical certificate.

Fort William, January, 21st 1838—No. 13 of 1838.—The Honourable the President in Council is pleased to make the following Promotions and Alterations of Rank :

4th Regiment native infantry.—Lieutenant and Brevet Captain Robert Warden Fraser to be Captain of a Company, and

GENERAL REGISTER.

Ensign Henry Colvin Jackson to be Lieutenant, from the 13th January 1837, in succession to Captain William Ellis, retired on the Half Pay of his rank.

Medical Department—Assistant Surgeon Augustus William Stuart to be Surgeon, vice Surgeon William Thomas retired, with rank from the 31st December 1837, vice Surgeon John Sweeney, M. D., retired.

Surgeon Richard Shaw to rank from the 1st August 1837, vice Surgeon William Thomas retired.

The undermentioned Officer of the Infantry is promoted to the rank of Captain by Brevet, from the date expressed opposite to his name.

7th Regiment N. I.—Lieutenant Samuel Robinson Bagshawe, 18th January, 1834.

The undermentioned Officers are permitted to proceed to Europe on Furlough.

Lieutenant and Brevet Captain Francis Thomas, of the 73d Regiment N. I., and Lieutenant Richard George Grainger, of the 10th Regiment N. I., on medical certificate.

The permission granted by the Bombay Government to Captain Henry Patch, of the 73d Regiment N. I., to proceed to that Presidency to Europe on Furlough, on medical certificate, as well as the previous leave to remain at Bombay till the 31st December last, granted to that Officer in extension of the leave obtained by him in Bengal, are confirmed by the Supreme Government.

No. 14 of 1837—The Forms A and B, of reports on the claims of discharged and deceased men claimant's Ava Prize Money, attached to General Orders No. 243, of the 19th December 1836, not being suited to the case of individuals who belonged to the Marine Force from Bengal, employed on the late expedition to Rangoon, the Hon'ble the President in Council please to direct the publication of two other Forms C and D, in substitution, as follows, and to authorize the signature thereof of the Secretary to the Marine Board to be considered sufficient to enable the General Prize Committee to act upon the Reports in orders:

C

Reports on the Claims of removed or discharged Men belonging to the Marine Department for Ava Prize Money.

Name of Claimant	On what Vessel employed	In what capacity	Salary	Remarks
				<p>I hereby Certify that from the documents produced and in reply to our questions I have reason to believe, that the said _____ is entitled to a share of Ava Prize Money having served as _____ in the ship _____ and that he is now residing or serving as the case may be at _____.</p> <p style="text-align: right;">(Signed) _____, Secy Marine Board. (Date)</p>

D.

Report on the Claims of the Representatives of deceased Men belonging to the Marine Department for Ava Prize Money

On whose behalf claimed.	On what Vessel served	In what capacity.	Salary	By whom claimed	Remarks.
					<p>I hereby Certify that _____ has established his (or her) claim to the Share of Prize Money to which _____ is entitled as having been employed during hostilities against the Burmese States being the _____ (or next of kin as the case maybe) and that proof has been given that the said _____ is dead.</p> <p style="text-align: right;">(Signed) _____, Secy Marine Board. (Date)</p>

J. STUART, Lieut.-Col.

Offg. Secy. to the Govt. of India, Milly. Dept.

Fleet William, January 15th—No. 8 of 1838.—The following list of rank of a cadet of cavalry, appointed for the Bengal Presidency, is published for general information:

No. 4 of 1837.

List of rank of a cadet for the Bengal cavalry
To rank from the sailing from Greenwich of the ship by which he proceeded

William Fisher, Roxborough Castle, sailed 5th October 1837.

(Sd) PHILIP MELVILLE

Secy Milly. Dept.

East India House, 18th October 1837

(A True Copy.)

(Sd) JAMES C. MELVILLE, Secretary

East India House; London, the 24th October 1837.

No. 9 of 1838.—The following paragraphs of military letter of No. 76 dated the 13th October 1837, from the Honourable the Court of Directors are published for general information.

Para 2. Major Benson, Lieutenant Martin and Ensign Gordon (permitted to return overseas to their duties) have been informed that their Indian allowances will not commence until they shall have reached the Presidency or joined the corps to which they belong.

3. We have granted additional leave to the following officers, viz.

Lieutenant Colonel S. Hawthorn; Lieutenant Colonel H. L. White and Captain Sir H. D. Colquhoun, each for six months.

Captain W. A. Smith, till November next.

Lieutenants P. W. Cornish; W. S. Pittman; Henry Barry; George Robert Hay; Surgeon Andrew Murray, M. D., and Assistant Surgeon E. Mitchell, for six months.

Assistant Surgeon J. J. Boydell, for twelve months.

4. We have permitted superannuated Surgeon William Thomas to retire from the service. This vacancy has effect from the 1st August 1837.

No. 10 of 1838. The Hon'ble the President in Council is pleased to make the following promotions.

15th Regiment native infantry—Lieutenant George Abbott to be Captain of a company, and Ensign George Shair to be Lieutenant, from the 10th of January 1838, in succession to Capt. Evans retired on the half pay of his rank.

The undermentioned officers were permitted to proceed to Europe on furlough:

Major General William Hopper, of the regiment of artillery, on account of private affairs.

Lieutenant William Smith, of the 19th Regiment N. I., on medical certificate.

No. 11 of 1838.—The pay, batta, and other allowances for January 1838 of the troops of the Presidency, and at the other stations of the army, will be issued on or after Saturday the 10th proximo.

J. STUART, Lt. Col.

Offg. Secy to the Govt. of India, Milly. Dept.

BY THE COMMANDER IN CHIEF.

Head Quarters, Camp, Delhi, December 5th.—That part of the General Order of the 28th October last, which directs the 2d company 6th battalion of artillery to proceed to Meerut for practice is countermanded, and the company, with its field battery, will continue as is led to the Delhi brigade.

The following Presidency division orders are confirmed;

12th November 1837—Assistant Apothecary J. Dempsey, doing duty at the general hospital, to act as Assistant Apothecary and Assistant Steward to the detachment of recruits for the European regiment, proceeding to Agra by water, under the command of Captain P. Benty.

17th November 1837—Assistant Surgeon A. Donaldson, M. D., doing duty at the general hospital, to take medical charge of Captain Benty's detachment of recruits, proceeding to Agra by water.

The following appointments, made in the Presidency Division order of the 19th ultimo, for the duties of the Hospital of H. R. Mackintosh's 3d Regiment of light dragoons, are confirmed as a temporary arrangement.

Assistant Apothecary T. Nulty, on leave at the Presidency, to act as Apothecary.

Apprentice W. M. Keen to act as Hospital Steward.

Apprentice T. Murphy to act as Assistant Apothecary.

Apprentices J. B. Hatly and T. Coleman to do duty in the hospital.

There being no qualified officers present with the 9th native Infantry, Lieutenant A. Q. Hooper, of the 24th Regiment, is appointed to act as Interpreter and Quarter Master to that corps, and directed to join.

Head Quarters, Camp, Delhi, December 6th.—The Sirhind division order of the 29th ultimo, directing Surgeon B. W. Macleod, M. D. of the 3d Regiment of cavalry, to receive medical charge of the 27th Regiment of native Infantry from Surgeon W. S. Charles, M. D. is confirmed.

GENERAL REGISTER.

The Benares division order of the 27th ultimo, appointing Assistant Surgeon T. Smith, M. V., of the 8th regiment of light cavalry, to the medical charge of the artillery assembled for practice at Sultanpore, is confirmed.

Ensign J. W. Carnegie, of the 15th regiment native infantry, having been declared by the examiners of the college of Fort William to be qualified for the office of interpreter to a native corps is exempted from further examination in the native language.

Ensign George Gardiner-Howling is, at his own request removed from the 17th, and posted to the 9th regiment of native infantry. Ensign Thomas Lister is, at his own request, removed from the 45th and posted to the 67th regiment of native infantry.

Junior Subaltern Smith, of the 69th regiment native infantry, and who was transferred to the present establishment by general orders of the 30th of August 1833, as in consequence of his wounds and length of service, allowed the additional privilege of his rank to on the 20th ultimo.

The undermentioned officers have leave of absence:

Infantry.—Ensign C. Darroin, doing duty with the 40th native infantry, from 25th November to 26th February 1834, to proceed to the presidency, on medical certificate, preparatory to applying for leave to sea.

Ordnance commissariat department.—conductor J. Graves, from 15th December to 15th March, 1834, to visit Allahabad, on private affairs.

Head Quarters, Camp, Delhi, December 10th.—Lieutenant Colonel C. A. G. Widdington's regimental order of the 17th ultimo, appointing Lieutenant H. Hollings, to act as interpreter and quartermaster to the 60th native infantry, during the absence on duty, of Lieutenant Nugent, is confirmed.

The presidency division order of the 23rd of August last appointing hospital apprentice James Healy to act as apothecary and hospital apprentice J. Sheel to act as assistant apothecary, under the orders of the surgeon to the right Honourable the Governor General, is confirmed.

The general order of the 15th ultimo, directing Major P. L. Peay, of the 2d battalion of artillery, to proceed to the hills at Nusseerabad, is to have effect from the 13th instant, that order having been deemed, since the publication of the order, on duty at Delhi.

The undermentioned officers have leave of absence:

2d regiment native infantry.—Major C. Hamilton, from 20th December to 20th June 1834, to visit the presidency, preparatory to applying to the hill.

27th regiment native infantry.—Lieutenant T. Hutton, from 1st March 1834 to 1st Oct., 1834, in extension, to remain in the hills, on private affairs.

53d regiment native infantry.—Captain W. Barnett, from 4th November to 1th November 1834, in extension, to remain in the hills north of Deoyah, on medical certificate.

Head Quarters, Camp, Aizpore, December 11th.—The Agra garrison order of the 29th of October last, directing assistant surgeon J. S. Lacom, M. V., to afford medical aid to the 4th battalion of artillery, is confirmed as a temporary arrangement.

The Agra garrison order of the 20th ultimo, directing garrison surgeon H. Woodburn to make over the medical charge of the 47th to surgeon R. Brown of the 27th regiment of native infantry, is confirmed.

The Sirhind artillery division order of the 1st instant, appointing Lieutenant and brevet Captain G. J. Crook, adjutant of the 1st and 2d battalions of artillery, to act as adjutant to the division, vice Lieutenant Rice proceeding to join his battalion, is confirmed.

The Dinapore division order of the 24th ultimo, directing hospital apprentice W. J. Thompson to do duty with Her Majesty's 49th regiment at Hazareebough, is confirmed.

The presidency division order of the 16th ultimo, directing Captain W. A. Ludlow, of the 14th regiment native infantry, as the major of brigade at Barrackpore, to officiate as assistant adjutant general of the presidency division, during the absence, on duty, of Major Feeny, is confirmed.

The executive the Commander in Chief is pleased to make the following removals:

Colonel E. H. Simpson, from the 24th to the 19th regiment of native infantry.

Colonel R. Roope, from the 19th to the 21st regiment of native infantry.

Captain Henry Robert Goodwin, who was brought on the effective strength by general orders No 232, of the 27th ultimo, is posted to the 6th regiment of light cavalry.

Troopmaster appointed to C. Oakley is attached to the medical depot at Calcutta, vice Moraby promoted.

Head Quarters, Camp, Barwah, December 17th.—Ensign Neville Douglas Campbell is, at his own request, removed from the 54th, and posted to the 5th regiment of native infantry under orders for 1 week.

The undermentioned officers have leave of absence:

34th regt. N. 1.—Ensign C. F. Y. Murray, from 1st Jan. to 1st July 1834, in extension, to visit the presidency, on medical certificate preparatory to a applying for furlough.

3th regt. N. 1.—Lieutenant inty, and Qr. Mr. J. G. W. Curtis, from 16th Dec. to 16th March 1834, to visit the presidency, on private affairs.

5th batt. artillery.—Lieut. and brevet Captain and adjutant J. Turton, from 20th Nov. to 1st Jan. 1834, to remain at Nee-much, preparatory to applying for furlough to Europe via Bombay.

N. B. This cancels the unexpired period of leave granted to brevet Captain Turton, in general orders of the 30th August last.

Head Quarters, Camp, Bar-Ke Chokere, 1 December 18th.—The presidency division order of the 4th ultimo, directing ensign A. H. C. Sewell, at present attached to the 4th native infantry, to join and do duty with the 60th regiment of native infantry, is confirmed.

The presidency division order of the 24th ultimo, directing the undermentioned ensigns, at present attached to the 6th native infantry, to join and do duty with the regiments specified opposite their names, is confirmed:

Ensigns E. H. Thomas, C. MacMillan, E. Cook, H. B. Melville, J. L. Maitwaring, A. G. Faughan, W. R. Cunningham, N. B. Chamberlain, with the 14th native infantry at Barrackpore; W. E. Aulcster, J. Robinson, A. Skene, M. B. Whish, W. F. Nuthall, C. A. Nicolson, and W. H. Oakes, with the 15th native infantry at Barrackpore.

The Benares division order of the 27th ultimo, directing conductor J. Green, of the Chunar magazine, to proceed with the stores for the practice of the artillery division to Sultanpore, and to remain with the division during the practice season, is confirmed.

The undermentioned officer has leave of absence:

57th regt. N. 1.—Lieutenant P. Hutton, from 1st March to 1st October 1834, to visit the hill-west of the Jumna, on private affairs.

N. B. This cancels the leave granted to Lieut. Hutton, in general orders of the 13th instant.

The Meerut artillery division order of the 5th instant, directing lieutenant and adjutant J. H. Daniel, of the 2d brigade, to act as adjutant to the division, is confirmed.

The general orders division order of the 1st instant, directing Gunner Otto, of the 3d and Keboe, of the 4th company 4th battalion, to act as laboratory-men during the practice season, is confirmed.

The Benares artillery division order of the 1st instant, directing the following arrangements for the annual practice season is confirmed:

1st Lieutenant F. Gantkell, of the 4th company 3d battalion of artillery, to act as adjutant to the division.

Staff sergeant D. Hays, of the 3d company 3d battalion, to act as sergeant major and quartermaster.

Captain C. Hynes, of the 4th and 5th companies of the 3d company 3d battalion, to be laboratory-men.

Head Quarters, Camp, Sana-ka, December 14th.—The Havelock order of the 4th instant, directing Lieutenant H. Lawry, of the 9th regiment of native infantry, to act as station staff, during the absence of Lieutenant Colebrook, is confirmed.

The Mhow station order of the 1st instant, directing assistant surgeon George Denson, of the 6th light cavalry, to relieve surgeon Barlow from the medical duties of the 7d regiment of native infantry, is confirmed.

The presidency division order of the 2d ultimo, directing ensigns T. Cole and J. S. Paton to do duty with the 12th regiment of native infantry, is confirmed.

The Caspore artillery division order of the 30th ultimo, appointing gunners Pugh, of the 3d troop 3d brigade, and Green, of the 3d company 6th battalion artillery, to act as laboratory-men during the practice season, is confirmed.

The Rajouadah artillery division order of the 1st instant, appointing gunners Richard Conn and James Ford, of the 1st company 4th battalion, to act as laboratory-men to the division, during the practice season, is confirmed.

The following orders, by Captain T. H. Clark, commanding a detachment of artillery, proceeding to the upper provinces, are confirmed:

Dated October 21st.—Appointing corporal Davies, of the 1st troop 2d brigade, to act as camp squire-man to his troop, and Thomas Shme of the 2d company of artillery drafts, as camp squire-man to his company.

Dated November 1st.—Appointing corporal Carlisle, of the 1st troop 2d brigade, gunner Griffiths, of the 4th, and gunner Colquhoun, of the 2d company of artillery drafts, to act as camp squire-man, the former for the 1st company, and the latter to the respective companies.

The leave of absence granted in general orders of the 9th ultimo, to Lieutenant interpreter and quartermaster M. Hyslop, of the 50th regiment of native infantry, is cancelled at his request.

Head Quarters, Camp, Gurwanda, December 16th.—The presidency division order of the 25th ultimo, directing veterinary surgeon W. P. Barrett, lately admitted into the service, to proceed by water to Swapore, and do duty with the 7th regiment light cavalry at that station, is confirmed.

The undermentioned officer has leave of absence:

27th regiment native infantry.—Captain L. W. Gibson, from 1st January 1834 to 2d November 1834, in extension, to remain at Simla, on medical certificate.

48th regiment native infantry.—Lieutenant and brevet captain E. Fraser, from 12th December to 31st March 1834, to proceed to the presidency, preparatory to submitting an application for furlough.

56th regiment native infantry.—Lieut. Col M. C. Webber, from 2d December to ———, to remain at Berhampore, and await the arrival of his regiment.

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69th regiment native infantry.—Captain R. Garrett, from 15th February to 20th November 1838, to remain at Sima, on medical certificate.

Head Quarters, Camp, Garonda, December 17th.—The Sirkat division order of the 12th instant directing Surgeon J. Legon M. D. of the 21st, to receive medical charge of the 27th regiment of native infantry from Surgeon B. W. Macleod, M. D. of the 34th light cavalry is confirmed.

The Meerut division order of the 11th instant, appointing Captain Pothrell, of Her Majesty's 13th light infantry, to the command, and Lieutenant Fenwick, of Her Majesty's 13th light infantry, and Surgeon W. D. Godwin, of the 47th regiment native infantry, to do duty with the detachment of convalescents returning from London, is confirmed, with effect from the 1st instant.

On Captain Pothrell's order of the 1st instant, directing the following arrangements to be made in connection with the returning force from London to their respective stations is confirmed.

Sober Major N. Rolfe, of the 11th regiment native infantry, to act as regiment major, and a master sergeant Purser, of the 5th battalion of the 1st Queen's Buffs, as Quartermaster sergeant, Surgeon D. Paul, of Her Majesty's 13th light infantry, as Paymaster sergeant, and Major G. Johnston, of Her Majesty's 13th light infantry, as camp colonel, to the detachment.

Captain P. Bailey's order of the 1st instant directing Corporal T. Smith, of the 21st regiment, to be a company major, 1st Corporal R. W. Smith of the same regiment and Major A. Proved sergeant, private W. Bailey, H. Evans, and P. White as a company, and J. McElroy, J. Rogers and J. Stifford, as corporals to accompany a European recruits proceeding to the upper provinces, is confirmed.

The Mhow artillery division order of the 1st instant, appointing bombardier J. Hale, of the 4th company 3d battalion, and Bombardier J. Power of the 1st company 1st brigade, to act as laboratory men, during the practice season is confirmed.

His excellency the Commander in Chief is pleased to make the following appointments:

39th regiment native infantry.—Lieutenant J. C. Haslock to be Captain, vice Pugh, to be promoted to the invalid establishment.

19th regiment native infantry.—Lieutenant and brevet Captain D. Smith of the 60th native infantry, to act as interpreter and quartermaster, until further orders.

The undermentioned officers have been declared by a district committee to be qualified for the duties of interpreter, on exemption from further examination, except that by the college examiners, which they will be expected to undergo whenever they may visit the presidency.

Lieutenant G. Wright, 1st regiment native infantry
Ensigns Pond 40th ditto ditto

Head Quarters Camp, Kurnaul, December 20th.—The Mhow station order of the 7th instant directing Assistant Surgeon J. Murray, M. D. being duty with the 4th Troop 1st brigade horse artillery, to afford medical aid in the artillery division, till the return of assistant surgeon G. J. Brown, M. D., and Assistant Surgeon G. Dodson to deliver over medical charge of the 1st company 3d battalion artillery to B. Murray, is confirmed.

The following removals and promotions to take place in the regiment of artillery:

1st Lieutenant and brevet Captain J. H. McDonald, Adjutant 6th Battalion to the 1st company 6th Battalion.

1st Lieutenant G. S. Reid, (Adjutant, 5th Battalion) to the 1st company 5th Battalion.

1st Lieutenant Z. M. Mallock, from the 3d company 7th Battalion to the 1st company 4th Battalion.

1st Lieutenant M. Mackenzie (new promotion) to the 4th Troop 3d Brigade horse artillery.

3d Lieutenant T. J. W. Hungerford, (on furlough) from the 1st Troop 3d Brigade to the 3d company 7th Battalion.

2d Lieutenant J. H. Smith, (on staff employ) from the 2d company 7th Battalion to the 1st Troop 2d Brigade.

2d Lieutenant J. W. Kays, from the 7th company 7th Battalion to the 3d company 1st Battalion.

3d Lieutenant G. H. Clifford (brought on the effective strength) to the 2d company 4th Battalion.

His excellency the Commander in Chief is pleased to make the following appointment:

55th Regiment native infantry.—Lieutenant John Butler to be interpreter and quartermaster, vice Ewart proceeding on furlough.

Assistant Surgeon A. Murray, M. D. is removed from the 6th to the 11th Regiment of native infantry.

Assistant Surgeon B. Wilson is removed from the 41st to the 6th Regiment of native infantry.

The undermentioned officers have leave of absence:

53d Regiment native infantry.—Captain W. F. B. Leadbeater, from 4 July to 15th February 1838, to proceed to Meerut, on private affairs.

71st Regiment native infantry.—Lieutenant W. J. Rind, from 1st December to 1st March 1838, in extension, to proceed to the presidency, on medical certificate, preparatory to applying for furlough.

72d Regiment native infantry.—Captain C. H. Belaragon, from 1st December to 3d December 1838, to visit Mussoorie, on medical certificate.

Head Quarters, Camp, Kurnaul, December 21st.—Reference to an order of the general order of the 16th of September 1837 will be observed, that the returns required to be completed as required. His excellency the Commander in Chief therefore directs that they may, in future, be sent direct from the commanding officer of a regiment to the Adjutant General of the Army.

Head Quarters, Camp, Leelakhora, December 23d.—The Meerut station order of the 10th instant, directing Assistant Surgeon A. C. Dunham, M. D. medical storekeeper at Nermuch, to relieve Assistant Surgeon A. Cole, from the medical charge of the 71st native infantry and the latter officer to rejoin the 43d Regiment at Cawnpore, is confirmed.

Ensign H. Ramsay of the 53d Regiment of native infantry, is appointed Aide de Camp to Major General the Honorable J. Ramsay, commanding the Meerut division, vice Lieutenant A. Lindsay, who has been removed to civil employment.

This order is to have effect from the 2d instant.

Quartermaster Sergeant James Cairnes, of the 2d Regiment of native infantry, having been examined by a special medical committee and declared unfit for further active duty, is transferred to the invalid companies at Chunar, from the 1st proximo.

Head Quarters Camp, Delhi, December 24th.—The Meerut division order of the 1st instant, appointing Assistant Surgeon W. L. McGregor, M. D. of the 2d Brigade, to the medical charge of the 3d Troop 1st Brigade of horse artillery under orders of march to Muttra, is confirmed.

The Meerut station order of the 28th ultimo, directing Acting Assistant Steward J. Matthews to march with the 3d Troop 1st Brigade of horse artillery, to Muttra, is confirmed.

Ensign Khin, native doctor now doing duty with the 49th Regiment native infantry, is permanently appointed to the hospital at that corps.

Head Quarters, Camp, Delhi, December 29th. The following unappointed officers are appointed to the regiments specified opposite their respective names, and directed to join:

- Ensign J. in William Henry Pownall, 52d Regiment native infantry, at Nusseerabad.
- Ensign George Henry Hobson, (on leave to the Cape of Good Hope), 72d Regiment native infantry, at Mhow.
- Ensign Mensey St. Pierre, 68th Regt. N. I. under orders for Allahabad.
- Ensign William Henry Jerome, 38th Regt. N. I. at Delhi.
- Ensign Francis Tombs, 19th Regt. N. I. at Cutchuck.
- Ensign Francis Peter Rivers, 67th Regt. N. I. at Khyook Phoo.
- Ensign John Gordon, 6th Regt. N. I. at Cutchuck.
- Ensign William Frost Nathall, 18th Regt. N. I. at Secrode, Benares.
- Ensign Francis Maria Hastings Burton, 52d Regt. N. I. at Nusseerabad.
- Ensign Henry Ware, 33d Regt. N. I. at Jubbulpore.
- Ensign Charles Aulbar Nicolson, 25th Regt. N. I. under orders for Saugor.
- Ensign John Francis Garstin, 66th Regt. N. I. at Hussingshad.
- Ensign Thomas Francis Hubday, 72d Regt. N. I. at Mhow.
- Ensign Charles Doyton, 18th Regiment native infantry at Agra.
- Ensign Francis Henry Thomas, 38th Regt. N. I. at Delhi.
- Ensign Robert Anderson Ramsay, 49th Regt. N. I. at Neemuch.

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Ensign John Douglas William, 62d regt. N. I. under orders for Allahabad.

Ensign Campbell MacWilliam, 32d regt. N. I. at Nowa shah.

Ensign Alexander Brotherton Fenwick, 60th regt. N. I. at Allahabad.

Ensign Edward Cook, 6th regiment native infantry at Meerut.

Ensign Henry Beresford Melville, 54th regt. N. I. at Meerut.

Ensign Charles Edmund Hickey, 1st regt. N. I. at Saugor.

Ensign James Irwin Mainwaring, right wing of the European regiment at Agra.

Ensign Andrew Ogilvie Farquharson, 19th regt. N. I. at Delhi.

Ensign James Hutton, (not arrived) 38th regt. N. I. at Cuttack.

Ensign William Chester, 67th regt. N. I. at Khyouk Phoo.

Ensign William Robert Cunningham, 6th regt. N. I. at Cuttack.

Ensign Walter Birch, 7th regt. N. I. under orders for Cawnpore.

Ensign James Garner Holmes, 59th regt. N. I. at Moradabad.

Ensign John Colpoys Haughton, 32d regt. N. I. at Allahabad.

Ensign William Henry Onkes, 45th regt. N. I. at Shidjeham pore.

Ensign Lanchlean Alexander McLean, 3d regt. N. I. under orders for Barrackpore.

Ensign Thomas Elliot Ogilvie, 39th regiment N. I. at Neemuch.

Ensign Colin Charles Robertson, 11th regt. N. I. under orders for Saugor.

Ensign Frederick Cooper Tombs, 18th regiment N. I. at Secrole, Benares.

Ensign Neville Bowles Camberlain, 52d regiment N. I. at Newcastle.

Ensign William Tierney Fergusson, 27th regt. N. I. at Kurann.

Ensign Edward Dayot Watson, 41th regiment N. I. under orders for Etanah and Boudah.

Ensign Arthur Henry Cole Sewell, 47th regt. N. I. at Agra.

Ensign Thomas Tulloh, 33d regiment N. I. at Jubulpore.

Ensign William Edward Mulcaster, 2th regiment N. I. under orders for Mysore.

Ensign James Wardlaw, 21th regiment N. I. at Madnapore.

Ensign John Mouchton Swinton, 18th regt. N. I. at Allahabad.

Ensign Trevor Henry Shum, 25th regiment N. I. under orders for Saugor.

J. R. LUMLEY, Major General,
Adjutant General of the Army

GENERAL ORDERS TO THE QUEEN'S TROOPS.

Head Quarters, Camp, Delhi, 7th December 1837

No 84.—The presidency division order dated the 1st ultimo, granting leave of absence to lieutenant J Lomax, 16th foot, to proceed to England, for 2 years from date of embarkation, on medical certificate is confirmed.

Capt J Titten — White
Lieut J Martin — K G Swinton
Cornet J White

The division orders by major general Sir H Stevenson, dated the 9th ultimo, directing the officers named in the note in (removed from the 11th to the 3d light dragoons) to do duty with the detachment of volunteers for the latter corps at Cawnpore, under the command of captain Bond and that dated 1st instant, appointing assistant surgeon Menzies, 16th foot, to the medical charge of this detachment until the arrival of the head quarters of the corps, are confirmed.

The leave granted by His Excellency lieutenant general Sir John Keane, to Dr. Collier, deputy inspector general of hospitals, to proceed to England, is confirmed.

The leave of absence granted by His Excellency lieutenant general Sir H Stevenson, to the following officers of Her Majesty's 45th regiment, to proceed to England, via Egypt, is confirmed:

Captain F. Picoit; capt H Cooper; ensign W. R. Lewis.
The undermentioned officers have leave of absence:

13th light dragoons captain R Ellis, to England, for 2 years from date of embarkation, on private affairs.

Ditto—captain T Atkinson, in extension from the 1st November 1836 to the date of joining the regiment from Enzand.

16th foot—Lieutenant J. Lomax, from 1st October to 1st December 1837 in extension, on medical certificate.

3d ditto—Ensign C J Bourke, from 10th December to 9th February 1838, in Calcutta, for the purpose of appearing before a medical board.

4th ditto—Lieutenant J. L. Bennis, from 15th December to 4th June 1838, at Meerut, on urgent private affairs.

Head Quarters, Camp, Samalka 14th December 1837—No. 85.—Her Majesty has been pleased to make the following appointments in the regiments serving in India:

16th light dragoons.—Captain Lawrence Fryer, from the 77th regiment of foot, to be captain, vice Deverill, who exchanges, 5th July 1837.

12th foot.—Gentleman cadet Francis Levett Bennett, from the royal military college, to be ensign, by purchase, vice Tidy appointed to the 14th regiment of foot, 27th July 1837.

40th foot.—Ensign Charles Phillips, from the 1st West India regiment to be quarter master, vice Walsh deceased, 25th July 1837.

The commander in chief has been pleased to make the following promotions in Her Majesty's service shall be known:

2d foot.—Ensign T W E. Haddockworth to be lieutenant by purchase, vice Meade, who retires, 7th December 1837.

Several hundred citations having been made to the commander in chief by officers commanding corps, for the unequalled discharge of duties of bad character, without pension, but who, from length of service were entitled thereto; his excellency has known, that by instructions from the general command in chief of such recommendations for discharges, cannot be entered, if not being within his lordship's power to recommend to the commissioners of Chelsea, to withhold from a soldier the grace of pension to which he may be entitled; the forfeiture of pension on being a point which should be decided by the court martial, before which a culprit may have been arraigned.

His excellency also desires, under instructions from the general command in chief that no money may hereafter be received for the discharge of a soldier, by purchase, before such discharge has been authorized.

The regimental order by the officer commanding, dated 18th ultimo, appointing sergeant Thomas Goodlass to act as provost sergeant, and to send back & file 135 George Archer as quarter master sergeant to the 13th division of the regiment, respecting children to the presidency, as per memo, under the command of Major Jenkins is confirmed.

The undermentioned officers have leave of absence:

7th foot.—Lieutenant J Mocker, to England, for 2 years from date of embarkation, on private affairs.

Ditto.—Lieutenant J H Shufford, do ditto.

Head Quarters, Camp, Karnaul, 18th December, 1837—No 87.—Her Majesty has been pleased to make the following promotions and appointments in the regiments serving in India:

3d Light Dragoons.—Lieutenant Richard Blagden Hale to be captain, by purchase, vice Philips, who retires, 10th July 1837.
Cornet Richard V. Moore to be lieutenant, by purchase, vice Hale, 10th July 1837.

To be Cornets, by purchase—Henry Wood, gent, 10th July 1837.
Edmund Roche, gent, vice Ralston who retires, 11th July 1837.
Herriot Hollogorth, gent, vice Moore, 12th July 1837.

Quarter Master Thomas Adams, from the 7th Dragoon Guards to be Quarter Master, vice Higgins, who exchanges, 10th July 1837.

Sergeant Major—Sullivan to be Adjutant (with the Rank of Cornet) vice Jones who retires as the Adjutant only, 9th July 1837.

11th Light Dragoons.—Cornet James Hussey to be Lieutenant, by purchase, vice Wadham, who retires, 7th July 1837.
Thomas William Smith, gent, to be cornet, by purchase, vice Hussey, 7th July 1837.

4th Foot, to be Lieutenant Colonels—Lieutenant Colonel Richard England, from the 75th Regiment of Foot, without purchase, 7th July 1837.

Brevet Colonel Gideon Correquer, from the half pay, unattached, vice England appointed to the 31st Regiment of Foot, 1st July 1837.

Major James England by purchase, vice Correquer, who retires, 11th July 1837.

Captain Henry Houghton Irving to be Major, without purchase, vice England, 11th July 1837.

Lieutenant James Esplanade to be Captain, vice Irving, 11th July 1837.

To be Lieutenants.—Lieutenant Dennis A Courtayne, from the 45th Foot, 7th July 1837.

Lieut. Charles Shipley Teale, from the 26th Foot, 7th July 1837.
Lieutenant Abraham Collins Anderson, from the 54th Foot, 7th July 1837.

Lieutenant William Charles Sheppard, from the 57th Foot, 7th July 1837.
Lieutenant W. H. Middleton Ogilvie, from the 6th Foot, 7th July 1837.

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Ensign John Cameron, from the 54th Foot, 7th July 1837.
 Ensign Christoper M. Wilson, from the 26th Foot, 7th July 1837.
 2d Lieutenant Robert Hawkes from the 5th Foot, 8th July 1837.
 Ensign Robert O'Neil, 9th July 1837.
 Ensign James Symington Shortt, 10th July 1837.
To 5th Ensign — Ensign William Vantham Bond, from the 2d West India Regiment, vice O'Neil, 9th July 1837.
 Ensign James Alexander Madigan, from the 7th Regiment of Foot, vice Shortt, 10th July 1837.
 Quarter Master John Pater to be Adjutant and Ensign, vice Espinasse, 11th July 1837.
 Sergeant major Samuel Sexton to be Quarter master, vice Pater, 11th July 1837.
 6th Foot — Lieutenant John Dunzard Mardodd, from the 2d West India Regiment to be Lieutenant, vice Ogilvie appointed to the 1th Regiment of Foot, 7th July 1837.
 9th Foot — Brevet colonel Sir Edmund Keenan Williams K. C. B., from the 41st Regiment of Foot, to be Lieutenant Colonel, vice Osborne appointed to the 10th Regt of Foot, 19th July 1837.
 26th Foot — Lieutenant James Williams Oyles, from the Ceylon Regiment, to be Lieutenant, vice Fealo appointed to the 4th Regiment of Foot, 7th July 1837.
 41st Foot — Lieutenant Colonel Richard England from the 4th Regiment of Foot to be Lieutenant Colonel, vice Sir E. K. Williams appointed to the 9th Foot, 10th July 1837.
 Major William Booth to be Lieutenant Colonel, without purchase, vice Hudson deceased, 11th July 1837.
 Captain James Price May to be major, vice Booth, 11th July 1837.
 Lieutenant John George Bellingfield to be captain, vice May, 11th July 1837.
Comd'g his Promotion — Ensign John Diddp, to be Lieutenant, vice *Not deceased* — Vice Bellingfield, 11th July 1837.
 Charles Anderson Moschen, gent., to be Ensign, vice Diddp, 11th July 1837.

54th Foot.—Ensign Charles Fale Hentley to be Lieutenant, without purchase, vice Anderson appointed to the 4th Regiment of Foot, 7th July 1837.

Ensign William Macpherson, from the half pay of the 41th Regiment of Foot, to be Ensign, without purchase, vice Heafly, 7th July 1837.

Henry Andrew Hillyworth, gent. to be Ensign, without purchase, vice Cameron promoted in the 1th Regiment of Foot, 18th July 1837.

57th Foot — Lieutenant William Jones, from the Ceylon Regiment, to be Lieutenant, vice Sheppard appointed to the 4th Regiment of Foot, 7th July 1837.

63d Foot — Lieutenant Edward Hill, from the half pay of the 29th Regiment of Foot, to be Lieutenant, vice Henry Croly promoted, 7th July 1837.

Private — Captain Charlton Brown Tucker, of the 3d light dragoons, to be major in the Army, 10th January 1837.

The Commander in Chief in India has been pleased to make the following promotion until Her Majesty's pleasure shall be known.

The promotion of 2d Foot.—Ensign H. W. Stisted to be Ensign Holbroock to Lieutenant, by purchase, vice Moodie, *this vacancy has not* who retires 7th December 1837. *taken place.*

Lieutenant Speck of the 3d Foot, and Lieutenant Holcombe of the 13th light infantry, having passed the prescribed examination as interpreters before a distinct committee, are deemed, by the Commander in Chief in India, entitled to the allowance sanctioned in general orders by Government, No. 208, of the 26th September 1828.

By Order of the Commander in Chief,
 R. TORRENS, Major Genl.
 Aigt Genl. to Her Majesty's Forces in India.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE.

- Jan 1 English Barque *Resolution*, A. S. Dixon, from Madras 16th November.
- 2 English Brig *Corsair*, J. H. Porter, from Singapore 13th December.
- 4 English Bark *Susanna*, J. P. Ridley, from Port Jackson 3d October and Carnaticar Island 21st December, and English Barques *Monarch*, A. McNeillage, from Glasgow 2d August.
- 5 English Bark *Couriere*, J. Dixon, from the Cape of Good Hope 23d October.
- 6 English Brig *Elizabeth*, J. Manook, from Rangoon 20th December; English Ship *Susan*, J. Young, from Bombay 1st, Calicut 22d and Alleppee 29th November.
- 9 English Barque *Dorothy Gale*, G. Moore, from Liverpool 22d July, and the Mauritius 19th November.
- 15 English Schooner *Margaret*, W. C. Spain, from Rangoon 17th December.
- 17 English Barque *Sir Edward Ryan*, J. M. McCowan, from Moulinea 31st December.
- 18 English Ship, *Paragon*, J. Coleman, from Liverpool 24th August; English Bark *Tinamara*, G. Wilson, from Liverpool 27th August; French Bark *Rob. ri Le Diabie*, M. De Laporte, from Bourbon 28th November,

- 19 English Bark *Servatoris*, A. Yates, from Portsmouth 8th August, Cape of Good Hope 30th October, and Madras 23d December.
- 20 French Brig *Alcedo*, J. P. Querouare, from Bourbon 10th December.
- 22 H. M. Ship *Latone*, Capt P. J. Plinko, from Moulinea 8th January; English Barque *Syph*, Thos. Viall, from China 18th, and Singapore 27th December.
- 23 American Ship *Dover*, J. Austen, from Boston 29th August, and the Cape of Good Hope 23d November; English Brig *Soundrapone*, Nacuda, from Penang 14th November, and Arracan 14th January.
- 24 English Brig *London*, M. King, from Liverpool 12th Sept.
- 25 English Ship *Fatty Szlam*, J. L. Gill-M., from China 6th and Singapore 23d December, and Penang 6th January. English Brig *Arcthusa*, A. Eiko, from Moulinea 4th January.
- 26 English Ship *Zenobia*, J. F. Owen, from London 12th and Portsmouth 21st September, Madeira 9th October and the Cape of Good Hope 5th December, American Barque *Norfolk*, J. S. Ballard, from Boston 10th September, English Barque *Baboo*, G. B. Brock, from the Mauritius 5th December.
- 27 English Ship *Royal Saxon*, R. Renner, from London 5th and Portsmouth 20th September.
- 28 English Barque *Bahamian*, M. Tizard, from Liverpool 14th October,

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- 29 English Ship *Marion*, Mr. Carthy, from London 26th September, and Cape 4th December.
 20 English Ship *Frances Warden*, Nacoda, from Penang 2d January
 21 Dutch Barque *Suzanna*, T Stewart, from Batavia 1d December, Singapore 7th and Penang 13th January

ARRIVALS OF PASSENGERS.

Per Bark Susanna from Port Jackson.—Mrs Walton; Captain Walton, H W 43th Regt; Mr Leigh, Surgeon

Per Couriers from Cape of Good Hope.—Messrs Haines, Baithurst, and Low, H C & T C Robinson, Esq; Dr McWhir, M D, Capt and Mrs Fraser and Mr Fraser; Mr and Mrs Mann and 6 Children; Mr and Mrs Thomson and 4 Children, and Mr Malish.

Per Sir Edward Ryan.—H P Twentyman, Esq, and Mr Gallasteco, merchants.

Per Swastick from London.—Mrs Yates, from the Cape of Good Hope.—Mrs Grant an infant; Miss Pattle; C H Cameron, Esq, law commissioner; J Grant Esq, Surgeon, Bental establishment; Capt Inrlton, 7th Regt. B I, Mr Lind, late officer *Royal William*, from Maday.—Capt Gillett, Country Service; Mr Rogers, merchant; Mr Robt Saunders, Pilot Establishment; Mr Tapley, late Chief Officer Ship *Thalia*.

Per Paragon, from Liverpool.—Mr and Mrs Perry; Emily Deben, Militaire.

Per Fluty Salam, from Canton.—Messrs Fraser and Browne from Singapore.—Mr and Mrs Dobbs; Mr Douglas and Mr Johannes from Penang.—Mr and Mrs Reid and child.

Per Zenobia.—Mrs Turner; Miss Woodley; Royal I Norgate; Mr A Galloway, cavalry cadet; Mr W H Williams, Infantry ditto; Mr W W Burkinyoung, attorney at law; Mr J Burkuyonuz; Messrs Penhallir, McCa tang, Cowing and Spink, from England, Mrs Sariff and child; A Cumming and C. Grant, Esqs civil service; J Langstaff, Esq, medical Board; Capt Sheriff, 13th regt B N I.

Per Baboo from Mauritius.—G Betts, Esq, merchant.

Per Norfolk, from Boston.—Mr Edward S Mosely, merchant.

Per Frances Warden from Penang.—Mrs McKintick and 4 children; Mr, carpenter, Mrs Mrs. McKintick and P Joaquin, merchants, Master McKintick.

DEPARTURES FROM CALCUTTA.

Jan. 1 *British Monarch*, W Purvis, and *Calcutta*, J H Bentley, for Madagair; *Ruby*, J Randall, for Singapore and China; *Futile Barry*, Nacoda for Juddah.

7 *Antelope*, Nacoda, for Juddah; *Duke of Bedford*, W A Bowen, for London.

8 *John Hepburne*, B Robertson, for Rangoon.

13 *Christopher Rawson*, C Edwards, for Mauritius; *Lord Hungerford*, Farquharson, for London; *Windsor*, Henning, for London; *Hoogly*, Jeausulin, for Bourbon.

18 *Rob Roy*, J McKinnon, for China; *Theodosia*, E Underwood, for Liverpool.

15 *Carnatic*, Jas. Richard, for the Mauritius.

27 *Fatma*, G Pethers, for Liverpool via St. Helena.

19 *Shaw Allum*, E Evans, for Bombay.
Dosa Carmelita, Fios. Foss, for the Mauritius.

19 *Allabete*, A R Clarke for Bombay; *Fatima*, G Fethers, for Liverpool; *Hammonsaw* and *Fatty Mobarruck*, Nacoda, for Muscat.

22 *Brigand*, Wemyss, for Penang and Singapore; *Elizabeth*, J Glass, for Ceylon; *Cabras*, Nacoda, for Mocha; *Abassey*, Nacoda, for Muscat; *Zucon*, Arnaud, for Bourbon.

25 *Indiana*, A Massin, for Bourbon; *Virginia*, C Whiffen for Madras.

23 *Ecmouth*, D Warren, for London; *Burrong*, Gordon, for Bombay.

DEPARTURE OF PASSENGERS.

Per Madagascar.—Mr and Mrs Siddons; Dr and Mrs Swiney; Mr and Mrs Robertson; Brigadier Penny; Miss Durin; Capt and Mrs. Roberts; Mrs Forbes; Mrs Birrell, Captain Webster; Miss Siddons; Lieut. Bazzet; Lieut Siddons; G. J. Millman and R J Savi, Esqs.

Per Samuel Hurrocks, for Singapore.—J H Whitehead and J S Clarke, Esqs.

Per London.—Mr and Mrs. Valpy and family; Dr Innes and family; Capt and Mrs Evans and family; Mrs Vignon and son; Mrs Page and family; Mr and Miss Cunningham; Mrs Major Ramsay and child; Mrs Capt Lupton; two Misses Watson; Miss Low; Masters Wilkinson, Thompson, Hudson, and Parker.

Per Duke of Bedford.—J Maclean, Esq; Lieut Boileau and family; Lieut Inglis; Mrs Major Lister, Mrs Redell; his Highness Nawab Ikbal ood Dowlah, and Captain Coventry.

Per Repute.—Colonel Andrew; Colonel Morrison; Mrs Armstrong, and Mrs Shuttleworth.

Per St. George.—Sir C F Mordaunt, K C B; Capt. and Mrs Hargison; Mr and Mrs W Dick.

Per Scotia.—Mrs. Brutton and Mrs Stonehouse; Misses Brutton, Lemarchand, Taylor and M Taylor; Col. Shubrick, 7th light cavalry; Col Brutton, late 11th light dragoon; Col Cock, 231 N I, Col Taylor, 29th N I; Col Watkins, 6 d N I; J S Gordon and G R Budd, Esqs, 3d light cavalry; T L Harrington, Esq., 5th ditto; G Stonehouse, A. Guthrie, J Purvis and J Garrett, Esqs.; Master Brutton.

Per Windsor.—Lady Ryan and 2 children; Miss Ryan; Mrs Franks and 2 children; Mrs F. D Smith and child; Mrs Boswell and child; Capt. Chadwick and 3 children; R H W Ramsay, Esq., C. S.; and Mastershaw; Colonel and Mrs Boileau and 2 children for the Cape; Sir John and Lady Herschel and family will embark on board the *Windsor* at the Cape for London.

Per Lord Hungerford for London.—Mrs. Jennings and 3 children; Mrs. G F. Thompson and 4 children; Mrs Trevelyan and child; Mrs Newmarch and 3 children; Mrs. Mansell; Misses Jeremy and White, Honble F B Macaulay; Mr. Trevelyan; Capt. Mansell, Commanding H M Troops; Capt Farquharson; Lieuts Shortwell and Farquharson; 2 Masters Caulfield; Master Grotz; Sergeant Hogan, and 32 of Her Majesty's troops.

Per Jellinghgee.—Mrs. Mathews, Mrs. Clarke, Mrs. Campbell, Mrs Hoque and Mrs Armstrong; Misses Which and Miss Macan; F. C Smith, Esq.; R J. B. Campbell, Esq.; Major Anderson; Major Forme; Lieut. Graham, Ensigns Britton, Powell and Robertson.

Per Thames, for Madras.—Mr. and Mrs. Babington; Capt. and Mrs Montgomery; Capt and Mrs. Gordon; Mr. Elliott, G. S. *Per London.*—Capt. and Mrs Poynton; Mrs. Gouldin; Mrs. Blenkinsop and 2 children; Lt. Clarke; Mr. Robertson; Major J Jenkins; Capt Wm Roebuck, R. A. Reynolds, and H G P Tuckett; Lieut J H Forrest; Cornet W. C. Forrest; Assit. Surg. J Hutchinson, Brigadier Penny; and the troops of H M 11th dragoon.

Per Carnatic, for the Mauritius.—Mrs. Spencer and Mrs. Richard.

Per Mountstuart Elphinstone.—Mrs. Bolton and child; Mrs. Smithson; Mrs. Vos and family; Mrs. Twentyman and child; Mrs Hobson and two children; Capt. Hickman and Bolton; Lieut. Cantley; W H Twenty man, Esq, and Master Luke.

Per Ermonth, for London.—Mr and Mrs J. Dunbar; Mr and Mrs Robert Stewart; Mrs. Major Halfhide; Dr and Mrs. Baker; Captain and Mrs Brand; Captain and Mrs. Parker, and eleven children.

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Per Ship Repulse for London.—Countess of Cardigan and Cornet Reynolds, H M's 11th dragoon; Lieut Norman, Mesdames Rotton, White, Betson, Norman, Armstrong, 31st dragoons; Mr Tiel; Monsieur Gilliard, Advocate Gene- Campbell, Shuttleworth, Woodin and Gillard; Lieutenant ral at Chandernagore. *Steering Passengers.*—Mr Jordan, Cols Andrie and Morrison, Majors Rotton and White, Captain 17th cavalry; Mrs Jordan and two children; Mr Townsend, Bambrick, Dr Sandham, Lieut Ready, quarter-master Betson and three children.
Colonel the Earl of Cardigan, H M's 11th light dragoons; *Per Victoria, for Bristol.*—Mr John Biddle.

DOMESTIC OCCURRENCES.

BIRTHS.

- Oct. 25 At Agra, Mrs Jacob Hoff, of a daughter.
— At the Cape, the lady of J H Vanreuen, Esq, of a son.
- 29 At Rondebush, near Cape Town, Cape of Good Hope, the lady of Charles Macsween, Esq, of the Bengal civil service, of a son.
- Dec. 13 At Jubbulpore, the lady of C. R. Brown, Esq, Assis- tant Agent, Governor General, of a son.
- 16 At Benares, Mrs George Archer, of a son.
- 27 At Hochungabad, the lady of M C Ommanney, Esq, C S of a daughter.
- 29 At Sumbulpore, the lady of C L Babington, Esq, of a son.
- 31 At Calcutta, Mrs R J Cardozo, of a son.
- At Sultanpore, Benares, the lady of Captain G R Crawford, artillery, of a daughter.
- The wife of Mr Lawrence D'Silva, of Secbpoor, of a daughter.
- Jan. 1 At Calcutta, Mrs Chas Gardener, of a son.
- 2 At Calcutta, the wife of Mr A Dozey, Junior, of a son.
- 4 Mrs Amelia P Auslin, wife of Mr A P Auslin, of a son.
- At Chowringhee, the lady of Alexander Beattie, Esq, of a son.
- At Furroodpore, the lady of R B Garrett, Esq, Civil Service, of a daughter.
- 6 At Calcutta, the lady of John D Loch, Esq, of a son.
- At Calcutta, the lady of John D Loch, Esq, of a son.
- Jan. 8 At Allipore, Mrs M Jones, of a daughter?
- 6 At Calcutta, on board the *Duke of Bedford*, the lady of Lieutenant Buleau, 10th artillery, of a daughter.
- 8 At Entally, Mrs T S Shppard, of a son.
- At Calcutta, Mrs D Oman, of a daughter.
- At Entally, Mrs J Rue, of a son.
- At Calcutta, Mrs Wm Ryland, of a daughter.
- At Calcutta, the lady of Markham Kitloo, Esq, of a daughter.
- 10 At Simia, Mrs W Philipe, of a son.
- At Chinsurah, Mrs T B Barber, of a son.
- 12 At Kishnaghur, the lady of C Steer, Esq, of a son.
- 13 At Calcutta, the lady of D. Pringle, Esq, of a still born child.
- 14 At Dum-Dum, the lady of Lieutenant Burnett, ar- tillery, of a son.
- At Goruckpore, the lady of R J Taylor, Esq, civil service, of a son and heir.
- 16 At Calcutta, the lady of Joseph Agabeg, Esq of a daughter.
- 17 At Chowringhee, the lady of T Savi, Esq, of a son

- At Ghazeepore, the lady of Lieut J D Young, Her Majesty's 43th Regt, of a daughter.
- 19 At Calcutta, the wife of Mr S Clarke, of the Con- servancy department, of a still born son.
- At Calcutta, Mrs J P Dowling, of a daughter.
- 20 At Calcutta, Mrs D Ross, of a daughter.
- At Calcutta, Mrs N Campbell, of a son.
- 21 At Calcutta, Mrs T C Howe, of a daughter.
- 25 At Calcutta, the lady of Henry Chapman, Esq, of a son.

MARRIAGES.

- At Purneah Catholic Church, by the Revd Florian, Mr A A Thomas, to Miss H Carnal
- Dec. 26 At Agra, by the Reverend R Chambers, Mr J F Pinto, assistant in the office of the political and general department, to Miss Louisa Scott.
- 23 At Calcutta, at the Principal Roman Catholic church by the Revd. Mr Oliver, Mr Thomas Scallan, of H C Marine, to Miss Anna Simonin.
- Jan. 1 At Delhi, at St James's Church, by the Reverend R. Everest, A M, Captain William Ramsey, Major of Brigade, to Harriett Doynton, second daughter of Lieutenant Colonel Mosely, 34th regiment native infantry.
- 2 At Dhooly, by the Revd. C. Hawkins, A B, Captain J Finnis, 1st regiment native infantry, to Sarah, youngest daughter of the late Captain Roche, Bengal Army.
- 6 At the Old Church, by the Venerable the Arch- deacon, Captain Robert Hinkley MacGregor, of the artillery, Mr Assistant Military Auditor, married to Miss Watson, second daughter of Colonel Archibald Watson, of the Light Cavalry.
- 8 At Calcutta St Andrew's Kive, by the Rev James Charles, Mr George Grant, to Miss Sarah Mary Mills.
- 9 At Calcutta, at the Cathedral, by the Revd H S Fisher, Mr Samuel Heather, to Miss Isabella Manning.
- 10 At Calcutta, at the Cathedral, by the Revd H S Fisher, Mr William Salls, to Miss Marian Staple- ton.
- At Agra, Mr J O Jore, to Miss A Rees.
- 12 At Allahabad, by the Revd H Pratt, A M Alexander Beattie, Esq, to Jane, daughter of William Wat- son, Esq.
- At Calcutta, at the Principal Roman Catholic church, by the Reverend P Swanen, R Cruise, Esq, to Charlotte, second daughter of the late Geo. Shillingford, Esq, of Purneah.
- At Kurnil, by the Revd. Mr Poojiah, Mr C Bowline writer to the political agent of Ambala, to Sop hia second daughter of Mr James Winn, Apothecary

GENERAL REGISTER.

- At Calcutta, at the Old Church, by the Venerable the Archdeacon, Monneur A. Charmer, to Harriett, Wife of the late Captain William Souter, of the 86th Regiment native Infantry.
- At Calcutta, at the Cathedral, by the Reverend H. S. Fisher, Mr. John Graves, Conductor of Ordnance, to Mrs. Mary Barbara Cayton.
- 19 At the Cathedral, by the Revd. H. Fisher, C.P. Norton, Esq., of Calcutta, to Miss Eliza Isabella Hasleby.
- 22 At Calcutta, at the Cathedral, by the Rev. H. S. Fisher, Mr. John Graves, Conductor of Ordnance, to Mrs. Isabella Miller.
- At the Cathedral, Col. W. Botesford, military secretary to the commander-in-chief, to Caroline, daughter of W. Fane, Esq., of the civil service.
- At Calcutta, at St. James' Church, by the Reverend R. B. Bowdell, Mr. Jones Price, to Miss Rose, second daughter of Mr. S. D. Castro, of Williams' Lane.
- Mr. R. Williams to Mrs. Rosa, the widow of the late Mr. Francis DaCruz.
- 25 At the Scotch Kirk, by the Revd. James Charles, J. W. Carnegie, Esq., interpreter and quarter-master of the 15th Regt. N. I., to Jane, daughter of the late David Scott, Esq., of the civil service.
- At the Old Church, by the Venerable the Archdeacon, W. D. H. Orlam, Esq., to Anne, youngest daughter of H. Barrow, Esq.

DEATHS.

- April 23 Near Cape St. Vincent, on a voyage to Cadiz, Miss Louisa Maria, eldest daughter of Major Thomas Gilbert Alder, late of the Bengal establishment, aged 18 years.
- Aug. 19 At Ghitta, long, the infant son of Mrs. J. E. Bruce.
- Sept. 10 At sea, on board the barque *Bengal*, William Morrison, Esq.
- At sea, on board the *Royal William*, Assistant Surgeon George Macfarlane Watson, of the Medical Establishment.
- Nov. 17 At Agra, Lieutenant and Adjutant Cardew, of the artillery.
- 26 At Agra, Robert Henry Rebello, the third son of Mr. H. Rebello, aged 3 years, 11 months, and 3 days.
- 27 At Agra, the infant child of M. Woolaston, Esq.
- Dec. 2 On the river, at Casuero, on her way from Calcutta to Futtecher, Mrs. Ansell Graham, wife of Mr. John Graham, head draughtsman, surveyor general's department.
- Jan. 1 At Calcutta, the infant son of Mr. and Mrs. Charles Gardner.
- At Agra, Ensign M. W. Tytler, 2d native infantry.
- 3 At Calcutta Mr. Thomas Tyen, assistant in the civil auditor's office, aged 36 years, 2 months and 15 days.

- At Calcutta, Master Terraneau Fisher, aged 8 months and 11 days.
- At Entally, Mr. A. Hughes, aged 35 years and 3 months.
- At Beharimpoore, Cecelia Evelina, the infant daughter of John and Caroline Powell.
- 4 At Calcutta, Sarkies Owen, Esq., aged 72 years.
- At Entally Mr. P. Jacob, formerly coach builder.
- At Howrah, Conductor Charles Gale, in charge of the Ordnance Depot at that station.
- 5 At Calcutta, Mr. Charles James Daniel Murray, aged 17 years.
- 7 At Howrah, Miss Sophia Smith Read, of cholera, aged 20 years and 6 months.
- 9 At Calcutta, Mr. E. C. M. Munn, aged 28 years.
- 10 At the Howrah Hospital, Mr. John May, Boatswain of the *Woolcor*, aged 36 years.
- At the Howrah Hospital, Mr. John May, Boatswain of the *Woolcor*, aged 36 years.
- At Calcutta, at the residence of G. M. Latour, Esq., G. M. Bazar, Esq., aged 35 years.
- 11 At Calcutta, Mr. Charles Smith, an assistant in the Financial Department, aged 35 years.
- 12 At Calcutta, Master William Hatched Terraneau, Esq., aged 2 years and 3 months.
- At Calcutta, Miss Louisa Sarah Nibbett, daughter of Mr. John Wm. Nibbett, aged 1 month and 15 days.
- At Kiddypoore, the infant child of Mr. William Cleghorn, of the Government Steam Department, aged 5 months and 2 1/2 days.
- At Calcutta, George Thomas, fourth son of Mr. and Mrs. Samuel Smith, aged 4 years, 6 months and 26 days.
- 13 At Howrah, Mrs. Margaret Le Fevre, aged 64 years.
- At the General Hospital, Calcutta, Miss Maria Anne Barbara Wiltshire, wife of Apothecary G. D. Wiltshire, aged 17 years and 13 days.
- At Burdwan, James Dumoulin, Esq., Principal Surgeon.
- At Cawpoore, Frances Oclanis, the infant daughter of Captain and Mrs. Tennox, aged 7 months and 7 days.
- At Meerut, Mary, daughter of Lieut. Col. Wallace, 53d Regt., aged 3 years.
- At Calcutta, Mr. John Richard Martin, aged 17 years and 10 days.
- 14 At Entally, the infant son of Mr. T. S. Sheppard, aged 7 days.
- 16 At Calcutta, Mr. Vincent Castillo, aged 35 years, 4 months and 24 days.
- At Calcutta, FitzGerald Charles Wintour, aged 2 years and 1 month.
- 18 At Calcutta, Miss Jane Andrew, aged 42 years.
- 10 At Kishnachur, Gourpore, the beloved wife of Edward William Raynescott, Esq., of the 72d N. I.
- 23 At Calcutta, Ensign W. H. James, H. M. 26th Regt. aged 20 years.

ADMINISTRATION TO ESTATES.

ESTATES OF

EXECUTORS, ADMINISTRATORS, &c.

- Abnury, Sir James, Lieutenant Mount Baronet,.....
- Bremor, Thomas Mounsteven, Lieutenant,.....
- Erison, Samuel,.....
- Robertson, Demetre,.....
- Smith, John,.....
- Blenkison, Edward, Ensign 34th N. I.,.....
- Flood, Sarah, Charlotte, Widow,.....
- Marshman, Joshua, D. D.,.....
- Radha Bibee, Widow,.....
- Owen, Sarkies, Merchant,.....
- Bazire, Matthew, Merchant and Trader,.....
- Castillo, Vincent,.....
- Currie, William, Cabinet Maker,.....
- McCowan, Leslie Jones,.....
- Macdonald, Rodrick, Lieutenant,.....
- Mohunchundra Borau,.....
- Mount, Sir James, Baronet, Colonel of Engineers,.....
- Perry, Mary,.....
- Ramnarain Chuketbully,.....
- Stirling, Alexander,.....
- Tytler, Maurice William, Ensign,.....
- Wilson, John, Coga Esq.,.....
- Blenkison, Edward, Ensign, 34th N. I.,.....
- Fullarton, Robert, Assistant Surgeon,.....

- Registrar Supreme Court.
- James Macadam, Esq.
- Maria Erison, Widow.
- Registrar Supreme Court.
- James Ferguson.
- Registrar Supreme Court.
- Registrar Supreme Court.
- John Clark Freshman.
- Registrar Supreme Court.
- Markertean Sarkies Owen and Martyross Sarkies Owen.
- Registrar Supreme Court.
- Mr. William Richard Laokersten.
- Registrar Supreme Court.
- Registrar Supreme Court.
- Riber! John Bryshaw and Robert Cunningham Paton.
- Brijmauth Dutt.
- Sir George Mount, Bart.
- David James Campbell Johnston.
- Registrar Supreme Court.
- Nathaniel Alexander, Esq.
- Alexander Colvin, Esq.
- Registrar Supreme Court.
- Registrar Supreme Court.

ERRATUM.

After the concluding paragraph of the report of the Metcalfe Dinner, in page 94 of the Journal, read the following :

Sir Edward Ryan was sorry that the President had placed him in a doubtful position, for he was not sure whether his learned friend had returned thanks or left him and the other stewards that duty to perform. He would, however, choose the alternative of performing the duty. He then returned thanks to Sir Charles and those who had joined in the toast, and expressed his regret that it was the last time on which he would meet the worthy guest on such an occasion in this country.

Sir W. Cotton also returned thanks from the further end of the table.

Mr. Shakespeare proposed the health of Sir J. P. Grant, and complimented him on the able and eloquent manner in which he had conducted the business of the evening.

Sir J. P. Grant returned thanks, and, adverting to the great pleasure he had derived that evening, proposed—according to the old custom—a good night.

Sir Charles was attended to the door by the stewards and the remainder of the company, where he took leave, and was followed to his conveyance with loud cheers and waving of hats and handkerchiefs from the company, every one striving to shew his regard for their distinguished and popular guest.

GENERAL REGISTER.

GOVERNMENT NOTIFICATIONS.

LEGISLATIVE DEPARTMENT, 29TH JANUARY, 1838.—The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 28th January 1838, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information.

ACT NO. IV. OF 1838.

It is hereby enacted, that it shall appear to the Court of Sudder Adawlat of Bombay, that any person has been guilty of perjury, in any matter depending in that Court, that Court may immediately commit the offender to custody, and transmit him to the zillah Court nearest to his residence, in order to be brought to trial before the Session Court of the zillah in which such zillah Court is situated, and such person shall be dealt with in the same manner, as if the perjury had been committed within the limits of the local jurisdiction of such Court of Session.

29TH JANUARY, 1838.—The following Act is passed by the Hon'ble the President of the Council of India in Council on the 29th January 1838, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information.

ACT NO. IV. OF 1838.

It is hereby enacted, that it shall appear to the Court of Sudder Adawlat of Bombay, that any person has been guilty of perjury, in any matter depending in that Court, that Court may immediately commit the offender to custody, and transmit him to the zillah Court nearest to the presidency, in order to his being brought to trial before the Session Court of the zillah in which such zillah Court is situated, and such person shall be dealt with in the same manner, as if the perjury had been committed within the limits of the local jurisdiction of such Court of Session.

5TH FEBRUARY, 1838.—The Calcutta Gazette, published on Wednesday the 3rd January last, and Saturday the 5th instant are hereby amended, as far as Act No. IV. of 1838, is concerned, in consequence of some error.

PILOTS, ADDITIONAL RULE.

GENERAL DEPARTMENT, 21ST JANUARY, 1838.—The Allowances, stated by the 11th and 15th paragraphs of the Rules published in this department under the 3d instant, as to be drawn by members of the pilot service, will be paid in specie ruppes to those Members only who were in the service before the 17th June 1845, and for those who entered the service after that date, they will be passed by the same amount in Company's ruppes. The passage money to members of the pilot service of both the above classes will be passed in Company's ruppes. The entry of specie ruppes before these allowances being an erarium.

GENERAL DEPARTMENT, 21ST JANUARY, 1838.—For the information of parties engaged in the trade in salt, it is hereby declared, that exportation of bags of salt from any port or place of manufacture in the Bombay Presidency, for export at Calcutta will be allowed credit, inasmuch as the import duty at Calcutta for any amount of duty duty certified to have been paid on such salt to the Government at others of the Bombay Presidency. It will be necessary, therefore, that shippers of this salt should obtain and send with each cargo of salt a certificate of the specie sums of duty paid thereat. Credit in Calcutta will be given for the precise amount of the certificate, subject to the condition that the weight in Calcutta does not fall short of the quantity shipped after making the usual allowance for wastage, &c. If the deficit exceed 5 per cent credit will only be allowed on the net out turn on weightment at Calcutta. If a surplus be found, credit will only in like manner, be allowed upon the actual quantity specified in the certificate. The Calcutta duty being assessed on the whole quantity, the amount duty certified to have been paid at Bombay will be allowed in deduction without reference to the quantity delivered. The above allowance will only be granted when the certificate is produced at the time of entry of the ship for passing the cargo through the custom house inwards.

GENERAL DEPARTMENT, 31ST JANUARY, 1838.—The Hon'ble W. H. L. Melville, of the Civil Service, embarked for England board the ship *Charles Grant*, which ship was left by the pilot on at sea on the 29th instant, from which date his resignation will take effect.

Sir Charles D'Oyly, Bart. has been permitted to resign the East India Company's Civil Service from the date on which the pilot may quit the ship *Thomas Grenville* at sea.

Mr C. F. Trevelyan, of the Civil Service, embarked for England on board the ship *Lord Hungerford*, which vessel was left by the pilot at sea on the 7th instant.

Mr. G. D. Ruker, Writer, attached to the north western provinces, is permitted to remain at the presidency for one month from this date.

31ST JANUARY, 1838.—John Master has been permitted to resign the East India Company's Civil Service from the 29th instant.

Mr. J. F. M. Reid, post master general, is permitted to be absent for a period of four months, on private affairs.

Mr. George Alexander is appointed to act for Mr J. F. M. Reid during his absence,—the appointment to take effect from the date on which Mr. Reid makes over charge of his office.

The Hon'ble the President in Council is pleased to attach Mr. H. L. Cunn, of the civil service, to the north western provinces.

SEPARATE DEPARTMENT, 1ST FEB. 1838.—Mr. George Gough, salt agent of Bulloah and Chittagong, is permitted to proceed to the Cape of Good Hope, or New South Wales, for the benefit of his health, and to be absent on that account for a period of two years.

GENERAL DEPARTMENT, 1ST FEB. 1838.—The Hon'ble the President of the Council of India and Deputy Governor of Bengal has this day appointed Sir John James Hutchinson to act as his private secretary, until further Orders.

5TH FEBRUARY, 1838.—The Hon'ble the President of the Council of India in Council, dated the following letter No. 57 of 1837, from the Hon'ble the Court of Directors in the public department, dated the 31st November, be published for general information.

Para. 1. Instances having occurred of letters addressed by parties in India, to the individual members of our court, being transmitted to this country by the Mediterranean mail, under the impression that such letters are exempt from the duty of Postage, it is necessary that we should apprise you that the privilege of receiving letters so addressed free of postage does not attach to letters sent from the East Indies by pack to the Mediterranean, and we do not that you will forthwith take the necessary measures for giving public notice thereof to the public in your presidency.

2. You will however graciously understand that the privilege of banking enjoyed by the several Directors and other public functionaries, so far as respects the Indian duties of Postage, continues in full force.

2D FEBRUARY, 1838.—Mr. Charles Harding has been permitted to resign the East India Company's civil service, from the 2d proximo.

5TH FEBRUARY, 1838.—The leave of absence granted under Orders of Government, dated the 16th ultimo to Mr. George Alexander, for two months, is cancelled at his request from this date. Mr. Alexander has returned from Saugor, and resumed charge of his duties as Deputy Secretary to Government in the General Department.

The Hon'ble the Deputy Governor of Bengal directs that the following letter, No. 57 of 1837, from the Honourable the Court of Directors in the Public Department, dated the 15th November, be published for general information.

From a desire to promote to the utmost of our power, the convenience and advantage of the Members of our civil, Military and Marine Services when residing in this country, we have been induced to make a change which we have reason to believe will be highly beneficial to those interested, by determining that their Pay be in future issued quarterly instead of half yearly as heretofore.

7TH FEBRUARY, 1838.—The Honorable the Deputy Governor of Bengal was pleased on the 3d ultimo, to grant to Mr. W. R. Kenway, of the civil service, proceeding on furlough on extension of the leave of absence granted to him under the orders of the Honorable the Lieutenant Governor of the north western provinces, dated the 29th November last till the date of the departure of the ship *Oront*, which vessel was left by the pilot at sea on the 29th ultimo.

The Honorable the Deputy Governor of Bengal is pleased to permit Mr. S. O. Smith, of the civil service, proceeding on furlough, to remain at the presidency, in extension of the leave of absence granted to him under the orders of the Honorable the Lieutenant Governor of the north western provinces, dated 29th October and 7th December last, till the date of the departure of the ship *Robert Small*.

9TH FEBRUARY, 1838.—The following gentlemen have been permitted to resign the East India Company's civil service from the date in which the Pilot may quit the ship *St. George* at sea, viz. The Hon'ble Sir Charles Theophilus Metcalfe, Bart., G. C. B. Mr. William Fleming Dick.

FORT WILLIAM, FINANCIAL DEPARTMENT, 5TH FEBRUARY, 1838.—Mr. Assistant Surgeon Henry John Throston is appointed to collect the balances at the Commercilly factory.

GENERAL REGISTER.

14TH FEB. 1838.—The Honble the president in Council has been pleased to make the following additions to the lists of public officers entitled to frank official correspondence appended to the post office rules

To be added to List No. I.

Joint remount agent, Bombay.

Officers appointed in general orders by the Government of any presidency to conduct special enquires or researches on matters connected with such enquires or researches.

Regular of Shipping.—On her Majesty's Service.*

To be added to List No. II.

Sub-Deputy } To opium agent or deputy opium
Opium Agent. } Agent.

His Honor in Council is further pleased to direct that the Archdeacon of any presidency, when head of the ecclesiastical establishment of that presidency, shall be entitled to receive and send all letters free of postage.

The Honble Sir Edward Ryan, Kt., has taken his seat as President of the general committee of public instruction.

Mr. David Scott has been permitted to resign the East India Company's civil service from the 1st instant.

Mr George Adams, of the civil service, is permitted to proceed to Europe on furlough.

Messrs S. G. Smith and F. E. Read, of the civil service, embarked for England on board the Ship *Robert Small*, which ship was left by the pilot at sea on the 13th instant.

Mr George Edmonstone, Junior, is permitted to proceed to Mizapore, and prosecute his study of the Oriental languages at that station under the superintendance of Mr. W. Woodcock.

SEPARATE DEPARTMENT.—Mr. G. Gough, salt agent of Bulloah and Chittagong, embarked for the Cape of Good Hope on the ship *Robert Small*, which vessel was left by the pilot at sea on the 13th instant.

Mr G. R. Bernay has been permitted to resign the East India Company's civil service, from the 15th instant.

SEPARATE DEPARTMENT.—Mr. W. Bracken, Deputy Collector of Government customs at Calcutta, is permitted to be absent from his office, from the 15th instant, for a period of one month, on private affairs.

21ST FEBRUARY, 1838.—The Honorable Sir Charles Theophilus Metcalfe, Baronet, G. C. B., and Mr W. F. Dick, of the civil service, embarked for England on board the Ship "*St. George*" which ship was left by the pilot at sea on the 17th instant.

The Honorable the Deputy Governor of Bengal is pleased to permit Mr. Alexander Cumming, a civil servant of the Bengal presidency, employed in the north western provinces, to proceed to England on furlough, under medical certificate.

SEPARATE DEPARTMENT.—Mr. J. Trotter, opium agent at Benares, has obtained an extension of the leave granted to him under date the 6th December last for a further period of a fortnight.

The Honble the President in Council is pleased to appoint Mr. Assistant Surgeon Thomas Leckie, post master at Banu gulpoore.

H. T. PRINSEP, Secy. to the Govt.

BY THE GOVERNOR GENERAL.

Camp at Furruckpore, the 16th January 1838.—Lieutenant E. P. Lynch, of the 16th Regiment Bombay Native Infantry, has been nominated to serve with the British Detachment in Persia under the Command of Major General Sir Henry Bethune. This appointment to have effect from the date on which Lieutenant Lynch reported his arrival to the Officer Commanding at Sheeraz.

POLITICAL DEPARTMENT.—Camp at Bareilly the 20th Jan. 1838.—Ensign M. E. Sherwill, of the 69th Regiment Native Infantry, has been appointed to be 2d subaltern to the 1st Regiment of Infantry of the Oude Contingent, vice Francis H. Hill posted to the Cavalry.

By Order of the Right Honorable the Governor General.

Camp Fettehjung, January 17, 1838.—The Right Honble the Governor General is pleased to appoint Colonel J. Cock, of the 51st Regiment Native Infantry, of the Dinapore Division of the Army, with the rank of Brigadier, during the absence of Major General W. Richards, C.B., on Medical Certificate, or until further orders.

CAMP, BAREILLY, JANUARY 22D, 1838.—The Right Honble the Governor General is pleased to appoint Captain P. Craige, of the 3rd Regiment Native Infantry, and 1st Assistant Adjutant General, to be deputy Adjutant General of the Army, with the Official Rank of Major, from the 18th ultimo, vice Lieutenant Colonel Anquetil nominated to the command of the Oude Auxiliary Force.

Wm. CASBENT M. G. Secy. to the Govt. of India, Mily. Dept with the Right Hon. the Govr. Genl.

CAMP AT MOHARABAD, THE 27TH JANUARY, 1838.—Captain A. Macleod, of the 5th Regiment Madras Light Cavalry, is appointed to officiate as Superintendent of the Secour Division of the Mysore Territory until further orders, in the room of Lieutenant Dobbs.

CAMP, AT MEERUT, 6TH FEB. 1838.—Lieutenant Colonel J. Stewart reported his having delivered over charge of the Residency at Hyderabad to Major Cameron on the 12th ultimo. Captain P. Cholmers, the Superintendent of the Ashraffam Division, delivered over charge of his Office of Captain Burg's, the Fourth Assistant, on 30th ultimo.

By order of the Right Honorable the Governor General of India.

W. H. MACNAGTEN, Secy. to the Govt. of India with the Governor General.

POLITICAL DEPARTMENT 7TH JAN. 1838.—Lieutenant Colonel Caulfield, Superintendent of the Mysore Princes, has been this day appointed Agent to the Governor General at Moorshodabad, vice the Honorable Mr. M. V. de la Roche. Captain Ouseley will take charge of the office of Superintendent of the Mysore Princes, retaining his present office, until further orders.

14TH FEB.—Lieutenant Colonel Stewart Resident, at Hyderabad, reported his embarkation for the Cape of Good Hope on board the *Carnatic*, from Bombay on the 1st instant.

FINANCIAL DEPARTMENT, 11TH FEB. 1838.—Mr. R. Richardson, Resident at Comootroly is permitted to be absent from his Office for a period of one month on account of ill health.

H. T. PRINSEP, Secy. to the Govt. of India

ECCLIASTICAL DEPARTMENT.—The Honble the Deputy Governor of Bengal is pleased to make the following appointments.

The Reverend Henry Fisher to be Senior Presbyterian Chaplain and Chaplain to the Jail. The appointments to take effect from the 7th ultimo.

The Reverend H. S. Fisher to be District Chaplain at Behram pore, from the 6th December, last. Mr Fisher will continue to officiate as Junior Presidency Chaplain until further orders.

Mr W. H. Abbott, the Registrar of the Assahe factory of Calcutta, has been permitted by the Right Reverend the Lord Bishop of Calcutta, to be absent for two months, on urgent private affairs.

Mr W. A. Bignell will perform the duties of Registrar during Mr Abbott's absence.

H. T. PRINSEP, Secy to Govt.

BY THE GOVERNOR GENERAL FOR THE N.W.P.

JUDICIAL AND REVENUE DEPARTMENT, CAMP, FETTEHJUNG, 17TH JANUARY, 1838.—Mr. Wilton is appointed to exercise the powers of Joint Magistrate and Deputy Collector at Meerut.

The Collector of Customs North Western Frontier Delhi, has been directed to make an arrangement to his relief from the date of his appointment at Harat.

CAMP BAREILLY, 21TH JAN 1838.—Mr R. J. Taylor, Additional Judge of Gauclupore is transferred from Zillah Goruckpore, to Mirzapore, and appointed Additional Judge in the latter District.

CAMP, MIERCHOUCK, 24TH JAN 1838.—Mr G. P. Thompson, special Commissioner under Act III of 1835 has obtained leave of absence for ten days, in extension of the leave already granted him to enable him to rejoin his Station.

CAMP MOORABAD, 27TH JAN 1838.—Mr N. B. Edmonstone to officiate as Magistrate and Collector of Chuzcepore.

Mr. J. W. Taunton to officiate as Magistrate and Collector of Hamerpoor.

Mr. G. T. Lushington to officiate with the powers of a Magistrate and Collector in Bareilly.

Mr. G. T. LeGas to be an Assistant under the Commissioner of the Agra Division.

Mr T. J. Turner to officiate as Member of the Sudder Board of Revenue, during the absence of Mr. W. Fans on leave to proceed to the Cape of Good Hope, or until further orders.

Mr. J. Davidson to officiate as Commissioner of the Rohilkund Division.—Mr. Davidson to make over charge of the current duties of the Judge's Office at Furruckabad to Mr. J. Mercer, the Principal Sudder Ameer of the District.

Mr. J. T. Rivaz, Judge of Fettehjung, has obtained leave of absence for one month, on his urgent private affairs, to commence from the 15th proximo.—Mr. Rivaz to make over charge of his office to Mr. E. J. Becher, the Officiating Joint Magistrate and Deputy Collector of the District, who will conduct the current duties thereof during Mr. Rivaz's absence.

J. THOMASON, Offy. Secy. to the Govr. Genl. N.W.P.

GENERAL REGISTER.

JUDICIAL, REVENUE AND GENERAL DEPARTMENT—CAMP, MORADABAD. 27th JAN. 1834.—ECCLIESIASTICAL.—The Reverend Mr. J. J. Tucker, Captain of surgeons, has obtained leave of absence for twelve months, to visit the Hills on medical certificate, from the 10th instant.

CAMP MORADABAD. 29th JAN. 1834.—Mr. R. Cathcart is appointed to officiate, till further orders, as an Additional Sessions Judge in Rohilkund, and to hold the Sessions in zillahs Shahjehanpore and Dudaon.

Mr. H. Armstrong, Magistrate and Collector of Futtehpore, has obtained fifteen days' leave of absence, in extension of the leave granted him under Orders of the 7th November, 1837, to enable him to rejoin his Station.

CAMP MORADABAD. 31st JAN. 1834.—The following officers have obtained leave of absence:

Mr. Wehly Jackson, Judge of Goruckpore, for one month, on his private affairs, commencing from the 15th current. Mr. R. J. Taylor, the Additional Judge of the District, has been authorized to officiate for Mr. Jackson.

Ataollah Khan, Sudder Ameen of Hissar, for one month, for the recovery of his health, in extension of the leave granted him under Orders dated the 20th ultimo.

Mr. E. O. Wells, Accountant N. W. P., for fifteen days on his private affairs. Mr. E. H. Morland, officiating Civil Auditor and Deputy Accountant, has been directed to assume charge of the Accountant's Office during the absence of Mr. Wells.

NOTIFICATION.

Mr. C. Allen quitted the limits of the North Western Provinces in progress to Europe via Bombay, on the 4th January 1834, in conformity with the leave of absence granted him on the 25th December last.

BY THE DEPUTY GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT, 30th JAN. 1834.—The Honorable the Deputy Governor of Bengal is pleased, with the sanction of the Supreme Government to appoint Mr. J. R. Hutchison as a Temporary Judge of the Courts of Sudder Dewanny and Nizamut Adawlat, in the room of Mr. D. C. Smyth.

The following Officers have obtained leave of absence from their Stations:

Mr. J. F. Cathcart, Civil and Session Judge of Purneah, an extension of leave, on medical certificate, to the 16th instant.

Mr. G. Adams, Joint Magistrate and Deputy Collector of Midnapore, for twenty days, in extension of the leave granted to him, on medical certificate, on the 18th July last, preparatory to his applying for permission to proceed to England on Furlough.

1st FEBRUARY, 1834.—Mr. J. Curtis, Judge of Burdwan, for a week, on private affairs, from the 5th instant. Mr. J. T. Mellis will conduct the current duties of Mr. Curtis' office.

2d FEBRUARY, 1834.—Mr. R. M. Skinner, officiating Magistrate of Midnapore, for six days, from the 9th instant, on private affairs, in extension of the time allowed to join his Station.

The following Officers have obtained leave of absence from their Stations:

1 FEBRUARY, 1834.—Mr. F. Goultsbury, Civil and Session Judge of West Burdwan, for ten days, on private affairs, in addition to the time allowed to join his Station.

3d FEBRUARY, 1834.—Mr. C. Harding, Officiating Judge of the Courts of Sudder Dewanny and Nizamut Adawlat, for one month on private affairs, from the 5th instant, preparatory to his applying for permission to retire from the service and proceed to England.

Mr. G. C. Chesp, Civil and Session Judge of Mymensing, for one month, on private affairs, Mr. J. M. Hay, or in his absence Mr. J. Wheeler, will conduct the current duties of the Judge's Office.

6th FEBRUARY, 1834.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments: Mr. H. C. Hamilton to be a Joint Magistrate and Deputy Collector in Zillah Behar. Mr. Hamilton will continue to officiate as Collector of that District until further orders.

Mr. A. T. Dick to be Joint Magistrate and Deputy Collector of Dacca.

Baboo K. Ish Chunder Dutt to be Deputy Collector in the District of Hidgelee, under the Provisions of Regulation IX. of 1833.

The following officers have obtained leave of absence from their Stations:

Mr. G. N. Cheek, the Assistant Surgeon attached to the Civil Station of Burdwan, for seven days, to visit the Presidency from the 10th instant, on private affairs.

Mr. T. Huzon, Sub Assistant to the Commissioner of Assam, on medical certificate, from the 20th ultimo to the 1st May next, preparatory to his applying for permission to proceed to Sen. Mr. C. R. Strong will act in the room of Mr. Huzon during his absence.

The Honorable the Deputy Governor of Bengal is pleased to determine that Ramsoonder Deb, late Treasurer of the Sudder Collectorate, who has been convicted and sentenced to imprisonment for embezzlement of the public money, shall under Section IV Regulation II. of 1813, be declared incapable of serving Government in future in any public capacity.

10th FEB. 1834.—The Honorable the Deputy Governor of Bengal has been pleased to make the following Appointment:

Mr. R. E. Cunliffe to officiate until further orders, as Collector of Patna, vice Mr. J. S. Dumergue, who is at present officiating in that office.

The following officer has obtained leave of absence from his Station:

Mr. C. W. Fuller Assistant Surgeon, attached to the Civil Station of Nuddea, for three days, in extension of the leave granted to him on the 16th ultimo.

13th FEB. 1834.—The Honorable the Deputy Governor of Bengal is pleased to make the following Appointment:

Mr. W. B. Jackson to be Commissioner of Revenue of the 14th or Moorashidabad Division.

The following Officers have obtained leave of absence from their Stations:

Mr. R. M. Skinner, Officiating Magistrate of Mymensing, for five days on private affairs, in extension of that granted to him on the 2d instant.

Mr. F. A. Lushington, Assistant to the Magistrate and Collector of Rajshahy, for two months, from the 14th ultimo, on medical certificate.

Mr. J. J. Jordan, Sudder Ameen and Moonshiff of Backergunge, an extension of leave of absence for fifteen days, from the 16th to enable him to rejoin his station.

The following Officers have obtained leave of absence from their Stations:

Mr. C. Tottenham, Deputy Collector of Tichout, for the conduct of suits under Regulations II. of 1819 and III. of 1-24, for one month, on medical certificate, Mr. W. Vansart will officiate during Mr. Tottenham's absence.

16th FEB. 1834.—Mr. G. Adam, Joint Magistrate and Deputy Collector of Midnapore until the sailing of the Ship *Thomas Grenville*, on which vessel he has taken his passage for England, in extension of the leave granted to him on the 30th ultimo.

Mr. A. Cummins, Magistrate and Collector of Mymensing, reported his return to this Presidency from the Cape of Good Hope on the 27th ultimo.

16th FEBRUARY, 1834.—Mr. F. Goultsbury, Civil and Session Judge of Burdwan West for ten days, in extension of the leave granted to him on the 6th instant, to enable him to rejoin his station.

20th FEBRUARY, 1834.—Mr. R. P. Harrison has been authorized to exercise the powers of a Joint Magistrate and Deputy Collector in zillah Chittagong.

Baboo Madhohannund Ghose is appointed a Deputy Collector under Regulation IX. 1833 in the Province of Cuttack.

Baboo Sankunt Wan do do under do in do. Baboo Hori do do do.

Rajah Atulchurnee Sing Roy Behaloor do. do. under do. in do. Mr. S. M. Chull, do do ditto under ditto in ditto. Baboo Kalachund Bose ditto ditto under ditto in ditto. Baboo Panchunder Chatterjee ditto ditto under ditto in ditto. Baboo Sheen Chander Dey ditto ditto under ditto in ditto. Baboo Shan-hund Sarkar ditto ditto under ditto in ditto. Baboo Radhanna Day ditto ditto under ditto in ditto. Baboo Radhanna Bose ditto ditto under ditto in ditto. Baboo Jaudob Chunder Seth ditto ditto under ditto in ditto. Baboo Rajnarain Byrak ditto ditto under ditto in ditto. Baboo Neel Comal Ghose ditto ditto under ditto in ditto.

The following Officers have obtained leave of absence from their Stations:

Mr. T. R. Davidson, Commissioner of Revenue of the 18th or Patna Division, for two years, to proceed to the Cape of Good Hope, on medical certificate.

Mr. W. C. Dinon, Officiating Magistrate and Collector of Rajshahy, for four months to proceed to Singapore, on private affairs, in extension of the leave granted to him on the 25th ultimo. Mr. D. Pringle will officiate as Magistrate and Collector of Rajshahy, during Mr. Dinon's absence or until further orders.

Captain H. Rutherford, Principal Assistant to the Commissioner of Assam, an extension of leave of absence from the 26th October last to the 1st instant, being the date of his receiving charge of the Gowanprah Division.

Mr. R. T. W. Chen, Deputy Collector under Regulation IX. of 1833 in Burdwan, having returned to his duties on the 31st December last, the unexpired portion of his leave of absence has been cancelled at his request.

GENERAL REGISTER.

ERRATA—In the Gazette of the 20th ultimo—For “Mr H. S. Lane will conduct the current duties during Mr. Dent’s absence,” read “Mr. H. S. Lane will conduct the duties, &c.”

For Baboo Ramchurn Ghose, appointed on the 10th ultimo, to be Deputy Collector in Zillah Naddea, under the provisions of Regulation IX of 1833, read Baboo Ramchurn Sen.

F. J. HALLIDAY, *Offy. Secy. to the Govt. of Bengal*

MILITARY.

BY THE PRESIDENT IN COUNCIL.

Fort William, 20th January, 1838.—No. 16 of 1838—The Honourable the President in Council is pleased to make the following promotions:

Infantry—Major William Burroughs to be Lieutenant Colonel from the 21st January 1838, vice Lieutenant Colonel James Watkins retired.

Left Wing European Regiment—Capt. John Armstrong Thompson to be Major, Lieutenant and Brevet Captain Thomas Lytton to be Captain of a company, and Ensign Edward Nugent to be Lieutenant, from the 21st January 1838, in succession to Major William Burroughs promoted.

The undermentioned Officers are permitted to proceed to Europe on furlough:

Captain Frederick Abbott, of the corps of Engineers, Executive Engineer 12th or Karamat division department of public works, Lieutenant Godfrey Thomas Greene, of the Corps of Engineers, executive engineer 7th or Casimere division of public works, Lieutenant Neville Ashbury Parker, of the 5th Regiment Native Infantry, Lieutenant Thomas Colclough Walker, of the 26th Regiment Native Infantry, and Surgeon Isaac Jackson, of the Medical Department, on account of private affairs.

Assistant Surgeon Edmund Patton, of the Medical Department, attached to the civil station of Alty Ghur, on medical certificate.

Brevet Captain Edward Brace, of the 48th Regiment Native Infantry, for one year without pay, on urgent private affairs.

The unexpired portion of the leave of absence obtained by Captain Andrew Charlton, of the 7th Regiment Native Infantry, 2d in command of the Assam Light Infantry, in General Orders No. 116, of the 12th June last, is cancelled from the 23d instant.

The unexpired portion of the leave of absence obtained by Surgeon Joseph Langstaff, 1st Member of the Medical Board, in General Orders No. 55, of the 16th March last, is cancelled from the 29th instant.

Conductor David Wheeler, of the ordnance commissariat department, is permitted to retire from the service of the East India Company, on the pension of his rank, from the date of his sailing for Europe.

Overseer Samuel Michael Omeara, of the 8th division department of public works, is admitted to the benefits of the pension sanctioned by the minutes of Council of the 11th January 1797, and of general orders dated 5th February 1820, subject to the confirmation of the Honourable the Court of Directors, with permission to receive his stipend in Europe.

No. 18 of 1838—Surgeon John Grant, Apothecary to the East India Company, having reported his return to the Presidency, is directed to assume the duties of his office from the 1st proximo.

Fort William, 2th February, 1838—No. 21 of 1837—The following paragraphs of a military letter, No. 80, dated the 22d November 1837, from the Honourable the Court of Directors, are published for general information:

“Para. 2. We have granted additional leave to the following Officers; viz.

Lieutenant Colonel Hugh Caldwell, till July next, and then to return Overland.

Captains Lewis Burroughs, G. E. Westmacott and Lieutenant Richard Onseley, for six months.

3 We have permitted Major Charles Christie to retire from the Service. The vacancy has effect from the 9th July, 1835.”

Fort William, 12th February, 1838—No. 24 of 1838—The Honourable the President in Council is pleased to make the following promotions:

Cavalry—Lieutenant Colonel and Brevet Colonel Samuel Smith to be Colonel, from the 15th November 1837, vice Colonel George Becher deceased.

Major James William Roberdean to be Lieutenant Colonel, from the 15th November 1837, vice Lieutenant Colonel and Brevet Colonel Samuel Smith promoted.

4th Regiment Light Cavalry—Captain and Brevet Major John Barclay to be Major, Lieutenant and Brevet Captain William Benson to be Captain of a troop, and Cornet Mathew Richard Oslow to be Lieutenant: from the 15th November 1837, in succession to Major James William Roberdean promoted.

Supernumerary Cornet Mathew Ward is brought on the effective strength of the cavalry.

7th Regiment Native Infantry—Captain and Brevet Major Stephen Moody to be Major; Lieutenant and Brevet Captain Joseph Leveton Revell to be Captain of a company, and Ensign Arthur Purves Phayre to be Lieutenant; from the 9th of July 1835, in succession to Major Charles Christie retired.

The undermentioned officers are permitted to proceed to Europe on furlough:

Lieutenant William James Rind, of the 71st Regiment Native Infantry, and Ensign George Sackville Henry Browne, of the 70th Regiment Native Infantry, on medical certificate.

Surgeon Alexander Russell Jackson M. D. of the medical department and Assistant Surgeon William Spencer, of the Medical Department, on account of private affairs.

Lieutenant Goodrick, Armstrong Fisher, of the 1st Regiment Native Infantry, is permitted to proceed to Europe on Furlough, for one year, without pay, on account of his private affairs.

The leave of absence granted to Captain George Cox, of the 6th Regiment Native Infantry, in general orders No. 211, of the 11th December last, is to commence from the 3d ultimo instead of the date therein specified.

The permission granted by the Government of Prince of Wales Island to Assistant Surgeon Richard John Brassy, attached to the settlements of Malacca, to proceed thence to Europe on furlough, on medical certificate, is confirmed, by the supreme Government.

No. 17 of 1838—The undermentioned men of Her Majesty’s Service are permitted to reside in India as out pensioners of Chelsea Hospital, and draw their pay at the stations specified opposite to their respective names, according to the 56th article of the Pension Warrant of the 13th November 1830, pending a reference to the H. H. Guards as to the amount of their pensions.

11th Light Dragoons—Private George sales, Merut.

26th Regiment Foot—Privates William Grant, Robert Palmer and John Wilkinson, Calcutta.

31st Regiment Foot—Private John Scott, Calcutta.

No. 22 of 1838—The undermentioned Gentlemen are admitted to the service in conformity with their appointment by the Honourable the Court of Directors as Captains of cavalry and infantry on this Establishment, and promoted to the rank of Cornet and Ensign respectively: Rank has been assigned to them in General Orders No. 255 of the 29th December last.

Cavalry—Mr. Archibald Stewart Galloway, date of arrival at Fort William 27th January 1838.

Infantry—Mr. William Henry Williams, ditto 37th ditto. Mr. James Pattulo, ditto 30th ditto.

The undermentioned officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Honourable the Court of Directors:

Lieutenant Colonel Thomas Dundas, of the 62d Regiment N. I. date of arrival at Fort William 5th February 1838.

Major John Thomson of the 11st ditto ditto, 30th January 1838.

Lieutenant James Richard Lewis Andrews, of the 52d ditto, ditto 5th February 1838.

Ensign William Hayre Lewis Bird, of the 12th ditto ditto 30th January 1838.

The following Officers are permitted to proceed to Europe on Furlough:

Brevet Colonel William Battine, of the Regiment of Artillery, principal commissary of Ordnance, Captain Edward Herring, of the 57th Regiment Native Infantry, Lieutenant Zachary Mudge Mallick of the Regiment of Artillery, Lieutenant John Taylor, of the 3d Regiment Native Infantry, Lieutenant James Higginson, of the 58th Regiment N. I., and Assistant Surgeon Ha. H. Maclean, of the medical department, on account of private affairs.

Lieutenant Colonel Henry Burney, of the 19th Regiment N. I., Lieutenant Francis Edward Smith, of the 19th Regiment N. I., and Surgeon Edward Jordan Yeatman, M. D., of the medical department, on medical certificate.

Ensign Charles Fitzroy Mitter Mundy, of the 34th Regiment Native Infantry, is permitted to proceed to New South Wales on medical certificate, and to be absent from Bengal on that account for two years.

The permission granted by the Bombay Government to Captain William James Symons of the Bengal Artillery, to proceed thence to Europe on furlough, on medical certificate, is confirmed by the Supreme Government. The furlough is to be calculated as having commenced from the date on which Captain Symons left the Bengal presidency.

No. 23 of 1838.—Assistant Surgeon J. Lamb, attached to the civil station of Malda, obtained in the judicial and revenue departments, under date the 19th December last, leave of absence for six weeks, on medical certificate.

Assistant Surgeon Robert Christie, garrison Assistant Surgeon at Allahabad, was nominated in the political department on the 18th December last, to officiate, until further orders, as Surgeon to the Resident at Nepal.

GENERAL REGISTER.

Lieutenant A. Ramsay, of the 34th Regiment Native Infantry, was appointed by the Lieutenant Governor North Western Provinces, under date the 14th December last, an Assistant to the Commissioner in Kumaon.

Surgeon John Forsyth of the 45th Regiment Native Infantry stationed at Shijhanpore, was appointed by the Lieutenant Governor North Western Provinces, on the 16th December last, to take medical charge of the civil station, vice Assistant Surgeon J. F. Bacon, transferred to the civil station of Moudlabad.

Assistant Surgeon H. I. Tucker, M. D. Officiating civil Assistant Surgeon at Moudlabad, was, at his own request, placed by the Lieutenant Governor North Western Provinces, on the 16th December last, at the disposal of His Excellency the Commander in Chief.

No. 25 of 1838.—The following appointment by the Honourable the Deputy Governor of Fort William, is published in General Orders.

Brevet Captain William Stuart Monteath, of the 69th Regiment Native Infantry, to officiate as Fort Adjutant of Fort William during the absence of Lieut. Longman, or until further orders.

No. 26 of 1838.—The Honourable the President in Council is pleased to make the following promotions.

33d Regiment Native Infantry.—Lieutenant Robert Turnbull Sandeman to be Captain of a company, and Ensign George Donathorne Elliott to be Lieutenant, from the 12th Feb 1838, in succession to Captain Winthrop Vernon, deceased.

Lieutenant Henry William James Wilkinson, of the 6th Regiment Native Infantry, is promoted to the rank of Capt by brevet, from the 11th February 1838.

Captain Alexander Stewart Singer of the 24th Regiment Native Infantry is permitted to proceed to Europe on furlough, on account of his private affairs.

Fort William, 19th February, 1838.—No. 28 of 1838.—The following Appointments were made by the Right Honourable the Governor General of India, in the Political Department, under the dates specified:

23rd December, 1837.—Lieutenant G. Timins, of the 34th Regiment Native Infantry to be second in command of the Western Malwa Contingent under Major Bothwick, Political Agent at Mahudpore.

26th December, 1837.—Assistant Surgeon John McCosh, Officiating Second Assistant Presidency General Hospital, to the medical charge of the 1st Regiment of Cavalry of the Oude Auxiliary Force, on the 22d Instant.

4th January 1838.—Lieutenant R. Morrison, of the 52d Regiment Native Infantry to be Assistant to the Agent to the Governor General for the states of Rajesoodannah, vice Lieutenant Colonel G. This Appointment to have effect from the date of Lieutenant Conolly's embarkation for Europe.

6th January, 1838.—Colonel C. G. Becher, of the 1st Regiment Light Cavalry, to be Adjutant of the 1st Regiment of Cavalry in the Oude Auxiliary Force, vice Lieutenant Hales resigned.

Ensign Rowley Hill, of the 4th Regiment Native Infantry, from the 1st Regiment of Infantry to the 1st Regiment of Cavalry in the Oude Auxiliary Force as 1st Subaltern, vice Colonel Becher.

15th January, 1838.—Captain J. W. Douglas, of the 52d Regiment Native Infantry, to be Second Assistant to the Resident at Indore. This Appointment to take effect from the date of Major Johnston's resignation.

20th January, 1838.—Ensign E. M. Shearill, of the 69th Regiment Native Infantry, to be 2d Subaltern to the 1st Regiment of Infantry of the Oude Contingent, vice R. Hill posted to the Cavalry.

No. 29 of 1838.—The Honourable the President in Council is pleased to make the following Promotions.

72d Regiment Native Infantry.—Lieutenant Hugh Hughes Lloyd to be Captain of a company, and Ensign Charles Henry Deane Sprad to be Lieutenant, from the 7th of Feb 1838, in succession to Captain Charles Henry Boisragon deceased.

The undermentioned Officers are permitted to proceed to Europe on Furlough.

Colonel James Fullerton Dundas, of the Regiment of Artillery; and Assistant Surgeon James Stokes, M. D., of the Medical Department, on account of private affairs.

The undermentioned Officers have leave of absence on medical certificate.

Colonel William Conrad Faithfull, C. B., of the 29th Regiment Native Infantry, to the Cape of Good Hope, for two years.

Major George Douglas Stoddart, of the 8th Regiment Light Cavalry, Presidency Pay Master, to the Cape of Good Hope, for two years.

Captain Henry Walter Bellow, of the 56th Regiment Native Infantry, Deputy Assistant Quarter Master General, to New South Wales, for two years.

Captain Thomas Seymour Rurt, of the Corps of Engineers, has returned to his duty on this Establishment, without prejudice to

his rank, by permission of the Honourable the Court of Directors.—Date of arrival within the limits of the Bengal Presidency, 18th January, 1838.

His Honour in Council is pleased to make the following Appts.

24 Lieutenant S. Pelt, of the Corps of Engineers, who was appointed in General Order No 213, of the 10th October last, Assistant to the Superintendent of Pooze Shy's Canal, is reappointed as Assistant to the Sur. of the Puddwan and Benares Road.

24 Lieutenant C. L. Sprata, of the Corps of Engineers, to be Acting Assistant to the Superintendent of the Canals, West of the Jumna.

The following Promotion is made in the Subordinate Medical Department.

Hospital apprentice Richard Bean to be Assistant Apothecary, from the 21st January 1838, vice Dempsey deceased.

No. 30 of 1838.—Captain F. H. Sunda, of the 36th Regiment Native Infantry, Principal Assistant in charge at Nimaur, obtained in the Political Department, under date the 3d January last, one month's leave of absence from the 5th ultimo.

Lieutenant A. Ramsay, of the 34th Regiment Native Infantry, Assistant to the Commissioner at Kumaon, obtained from the Lieutenant Governor North Western Provinces, under date the 29th December 1837, leave of absence, on medical certificate, to remain at Meerut for the re establishment of his health, from the 23d of that month to the 1st of March next.

Lieutenant Colonel Baney, of the 16th Regiment Native Infantry, Resident at Ava, obtained in the Political Department, under date the 24th ultimo, leave of absence for two months, from the 6th December.

Assistant Surgeon J. Lamb, attached to the Civil Station of Mudd, obtained leave of absence in the Judicial and Revenue Department, under date the 16th ultimo for two months, on medical certificate, in extension of the leave granted to him on the 19th December last.

Lieutenant Colonel James Caulfield, C. B., of the 1st Regiment Light Cavalry, was appointed in the Political Department, under date the 31st ultimo, Agent to the Governor General at Moudlabad, vice the Honourable Mr. Melville resigned.

Surgeon James Hutchison was appointed in the General Department under date the 1st instant, to act as Private Secretary to the Deputy Governor of Bengal, until further orders.

J. STUART, Lieut. Col.
Offg. Sec. to the Govt. of Ind. Mil. Dep.

BY THE COMMANDER IN CHIEF.

ECCLESIASTICAL.—ARCHBISHOPRY OF CALCUTTA.

The Lord Bishop of Calcutta has appointed under Faculty, The Reverend John Vaughan, Chaplain, to be Surrogate at Dina pore, in the above Archbishopric, for granting Episcopal Licences of Marriage.

Dated at Calcutta, this 3d day of November 1837.

W H ABBOTT, Registrar

Head Quarters, Camp, Thanaissur, December 21, 1837.—Andrew Inglis, a recruit, recently arrived in the ship Republic, is placed on the Town Major's list, and directed to be sent to Meerut, for employment under the orders of the Major General commanding the division.

3d Battalion Artillery.—Captain A. Abbott from 1st December, to 1st March 1838 to remain at Meerut, on private affairs, and enable him to join.

2d Regiment Native Infantry.—Lieutenant J. Shaw, from 1st December to 31st December in extension, to remain at the Presidency, on medical certificate.

Head Quarters, Camp Thanaissur, Dec. 25, 1837.—The regimental order dated the 15th instant, by Major C. R. W. Lane, commanding the 2d native infantry, appointing Lieutenant T. Young to act as Adjutant, during the absence, on leave of Lieut. Kay, is confirmed.

The Presidency division order of the 7th instant, directing the transfer of Assistant Apothecary A. Defragady, from the hospital of Her Majesty's 9th Regiment to that of the 4th Battalion of Artillery at Dum Dum, is confirmed.

The Surgeon division order of the 9th instant, appointing Capt. R. D. White, of the 69th native infantry, to officiate as Deputy, Judge Advocate General to the division, on the departure on duty, of Capt. Macdonald, is confirmed as a temporary arrangement.

The leave of absence, for six months, granted to Major G. J. C. Davidson, of Engineers, in General Orders of the 29th ultimo, is to have effect from the 1st of September last, instead of from the date therein specified.

His Excellency the Commander in Chief is pleased to make the following appointment:

20th Regt, Native Infantry.—Lieut. A. B. Morris to be Interpreter and Quarter Master, vice Scott appointed to the commissariat department.

GENERAL REGISTER.

Half-pay Drummer James Woodford is transferred from the European regiment to the 57th native infantry to complete the establishment of Drummers in the latter corps
By Order of His Excellency the Commander in Chief.

Head Quarters, Camp, Shikohat, December 26, 1837—The Military Secretary to the Commander in Chief having obtained leave of absence, the duties of the Commander in Chief's office will be conducted by Captain John Michel, until further orders.
Letters and papers intended for submission to His Excellency the Commander in Chief are to be addressed accordingly, and Captain Michel will authenticate such papers as require it, by his signature, as "Acting Military Secretary."
By order of His Excellency this Commander in Chief.

Head Quarters, Camp, Umballa, December 28, 1837—The Presidency division order of the 11th instant, directing Surgeon W. Dyer, of the 8th to proceed to 4 hitagons, and assume medical charge of the 55th regiment of native infantry is confirmed.
The Nussereabad station order of the 14th instant, directing Surgeon J. Griffiths, of the 28th, to continue in medical charge of the 13th regt of native infantry, until further orders, is confirmed.
The regimental order of the 1st instant, by Captain I. Scott, commanding the 59th native infantry, appointing Lieutenant W. C. Horne to act as Adjutant, during the absence of Lieutenant Graham, on leave, is confirmed.
The leave of absence granted in General Orders of the 28th October last, to Captain J. George, of the 19th regiment of native infantry, is cancelled at his request.
Captain C. Gale, of the invalid establishment, is permitted to reside and draw his pay and allowances at Simla, instead of at Dinapore.
Sergeant James Grange, of the 1st battalion of artillery, is transferred to the Town Major's list, and appointed Quarter Master Sergeant to the 67th regiment native infantry, from the 11th instant vice Louch deceased.
Hospital apprentice H. Vernieuw, attached to the general hospital, having absented himself without leave, is discharged the service from the 1st ultimo.

Head Quarters, Camp, Bussur, 29th December, 1837—The Presidency division order of the 7th instant, directing Assistant Apothecary T. Abston to proceed with Captain Bealy's detachment of recruits, as Assistant Apothecary and Assistant Steward, vice Dempsey reported sick, is confirmed.

The Presidency division order of the 13th instant, directing the undermentioned Cornet and Ensigns, lately admitted to the service, to join and do duty with the corps specified opposite their names, is confirmed:
Cornet F. J. Alexander,.... 10th regt Light Cavalry at Untra
Ensign C. P. Tower, 12th regt. N. I. at Barrackpore.
" C. P. White,..... 12th ditto ditto
" R. H. Hicks, 65th ditto ditto
" J. Clarke,..... 67th ditto ditto
" W. R. H. Faushawe 67th ditto ditto
" H. J. W. Garner,.... 65th ditto ditto
" J. C. Lamb,.... 65th ditto ditto.

The undermentioned officers have leave of absence.
11th Regiment Native Infantry.—Ensign C. G. Wash, from 10th January to 25th July 1838, to visit Calcutta and Cherra Poongee, on private affairs, preparatory to applying for full pay.
19th Regiment Native Infantry.—Lieut. and Adj. W. Smith, from 30th December to 30th March 1838, to visit the Presidency on medical certificate, and apply for furlough.
23d Regim at Native Infantry.—Lieut. and Brevet Captain Lord Henry Gordon, from 1st January to 1st July 1838, to remain at Meerut on private affairs.

Subordinate Medical Dept.—Apothecary J. Douglas, attached to Her Majesty's 16th regiment of foot, from 1st February to 1st August 1838, to visit the hills north of Deykan, on private affairs.

Head Quarters, Camp, Bussur, 29th December 1837—Pensioned Drum Major William Smith is permitted, until further orders, to draw his stipend with the head quarters of the 25th regiment of native infantry.
Privates William Kirkland and William Butler, of the European regiment, having been examined by a special medical committee, and found unfit for further service, are transferred to the veteran company at Chunar, and directed to be sent to join.

Head Quarters, Camp, Munyanyajra, 30th December 1838—The Allahabad garrison order of the 26th instant, directing Assistant Surgeon R. Christie, under instructions from the Right Honourable the Governor General, to proceed to Katmanahou, and to place himself under the orders of the acting Resident in Nepal, is confirmed.
His Excellency the Commander in Chief is pleased to order the following removals and postings of field officers:
Lieutenant Colonel R. Chalvers, from the 13th to the 67th regiment of native infantry.

Lieutenant Colonel H. Hall, on furlough, from the 42d to the 18th regiment of native infantry.
Lieutenant Colonel S. Hawthorne, on furlough, from the 62d to the 42d regiment of native infantry.
Lieutenant Colonel T. Dundas, from the 16th to the 62d regiment of native infantry.
Lieutenant Colonel H. Burney, from the 19th to the 16th regiment of native infantry.
Lieutenant Colonel G. Williamsou, from the 56th to the 19th regiment of native infantry.
Lieutenant Colonel F. Young, from the 7th to the 56th regiment of native infantry.
Lieutenant Colonel H. Ross, new promotion, to the 7th regiment of native infantry.

His Excellency the Commander in Chief is pleased to make the following appointments:
European regiment—Lieutenant William Broadfoot to be Adjutant, vice Clark proceeding on furlough.
16th Regiment Native Infantry—Lieutenant W. H. Balders to be Adjutant, vice Evans proceeding on furlough.
19th Regiment Native Infantry.—Ensign H. S. Stewart to be Interpreter and Quarter Master.
Ensign Robert Anderson Ramsay is removed from the 49th to the 35th regiment native infantry, at his own request, and directed to join the latter corps on its arrival at Meerut, in progress to Kurnal.
Colour Sergeant John Woolley, of the European regiment, is transferred to the Town Major's list, and appointed Bazar Sergeant at Meerut.

The undermentioned officers have leave of absence
Garrison Staff—Lieutenant General B. Muley, Commandant of Allahabad, from 15th January to 15th April 1838, to visit the Presidency on private affairs.
36th Regiment Native Infantry—Lieutenant W. L. Hall, from 10th December to 10th February 1838, to remain at Dinapore, on medical certificate, and to rejoin his corps.
57th Regiment Native Infantry—Ensign W. B. Lumley, from 25th November to 8th December, on private affairs.

Head Quarters, Camp, Munyanyajra, 31st Dec 1837—With the sanction of the Right Honourable the Governor General, the undermentioned regiment of native infantry will move, according to the instructions with which they will be furnished from head quarters, and be stationed as follows:
11st regiment native infantry—From Barrackpore to Bencora
56th regiment native infantry—From Bencora to Barrackpore
57th regiment native infantry—From Bencora to Barrackpore

Head Quarters, Simla, 6th January 1838—Under instructions from the Right Honourable the Governor General of India, His Excellency the Commander in Chief is pleased to authorize volunteers being called for, from the corps specified in the annexed table, for the purpose of providing commissioned and un-commissioned officers for the Oude auxiliary force, about to be raised.

- It is to be distinctly explained to the men who may volunteer, that they are to consider themselves, from the date of their being struck off the strength of their present regiments as servants of the King of Oude; and that the privilege allowed to soldiers of the Company's regular army, of preferring complaints through their officers to the Resident at Lucknow, respecting their village affairs or disputes, will not be granted to any persons of the Oude auxiliary force; but that all such matters must be adjusted by the native Government, as in the cases of Oude subjects in His Majesty's military service.
- The pay of the troops of the Oude auxiliary force will be the same as that fixed for the local corps in the Bengal army.
- The native officers and privates will be entitled to the benefit of the pension establishment, after a service of not less than 29 years, if procured by a committee of medical officers unfit for further military duty. The scale of pension to correspond, in amount, with that granted to local troops on this establishment.
- The men who may volunteer from corps of the line, for promotion into the force, if they have already served 15 years, will receive, when invalided, either the pension to which they would now be entitled if transferred from their present corps to the invalid establishment, or to such pension as they would acquire if in a local corps, whichever may be the highest. Volunteers who have not served 15 years in the line, will count their first service in respect to pension, as locals.
- Commanding officers of corps, from which volunteering is permitted, will be careful to transfer only such men as may be fit for the advanced rank which they are about to attain, giving preference to old and deserving officers and soldiers.
- Descriptive rolls of native officers, non-commissioned officers, and privates, to be prepared in duplicate; one copy to be forwarded to the Resident at Lucknow, and the other copy to the Adjutant General of the army.

8. The volunteers are to be paid up, and struck off the strength of their respective regiments, from the date of the publication of this order at the head quarters of their corps, and are to be directed to assemble, the drafts for the cavalry, golan-naze, and 1st regiment of infantry, at Sultanpore, and for the 2d regiment of infantry, at Seetepore.

9. Quarter Master Sergeant Edmund Sutcliffe, of the 14th regiment native infantry, is appointed Sergeant Major to the 1st infantry regiment of the Oude auxiliary force, Sergeant James Campbell, of the 1th battalion of artillery, and Acting Sergeant John Hearne, of the European regiment, are transferred to the Town Major's list, and are appointed, the former to be Sergeant Major to the 2d infantry regiment, and the latter, who is promoted to Sergeant, to be Quarter Master Sergeant to the 1st infantry regiment, of the same force.

10. Sergeants Sutcliffe and Hearne will join their corps at Sultanpore, Sergeant Campbell will join that to which he has been attached at Seetepore.

Table showing the corps from which volunteers are to be taken for the Oude auxiliary force, for promotion.

For one company of Golan-naze.—The 6th battalion of artillery to furnish 1 Jemadar; 2 Havildars; 4 Naicks and 8 Sepoys.

1st Regiment of Infantry.—2d regiment of native infantry to furnish 1 Jemadar, 1 Havildar; 4 Naicks and 5 Sepoys.

7th Regiment of Native Infantry to furnish 1 Jemadar, 1 Havildar; 4 Naicks and 5 Sepoys.

10th Regiment of Native Infantry to furnish 1 Jemadar; 1 Havildar; 4 Naicks and 4 Sepoys.

14th Regiment of Native Infantry to furnish 1 Jemadar, 1 Havildar; 2 Naicks and 2 Sepoys.

20th Regiment of Native Infantry to furnish 1 Jemadar, 1 Havildar; 1 Naicks and 1 Sepoy.

31st Regiment of Native Infantry to furnish 1 Jemadar, 1 Havildar, 4 Naicks and 1 Sepoy.

34th Regiment of Native Infantry to furnish 1 Jemadar, 1 Havildar, 1 Naicks and 4 Sepoys.

35th Regiment of Native Infantry to furnish 1 Jemadar; 0 Havildar; 4 Naicks and 2 Sepoys.

42d Regiment of Native Infantry to furnish 1 Jemadar, 0 Havildar, 4 Naicks and 3 Sepoys.

45th Regiment of Native Infantry to furnish 1 Jemadar; 0 Havildar; 1 Naicks and 3 Sepoys.

53d Regiment of Native Infantry to furnish 0 Jemadar; 1 Havildar; 4 Naicks and 4 Sepoys.

56d Regiment of Native Infantry to furnish 0 Jemadar; 1 Havildar; 4 Naicks and 4 Sepoys.

57th Regiment of Native Infantry to furnish 0 Jemadar; 1 Havildar; 1 Naicks and 1 Sepoy.

Total, 10 Jemadars, 10 Havildars, 50 Naicks and 50 Sepoys.

21st Regiment of Infantry.—8th Regiment of native infantry to furnish 1 Jemadar, 1 Havildar, 4 Naicks and 4 Sepoys.

16th Regiment of Native Infantry to furnish 1 Jemadar; 0 Havildar; 4 Naicks and 3 Sepoys.

24th Regiment of Native Infantry to furnish 1 Jemadar; 1 Havildar; 4 Naicks and 3 Sepoys.

25th Regiment of Native Infantry to furnish 1 Jemadar, 1 Havildar; 4 Naicks and 3 Sepoys.

27th Regiment of Native Infantry to furnish 1 Jemadar; 1 Havildar; 1 Naicks and 3 Sepoys.

54th Regiment of Native Infantry to furnish 1 Jemadar; 1 Havildar; 1 Naicks and 5 Sepoys.

23rd Regiment of Native Infantry to furnish 0 Jemadar; 1 Havildar; 3 Naicks and 3 Sepoys.

36th Regiment of Native Infantry to furnish 1 Jemadar; 1 Havildar; 4 Naicks and 3 Sepoys.

37th Regiment of Native Infantry to furnish 1 Jemadar; 0 Havildar; 2 Naicks and 5 Sepoys.

40th Regiment of Native Infantry to furnish 1 Jemadar; 0 Havildar; 4 Naicks and 3 Sepoys.

64th Regiment of Native Infantry to furnish 0 Jemadar, 0 Havildar, 3 Naicks and 3 Sepoys.

59th Regiment of Native Infantry to furnish 0 Jemadar; 1 Havildar, 3 Naicks and 3 Sepoys.

61st Regiment of Native Infantry to furnish 0 Jemadar; 1 Havildar; 3 Naick and 4 Sepoys.

Total, 10 Jemadars; 10 Havildars; 50 Naicks and 50 Sepoys.

For Promotion.—1st regiment local horse to furnish 1 Ressaidar, 1 Naib Ressaidar; 2 Jemadars; 2 Kote Duffadars; 1 Duffadar and 15 Sowars.

2d regiment local horse to furnish 1 Ressaidar; 1 Naib Ressaidar; 2 Jemadars; 1 Kote Duffadar; 2 Duffadars; and 15 Sowars.

3d regiment local horse to furnish 1 Ressaidar; 1 Naib Ressaidar; 2 Jemadars; 1 Kote Duffadar; 1 Duffadar and 14 Sowars.

4th regiment local horse to furnish 1 Ressaidar; 0 Naib Ressaidar; 1 Jemadar; 2 Kote Duffadars; 2 Duffadars and 14 Sowars.

5th regiment local horse to furnish 0 Ressaidar; 1 Naib Ressaidar; 1 Jemadar; 2 Kote Duffadars; 2 Duffadars and 14 Sowars. Total, 4 Ressaidars; 4 Naib Ressaidars; 8 Jemadars; 8 Kote Duffadars; 8 Duffadars and 72 Sowars.

By order of His Excellency the Commander in Chief,

J. H. LUMLEY, Major Gen. Adj. Gen. of the Army.

*Including 8 Sowars for promotion to Nishanburdars.

With the concurrence of the Right Honorable the Governor General of India, His Excellency the Commander in Chief is pleased to direct, that under no circumstance is the brigade of infantry stationed at Delhi to be left without its artillery. The company from the 6th battalion, attached to the battery at that post, is therefore to be relieved annually, in order that it may not be deprived of the benefit of practice beyond one season, in the course of its tour of duty at the station, and the Commandant of artillery, in preparing his plan for the periodical relief of detachments from the corps, will make his arrangements accordingly.

The Sirhind division order of the 24th ultimo, directing Mirza Allyar Beg, Native Doctor, to proceed to Simla, and relieve Shaikh Golan Ghous, employed under the orders of Assistant Surgeon C. B. Handyside, M. D. is confirmed.

The Agra artillery division order of the 20th ultimo, appointing Gunner John Pawson, of the 4th company, 4th battalion, to act as laboratory-man to the division, during the practice season, in succession to Kehor Ghose, is confirmed.

The Presidency division order of the 16th ultimo, directing Captain W. J. Macvittie, of the 4th company 3d battalion of artillery, to do duty at the head quarters of the regiment at Dumdum, until the conclusion of the practice season is confirmed.

The detachment order of the 15th ultimo, by Ensign W. D. Goodyer, appointing Staff sergeant John Fitzpatrick, of the 1st company 5th battalion of artillery, to act as Provost Sergeant to the party of convalescents returning from Ludour to rejoin their corps, under his command, is confirmed.

Captain H. Dolanoff's appointment, on the 6th ultimo, of Gunner G. Bales to act as camp colourman to the 3d troop 1st brigade of horse artillery, on its march from Meerut to Muttra, is confirmed.

The leave of absence granted to Lieutenant Colonel T. Macklock, of the 10th regiment of native infantry, in General Orders of the 2d of May last, is to be calculated from the 28th of that month, and to extend to the 1st of December, instead of the date specified in General Orders of the 22d September last.

The leave of absence granted to Lieutenant and Brevet Captain H. Moore, of the 34th regiment of native infantry, in General Orders of the 19th of September last, to visit the Presidency on private affairs, is to be calculated from the 20th of October, and to terminate on the 1st of December, instead of the dates therein specified.

Head Quarters, Simla, 7th January 1838.—The Presidency division order of the 17th ultimo, directing Assistant Surgeon J. B. Macdonald of the 3d light cavalry, detached to the Presidency medical charge of invalids, to rejoin his Regiment, is confirmed.

The Sirhind artillery division order of the 14th ultimo, directing Lieutenant R. Waller, acting Adjutant to the 1st brigade, to perform the duties of Adjutant to the division, in the room of Lieutenant and Brevet Captain G. J. Cookson, permitted to resign the situation, is confirmed.

The Presidency division order of the 21st ultimo, appointing Lieutenant A. Stewart, of the European regiment, to the charge of a detachment of recruits for that corps, and to proceed with it by water to Agra, is confirmed.

Captain R. Aiken, of the invalid establishment, is permitted to reside in the hills near Deyrah, and draw his pay and allowances from the Meerut office.

Sergeant F. Reid, laboratory man in the Chunar magazine, is appointed Park sergeant in the magazine at Allahabad, and Hardingham transferred to the artillery.

Serjt. George Faicrue, supernumerary laboratory-man in the Delhi magazine, is transferred to the magazine at Chunar, vice Reid.

Head Quarters Simla, 8th January 1838.—The Mhow station order of the 20th ultimo, directing Veterinary Surgeon J. Harris, of the 6th regiment of light cavalry, to give his professional aid to the 2d troop 1st brigade horse artillery, is confirmed.

The undermentioned officers have leave of absence:

10th Regiment Native Infantry.—Lieut. Colonel G. Williams, from 20th December 1837, to 20th February 1838, to remain at the Presidency, on private affairs.

34th Regiment Native Infantry.—Lieut. and Brevet Captain H. Moore, from 1st January 1838, to January 1839, to visit the hill provinces north of Deyrah on medical certificate.

10th Regiment Native Infantry.—Lieutenant J. Phillott, from 28th December 1837, to 24th June 1838 to proceed on the river, and eventually to the Presidency, on medical certificate.

58th Regiment Native Infantry.—Lieut. and Adjutant N. A. Parker, from 1st January 1838 to 15th February 1838, to visit the Presidency, preparatory to applying for furlough.

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55th Regiment Native Infantry—Lieutenant C. J. H. Perreau, from 8th December 1837 to 8th February 1838, to visit the Presidency, no medical certificate.

8th Regiment Light Cavalry—Cornet T. T. Tucker, from 23d December 1837, to 1st February 1838 to visit Jaunpore, on medical certificate.

Head Quarters, Simla, 9th January 1838.—Veterinary Surgeon W. P. Barrett, is present attached to the 7th light cavalry, is posted to the 1st brigade of the horse artillery, and directed to join its head quarters at Kurnal.

Head Quarters, Simla, 10th January, 1838.—The Presidency division order of the 15th ultimo, directing the undermentioned Native Doctors to join and do duty with the corps specified opposite their names, is confirmed.

Major Stuy, with the 50th regiment native infantry at Bangalore.

Major Bux, with the 87th regiment native infantry at Kyook Phoo, in Arracan.

The Rajputana district order of the 28th ultimo, appointing Captain J. Hewitt, of the 52d regiment of native infantry, to officiate as Deputy Judge Advocate at an European general court martial assembled at Nusseerabad, is confirmed.

The regimental order of the 6th ultimo, by Major J. D. Syers, commanding the 19th native infantry, appointing Lieutenant W. L. Mackeson to act as Adjutant, vice Smith, proceeding on leave of absence, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointments:

4th Battalion of Artillery—Lieutenant F. Gauskell, from the 3d battalion, to be Adjutant and Quarter Master, vice Cardew deceased.

Quarter Master Sergeant John Walsh, of the Nusseer battalion, is appointed Sergeant Major to that corps vice Fanshust transferred to the pension establishment.

Half-pay Drummer Samuel James is transferred from the European regiment to the 59th native infantry, to complete the establishment of Drummers in the latter corps.

The undermentioned officers have leave of absence:

General Staff—Major General Sir R. Stevens, K. C. B. commanding the Cavalry division, from 8th January 1838, to 6th December 1838 to visit Simla, on medical certificate.

5th Battalion Artillery—Major G. H. Bell, from 10th Nov 1837 to 15th Nov 1838, to remain at Simla, on medical certificate.

21st Regt N. I.—Captain O. Lomer, from 6th October 1837, to 31st December 1837, to visit Benares.

49th Regt N. I.—Lieutenant and Adj. F. E. Smith, from 10th Nov. 1837 to 30th March 1838 in extension to visit the Presidency, on medical certificate, in preparation to applying for furlough.

71st Regt N. I.—Captain E. Wattle, from 1st Jan 1838, to 13th Feb 1838, in extension, to remain at Agra, on private affairs, and to enable him to return.

Raughur light infantry battalion—Major H. Lawrence, from 15th Jan to 23th Feb. 1838, to visit the Presidency, on private affairs.

Head Quarters Simla, 11th January 1838.—The Necmuck station order of the 26th ultimo, directing Assistant Surgeon G. E. Christopher, of the 2d light cavalry, to deliver over medical charge of the 3rd regiment native infantry to Assistant Surgeon T. Russell of the 1st light cavalry, and to perform the judicial duties of the 28th native infantry during its march toward Mysapore, is confirmed.

The Meywar artillery division order of the 1st ultimo, appointing Sergeant Major J. Fraser and Farrier Sergeant D. Davis, of the 1th troop 1st brigade horse artillery, to act as laboratory men to the division, during the practice season, is confirmed.

The Presidency division order of the 28th ultimo, directing the undermentioned Cornets and Ensigns, lately admitted into the service, to join and do duty with the corps specified opposite their names, is confirmed.

Cornet J. J. Galloway.....	with the 5th regt L. C. at Cawnpore.
„ J. Munro.....	5th „ „
„ R. Christie.....	5th „ „
Ensign J. P. T. Hawkey.....	65th „ N. I. at Berhampore
„ W. Mayne.....	4th „ Goruckpore.
„ A. Hodgkinson.....	65th „ Berhampore.
„ J. C. Fitzmaurice.....	31st „ „ Dinapore.
„ R. J. France.....	63d „ „ Cawnpore
„ O. Conner.....	31st „ „ N. I. Allahabad
„ W. W. D. Voyle.....	5th „ „ Seetole, Benares.
„ D. C. Clouston.....	65th „ „ Berhampore
„ A. Carrington.....	1st „ „ Saugor.
„ A. Turner.....	1st „ „ „
„ B. M. Loveday.....	31st „ „ Agra.

His Excellency the Commander in Chief is pleased to make the following removals and postings:

Colonel James Cook, from the 12th to the 51st regiment native infantry, vice Colonel Henry Hodgson, from the latter to the former corps.

Head Quarters, Simla, 12th January, 1838.—The Presidency division order of the 30th ultimo, directing Assistant Surgeon A. Henderson, of the 50th regiment native infantry, to relieve Assistant Surgeon J. Anderson, M. D., from the medical charge of the troops on duty in Simlahoom, is confirmed.

The following removals and postings will take place in the regiment of artillery.

Captain G. R. Crawford, from the 3d company 3d battalion to the 4th company 3d battalion.

Captain W. J. Macartie, from the 4th company 3d battalion to the 3d company 3d battalion.

1st Lieutenant and brevet Captain E. H. Ludlow, (on furlough) from the 4th company 1st battalion to the 1st company 4th battalion.

1st Lieutenant F. B. Boileau, (on furlough) from the 3d troop 3d brigade to the 6th company 7th battalion.

1st Lieutenant G. T. Graham, from the 1st company 4th battalion to the 1st company 2d battalion.

1st Lieutenant F. C. Burnett (on furlough) from the 6th company 7th battalion to the 4th company 1st battalion.

2d Lieutenant W. K. Warner, from the 3d company 3d battalion to the 1st company 6th battalion.

2d Lieutenant C. Boulton, from the 1st company 6th battalion to the 4th company 1st battalion.

2d Lieutenant E. Kye, from the 1st company 4th battalion to the 3d company 3d battalion.

2d Lieutenant Kye will do duty at Dum-Dam until the conclusion of the practice season.

His Excellency the Commander in Chief feels the highest pleasure in making the following commutation to the Bengal army, which he trusts will be as gratifying to them to read, as it is to His Excellency to publish.

On the 1st of January 1838, the number of European commissioned officers belonging to the Bengal army, was two thousand four hundred and thirty-nine.

The number of native commissioned officers was one thousand seven hundred and nine.

During the past year, 1837, of this large body of officers, but five European, and four native officers have been charged with such conduct as has rendered courts martial necessary.

Of the cases of European officers, one was most honorably acquitted of all moral crime, the crime of another arose from accident, and two of the remaining three, were cases of breach of discipline, chiefly arising from errors of judgment.

There was but one conviction, comprising any serious turpitude, amongst either class of officers.

His Excellency deems such an absence of crime, or misconduct, to be most highly honorable to the officers of the Bengal army, European and Native; and he offers them the tribute of his warmest approbation in consequence.

He feels that the clemency so detailed, will fully justify his acting as a boon to himself, the full pardon of Lieutenant M. Katoe, of the 6th native infantry, recently dismissed by sentence of a general court-martial; and he will immediately make an application through the Supreme Government to the Honourable the Court of Directors to that effect.

The Hama station order of the 27th November last, directing Assistant Surgeon M. Archibald, M. D. of the 1st regiment of local horse, to afford medical aid to the Meerpoor light infantry battalion, and to the other troops and establishments at the station, is confirmed.

Ensign James J. van Maunwaring is, at his own request, removed from the right wing of the European regiment to the 42d regiment of native infantry at Bareilly.

The following Ensigns, to whom rank was assigned in Government General Orders, No. 255, of the 29th ultimo, are posted to the corps specified opposite to the their respective names, and directed to join:

Ensigns Richard William Henry Fanshawe, right wing European regiment at Agra; William Mayne, 49th regiment of native infantry at Neemuch; Orfeu Cascaugh, 32d regiment of native infantry at Decca; Thomas Cole, 2th regiment of native infantry at Barrackpore; Athill Turner, 1st regiment of native infantry at Saugor; James Pattullo, (not arrived) right wing European regiment at Agra; Dennis Christum Shute, 16th regiment of native infantry at Cuttack; John Crommelin Lamb, 52d regiment native infantry at Nusseerabad; Cecil Plowden Brower, 23d regiment of native infantry at Agra; Anthur Carrington, 24th regiment of native infantry at Amdipore; Henry James William Carter, 66th regiment of native infantry at Hussainabad; Richard John Faire, 72d regiment of native infantry at Mhow; Bryan Martin Loveday, 15th regiment of native infantry at Barrackpore; James Keith Forbes, 10th regiment of native infantry at Lucknow; Walter William Davies Vyle, 3th regiment of native infantry at Chittagong; John Cooner Fitzmaurice, 2d regiment of native infantry at Lucknow; John Stafford Paton, 14th regiment of native infantry at Agra; Thomas Shankle, B. A. 48th regiment of native infantry at Delhi; John Robinson, 69th regiment of native infantry at Saugor; Peter Henry Kitch Dewael, 34th regiment of native infantry at Futteehur; Hector Alexandre Soudenau, 49th regiment of native infantry under orders for Meerpoor; Alfred Chicheley Plowden, 8th regiment of native infantry under orders for Meerpoor; Alexander Skene, (on leave to Van Derman's Land) 6th regiment of native infantry at Allahabad; Martin Biddleman Whish, 24th regiment of native infantry at Bantah; William Smith, 58th regiment of native infantry under orders for Barrackpore.

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Edward Close, 41st regiment of N. I. at Nussershab James Grant Stephen 32d regiment of native infantry at Dacca, Peter Drummond, 22 60th regiment of native infantry at Dhacca, Peter Crawford Alton, 26th regiment of native infantry at Meerut, Wm Hooper, 12th regiment of native infantry at Barrackpore, Frederick Mills, 54th regiment of native infantry at Meerut; Joseph Peter Paterson Fuscott Hawkey, 74th regiment of native infantry under orders for Nussershab; James Clarke 1st regiment of native infantry at Saugor; Robert Henry Hicks, right wing European regiment at Agra, Charles Patrick White 58th regiment of native infantry at Delhi, Alexander Robinson, 19th regiment of native infantry at Cutack; and William Henry Williams, (not arrived) 67th regiment of native infantry at Khyouk Phyo, in Arracan.

Head Quarters, Simla, 13th January 1838.—His Excellency the Commander in Chief is pleased to make the following removals and postings.

Lieutenant Colonel H. Hall, on furlough, from the 13th to the 52d regiment of native infantry.

Lieutenant Colonel G. B. Bell, from the 52d to the 13th regiment of native infantry.

The following officers are appointed to do duty at the convalescent depot at Landour, during the approaching hot season.

- Captain and Brevet Major Squire, H. M. 13th L. I.
- Lieutenant and Brevet Capt Meredith, ditto ditto.
- Lieutenant C Sawyer H. M. 3d lt or buffs
- Captain C Mudd, ditto ditto ditto.
- Captain G H. Bousragon, 72 Regt. of N. I.

These officers will join the depot at Landour by the 1st of April, and officers commanding divisions from which convalescents are proceeding, will avail themselves of their services in taking charge of men under orders for the hills.

The undermentioned officers have leave of absence.

58th Regiment Native Infantry—Major H. C. M. (on furlough from 19th December 1837, to 19th February 1838, to visit the Presidency, on medical certificate.

2d Regiment Native Infantry—Lieutenant J. Shaw, from 31st December 1837, to 20th January 1838, in extension to enable him to rejoin.

Arracan Local Battalion—Captain G. Burney, from 31st December 1837 to 6th January 1838 to enable him to rejoin.

ENACTED—In General Orders of the 11th ult. confirming the Singapore division order, appointing Hospital Apprentice to duty with her Majesty's 49th regiment, for W. J. read Thomas Thompson. The order books to be corrected accordingly.

By order of His Excellency the Commander in Chief.

J. R. LUMLEY, Major General
Adjutant General of the Army.

Head-Quarters, Simla, 15th January, 1838.—The Presidency division order of the 25th ultimo, directing Hospital Steward J. Roberts, of the 1st brigade horse artillery on duty at the Presidency to relieve Apprentice W. McKim on the charge of the Steward's department in the hospital of Her Majesty's 3d light dragoons, and for latter to do duty with the corps as an Hospital Apprentice, is confirmed.

The Subdivision order of the 6th instant, directing Lieutenant A. Bromo of the 1st brigade horse artillery, to proceed to Haupper, in charge of the remount horses admitted at Meerut, for the 2d, 5th, 7th, 8th and 10th regiments of light cavalry, and for the Presidencies of Madras and Bombay, and to return to Kurnaul, via Meerut, in charge of the horses assigned from the Haupper stud to the 2d light cavalry and other corps at Kurnaul and Ludianah, is confirmed.

The Sirkmd division order of the above date, directing Lieutenant R. S. Trevor, of the 3d regiment of light cavalry, to receive charge of, and conduct to Kurnaul, the remount horses from the Haupper stud, for corps at that station and Ludianah, is also confirmed.

The regimental order by Colonel W. Nott, commanding the 36th native infantry, dated the 2d instant, directing Lieutenant W. Kennedy to act as Interpreter and Quarter Master, vice Hollings, proceeding on duty, is confirmed.

The regimental order by Major G. Young, commanding the 68th regiment native infantry, dated the 29th ultimo, appointing Lieutenant G. P. Brooke to act as Adjutant to the left wing of that corps, during its separation from the head quarters of the regiment, is confirmed.

The Saugor division order of the 29th ultimo, directing Kasee Prasad Sookul, Native Doctor, of the Kameoon local battalion, on leave of absence at Saugor, to join and do duty with the left wing of the 2d local horse, during its march to Bareilly, is confirmed.

His Excellency the Commander in Chief is pleased to make the following removals and postings in the artillery regiment.

Captain R. Roberts, (on furlough) from the 1st troop 2d brigade to the 1th company 3d battalion.

Captain G. R. Crawford, from the 4th company 3d battalion to the 1st troop 2d brigade.

His Excellency the Commander in Chief is pleased to make the following appointments.

1st brigade Horse Artillery—Lieutenant and Brevet Captain J. B. Backhouse, from the 2d brigade, to be Adjutant and Quarter Master, vice Anderson promoted.

The undermentioned half pay Drummers are transferred from the European regiment to the 24th regiment native infantry, to fill vacancies as Drummers in the latter corps:

William McCarthy, Charles McCarthy, John Morgan

By order of His Excellency the Commander in Chief.

Head Quarters, Simla, January 17th—The regimental order by Lieutenant Colonel R. Blackall, commanding the 50th regiment of native infantry, dated the 26th ultimo, appointing Captain J. Saunders to act as Interpreter and Quarter Master, vice Robertson proceeding on duty, is confirmed as a temporary arrangement.

The regimental order of the 16th ultimo, by Brevet Major S. Moody, commanding the 7th regiment of native infantry, appointing Lieutenant F. C. Brooke to act as Adjutant to four companies of the corps, during their separation from regimental head quarters, is confirmed.

The artillery regimental order dated the 1st instant, appointing 1st Lieutenant V. Eyre, of the 3d company 1st battalion, to act as Adjutant and Quarter Master to the right wing of the 4th battalion vice Graham, proceeding on duty, is confirmed as a temporary arrangement.

Sergeant and Robert Kelly, Congee house Sergeant in Fort William, is transferred to the commissariat department, vice Prince deceased.

Se recruits Christopher Stokes of the commissariat department and John Dr. y, Bazaar Sergeant at Kurnaul, are permitted to exchange situations.

The undermentioned individuals, of the pension establishment are permitted to change their places of residence, as follows, and to draw their stipends accordingly.

- Sergeant Henry Robinson, from Allahabad to Chunar.
- Sergeant W. Downing, from Meerapole to the Presidency.
- Sergeant J. Robbins, from Chunar to the Presidency.

Gunner M. Boyle, of the veteran company at Chunar, is permitted to reside and draw his allowances at or in the vicinity of Benares.

The undermentioned officers have leave of absence:

12d regiment native infantry—Captain A. McKimmon, from 1st February to 1st August 1838, to visit the Presidency, preparatory to submitting an application to retire from the service.

European regiment—Captain J. P. Ripley, from 1st February to 31st January 1839, to visit the hills north of Deyrah, on medical certificate.

By order of His Excellency the Commander in Chief.

Head Quarters, Simla, 19th January, 1838.—The undermentioned officers have leave of absence:

3d regiment native infantry—Lieutenant T. Wallace, from 1st December, 1837 to 1st December, 1838, in extension, to remain in the hills north of Deyrah, on medical certificate.

3d regiment native infantry—Ensign G. A. P. Hervey, from 1st December 1837 to 1st December, 1838, to visit Simla, on medical certificate.

N. B. This cancels the unexpired portion of the leave granted to Ensign Hervey, in General Orders of the 14th November last.

24th regiment Native Infantry—Captain A. B. Singer, from 1st February to 1st May, to visit the Presidency, preparatory to making an application for furlough.

25th regiment native infantry—Ensign C. A. Nicolson, from 25th November, to 25th December, 1837, to remain at the Presidency, on medical certificate.

57th regiment Native Infantry—Ensign W. B. Lumley, from 29th January to 29th July, to visit Simla, on private affairs.

67th regiment Native Infantry—Ensign S. C. Hampton, from 15th Jan. to 15th Mar. to visit the presidency, on private affairs.

The Mirzapore station order of the 9th instant, directing Civil Assistant Surgeon W. Gordon, M. D., to afford medical aid to the detachment of the 68th regiment of native infantry at that station, is confirmed, with effect from the 6th instant.

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The detachment order dated the 26th ultimo, by Colonel (now Brigadier) J. H. Liffiter, commanding at Sylhet, appointing Brevet Captain Infanterie and Quarter Master R. McNair, of the 73d native infantry, to act as detachment staff to the 70th and 73d regiments, from the 14th November, is confirmed.

Quarter Master Sergeant Frederick Dutton, of the 5th regiment native infantry, transferred to the Nessore battalion, vice Walsh, who has been appointed Sergeant Major.

Head Quarters, Simla, 20th January 1838.—1. It has been represented by the civil officers of the Government, that distress and inconvenience have been occasioned in the country denominated the "Jungle Mahauls" (in the vicinity of part of the new road from Burdwan towards Benares,) by demands having been made by troops marching through it, for coolies and packeries.

2 His Excellency the Commander in Chief therefore directs, that, in future, officers in command of regiments, or detachments will take care to supply themselves with the requisite means of transport at Burdwan and Sheerghatt respectively, so that no demands may be made on the villages in the newly settled country referred to.

Lieutenant T. Wallace, of the 3d regiment native infantry, is appointed to do duty at the convalescent depot at Landour, during the ensuing hot season.

Head Quarters, Simla, 23d January, 1838.—The Meerut division order of the 11th instant, directing Surgeon H. Mewmarsh, of the 2d brigade of horse artillery, to afford medical aid to the 2d company 2d battalion artillery, is confirmed, with effect from the 5th ultimo.

The regimental order dated the 23d ultimo, by Colonel C. W. Hamilton, commanding the 61st native infantry, appointing Lieutenant J. Marshall to act as Adjutant to the left wing of the regiment, during its separation from the head quarters of the corps is confirmed.

The Meerut artillery division order of the 5th ultimo, appointing Gunner John Hill, of the 2d troop 2d brigade, and Bombardier Patrick Evers, of the 2d company 2d battalion artillery, to act as laboratory-men, during the practice season, is confirmed.

The following removals and postings will take place in the regiment of artillery :

Lieutenant Colonel S. Shaw, from the 1st to the 7th battalion,
Lieutenant Colonel R. Powney (on staff employ), from the 7th to the 1st battalion.

Major G. Everest (on staff employ), from the 1st to the 7th battalion.

Major G. N. C. Campbell, from the 7th to the 1st battalion

Sergeant Major Andrew Burrows, of the 2d regiment native infantry, is appointed Bazaar Serg. at Mhow and directed to be sent to join

The undermentioned officers have leave of absence.

5th Battalion Artillery, Captain J. S. Kirby, from 20th January to 5th November, in extension, to remain at Simla, on medical certificate.

47th Regiment Native Infantry, Lieutenant and Adjutant C. Corfield, from 20th January to 1st December, to visit Missoorie, on medical certificate.

60th Regiment Native Infantry.—Lieutenant H. M. Beecher, from 5th December, 1837 to 5th February 1838, in extension, to remain at the Presidency, on medical certificate.

Head Quarters, Simla, 24th January, 1838.—The Benares order of the 10th instant, directing the following arrangements for sending to their several destinations the horses admitted by the Ghazepore committee, of which Major Cureton, of Her Majesty's 16th lancers, was president, is confirmed :

Captain G. G. Dennis, of the 3d troop 2d brigade horse artillery, to the charge of the horses for the horse artillery, Her Majesty's 2d light dragoons and 16th lancers, and the 2d, 3d, 4th and 10th regiments of light cavalry.

Captain C. E. T. Oldfield, of the 5th light cavalry, to the charge of the horses for that corps, and for the 7th and 8th regiments of light cavalry.

Cornet R. Boulton, of the 7th light cavalry, to proceed via Mirzapore, towards Sauear, in charge of those for the 2d troop 1st brigade horse artillery, and for the 6th light cavalry.

Lieutenant T. B. Studd, of the 8th light cavalry, to proceed via Mirzapore and Jubbulpore, towards Natore, in charge of the horses for the Madras and Bombay Presidencies, which are to be made over to the officer commanding the Nagpore subsidiary field force

The horses for the 1st troop 3d brigade horse artillery at Dinapore, to be sent to the Presidency under charge of a native officer

of the 8th light cavalry and a party of dismounted troopers from that regiment.

Quarter Master Sergeant Michael Henry, of the 4th regiment native infantry, is remanded at his own request, to the 1st battalion of artillery, in the rank he held previous to his transfer to the Town Major's list

Sergeant Henry will continue as a supernumerary in the battalion, until the occurrence of a vacancy

The undermentioned officer has leave of absence :

55th Regiment Native Infantry.—Major T. Dickinson, from 14th August 1837, to 11th December, 1837, to remain at the Presidency, on medical certificate, preparatory to applying for permission to proceed to the Cape

The Barrackpore station order of the 14th ultimo, appointing Brevet Major H. Subill, of the 41st regiment native infantry, to officiate as Major of Brigade at that station, on the departure, on duty, of Captain Ludlow, is confirmed as a temporary arrangement, until the arrival of Brevet Major C. E. Davis, of the 56th native infantry

Head Quarters, Simla, 25th January, 1838.—With the sanction of Government, Her Majesty's 3d regiment of light dragoons, now in march, will proceed towards Cawnpore, where it is to be stationed, agreeably to the instructions furnished to the officer commanding the corps by the Major General commanding the Presidency division.

"Weekly present states," and "reports of progress" are to be transmitted to the departments of the Adjutant General and Quarter Master General of the army, respectively, according to existing regulations

The Oude district order under date the 1st instant, appointing Captain F. St. J. Stunt, of the 10th regiment native infantry, to officiate as Brigade Major on the departure, on duty, of Captain W. H. N. Stunt, is confirmed as a temporary arrangement.

William Wainer, at present under the orders of the Town Major of Fort William, is appointed a half-pay Drummer in the European regiment, and directed to be sent to join by the first favorable opportunity

Head Quarters, Simla, 26th January, 1838. The Cawnpore artillery division order of the 12th instant, directing the following arrangements to have effect in the detachment of artillery drafts proceeding towards Agra, under the command of Captain F. Hickman, is confirmed :

Corporal C. Carlisle, of the 1st troop 2d brigade horse artillery to act as Sergeant Major.

Corporal S. Andrews, of the 1st troop, 2d brigade horse artillery to act as Quarter Master Sergeant

Gunner W. Hastings, of the 2d company 2d battalion, as Provost sergeant.

Gunners C. Lewis, A. Bruce, E. Quilovan, L. Sweetman, J. Bunley, T. Halewood, W. Nowland, and J. Mallett, as Sergeants.

Gunners H. Brewer, J. Ciffe, J. King-tone, W. Brown, A. Barron, M. O'Neil, T. Edlis and W. Rose, as Corporals

Captain T. Hickman's order of the 12th instant, appointing Gunner S. Jamieson, of the 4th company 2d battalion, to act as camp colour-man to the detachment of artillery drafts proceeding towards Agra and Meerut, is confirmed

His Excellency the Commander in Chief is pleased to order the following removals and postings in the medical department :

Superintending Surgeon Colin Campbell officiating 3d member of the medical board, from the Simla division to the Agra circle of superintendence

Superintending Surgeon Samuel Ludlow, from the Agra circle to the Serbind division

Superintending Surgeon Alexander Halliday to the Benares division.

Officiating Superintending Surgeon George King is appointed to the Agra circle.

Assistant Surgeon John Menzies, from the Hurriannah light infantry battalion to the 62d regiment of native infantry.

Assistant Surgeon Samuel Holmes, from the 62d regiment of native infantry to the Hurriannah light infantry battalion.

The Saugor station order of the 30th ultimo, appointing Lieutenant and Adjutant C. Friza, of the 64th regiment native infantry, to act as station staff, during the absence, on duty, of the Deputy Assistant General, is confirmed.

The appointment of Lieutenant John Anderson, of the 44th native infantry, in detachment orders under date the 18th instant, to act as Adjutant to the left wing of the corps, during its separation from the head quarters of the regiment, is confirmed.

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The Meerut division orders of the 11th and 18th instant appointing the following officers to the charge of remount horses, proceeding from the Government stud at Haupper to the stations specified, are confirmed.

Lieutenant G. L. Cooper, of the 2d brigade horse artillery, to Cawnpore.

Captain J. H. M. Toone, of the 3d regiment light cavalry, to wards Neemuch.

Cornet C. A. Kitson, of the 10th regiment light cavalry, to Nagpore.

The Saugor division order of the 11th instant, directing Assistant Surgeon W. Jacob, of the 69th, to proceed to Saugor, and afford medical aid to the 64th regiment of native infantry, is confirmed.

Captain W. Geddes is removed from the 2d troop 3d brigade of horse artillery to the 1st company 5th battalion.

Captain C. McMorina is removed from the 1st company 5th battalion to the 2d troop 3d brigade of horse artillery.

His Excellency the Commander in Chief is pleased to make the following appointment:

1st Regiment of Native Infantry—Lieutenant C. Wright to be Interpreter and Quarter Master.

The undermentioned warrant officer has leave of absence.

Subordinate Medical Department.—Assistant Steward W. H. Crawford, 5th battalion artillery, from 1st February to 1st September, to visit the Presidency on medical certificate.

Head-Quarters, Simla, 27th January, 1838.—Hospital Steward J. Byron attached to the 31st brigade horse artillery, is appointed to act as apothecary with the brigade, until further orders.

Head-Quarters Simla, 29th January, 1838.—The 56th regiment native infantry will march from Bangalore, agreeably to a route with which it will be furnished towards Berhampore, instead of to Barrackpore, as directed in the General Order of the 31st ultimo.

On the arrival of the 56th regiment at Berhampore, the 65th regiment native infantry will march towards Barrackpore, where it is to be stationed.

Head-Quarters Simla, 30th January 1838.—His Excellency the Commander in Chief is pleased to direct, that whenever a detachment is sent from a regiment, the strength of which renders the services of an Adjutant requisite, the nomination is to be made by the officer commanding the regiment, previous to the departure of the party, in like manner, when a detachment composed of deta is from different regiments is made from the head quarters of a district or station, and for the staff duties of which an officer is allowed by existing regulations, the Brigadier or other superior officer detaching the party for the duty, will nominate the staff officer in his district or station orders.

The order dated the 5th instant, by Brigadier J. H. Little, commanding on the eastern frontier, appointing Brevet Captain R. McNair, of the 73d regiment of native infantry, to officiate as Major of Brigade to the force under his command, is confirmed as a temporary arrangement.

The interim order dated the 5th instant, by Lieutenant Colonel S. Swaine, commanding the 73d regiment of native infantry, directing Ensign W. Richardson to act as Interpreter and Quarter Master, during the absence of Lieutenant and Brevet Captain McNair, on duty, is confirmed.

The regimental order dated the 17th instant, by Major R. W. Pogson, commanding the 47th regiment of native infantry, directing Lieutenant C. Boulton to act as Adjutant, during the absence, on leave, of Lieutenant and Adjutant Corfield, is confirmed.

The Dinapore station order of the 14th instant, appointing pensioned Sergeant W. Bowman to act as Bazar Sergeant, vice Asby deceased, is confirmed.

Surgeon R. Grubane, of the invalid establishment, is permitted to reside at Saugor, for one year, from the 1st of December last, and to draw his pay from the Benares pay office.

The leave of absence granted in General Orders of the 6th ultimo, to Conductor J. Graves, of the ordnance department, is cancelled at his request.

Sergeant James Baddley, of the veteran company at Chanar, is permitted to reside and draw his pay at the Presidency.

Head-Quarters, Simla, 31st January, 1838.—Surgeon R. Brown, of the 37th regiment native infantry, is appointed to act as Garrison Surgeon at Chanar, during the absence of Surgeon G. King, or until further orders.

The undermentioned officers have leave of absence.

Division staff.—Captain and Brevet Major R. Raydon, Assistant Adjutant General Benares division, from 15th November 1837 to 1st January 1838, in extension, to remain at the Presidency, preparatory to submitting an application to retire from the service.

1st Regiment native infantry.—Lieutenant A. Turner, from 15th January to 10th April, to visit the Presidency, on medical certificate, and apply for furlough.

11th regiment native infantry.—Lieutenant and Brevet Captain J. Muclean, from 15th January 1838 to 18th January 1839, to visit the hills north of Deyrah, on medical certificate.

67th Regiment Native Infantry Lieutenant Colonel R. Chalmers from 9th January to 25th February, to remain at the Presidency on medical certificate.

Head-Quarters, Simla, 1st February 1838.—The Presidency division orders under date the 14th ultimo, appointing Assistant Surgeon D. Mac Nab, M. D. to the medical charge of the 41st regiment native infantry, and Surgeon J. Row, to that of the 3d regiment native infantry, are confirmed.

The Presidency division order of the 16th ultimo, appointing Hospital Apprentice F. Buchanan to act as Assistant Apothecary in the hospital of the 9th regiment, vice Heffernan transferred to the garrison dispensary in Fort William, is confirmed as a temporary arrangement.

Sergeant Robert Merrit, of the European regiment, is transferred to the Town Major's list, from the 20th ultimo, and appointed Quarter Master Sergeant to the 2d infantry regiment in the Oude auxiliary force.

The undermentioned officer has leave of absence:

55th regt. N. I.—Captain W. Freeth, from 2d Feb to—, in extension, to await the arrival of his corps at Lucknow.

Head-Quarters, Simla, 2d February 1838.—The following letter from the officiating Secretary to the Government of India, in the military department, is published for the information of those officers who concurred in the memorial, addressed by Colonel V. Roper, of the 70th regiment native infantry, to the Honourable the Court of Directors praying "that the three years granted for furlough, may be included in the periods prescribed by the Honourable Court, as entitling their officers to pensions.

No. 494.

TO THE ADJUTANT GENERAL OF THE ARMY.

Head-Quarters.

Mily Dept. Sir,—I am directed by the Honourable the President in council to acquaint you, for the information of His Excellency the Commander in Chief, and for communication to the parties concerned, that the Honourable the Court of Directors have declined to comply with the prayer of the memorial from Roper and other officers, which accompanied your Assistant's letter No. 72b, of the 29th December 1836; but have at the same time, granted additional advantages to the senior officers of the army, in respect of retiring pension, as announced in General Orders No. 258 of this date.

I am &c.

The Cawnpore division order of the 25th ultimo, appointing Captain H. Tompler, of the 7th regiment of native infantry, to officiate as Major of Brigade at Cawnpore, vice Holmes, who has been permitted to resign the situation, is confirmed.

The Ban lah station order of the 10th ultimo, directing Assistant Surgeon J. H. Serrell, of the 53d, to receive medical charge of the left wing of the 44th regiment native infantry, is confirmed.

Captain P. Mainwaring, of the 33d regiment native infantry, (at present doing duty with the 87th light infantry battalion) who was promoted in Government General orders of the 18th December last, is directed to rejoin the corps to which he belongs at Jubbulpore.

His Excellency the Commander in Chief is pleased to make the following appointment:

24th regt N. I.—Lieutenant E. T. Tierney to be Interpreter and Quarter Master.

Lieutenant interpreter and Quarter Master G. Pott, of the 8d regiment native infantry, having been pronounced by the examiners of the College of Fort William qualified for the duties of Interpreter, that officer is exempted from further examination in the native languages.

The undermentioned officers have leave of absence:

51st Regt. N. I.—Lieutenant Yury Lamb, from 1st April to 1st Oct. to visit the hills north of Deyrah, on private affairs.

GENERAL REGISTER.

European regi.—Captain C. Wilson, from 1st Feb to 1st April to visit the hills north of Debrah, on private affairs.

Head Quarters, Simla, 8th Feb, 1839—The Commander in Chief has been pleased to make the following promotion, until the pleasure of His Majesty shall be known

6th Foot—Ensign E. J. Blanche to be Lieutenant without purchase, vice English deceased, 17th January 1838.

Leave of Absence—16th Lancers—Lieut. W. S. O'Grady, from 1st February to 15th November, to proceed to Landour, on medical certificate.

3d Foot.—Lieut. A. Menzies, from 17th April to 17th October, to Almorah, on private affairs.

Ditto—Lieut. P. Spedy, from 1st May to 1st November, to Mussoorie, on private affairs.

Ditto—Lieut. J. C. Handfield, from 17th April to 17th October ditto, ditto.

Ditto—Lieut. H. P. Chambellain, from 1st May to 1st November, ditto, ditto.

Ditto—Ensign H. C. A. Clarke, from 10th February to 1st Nov ditto, on medical certificate.

By order of the Commander in Chief

R. TORRENS, M. G.

Adj. Genl. to H. M. Forces in India

The Presidency division order of the 21st ultimo, directing supernumerary Doctor Allee, attached to the 41st regiment of native infantry, to do duty under the orders of the staff Surgeon at Bannackpore, is confirmed.

The eastern frontier order by Bagadher J. H. Liffier, dated the 10th ultimo, directing the following medical arrangements, is confirmed

Surgeon J. S. Sullivan, of the 36th native infantry, and at present doing duty with the Sybhel light infantry battalion, on being relieved from the medical charge of the latter corps by Assistant Surgeon J. Davenport, M. D. proceed to Jumnaulphore, and perform the medical duties of the 5th native infantry, pending the arrival of his own regiment at that station.

Assistant Surgeon A. Gibson, doing duty with the 36th regiment, to assume medical charge of the 58th native infantry, on his arrival at Jumnaulphore, and proceed with it to Bannackpore.

The appointment, in General Orders of the 26th ultimo, of Lieutenant C. Wright, of the 1st native infantry, to be interpreter and Quarter Master, is cancelled; and His Excellency the Commander in Chief has been pleased to nominate the officer to the situation of Adjutant of the regiment, vice Bann promoted.

Lieutenant R. T. Sandeman of the 33rd regiment native infantry will continue to act as Interpreter and Quarter Master to the 1st regiment native infantry, until further orders.

Head Quarters, Simla, 9th Feb, 1839—In continuation of General Orders of the 15th of August last, His Excellency the Commander in Chief directs that the monthly returns of European troops and companies of artillery therein referred to shall be accompanied by a casualty list, prepared according to the form laid down in General Orders of the 16th of October 1838.

If no casualties have occurred during the month, a memorandum to that effect is to be forwarded with the return of the troop or company.

The Allahabad garrison order under date the 9th ultimo, appointing Assistant Surgeon A. Beattie (civil Assistant Surgeon) to act as Assistant garrison surgeon, during the absence, on duty, of Assistant Surgeon Christie, or until further orders, is confirmed.

The General Orders of the 26th and 31st ultimo, directing an exchange of circles between Superintendent Surgeons C. Campbell and S. Ludlow; appointing officiating Superintendent Surgeon G. King to Agra, and nominating Surgeon R. Brown to act as garrison Surgeon at Chunar, cancelled; and those officers will remain in the performance of the duties in which they were severally engaged previous to the publication of the orders.

By order of His Excellency the Commander in Chief

Head Quarters, Simla, 11th February 1839—The Cawnpore division order of the 29th ultimo directing Assistant Steward W. H. Crawford to do duty with a detachment of artillery proceeding to the Presidency by water, is confirmed.

Head Quarters, Simla, 12th February 1839—The Cawnpore station order of the 8th ultimo, making the following arrangements for the march of the artillery drafted from the Presidency, under the command of Captain T. Hickman, is confirmed.

Lieutenant and Brevet Captain H. N. Pepper of the 3d battalion, to the command of these proceeding to Saugor and Show

Assistant Surgeon G. G. Brown, M. D. to have medical charge, and Hospital Apprentice D. Fleming to act as Assistant Apothecary and Assistant Steward to the detachment.

Captain Hickman, on his arrival at Mynpoole with the remainder of his detachment to forward the men for Agra, Muttra, and Nussereabad, to Agra, under charge of 2d Lieutenant H. M. Conran, of the 4th battalion.

Assistant Apothecary G. Higginson and Assistant Steward J. H. Murray to accompany the detachment from Meerut; and Hospital Apprentice J. Keen to be detached from Mynpoorie as acting Assistant Apothecary with the party for Agra.

Sergeant William Bowman, of the pension establishment, is appointed Bazar Sergeant at Dinapore, in succession to Ashby deceased.

The undermentioned officers have leave of absence.

29th Regiment Native Infantry—Major D. D. Anderson, from 15th January to 15th April to visit Allahabad and the Presidency, preparatory to applying for permission to retire from the service.

1st Company 3d Battalion Artillery.—Captain A. Abbott, from 1st March, to 10th March in extension, to enable him to join

47th Regiment Native Infantry—Lieutenant and Brevet Captain H. T. Rubin, from 30th April to 30th October to visit the hills in the vicinity of Almora, on private affairs.

Ranguch Light Infantry Battalion—Assistant Surgeon W. Dunbar, M. D. from 18th December 1837 to 1st January 1839, to visit Hazareebagh, on account of his health.

Head Quarters, Simla, 14th February, 1839—His Excellency the Commander in Chief is pleased to make the following removal and posting of field officers.

Lieutenant Colonel John Taylor (on furlough,) from the 29th to the 15th regiment native infantry.

Lieutenant Colonel W. Burroughs, new promotion, to the 29th regiment native infantry, vice Taylor.

By order of His Excellency the Commander in Chief.

GENERAL ORDERS, THE QUEEN'S TROOPS.

Head Quarters, Simla, 6th January, 1839—No 91—His Excellency the Commander in Chief has been pleased to promote the undermentioned Officer to the Rank of Captain, by Brevet, in the East Indies only.

13th Foot—Lieutenant Arthur Wilkinson, from 24th Dec, 1837

The Presidency Division Order by Major General Sir Wilmoughby Cotton, K. C. H. dated the 13th December 1838 directing Lieutenant Holder, 13th, and Ensign Brockman, 49th Regiments, to join and to do duty with the recruits arrived from England; and that, dated the 23d ultimo, directing Assistant Surgeon Knox, 3d Dragoons, to proceed in medical charge of the sick of that and other corps ordered to Cawnpore by water, and Assistant Surgeon Chapman, 16th Lancers, to do duty with the Detachment ordered to march under the command of Colonel Thackwell, are confirmed.

The Division Order by Major General Sir Robert Stevenson, K. C. B., of the 20th December last, directing Lieutenant J. Cowell, 3d Dragoons, to join and to do duty with the Detachment of that Corps, under the command of Captain Bond, is confirmed.

The Regimental Order by the Officer commanding 3d Dragoons of the 15th November last, directing Cornet and Adjutant J. Sullivan to perform the duties of the Regimental Quarter Master until further orders, is confirmed from the 13th of that month.

The Order by Captain Hilton, commanding a detachment of H. M. 16th Lancers, appointing the following non commissioned acting staff, is confirmed from the 1st of December, viz:—
To be Acting Sergeants, 16th Lancers.—Privates William Kelle and George Matthews.

To be Acting Corporals, 16th Lancers.—Privates William Hills and J. C. Moutague.

The leave of absence granted by His Excellency Lieutenant General Sir P. Maitland, to Lieutenant James Walker, 55th Foot, from 15th December 1837 to 31st March 1838, to proceed to Bengal, on urgent private affairs, is confirmed.

The leave of absence granted by His Excellency Lieutenant General Sir J. Keane, to Lieutenant Morris, 40th Foot, to proceed to England, for 2 years from date of embarkation, on medical certificate, is confirmed.

The undermentioned Officers have leave of absence:

9th Foot—Lieutenant W. W. Powell, to England, for 2 years from date of embarkation, on private affairs.

GENERAL REGISTER.

16th Foot—Captain R. Luxmore, from 15th March to 14th September next, to visit Almorah, on private affairs

17th Foot—Lieutenant J. Stowell, to England for 2 years from date of embarkation, on urgent private affairs

41th Foot—Lieutenant H. Dawnes, ditto ditto

19th Foot—Captain D. Macandrew from 24 February to 15th March, to the Presidency, to appear before a Medical Board

Ditto—Lieutenant J. Ramsay, from 15th January to 15th March, to Calcutta, on private affairs

51th Foot—Quartermaster James Wilcox, to England, for 2 years from date of embarkation, on private affairs

Head Quarters, Simla, 22d January, 1834.—No. 97.—His Majesty had been pleased to make the following Promotions and Appointments in the undermentioned Regiment serving in India:

4th Foot.—Lieutenant Thomas Mitchell Chambers to be Captain by purchase, vice Fausnes, who retires 7th April 1837.

Ensign George King to be Lieutenant, by purchase, vice Chambers, 7th April 1837.

James Cross, gent. to be Ensign, by purchase, vice King, 7th April 1837.

The Division Order by Major General Sir Willoughby Cotton, K. G. H., dated 30th December last, directing Ensign Brockman 49th, to remain in Fort William to take Charge of Volunteers from the 15th Foot, expected to arrive from Madras, for the Corps, is confirmed.

Captain Poehuk, Reynolds, Commanding the 11th Light Dragoons, dated the 24th and 3d December 1837, —the former, Lt. Capt. Tuckett, directing the embarkation of the Officers, Lt. Col. Forrest, named in the margin, with the 1st Division of the Regiment, under the Command of Major Jenkins, and the latter, appointing the following Non-Commissioned Staff —to have effect from the 4th instant, (December) are confirmed:

Serjt Goodlass to act as Provost Serjt.	} to the 1st Division.
Corp Archer to act as Qr. Mr Serjt.	
Sergeant Emsie to act as sergeant Major	} to the 2nd Division
Lt. Serjt. Gilleland to act as Pr Serjt	

The undermentioned Officers have leave of absence:

4th Light Dragoons.—Lieutenant G. G. Dalbiec, to England, for 2 years from the date of embarkation, on private affairs.

10th ditto.—Lieutenant C. B. Codrington, for three months from 1st February next, to the Presidency, and thence to England, for 2 years from date of embarkation, on private affairs.

31st Foot Assistant Surgeon Ayre, in extension, from 20th instant to 10th February.

Head Quarters, Simla, 12th February 1834.—No. 182.—Her Majesty has been pleased to make the following promotions and appointments in the Regiments serving in India.

13th Light Dragoons.—Captain Thomas Pilling Lang to be Major, without purchase, vice Taylor, deceased, 27th November 1836

Lieutenant George Manners to be Captain, vice Lang, 15th September, 1837

Cornet John Hamilton Gray to be Lieutenant, vice Manners, 15th Sept 1837.

Cornet and Adjutant Charles Floyd to have the rank of Lieutenant, 16th September 1837.

William Highmore Rosser, gent. to be Cornet, vice Gray, 16th September 1837.

2d Foot.—Ensign Thomas A. Nixon to be Lieutenant, without purchase, vice Walton deceased, 9th February, 1837.

Gentleman Cadet Thomas Addison, from the Royal Military College to be Ensign, vice Nixon, 15th September, 1837.

4th Foot.—Lieutenant Fergular M. Campbell to be Captain, by purchase, vice Westmacott, who retires, 6th October 1837.

Ensign Charles Stanfote Hext to be Lieutenant, by purchase, vice Campbell, 6th October 1837.

Ensign William Wilks to be Lieutenant, by purchase, vice Zouch, who retires, 7th October 1837

John Haes Glazbrook, gent. to be Ensign, by purchase, vice Hext, 6th October 1837

6th Foot.—Lieutenant Andrew David Alston Stewart, from the 42d Regiment, to be Lieutenant, vice Lord Charles Kerr, who exchanges, 1st September 1837.

4th Foot.—Lieutenant General Sir Ralph Darling, from the 99th Foot, to be Colonel, vice Lieutenant General Honourable Sir Edward Stopford, G. C. B. deceased, 26th September 1837.

By Order of the Commander in Chief

R. TORRENS, Major Genl.

Adj. Genl. to Her Majesty's Forces in India.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE.

FR. 1. French Brig *Astonomic*, G. Bernard, from Madras 18th July, and Bourbon 16th Nov.—French ship *Courier de Bourbon*, A. Dubois from Bourbon 4th Dec.—4. French Barque *La Nouvelle Lettie*, Le Flock from Havre 16th Sept.—5. English Barque *Bright Planet*, R. Malcolm from Moulmein 21st Jan.—6. English Brig *Pomona*, C. M. (risp. from Rangoon, 17th Jan.—7. H. M. ship *Victor*, Capt. R. Crozier, from Trincomalee 2d, and Ganjam 30th Jan.—8. English Brig *Ann*, H. Pybas, from China 7th, Singapore 16th, and Penang 22d Jan.—9. French Barque *Mayal*, R. de Beaufort, from Havre 7th Sept.—10. Swedish Bri- *Donna Maria*, R. H. Bowman, from Stockholm 12th Aug and Cowes 14th Sept.—11. English Barque *Hudce*, W. D. Messiter, from Liverpool, 25th Sept.—12. English Barque *Cecilia*, Levesque, from Bourbon, 2d Dec.—13. English Sloop, *Sauval Baker*, R. Wild, from the Mauritius 14th Dec.—14. English Barque *Compasser Family*, R. Wallace, from China, 13th, and Singapore 21st Jan.—15. French ship *Victor and Felicie*, Carven, from Bourbon 30th Dec.—16. English ship *Earl of Clare*, T. Scott, from China, 20th Dec.—Singapore 8th, and Penang 21st Jan.—17. English Barque *Eudora*, S. Addison, from Hobart Town, 4th Nov.—18. English ship *Roxburgh Castle*, W. Cumberland, from London, 4th Oct., Cape 11th Dec., and Madras 2d Feb.—19. French ship *Eulalie*, Douzelle, from Bourbon, 29th Nov.—20. English Barque *Volunteer*, A. McVinn, from Liverpool, 19th Sept.—21. English Barque *Iravahoe*, J. Gibson, from Liverpool, 3d Oct.—22. English ship *Mona*, G. Pell, from Liverpool, 13th Sept and Mauritius, 6th Jan.—23. English Barque *Drummond*, W. A. Mylne, from Newcastle 6th Sept.—24. French Barque *Prevoyance*, Guillaïn, from Bourbon 30th Dec.—25. Schooner *John Hepburn*, B. Robertson, from Moulmein, 29th Jan., and Rangoon 11th Feb.—26. English Brig *Euphrasia*, A. Payet, from the Mauritius, 4th Jan.—27. English Brig *Karl Grey*, A. Adamsou, from Liverpool, 19th Oct.—28. American Brig *George Gardner*, Taylor, from Philadelphia 5th Nov.

ARRIVALS OF PASSENGERS.

Per *Roxburgh Castle*, from London and Madras.—Lady Gordon; Mrs Mountain; Mrs. Maitland, Mrs. Campbell, Major Mountain, 28th Cameronians; Mr Maitland, 4th B.N.I.; Mr. Campbell, 43d ditto; Capt Ludlow B. Art.; Capt Fraser 2d B.C.; Mr Hawkes, 4th King's own Regiment; Mr Fisher, E. J. C. Cadet; Messrs Page and E. Page from Madras.—Messrs Bradshaw and Harris, Mr. Short, 13th Light Dragoons, and Mr. Wm. Moore.

Per *Maia*, from Mauritius.—Messrs W. T. Brochman, Edward Asserforth and James Taylor.

Per *Drummond*, from Newcastle.—Capt. McCullum and Mr. A. L. Dickson.

The *Bhanzurally* Accommodation Boat, in tow of the *Thames* Steamer, arrived on Tuesday from Alibabad with the following passengers, viz.—G. H. Prince Henry of the Netherlands; Capt Arrien; Capt. Caine, R. Woodward, Esq; R. Saunders, Esq. and Mr Bell.

DEPARTURES FROM CALCUTTA.

Feb. 1st. *Broxhornebury*, A. Chapman, and *Richmond*, McLeod, for London.—Feb. 2d. *Clifton*, S. Green, and *Juliana*, Wainwright, for London; *Patriot King*, J. Clarke, for Liverpool, and *Apragater Muscat*—4th. *Courier*, J. Dixon, for the Cape of Good Hope.—5th. *Harsinger*, Nacoda, for Bombay.—6th. *Mora*, T. Owen, for London.—9th. *Dorothy Gales*, G. Moore, for the Mauritius.—10th. *Margaret*, W. C. Spain, for Moulmein.—11th. *Syph*, Tbos. Viall, for China, and *Robert Le Diable*, Laporte, for Bourbon.—13th. *Suehead*, H. Ferguson, for Holland; *Hydroas*, Nacoda, for Red sea and Malabar; *Elizabeth*,

GENERAL REGISTER.

Manook, for Mouline and Rangcon; *Pero*, John Gray, for Sydney and New South Wales. *Diane*, H. Ireland for Havre.—15th *St. George*, E. Williams, for Bristol, *Emily Jane*, W. Shelsone, for Singapo re and Chitt; *Vettekel Baha*, Naco da, for Juddah.—7th *Cornwall* *Benituck*, A. Muckenzie, for Bristol and Mauritius; *Cornwall*, Wm Bell for London—20th *Gangs*, B. Ambl for Bordeaux—21st. *Swallow*, R Macalister, for Madras.—4th. *Solomon Shaw* Nevada, for Muscat; *Edward*, Du om for Bordeaux; *Emerald Isle*, Thom Driver, for New South Wales via Madras.—24th. *Samuel Baker*, R. Wilde, for Mauritius.

DEPARTURES OF PASSENGERS.

Per Emerald Isle for Australia—Mrs. Lock, Mrs. Beecher, Mrs. Lousham, Mrs. Bellw, Mrs. Yeatman, Mrs. Chisholm, Mrs. E. B. Gleeson, and Mrs. J. H. Gleeson; J. Donnan, Esq. C.S.; Dr. E. I. Yeatman, Lieutenant Charles Graham; Lieutenant H. Beecher; Captain J. M. Lousham; Mr. E. B. Gleeson; Mr. J. H. Glava son; Captain Bellew; Mr. G. Cardew; Esq. Mundy; Mr. W. J. Browne; Captain Chisholm; Captain James H. M. 30th Regt., M. Bayliss, steerage passenger, several children and servants. *For Madras*, Miss Cott; Lieutenant Jackson; Mr. Lindsay, and Mr. Elliott.

Per Broochmurely for London—Mrs Tennant, Mrs J Douglas, Mrs. Greave and Mrs Burridge; Lieut. Col Tennant; John Douglas, Esq; Capt. Greave, J O Burridge, Esq, H M 16th Lancers; E G Swinton, Esq; H M 3d Dragoons; Esq. N Dove ton; Misses Ellen Mangles, Mary Mangles, Anderson, Martin, J P Taylor, J H Burridge, E E Burridge, M A Burridge, C P Smith, E Smith, Greene, Greene, Jane Tennant, Louisa Tennant, Mary Tennant, R A Douglas, E Douglas, E S Douglas, and L A Douglas; Masters James Martin, Geo Martin, C Martin, Chas Lewis, H S C Taylor, J F Smith, R P Smith, H Elliot, Elliot, E G Tennant, J B Douglas, and G G Douglas,

Per Blant—Mrs Abbott, Mrs. Ward, Mrs Parker and Mrs Robinson, Misses Atkinson and J Atkinson; the Revd Mr. Proby, the Revd Mr. Chalwick; Capt. Abbott, Esquiers;

Capt Parker, 58th N.I.; Dr. Clarkson, B Service; Lieutenant Walker, 26th N.I.; Robert Douglas, P. Atkinson and T. Ostell Esqrs.; 7 Children and 4 Servants

Per Robert Small—Colonel and Mrs. Battine and 4 children; Mrs C R. Baur, 1 and 3 children; Mr. and Mrs. Gough and 4 children; Mrs Stanley Clarke and 5 children, Miss Goughshury; S. G. Smith Esq, B.C.S.; F.C. Read, Esq, B.C.S.; Captain Bidolph, B.N.I.; Lieutenant Park, B.N.I. 24th; W.F. Fraser Esq—Children—Miss and Master O'Dowda; 2 Misses Jackson; 1 Master Jackson and 1 Master Coombs—*For the Cops*—Mr. and Mrs. Horn.

Per St. George, for Bristol—Lady Mowatt and Child; Mrs. Dick and Child; Mrs. Curtis Mrs Higginson and Child; Mrs. Fulles and 3 Children; the Right Hon'ble Sir C I Metcalfe, G.C.B., W.F. Dick Esq, C.S.; Capt Fisher, 18th N.I. and 3 Children; Capt J Heggison, 58th N.I.; Lieut Fouch, H.M. 10th Dragoons; Drs. Soencer, Maclean and Tidmarsh, M.S.; D. O'Dye, Somber, Esq; J. Conner, Esq; Ensign G.S. Browne, 70th N.I.; Misses Calous and Julia Lambert, and Master Jno. Lowe, and 10 Servants.

Per Will Watch, for Penang and Singapore—Mr. and Mrs. Court; Mr. and Mrs. Almeida, and Misses Low and Gale.

Per Duke of Buccleugh—Mrs Pano and 2 Children; Mrs Jackson and 1 Child; Mrs W Turner and 2 Children; Mrs. Warden and 4 Children; Mrs. Hering Master James Robson, and Miss Ann Mary Wilson; Misses Fane and Lilias; W. Fane, Esq, C.S.; Woodward, Esq, C.S.; Drs Jackson and Stokes; Capt. Herring, B.N.I.; R. Brown, Esq, H.M. 3d Regt; T. Smith, Esq, N.I.; Col. Walter Warlen; J.H. Wagentraber, Esq, and Master Whangan

Per Barque Cornwall, for London—Mrs. MacLeod; Mrs. Burney; Mrs. Anew, Mrs. Stewart; Mrs. Bell; P.M. MacLeod, C.S., Esq; Col. Faithful; Col. F. Walker; Col. Burney; Col. Harris; Dr. Murray, A.S.; Lieut Z.N. Mallock, H.A.; T. Bannafie, Esq., J. Tosh, Esq; C.R. Martin, C.S., Esq; Mons. Auben; Miss Laurence Miss B.H. three Masters Burney and two Masters Anew, and two European servants.

Passengers *per Bhaguruti* in tow of the *Megna*, left Calcutta 2d March 1834:

DOMESTIC OCCURRENCES.

BIRTHS.

- Nov. 13 At Protow, near Cape Town, the lady of Capt. F. Milner, 36th regt B.N.I., of a daughter.
- Jan. 2. At Meerut, the lady of Capt. Abbott, Artillery, of a son.
- 3. At Lucknow, the lady of Major Chas. R. W. Lane, commanding 2d regt N.I., of a son.
- 14. At Allahabad, the lady of Surg J. Johnstone, M.D., of a daughter.
- 18. At Monghyr, the wife of Mr. J. Thompson, conductor of ordnance invalid pension establishment, of a son.
- 21. At Meerut, the lady of H. T. Owen, Esq, C.S. of a son
- 21. At Calcutta, Mrs. B. Barber, junior, of a daughter.
- 25. At Calcutta, the lady of Henry Chapman, Esq., of a son.
- At Chandernagore the wife of Mr. A. S. Dapier, Supdt. of Nuttipotta Factory, zilla Nuddia, of a daughter.
- 27. At Lucknow, the lady of Lieut. Col. J. Dow, of a son.
- 30. At Allahabad, Mrs. Husband, of a daughter.
- In Chowringhee, the lady of G. C. Plowden, Esq., C.S. of a son.
- At Kiddlespore, the lady of Capt. W. Boothby, of a daughter.
- Feb. 1., At Calcutta, the lady of Mr. Archibald (A. V.) of twin sons.
- 3. At Calcutta, the wife of Mr. Thomas Bartlett, Honorable Company's Surgeon, of a son.
- At Madras, the lady of W. R. White, Esq., Deputy Inspector General Hospitals, H. M. Troops, of a daughter.
- At Loodianah, the lady of Captain J. Halkett Craigie, 20th Regt. N.I. of a son.
- 3. At Calcutta, the lady of J. M. Manuk, Esq., of a daughter.
- At Calcutta, the wife of Captain McDougall, of the ship *Edmonstone*, of a daughter.
- At Calcutta, Mrs. G. Galloway, of a daughter.
- At Calcutta, the lady of J. Hodges, Esq., of a son.

- 4. At Calcutta, the lady of Mr. W. Holland, of a daughter.
- At Mbow, the lady of Lieut. Colonel John Tulloch, of a daughter.
- 5. At Gooks factory, zillah Pubna, the lady of J. C. M. Miller, Esq., third son of the late Major General J. G. Miller, of His Swedish Majesty's service, of a son
- At Dinapore, at the residence of her father, Mr Superintendent Surgeon Marshall, Mrs. Cardew, relict of the late Lieut. Tennant Cardew, Artillery, of a daughter.
- 6. At Kurnool, the lady of Brevet Captain Stebelin, Interpreter to Her Majesty's 13th L. I., of a daughter.
- 7. At Benares, the lady of Mr. Walter Charles, firm of Tuttle and Charles, of a daughter.
- At Calcutta, Mrs. Samuel Smith, of a son.
- 10. At Serampore, the wife of Mr. James Chambers, of a son and heir.
- 12. At Calcutta, Mrs. Captain Charles Whiffen, of a daughter.
- A Chittagong, Mrs. A. R. Smith, of a son.
- 13. At Benares, the lady of Lieut. F. R. Ellis, 41st N.I., of a son.
- 14. At Chowringhee, the lady of H. T. Prinsep, Esq. of a son
- At Birdpore, Gorrookpore, the lady of Hugh Giddou, Esq., of a son.
- 15. At Entally, Mrs. H. J. Lee, of a daughter.
- At Calcutta, Mrs. N. T. Boyeson, of a daughter.
- At Calcutta, Mrs. F. G. Stewart, of a son.
- 16. At Calcutta, the lady of the Rev. James Bowyer, of a daughter.
- 18. At Howrah, the wife of Rev. J. D. Ellis, of a son.
- At Garden Reach, the lady of C. J. Richards, Esq., of a son.
- 19. At Kiddlespore, Mrs. Charles Brownlow, of a son.
- 20. At Calcutta, the wife of Mr. Charles F. Cormers, of a son.

GENERAL REGISTER.

21 At Calcutta, Mrs Mary Currie, the wife of Mr John Currie of Constantinople, of a daughter.

— At Calcutta, Mrs T K Crosby, of a daughter.

MARRIAGES.

Jan. 9. At the Purneah Roman Catholic Church, by the Rev. F. Floum, Mr. Lawrence DeRozaio, to Miss Mary Eliza Bonall

— At the Purneah Roman Catholic Church, by the Rev. F. Floum, Mr. Charles DeRozaio, Assistant to Mr. H. Buckland, at Choolah Factory, to Miss Mary Sarah Bonall.

18. At Gwalior, by the Revd. L. C. Fernandes, Mr. P. V. Fernandes, to Mrs. Rosa Maria French.

21 At Dinapore, Lieut George Parker, 7th Regt. N. I., to Eliza Cecilia, youngest daughter of Supts. Surg. J. Marshall.

25 At the Scotch Kirk, by the Revd. James Charles, J. W. Carnegie, Esq., Interreceiver and Quarter Master of the 15th. N. I. to Ann, daughter of the late David Scott, Esq., of the Civil Service.

26. At Agra, by the Revd. R. Chambers, Mr. F. Palmer to Miss Catherine John, eldest daughter of Mr. A. John, Merchant at Agra.

27 At Calcutta, in the principal Roman Catholic Church, by the Rev. Mr. J. H. Mascarihu, Henry Rudolph, Esq., Merchant and Agent at Chittagong to Miss Clara Phillips

— At Calcutta, at the Old Church by the Venerable the Archbishop, Mr. John McLausin, custom House Officer, to Miss Anne Paul.

— At Calcutta, Mr. John Kirk, of Messrs W Crump and Co's, to Miss Charlotte Louisa King.

29 At Lucknow, by the Rev. F. A. Dawson, M.A., Lieut. C. Cammeron, in H.M. the King of Oude's Service, to Miss Eleanor Hill

30 at the Old Church, by the Venerable the Archbishop, Mr. William John Twentymann, to Miss Sarah Montgomery.

— At Howrah Church, Capt. Thomas Viall, of Essex, Commander of the Brique *Sylph* to Miss Charlotte Maria Hudson, the eldest daughter of Mr. C Hudson.

— At the Cathedral, by the Venerable T Deatry, D.C.L., the Honble G. H. Cameron, Esq., to Julia Margaret, eldest daughter of James Pattle, Esq., B.C.S.

— At Lucknow, Major G. Hamilton, 22d regt., to Eleanor eldest daughter of Brigadier Johnston, and widow of the late Cap Nicholson.

Feb. 1. At Calcutta, by the Venerable Archdeacon Deatry, W. G. Goudeve, son of Mr G. Goudeve, Boot-maker, Fenchurch Street, London, to Miss Mary Begbie, relict, of the late Sir Peter Begbie, Boot-maker, Calcutta.

3 At the Principal Roman Catholic Church, by the Right Revd. Dr. St. Leger, Vicar Apostolic of Bengal James Henry, Esq., of Calcutta, to Mary Theres, eldest daughter of the late Hyacinth Beguinot, Esq., of the Isle of France.

5 At the Roman Catholic Church, by the Right Revd. Dr St. Leger, Vicar Apostolic of Bengal, Mr. F. Pinto, to Miss F. Ulrich, eldest daughter of the late John Drake Ulrich, Esq., of Chinsurah.

— At the Principal Roman Catholic Church, by the Right Revd. Dr. St. Leger, Vicar Apostolic of Bengal, Joaquim D Almeida, Esq., of Singapore, to Rose Maria, youngest daughter of Capt. W. Barrington.

6. At Mymensing, Mr. Thomas Jahans, Head Clerk, to Miss Eliza Pickett, eldest daughter of Mr. John Pickett, of Jamulpore.

7 At Calcutta, at the principal Roman Catholic Church, by the Revd. Dr. Olliffe, Dorothea, daughter of G. G. Dubas, Esq. Indigo Planter, to P. P. Beneet, Esq., Indigo Planter.

10. At Calcutta, by the Revd. H. S. Fisher, Mr. J. H. Aystep, to Miss Caroline Hauze.

— At Calcutta, in the Armenian Church, by the Rev. Ter David Mackertich, Mr. Arraton Marroot, of the Nann Sauger Indigo Factory, to Mary, eldest daughter of the late Avra oon Manuk David, Esq., of Calcutta.

14. At Goruckpore, D. T. Timius, Esq., Civil Service, to Mary Anne, eldest daughter of F. Todd, Esq., of Prekham, Surrey.

15. At St. John's Cathedral by the Rev. H. Fisher, Canon John Henry Stimmonds, of the 55th regt. N. I., to Elizabeth Susannah, eldest daughter of Sir Robert Graham, Bart., of Eke, Cumberland.

17 At St. Andrew's Church, by the Revd. James Charles, Lieutenant James Archibald Macdonald, of the Royal Navy, son of Colonel Macdonald of F. In-kenneth in Argyshire, to Martha, daughter of the late Sebastian Hatford Greig, Esquire.

19. At Calcutta, at the Cathedral, by the Rev. H. Fisher, E. D. Barwell, of the Inner Temple, Esq., Barrister at Law, to Ann Maria Louis, eldest daughter of N. J. Huhed, Esq., B. C. S.

— At Calcutta, Mr. Peter Smith, to Miss Charlotte Ann James

— At St. Andrew's Church, Calcutta, by the Rev. James Charles, senior Chauldon, Mr. G. H. Ruttman, to Olivia, daughter of James Horsburgh, Esq., of Pirih, Roxburghshire, N.B.

DEATHS.

Sept. 17. Europe — At Crankig, Sutherlandshire, Henrietta Wemyss, the wife of Robert Innes, Esq., of Thurinstor

21. At Sea, on board the *Lotus*, Ensign C. F. Gordon, of the 19th Regiment Native Infantry.

Oct. 29. At Sea, on board the *Palmyra*, on her voyage to England, Capt Thomas Medley, late of the 5th Regiment Madras Native Infantry.

Nov 15. At Sea, on board the *Reliance*, Col. George Becher of the Bengal Cavalry.

Jan. 5 At Delhi Sergeant Major John Pearson, of the 16th Native Infantry

11 At Agra, Richard Meade, son of Lieut C. Boulton, 47th Native Infantry, aged 10 months

— At Saugar, central India, Helen Isabella, the infant daughter of Assistant Surgeon J. B. Dickson, 69th Regt. N. I., aged 4 months

12. At Agra, of small-pox, Mr Horn, in the Office of Agra Magazine.

13 At Singapore, John Collic, Esq., aged 22 years.

11 At Agra, of small-pox, the wife of Mr. Paikland, Assistant in the Agra Bank.

15. At Delhi, of consumption, Lieut. W. E. Rees, of Engineers.

22. At Calcutta, Mrs. S. P. Wharton widow of the late Lieut Col Wharton, 5th Bengal Light Cavalry.

— At Lucknow the infant son of Major Chas R. W. Lane Commanding 2d regt. N. I., aged 14 days.

27 At his house, in Chandernagore, as much recruited as he was deservedly respected by all who knew him Mathew Raret, Esq., one of the oldest planters in Jessore, in fact one of those worthy men to whose enterprising industry and perseverance the lowly zillahs of Bengal were originally indebted for the extension and improvement of the cultivation of Indigo.

— At sea, on board the *Cowanjee Family*, Thomas McKellar, Esq., of the firm of Gibson, McKellar, and Co, aged 30 years.

28. At Calcutta, Mrs Anna Samuel, the mother of Mr. Joseph Samuel, of the Councilwar Department, aged 80 years.

30. At Calcutta, Mrs. Eliza Kierman, aged 26 years and 7 months.

31 At Calcutta, Mr. Benjamin McMahon, of the Court of Requests aged 40 years.

— At Dacca, Mrs. O. DeSolminhac, wife of Mons. B.F.E. DeSolminhac, aged 26 years.

5. At Calcutta, Mr John Gill, Assistant to Messrs. Bailie and Holloy, aged 30 years, 4 months and 5 days.

7. At Calcutta, Mr. Thomas Hampton, Assistant Sudder Board of Revenue, aged 35 years.

8. At Calcutta, Mrs. Helen Anne Grote, lady of Arthur Pliny Grote, Esq., C.S., aged 18 years and 7 months.

5. At Dhooly, Tirhoot, Charles Letchlan Corry, the infant son of C. Macklason, Esq. aged 1 year and 18 days.

GENERAL REGISTER.

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| <p>12 At Calcutta, Mr. F. D'Cruz, aged 60 years.
 — At Bhaukulnore, Mr Charles Bidge, aged 35 years, after a lingering and painful illness.
 13. At Calcutta, Mr. Joseph Lucas, aged 55 years.
 15. At Calcutta, Mrs Margaret Howe, relict of the late H. G. A Howe, Esq.
 18 At Calcutta, Mrs Chaisa Cripps, widow of Mrs. C. Cripps, H. C. Macne, aged 29 years, 2 months and 21 days
 19. At Calcutta, John Mitchell odd, Esq., Surgeon, 10th Regt. B. N. I., aged 40 years.</p> | <p>22 At Calcutta, Adeline, the third daughter of Claude Quentou, Esq., aged 3 years, 5 months and 22 day.
 — At Calcutta, the infant child of Mr. and Mrs J. E. Gomes.
 23. John McLeod, the infant son of J. Hawkins, Esq C. S.
 Lately on his passage from India, to England, Captain Peter, Gray, of the 57th Foot, A worthy upright honorable Gentleman, and by his death H.M. Service has lost an intelligent excellent Officer.
 FUNERAL.—At Birmingham, in November last, George Ballard, Esq. late of Calcutta.</p> |
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ADMINISTRATIONS TO ESTATES.

ESTATES OF

EXECUTORS, ADMINISTRATORS.

Browne, R. A.....	<i>Registrar Supreme Court</i>
Durgadas Datt	<i>Ramvirangine Dasi, Widow.</i>
Lonsdale, G. G., Lieutenant 3d Regiment of Foot.....	<i>William Ainslie, Esq.</i>
Morison, William	<i>William Speir and James Church.</i>
Tewary Stee Crustanje, Arjoon Nathjee Seeaphul	<i>Ranee. Bow, Widow.</i>
McCowan, L. J.....	<i>Registrar Supreme Court</i>
Mouat, Sir James, Bt.....	<i>Sir George Mouat, Bt.</i>
Ramgoopaul Mullick.....	<i>Registrar Supreme Court.</i>
Reid, A.	<i>Registrar Supreme Court.</i>
Caaning, Francis.	<i>Registrar Supreme Court.</i>
Dumoulin, James.....	<i>Charles Porte.</i>
Keating, Arthur Sanders.....	<i>Registrar Supreme Court</i>
Ramnarain Chatterjee.	<i>Registrar Supreme Court.</i>
Gillespie, Augustina.	<i>Mr. Thomas Gregory.</i>
McKellar, Thomas.	<i>William Greenaway.</i>
McMahon, Benjamin.....	<i>Registrar Supreme Court.</i>

GOVERNMENT NOTIFICATIONS.

&c. &c. &c.

FORT WILLIAM, LEGISLATIVE DEPARTMENT, THE 12TH MARCH, 1838.
—The following draft of a proposed act was read in council for the first time on the 12th March 1838.

It is hereby enacted, that from the day of it shall be competent to the session judges within the presidency of Bombay, in adjudging a sentence of fine, to award such fine, or any part of such fine in compensation to the party who may have been injured; in like manner as it is competent to magistrates to award fines, under clause 1st, section XIII. regulation XII. of 1837, of the Bombay code.

Ordered, that the draft now read be published for general information.

Ordered, that the said draft be re-considered at the first meeting of the legislative council of India after the 24th day of April next.

The following draft of a proposed act was read in council for the first time on the 12th March, 1838.

Act No ——— of 1838.

It is hereby enacted, that regulation X. 1817, of the Bengal code, shall be repealed.

It is hereby enacted, that the functionaries who are or may be appointed in the province of Kumaon, be henceforth placed under the control and superintendance, in civil cases, of the Court of Sudder Dewanny Adawlut at Allahabad, in criminal cases of the Court of Nizamut Adawlut at Allahabad, and in revenue cases of the Sudder Board of Revenue at Allahabad; and that such control and superintendance shall be exercised in conformity with such instructions, as the said functionaries may have received, or may hereafter receive, from the Government of the north western provinces of the presidency of Fort William.

Ordered, that the draft now read be published for general information.

Ordered, that the said draft be re-considered at the first meeting of the Legislative Council of India after the 24th day of April next.

Fort William, Legislative Department, the 19th March, 1838.
—The following Act is passed by the Hon. the President of the Council of India in Council, on the 19th March 1838, with assent of the Right Hon. the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for information.

Act No VI of 1838.

It is hereby enacted, that whenever the Governor in Council of the Presidency of Bombay shall appoint, or shall have appointed, a commission to inquire into any charge of malversation against any public servant, it shall be lawful for such Governor in Council to authorize such commission to summon witnesses before it, and to administer an oath, or any substitute for an oath, to them, and to examine them in like manner as it is lawful for the criminal courts of that presidency to do; and that any witness shall be guilty of perjury, who shall give such evidence before such commission, so authorized, as it given before a court of justice, would render such witness guilty of perjury.

The following draft of proposed act was read in council for the first time on the 19th March 1838.

Act No. ——— of 1838.

It is hereby enacted, that section XV. regulation XIX. 1814 of the Bengal code, be repealed.

It is hereby enacted, that it shall be lawful for the Sudder Board of Revenue with the sanction of the Governor of Bengal, to fix the remuneration of a ameer, or other person employed to effect a partition of an estate under the regulations enacted for that purpose, and to cause the same to be levied from the parties concerned in the same manner as an arrear of Revenue, at such periods, and in such proportions, as the said Board may think fit.

Ordered, that the draft now read be published for general information.

Ordered, that the said draft be reconsidered at the first meeting of the Legislative Council of India after the 8th day of May next.

ROSS D. MANGLES,
Off. Secy. to the Govt of India.

GENERAL DEPARTMENT, THE 28TH FEBRUARY, 1838.—The Hon'ble the President in council is pleased to attach to the Bengal presidency, Mr. B. B. Thornhill, writer, reported qualified for the public service.

THE 28TH FEBRUARY, 1838.—The following gentlemen of the civil service, employed in the north western provinces, embarked on board the ship *Duke of Buccleugh*, which vessel was left by the pilot at sea on the 24th instant:

Mr. William Fang for the Cape of Good Hope.

Mr. Richard Woodward for England.

Mr. R. B. Thornhill, writer is reported qualified for the public service by proficiency in two of the native languages.

FORT WILLIAM, GENERAL DEPARTMENT, THE 12TH MARCH, 1838.—The Honorable Sir Charles Thcophtus Metcalfe, B. G. C. B., having tendered to the Right Hon the Governor General of India his resignation of the office of Lieutenant Governor of the north western provinces, from the date when the ship *St. George* on which His Honor embarked was left by the pilot at sea, viz. the 17th ultimo, the Right Hon. the Governor General has suggested and the Hon. the President in Council concurs in the opinion that the time is arrived for paying a parting tribute of applause to the public services of that distinguished officer.

It would be superfluous to enter into an enumeration of the several situations filled by one so long and so well known to the Indian community. It is sufficient to state that at a very early period of his service, he was selected on account of his merits alone for the discharge of the most important and difficult duties; that the mode in which he acquitted himself of such trusts, amply justified the implicit confidence reposed in him by Government, and that by a long and uninterrupted career of zealous, able and honorable exertions he attained the highest office in the state, and was honored by a conspicuous token of the favor of his sovereigns.

By order of the Hon. the President of the Council of India in council.

FORT WILLIAM, GENERAL DEPARTMENT, THE 14TH MARCH, 1838.—Mr. Thomas Parry Woodcock, of the civil service, employed at Koel under the Lieutenant Governor north western provinces, proceeding on furlough to England *via* Bombay and Suez, embarked from Bombay on board the Honourable Company's steamer *Atalanta* on the 1st instant.

FORT WILLIAM, GENERAL DEPARTMENT, THE 17TH MARCH, 1838.—Notice is hereby given, that the Right Hon'ble the Governor General of India has fixed the 25th of April and the 17th of May, as the dates for the despatch of packet steamers from Bombay for Suez in those months respectively. The Governor General has further instructed the Government of Bombay to despatch the *Semiramis* steamer, which is shortly expected to arrive there from England on the voyage to be made on the 25th of April next, and to order this vessel on return to make the voyage from Suez by Point de Galle to Madras and Calcutta, in order that she may be employed in an experimental voyage from this side of India during the season when the voyage from Bombay is impracticable. The Governor General in directing this arrangement has left the direct voyage of the *Semiramis* to Calcutta, dependent in same degree upon the Bombay Government being able to make provision for the transfer of packets and passengers for Bombay to another vessel either at Socotra or at some other point near the mouth of the Red Sea. The President in Council in order to forward the arrangement and remove this ground of uncertainty, has further suggested to the Government of Bombay to send a Government Cruiser, or some other proper sailing vessel, to meet the *Semiramis* steamer at the point stated, in order to receive the Bombay packets and passengers and allow the *Semiramis* to proceed on the direct voyage to Calcutta.

FORT WILLIAM, GENERAL DEPARTMENT, THE 19TH MARCH, 1838.—The Hon. the Court of Directors having appointed Andrew Amos, Esq., to be fourth ordinary member of the council of India, and the Honorable Andrew Amos, Esq. having arrived at this presidency in the ship *Roberts*, the said Andrew Amos, Esq., has accordingly this day taken the oaths and his seat as fourth ordinary member of the council of India under the usual salute from the ramparts of Fort William.

GENERAL REGISTER.

PORT WILLIAM GENERAL DEPARTMENT, T. WEDNESDAY, THE 21ST OF MARCH, 1838.—The Hon. the Court of Directors having appointed William Wilberforce Bird, Esq. to be a member of the Council of India, to succeed provisionally in the event a vacancy occurring during the absence of F. C. Robertson, Esq., and a vacancy having so occurred by the death of the Hon. Henry Shakespear, Esq., the said William Wilberforce Bird, Esq., has this day taken the oath and his seat as third ordinary member of the Council of India, under a salute from the rampars of Fort William.

Published by order of the Hon. the President of the Council of India in Council.

PORT WILLIAM GENERAL DEPARTMENT, THE 21ST MARCH, 1838.—Mr. W. L. M. Toome, of the civil service, reported his return to this presidency from England on the 15th instant.

The leave granted under the orders of Government of 20th December last, to Mr. Henry Walters, of the civil service, to proceed to Europe on furlough, has been cancelled at his own request.

Messrs. A. Ross, H. Vansitrat and W. Muir, writers, are reported qualified for the public service by proficiency in two of the native languages.

APPOINTMENT.—Mr. J. Campbell, first assistant to the collector of customs at Calcutta, is permitted to be absent from his office for a period of one month, from the 1st proximo, on private affairs.

GENERAL DEPARTMENT, THE 21ST MARCH, 1838.—The Hon. the President in Council is pleased to attach Messrs. A. Ross, H. Vansitrat and W. Muir, writers, reported qualified for the public service, the former to the Bengal presidency and the latter to the north-western provinces.

Fort William, Financial Department, the 21st March, 1838.—The Honorable the President in Council gives notice, that the Mint Master at Calcutta has been authorized to receive, until further orders, Madras Rupees of full weight at their intrinsic par, viz. as equal to Company's rupees, without any charge of seigniorage or other charges.

By order of the Hon. the President in Council,

H. T. PRINSEP, Secy. to the Govt. of India.

BY THE GOVERNOR GENERAL.

SCIENTIFIC DEPARTMENT.—The Revd. J. C. Proby, chaplain on the Bengal establishment, embarked for England on board the ship *David*, which ship was left by the pilot at sea on the 6th instant.

JUDICIAL, REVENUE AND GENERAL DEPARTMENT, CAMP, MHOW, THE 21ST FEBRUARY 1838.—Mr. H. Armstrong is appointed to officiate as judge of zillah Etawah.

Mr. E. H. C. Manekton is appointed to officiate as magistrate and collector of Futtehpore, during the absence of Mr. H. Armstrong at Etawah, or till further orders.

Mr. G. D. Rikes is appointed to be an assistant under the commissioner of the Allahabad division.

CAMP, MOWBAT, THE 6TH FEBRUARY 1838.—On the 24th ultimo, Mr. W. Ewel, judge of the court of Sudder Dewanny and Nizamat Adawlat, obtained leave of absence from the 6th instant to the 16th October next, in extension of the leave granted him on the 6th February 1838, on medical certificate, to proceed to the hills.

The Honorable the Deputy Governor of Bengal is pleased to grant to Mr. J. W. Salmond, resident councillor at Prince of Wales Island, an extension of the leave granted him under date the 11th October last, to the 6th April next, to enable him to join the station.

The unexpired portion of the leave of absence granted to Mr. R. C. Skinner, officiating magistrate of Mymensing, has been cancelled from the 16th instant; the date on which he assumed charge of his appointment.

The unexpired portion of the leave of absence granted to Mr. J. Lamb, assistant surgeon of Moida, is cancelled from the 19th instant, the date on which he rejoined his station.

Judicial, Revenue and General Department, Camp, Meerut, the 6th February, 1838.—Khajoh Uleema Ullah is appointed to be deputy collector under regulation IX. of 1838, in zillah Azimgarh.

JUDICIAL, REVENUE AND GENERAL DEPARTMENT.—*Camp, Furrucknagar, the 16th February, 1838.*—Mr. J. Lean quitted the limits of the N. W. P. in progress to Europe via Bombay on the 1st instant, in conformity with the permission granted him on the 17th August 1837, by the Hon. the Lieutenant Governor, to proceed to England on furlough.

Camp, Delhi, the 16th February, 1838.—The leave of absence granted to Mr. J. T. Rivaz, judge of Futtehpore under orders, dated the 27th ultimo, on urgent private affairs, is to commence from the 1st March next, instead of the 15th of the current month.

Mr. J. Kinloch, joint magistrate and deputy collector of Mynpoory is permitted to be absent from his station for one month, on his private affairs, from the date of his relinquishing charge of his duties.

Mr. J. McGaveston, civil assistant surgeon of Meerut, has obtained leave of absence from the 1st proximo to the 1st December next, to visit the hills on medical certificate.

Mr. C. T. Le Bas, assistant under the commissioner of the Agra division, has obtained leave of absence for one month, to visit Almorah, on his private affairs.

Camp, Delhi, the 17th February, 1838.—The Rev. Mr. W. Palmer chaplain of Nussersbad is placed at the disposal of the Hon. the Deputy Governor of Bengal.

Feb. 17.—The Rev. Mr. A. Hammond is appointed to be chaplain of Ghazeepore.

The Rev. Mr. Etison is appointed to be assistant chaplain of Cawnpore.

The Rev. Mr. Brooke is appointed to officiate as chaplain of Mhow.

22d Feb.—Mr. J. J. W. Taunton is appointed to be magistrate and collector of Humserepore, from the 29th ultimo.

Mr. O. P. Thompson is appointed to officiate as judge of Goruckpore, during the absence of Mr. Jackson, on till further orders, and directed to retain charge of his present appointment of special commissioner under act III. of 1835, in addition to the above.

In consequence of the certified illness of Mr. R. C. Glyn and the heavy press of business now pending in the sessions court in his jurisdiction, Mr. V. J. Tierney is appointed to officiate as judge at Meerut (Mr. Glyn is able to resume charge of his office, on till further orders).

Mr. H. B. Alexander will officiate as magistrate and collector of Boonindshur during Mr. Tierney's absence.

Mr. J. Neave is appointed to try the commitments at Boonindshur.

Mr. H. W. Deane is appointed to officiate as magistrate and collector of Muzaffarnuggur, during Mr. Crawford's absence on leave, or till further orders.

Mr. C. Paton, M. D., officiating civil assistant surgeon of Allyghur, is appointed to be civil assistant surgeon at that station.

Camp, Allepore, the 24th February, 1838.—Mr. W. B. Jackson, judge of Goruckpore, has obtained leave of absence for one month in extension of the leave granted under orders dated 21st ultimo.

Mr. W. Crawford, magistrate and collector of Muzaffarnuggur, has obtained leave of absence for six months, on medical certificate.

The following officers have obtained leave of absence from their stations.

Mr. A. Dick, civil and session judge of Midnapore, for one month, on private affairs. Mr. T. C. Trotter will conduct the current duties of that office during Mr. Dick's absence.

Mr. E. Gouldsbury civil and session judge of West Bardwan for six days, in addition to the leave granted to him on the 16th ultimo.

Mr. H. Atherton, exercising the powers of joint magistrate and deputy collector in zillah Midnapore, for one month, on medical certificate, from the 14th instant. Mr. A. Grote will exercise those powers in Mr. Atherton's absence, or until further orders.

Moulavi Mohamed Khorshed Sudder Ameen in Moursheedabad, during the ensuing Mohurrum vacation.

Bahoo Luchnerain Nylunkar, Sudder Ameen in Purneah, for ten days, beyond the period of the ensuing Mohurrum vacation.

Mr. G. D. Raikes appointed an assistant under the commissioner of the Allahabad division, under date the 6th instant, has been permitted to remain at the presidency for one month, from the 31st January last.

Camp, Delhi, the 22d February, 1838.—Mr. W. H. DeGroot is appointed to be deputy collector under regulation IX. of 1833 in zillah Furruckabad.

JUDICIAL AND REVENUE DEPARTMENT, THE 27TH FEB. 1838.—The Honorable the Deputy Governor of Bengal is pleased to make the following Appointments.

Mr. W. H. Tydd to be deputy collector under regulation IX. of 1833, in Midnapore and Hingulicote.

Mr. E. W. Pitt to be do. do. under do. do. do. do. do.

The following officers have obtained leave of absence from their stations.

GENERAL REGISTER.

Mr. W. Crocroft, officiating civil and session judge of the 21 Pargunnahs, for fourteen days, on medical certificate.—Mr. R. Torrens will conduct the duties during Mr. Crocroft's absence.

Mr. C. J. H. Graham, officiating magistrate and collector of Rajshahy, and in charge of the judge's office, for one month, on medical certificate, to proceed to the presidency, preparatory to his applying to go to sea.

Lieutenant J. W. Fraser, superintendent of the Cuttack survey, from the 10th March till the 10th May next, on medical certificate.

Mr. H. J. Thornton, assistant surgeon of Pubna, for one month, on private affairs.

JUDICIAL, REVENUE AND GENERAL DEPARTMENT, CAMP, PANEEPUT, THE 25th FEBRUARY, 1838.—Mr. O. P. Thompson to be judge of Goruckpore. Mr. Thompson will continue to exercise his functions as a special commissioner under act III of 1835.

Mr. R. Montgomery to be joint magistrate and deputy collector of Benares, from the 1st instant. Mr. Montgomery will continue to officiate, till further orders, as magistrate and collector of Allahabad.

JUDICIAL, REVENUE AND GENERAL DEPARTMENT, CAMP, PANEEPUT, THE 25th FEBRUARY, 1838.—Mr. Civil Assistant Surgeon A. Beale to be post master at Allahabad.

Mr. Civil Assistant Surgeon W. Gordon, M. D., to be post master at Mirzapore.

Mr. Civil Assistant Surgeon G. Paton, M. D., to be post master at Allypore.

Mr. Civil Assistant Surgeon J. Goss to be post master at Fultaehurb.

Mr. Civil Assistant Surgeon J. Jackson to be post master at Ghazepore.

Mr. Civil Assistant Surgeon J. B. Dickson, in charge of civil medical duties, to officiate as post master at Saugor.

Brigade Major Captain H. Hay, to be post master at Bareilly. Lieut. and Adjutant J. Skinner, 1st local horse, to be post master at Humsa.

Camp, Gorounda, the 1st March, 1838.—Mr. R. C. Glynn, Judge of Meerut, has obtained leave of absence for six months from the 1st April next, on medical certificate, for the purpose of visiting the hills north of Daryah. Mr. Glynn will retain charge of his office till that date, and consequently the appointment of Mr. Tierney, under orders of 22d ultimo, to officiate as Judge of Meerut, is cancelled.

Mr. W. Dent, civil and session judge of Shahabad, for four days, in extension of the leave granted to him on the 16th January last, to enable him to rejoin his station.

Judicial, Revenue and General Department—Camp, Karnal, the 6th March, 1838.—Mr. T. J. Turner to be commissioner of the Agra Division. Mr. Turner will continue to officiate as a member of the Sudder Board of Revenue till further orders.

Mr. R. Lowther to be commissioner of the Allahabad division.

ENACTMENT—JUDICIAL, REVENUE AND GENERAL DEPARTMENT, CAMP, KORNAL, THE 6th MARCH, 1838.—In the notification, under date the 31st January last of the date on which Mr. C. Allen quitted the limits of the north western provinces, in progress to Bombay, for "the 4th January, 1838," read "the 11th January 1838."

Camp, Karnal, the 7th March, 1838.—Captain T. D. Carpenter, superintendent of the ex-Rajah of Gores, is appointed to exercise the powers of a joint magistrate and deputy collector of Benares.

Camp Naraingarh, the 7th March, 1838.—The following officers have obtained leave of absence:

Mr. W. S. Donnithorne, officiating magistrate and collector of Banda, for twelve months, on medical certificate, to proceed to the hills. Mr. Donnithorne has been authorized to make over charge of the offices of magistrate and collector of Banda to Mr. W. P. Masson, joint magistrate and deputy collector.

Mr. C. W. Kinloch, deputy collector for the investigation of rent free tenures at Mynpoore, from the 20th March to the 31st November next, on medical certificate, to visit the hills north of Dehra. Mr. Kinloch has been authorized to make over charge of his office to the collector, till further orders.

Cornet C. G. Fagan, assistant to the agent and the commissioner in the Saugor and Nerbudda territories, has been permitted to resign his appointment from the 5th February last.

Mahommed Yousuf is transferred in his present capacity of sudder ameen and law officer from Cawnpore to Jounpore, and Moulvie Khadiul Hoosin Khan, Sudder ameen and law officer at Jounpore, removed to Cawnpore.

Mr. F. R. Davidson, commissioner of revenue of the 11th or Patna division, has reported his departure from Bengal for the

Cape of Good Hope on board the ship *Marion*, which vessel was left by the pilot on the 23d instant.

CAMP, SAHARUNPOOR, THE 10th MARCH, 1838.—The date of the commencement of the leave of absence, on medical certificate, granted under orders of the 1st instant, to Mr. R. C. Glynn, judge of Meerut, is altered from the 1st to the 15th April next.

Captain C. Thoresby, superintendent of the Chuttee territory, has obtained leave of absence on account of the state of his health, from the 2d April to the 15th November next, for the purpose of visiting Mussoree.

Lieutenant D. Ross, assistant to the resident at Gwalior, is appointed to officiate as Superintendent of the Chuttee territory, during the absence of Captain Thoresby, or till further orders.

Judicial, Revenue and General Department, Camp, Saharunpoor, the 13th March, 1838.—Mr. G. T. Lushington to be magistrate and collector of Etawah, from the date on which Mr. S. G. Smith vacated the appointment. Mr. Lushington will continue to officiate as magistrate and collector at Bareilly till further orders.

Mr. G. F. Harvey to be magistrate and collector of Allypore, from the date on Mr. T. P. Woodcock may vacate the appointment.

Mr. E. H. Morland to be civil auditor, north western provinces, in succession to Mr. G. F. Harvey.

Mr. M. R. Gubbins to be joint magistrate and deputy collector of Allahabad. Mr. Gubbins will continue to officiate with the powers of a joint magistrate and deputy collector in charge of the Ferozepore pargunnahs of the Gurgaon district, till further orders.

Mr. W. H. Benson to officiate as judge of Meerut during Mr. Glynn's absence on leave, or till further orders.

Mr. G. T. Lushington to officiate as magistrate and collector of Bareilly during the absence of Mr. Benson, or till further orders.

The following officers have obtained leave of absence from their stations:

Mr. G. C. Cheap, civil and session judge of Shahabad, for three days, in addition to that granted to him on the 3d ultimo.

Mr. J. T. Mills, officiating joint magistrate and deputy collector of Ludwan, for one month, on medical certificate.

JUDICIAL AND REVENUE DEPARTMENT, THE 13th MARCH, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. C. T. Davidson to be magistrate and collector of Purneah, but will continue to officiate as joint magistrate and deputy collector of Nowcolly till further orders.

Mr. C. Martin to be deputy collector under regulation IX. of 1834, in zillah Midnapore.

JUDICIAL AND REVENUE DEPARTMENT, THE 10th MARCH, 1838.—The following officers have obtained leave of absence from their stations:

Mr. W. M. Dixon, joint magistrate and deputy collector of Rajshahy, for one month, in addition to that granted to him on the 20th ultimo, to proceed to Singapore, on private affairs.

Kazi Moulvie Mahumud Faq, the principal sudder ameen of Beharloom, from the commencement of the ensuing Mohurram vacation, and for seventeen days beyond it, on private affairs.

Bahoo Murrainain Ghose, 1st principal sudder ameen, and Bahoo Byejusth Sein, 2d principal sudder ameen, and Moulvie Mahomed Kuleem, sudder ameen of Jessore, during the ensuing Mohurram vacation.

Mr. C. J. H. Graham joint magistrate and deputy collector in Rajshahy, has been permitted to proceed to the Cape of Good Hope, for two years, on medical certificate.

THE 16th MARCH, 1838.—Mr. F. A. Lushington, assistant to the magistrate and collector of Rajshahy, an extension of leave of absence, to enable him to join his station by the next steamer which will leave Calcutta on or about the 24th instant.

Mr. F. Currie commissioner of the Benares Division has obtained leave of absence for ten days, in extension of the leave granted under date the 23d November last.

The unexpired portion of the leave of absence granted to Mr. C. W. Biezicke, senior commissioner of the Court of Requests, on the 12th August last, on medical certificate, for eight months, is cancelled at his request, from the 1st proximo, the date on which he purposed to resume charge of his office.

The leave of absence for fifteen days granted to Mr. F. O. Well, accountant N. W. P. on the 31st ultimo, is cancelled at the request of that officer.

THE 20th MARCH, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. W. P. Good to be special deputy collector in zillah Mymensing and Dacca, vice Mr. M. W. Carruthers deceased.

GENERAL REGISTER.

Mr. J. Stanforth to be special deputy collector of Rajeshahye Dinagepore, Rungpore, Bogra and Pubna, vice Mr. Goad.

Mr. G. U. Yule to officiate as special deputy collector of Mymensingh and Dacca during the absence of Mr. Goad, or until further orders.

Mr. Orslow to be a joint magistrate and deputy collector in Behar.

Mr. C. J. H. Graham to be a ditto ditto in Rajeshahye.

Mr. F. B. Kemp to be a ditto ditto in Tipperah.

Mr. J. Wheeler has been authorized to exercise the powers of a joint magistrate and deputy collector at Pubna, vice Mr. Yule, and has likewise been directed to complete the special duty which was assigned to Mr. Yule on the 3d January 1837.

THE 22d MARCH, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. Assistant Surgeon James Anderson, M. D., to perform the medical duties of the civil station of Beerboom, vice Mr. Assistant Surgeon G. Rae.

Mr. Henry Vaghtart to be an assistant under the commissioner of the 12th or Bimulpore division.

Judicial and Revenue Department, the 27th March, 1838.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. A. Ross to be an assistant to the Register of the Court of Sudder Dewanny and Nizamat Adawlut.

Mr. H. Atherton to officiate as joint magistrate and deputy collector at Rajeshahye during the absence of Mr. Diron or until further orders.

THE 30th MARCH, 1838.—Mr. Charles Francis, deputy collector of Calcutta, for three months, to proceed to Singapore on medical certificate. Mr. Wale Byrn will officiate as deputy collector during Mr. Francis' absence or until further orders.

Raj Dooorganarain Roy, 1st principal sudder ameen of West Burdwan, for twenty days, in addition to the period of the Mohurrem vacation.

Mowlvie Mahomed Rafiq, acting sudder ameen of Monghyr for the period of the Mohurrem vacation.

Captain M. Smith, principal assistant to the commissioner in the district of Saugor, for nine months, on medical certificate, to proceed to sea from Bombay and eventually to Calcutta. Lieut. nat. R. W. C. Duolan will officiate as principal assistant at Saugor till further orders.

Mr. M. S. Tierney, magistrate and collector of Boudlandshuhur from the 1st April to the 1st December next, for the purpose of visiting the hills North of Debra, on medical certificate.

POLITICAL DEPARTMENT, CAMP, AT MEERUT, THE 12TH FEB 1838.—Lieutenant Colonel J. Stewart delivered over charge of the residency at Hyderabad to Major Cameron, on the 1st instant.

Mr. Assistant Surgeon H. M. Felix, of the Madras Establishment, is placed at the disposal of the officiating resident at Hyderabad, for employment in the Army of His Highness the Nizam.

POLITICAL DEPARTMENT, CAMP AT PURBICKANTOGUK, THE 15TH FEB. 1838.—The Right Honorable the Governor General has been pleased to appoint Lieutenant A. C. Rainey, of the 27th regiment native infantry, to officiate as an assistant to the political agent at Subatha, during the present season, or until further orders.

POLITICAL DEPARTMENT, CAMP, AT SOMALKA, THE 27TH FEBRUARY, 1838.—The Honorable H. B. Devereaux, officiating assistant to the commissioner for the government of the territories of His Highness the Rajah of Mysore, has obtained five months' leave of absence to proceed to sea, on sick certificate.

FORT WILLIAM, POLITICAL DEPARTMENT, 14TH MARCH, 1838.—Lieutenant C. F. Thomas, an assistant to the general superintendent of the operations for the suppression of thuggee, having returned to his duties on the 18th February, has leave of absence from that date to the 1st of April next, has been cancelled.

Captain N. Lewis, an assistant to the general superintendent of the operations for the suppression of thuggee, has obtained leave of absence from the 29th instant, to visit the presidency, with a view to applying for leave to proceed to sea, on medical certificate.

Lieutenant Colonel Burney, resident at Asa, reported his departure from Bengal on board the barque *Corwall*, which vessel was left at sea by the pilot on the 8th instant.

By order of the Right Hon. the Governor General of India,
W. H. MACNAUGHTEN.

Secy. to the Govt. of India with the Govr. Genl.

GENERAL DEPARTMENT, THE 10TH MARCH, 1838.—An express having been this day received from the Government of Bombay, from which it appears that the repairs of the piston, cylinder, &c. of the engines of the "*Berwick*" steamer are not expected

to be completed in time to allow that vessel to start for Suez from Bombay by the 28th March, the day fixed by the Right Hon. the Governor General for her despatch, her departure has been postponed at the suggestion of the Right Hon. the Governor in Council at Bombay to the 13th March. In modification therefore of the Notice issued from this department on the 17th ultimo the Hon. the President in Council gives notice that the despatches and letters from the stations of this presidency must be forwarded so as to reach Bombay on or before 30th instant.

H. T. PRINSEP, Secy. to Govt.

LEGISLATIVE DEPARTMENT, THE 5TH MARCH, 1838.—The following draft of a proposed act was read in Council for the first time on the 5th March, 1838:

ACT No. — of 1838.

I. It is hereby enacted, that from the day of the following rates of toll shall be levied in the Company's currency at the toll gate of the Bhoore-giant, on palauquins and laden bullocks, both in going and returning:

On every palauquin..... 1 rupee.
On every laden bullock..... 6 ps.

II. And it is hereby enacted, that from the said day, all the provisions of act No. 11 of 1837, of the Governor General of India in Council, shall be applicable to palauquins and laden bullocks, and the tolls to be levied thereon, as if they had been inserted among the rules of tolls contained in section II. of that act.

Ordered, that the draft now read be published for general information.

Ordered, that the said draft be reconsidered at the first meeting of the Legislative Council after the seventeenth day of April next.

LEGISLATIVE DEPARTMENT, THE 5TH MARCH, 1838.—The following draft of a proposed act was read in Council for the first time on the 5th March, 1838:

It is hereby enacted, that it shall be lawful for a judge of any zillah or city court within the territories subject to the presidency of Fort William in Bengal, to exercise the powers vested in a single judge of the Sudder Dewanny Adawlut, by clause 2, section II., regulation IX. of 1833 of the Bengal code.

Ordered, that the draft now read be published for general information.

Ordered, that the said draft be reconsidered at the first meeting of the Legislative Council of India after the 17th day of April next.

LEGISLATIVE DEPARTMENT, THE 5TH MARCH, 1837.—In consequence of a misprint in the copy of act No. XXIX of 1837, published in the Calcutta Gazette,—(the word "dispose" being there printed for "dispence") the act is now republished in a correct form.

LEGISLATIVE DEPARTMENT, 20TH NOVEMBER, 1837.—The following act is passed by the Hon. the President of the Council of India in Council, on the 20th November 1837, with the assent of the Right Hon. the Governor General of India, which has been read and recorded. Ordered, that the act be promulgated for general information.

ACT No. XXIX of 1836.

It is hereby enacted, that from the first day of December 1837, it shall be lawful for the Governor General of India in Council, by an order in Council, to dispence, either generally, or within such local limits as may to him seem meet, with any provision of any regulation of the Bengal code which enjoins the use of the Persian language in any judicial proceeding, or in any proceeding relating to the revenue, and to prescribe the language and character to be used in such proceedings.

II. And it is hereby enacted, that from the said day it shall be lawful for the said Governor General of India in Council, by an order in Council, to delegate all or any of the powers given to him by this act, to any subordinate authority, under such restrictions as may to the said Governor General of India in Council seem meet.

ROSS D. MANGLES,
Offg. Secy. to the Govt. of India.

JUDICIAL AND REVENUE DEPARTMENT, THE 3TH FEBRUARY, 1838.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointment:

Eaboo Joygopaut Bonnerjee to be Deputy Collector in the 21-Pergunnahs under the provisions of regulation IX. of 1833.

THE 6TH MARCH, 1838.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. R. B. Thorhill to be an assistant under the Commissioner of the 18th or Jessore division

Mr. C. P. Signer to be Deputy collector in Midnapore under regulation IX. of 1833.

Sheik Looft Ally Khan Behadoor to be dc. dg., in Behar under do.

FINANCIAL DEPARTMENT, THE 7TH MARCH, 1838.—Mr J. H. Astell is confirmed in the appointment of senior Member of the Hon Company's financial agency at Canton, from the date of Mr. Jackson's resignation viz. 18th November 1836.

Mr. H. M. Clarke is confirmed in the appointment of Second Member of the Hon Company's financial agency at Canton, from the 18th November 1836.

POLITICAL DEPARTMENT, CAMP AT PANDEPUT, THE 28TH FEB 1838
Lieut. and Brevet Captain H. Huddleston, of the 7th regiment N. L., is appointed to officiate as an assistant to the Commissioner in Kumoon during Lieutenant A Ramsay's absence, on medical certificate.

POLITICAL DEPARTMENT, CAMP, AT PANDEPUT, THE 28TH FEBRUARY 1838.—Mr J. Davidson is appointed to officiate as agent to the Governor General at Bareilly.

The following officers have obtained leave of absence from their stations:

Mr. E. Beutell, magistrate and Collector of Dinapore, for one month, on private affairs.—Mr. R. Hampton will officiate during Mr. Beutell's absence.

Mr. A. Jackson Principal Sudder Ameen of Dinapore, stationed at Malhab, during the ensuing Mohurram vacation.

Moulavee Pittel Ulee Khan Principal Sudder Ameen; Moulavee Nounut Ulee additional Principal Sudder Ameen and Moulavee Ashuff Hossain, Sudder Ameen in zillah Behar, during the ensuing Mohurram vacation.

THE 8TH MARCH, 1838.—Captain J. Drummond, commanding the Khoondah Pak Company, for eleven months, on medical certificate, from the 1st March 1838 to the 1st February 1839, to visit the Himalaya Mountains.

Mr. T. Hugon, sub assistant to the commissioner of Assam, for ten months, to proceed to sea on medical certificate, from the date of the sailing of the ship on which he may taken his passage.

THE 2D MARCH, 1838.—The following officers have obtained leave of absence from their stations:

Mr. C. Grant, magistrate and deputy collector of Hooghly, for one month, in extension of that granted to him on the 1st of August last.

Mr. W. S. Dicken, assistant surgeon, attached to the civil station of Balasore, an extension of leave of absence for seven days from the 3d ultimo, in addition to the leave for one month granted by the commissioner on the 22d December last, to enable him to rejoin his station.

FORT WILLIAM, ECCLESIASTICAL DEPARTMENT, THE 26TH FEBRUARY, 1838.—The Rev. John Bell, district chaplain, of Mhow, reported his return to the Bengal presidency from Singapore on the 27th instant.

THE 3D MARCH, 1838.—The Revd. John Bell, chaplain on the Bengal establishment, is permitted to proceed to Europe on furlough, to take effect from the date of sailing of the ship *Zenobia*.

FORT WILLIAM, GENERAL DEPARTMENT, 7TH MARCH, 1838.—Mr. George Alexander assumed charge of the General Post Office on the 1st instant.

POLITICAL DEPARTMENT, CAMP, AT DELHI, THE 17TH FEBRUARY, 1838.—Lieutenant A. Ramsay, assistant to the commissioner in Kumoon, has leave of absence from the first Feb to the 1st May next, to visit the presidency, preparatory to applying to proceed to the Cape of Good Hope, on medical certificate.

POLITICAL DEPARTMENT, CAMP, AT DELHI, THE 19TH FEB. 1838.—The appointment of Ensign M. E. Suerwill, of the 66th regiment native infantry, under date the 20th ultimo, to serve with the Oude auxiliary force, is hereby cancelled, it appearing to be at variance with the general order under date the 24th September 1832.

GENERAL DEPARTMENT, THE 10TH MARCH, 1838.—Sir Charles D'Oyly, Baronet, and Mr. George Adams, of the civil service, embarked for England on board the ship *Thomas Grenville*, which ship was left by the pilot at sea on the 8th instant.

ECCLESIASTICAL DEPARTMENT, THE 7TH MARCH 1838.—The Hon. the Deputy Governor of Bengal is pleased to grant to the Rev. James Charles, senior minister of St Andrew's Church, one month's leave of absence, from the presidency, from the 10th instant for the benefit of his health.

THE 10TH MARCH, 1838.—The Rev. John Bell, chaplain on the Bengal establishment embarked for England on board the ship *Zenobia*, which ship was left by the pilot at sea on the 8th instant.

MILITARY.

BY THE COMMANDER IN CHIEF.

Head Quarters, Simla, 16th February 1838.—The Cawnpore division order of the 29th ultimo, directing assistant Steward W. H. Crawford to do duty with a detachment of artillery proceeding to the presidency by water, is confirmed.

Head Quarters, Simla, 12th February 1838.—The Cawnpore station order of the 6th ultimo, making the following arrangements for the march of the artillery drafts arrived from the presidency, under the command of Captain T. Hickman, is confirmed.

Lieutenant and Brevet Captain H. N. Payer, of the 3d battalion, to the command of those proceeding to Sangur and Mhow, Assistant Surgeon G. G. Brown, M. D. to have medical charge and hospital apprentice D. Fleming to act as assistant apothecary and assistant steward to the detachment.

Captain Hickman, on his arrival at Myspooie with the remainder of his detachment, to forward the men for Agra, Muttra, and Nusseerabad, to Agra, under charge of 2d Lieutenant H. M. Conran, of the 4th battalion.

Assistant Apothecary G. Hutchinson and Assistant Steward J. Hennessey to accompany the detachment to Meerut; and hospital apprentice J. Keen to be detached from Myspooie as acting assistant apothecary with the party for Agra.

Head Quarters, Simla, 14th February, 1838.—His Excellency the Commander in Chief is pleased to make the following removal and posting of field officers:

Lieutenant Colonel John Taylor (on furlough), from the 29th to the 17th regiment native infantry.

Lieutenant Colonel W. Burroughs new promotion to the 29th regiment native infantry, vice Taylor.

The undermentioned officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Honourable the Court of Directors:

Captain James Fraser, of the 2d regiment light cavalry; 1st Lieutenant and Brevet Captain Edward Henry Ludlow, of the regiment of artillery; Lieutenant Osborne Campbell, of the 43d regiment native infantry, and Ensign Frederick Matland, of the 1th regiment native infantry, date of arrival at Fort William, 19th Feb. 1838.

Lieutenant Johnson Phillot, of the 10th regiment native infantry, is permitted to proceed to Europe on furlough, on medical certificate.

The undermentioned officers have leave of absence:

6th battalion artillery.—Colonel G. P. Plock, C. B., from 2d March to 2d September, to visit Simla, on private affairs.

Right wing European regiment.—Major G. Warren, from 15th Janua'y to 1st June, in extension, to enable him to rejoin.

29th regiment native infantry.—Ensign H. F. Daniell, from 15th March to 15th August, to visit Hazarcbagh, on private affairs.

29th regiment native infantry.—Major D. D. Anderson, from 15th January to 15th April, to visit Allahabad and the presidency, preparatory to applying for permission to retire from the service.

1st company 3d battalion artillery.—Captain A. Abbott, from 1st March, to 10th March in extension, to enable him to join.

4th regiment native infantry.—Lieutenant and Brevet Captain H. Ruban, from 30th April to 20th October to visit the hills in the vicinity of Almora, on private affairs.

Rangurh light infantry battalion.—Assistant Surgeon W. Dunbar, M. D. from 18th December 1837 to 18th January 1838 to visit Hazarcbagh, on account of his health.

Lieutenant J. Ramsay, of the 35th regiment native infantry, deputy assistant commissary general, has leave of absence for four months, from the 1st instant, on urgent private affairs, to visit Meerut and Calcutta, and eventually the Sand-heads.

Head Quarters, Camp, Simla, 15th February, 1838.—The Benares division order of the 3d instant, directing 2d Lieutenant W. K. Warner, of the 1st company 6th battalion, to do duty with the 4th company 3d battalion artillery, is confirmed.

Feb. 16.—The Cawnpore division order of the 13th ultimo directing all reports of the division to be made to Major General Oglender, is confirmed.

Feb. 16.—His Excellency the Commander in Chief is pleased to make the following appointments:

38th regiment native infantry.—Lieutenant William Kennedy to be interpreter and quarter master, vice Hollings appointed to the Oude auxiliary force.

43th regiment native infantry.—Ensign C. Hasell to be Adjutant, from the 1st of January last, vice Troup appointed to the Oude auxiliary force.

GENERAL REGISTER.

There being no qualified officer present with the 37th regiment native infantry Lieutenant J. G. B. Paton, of the 47th regiment native infantry, is appointed, from the 3d instant, to act as interim and quarter-master to that corps, during the absence, on leave, of Lieutenant Curtis, or until further orders.

Assistant Surgeon H. J. Tucker, M. D. officiating as civil surgeon at Moorabadnagar, is appointed to the medical charge of the left wing 61st regiment native infantry in Kenauon, which he will proceed and join on being relieved from the duty on which he is at present employed.

CAMP, DELHI, 19TH FEB. 1838.—The following appointment was made in the political department under date the 15th instant:

Lieutenant A. C. Rainey, of the 25th regiment native infantry, to officiate as an assistant to the political agent at Subathoo, during the present season or until further orders.

Head Quarters, Simla, 19th February, 1838.—The presidency division order of the 25th December last, appointing assistant surgeon J. Smyth, M. D. of the 63d regiment of native infantry, to the medical charge of, and hospital apprentice W. H. Johnstone to act as assistant apothecary and assistant steward with a detachment of European recruits, proceeding to Agra by water, under the command of Lieutenant A. Stewart, is confirmed.

The presidency division order of the 10th ultimo, directing assistant surgeon J. Smyth, M. D. in addition to the duty above mentioned, to afford medical aid to a detachment of volunteers for Her Majesty's regiment proceeding to Allahabad by water, under the command of Captain Thompson, is confirmed.

February 21.—The regimental order of the 10th of December last, by Major A. Canby, commanding the 15th native infantry, appointing Lieutenant C. J. Montgomery to act as Adjutant, vice Abbott placed at the disposal of the Honorable the President in Council, is confirmed.

The Mhow station order of the 7th instant, directing Assistant Surgeon F. Anderson, M. D. in duty with the 63d native infantry, to proceed to Bhopwar, and afford medical aid to the 5th local horse, and Surgeon B. Bell, of the 60th, to perform the medical duties of 63d regiment, is confirmed.

The Meerut division order of the 13th instant, appointing Lieutenant H. Palmer, of the 48th regiment of native infantry, to officiate as Deputy Judge Advocate at a native general court martial directed to assemble at Delhi, is confirmed.

Camp, Delhi, 20th February, 1838.—The following appointments are made in the department of the quarter-master general of the army:

Lieutenant G. P. Whish, of the 60th regiment native infantry, to officiate as deputy assistant quarter-master general, during Captain Bellew's absence on medical certificate, or until further orders.

Ensign A. M. Becher, of the 61st regiment native infantry, to be an assistant in the office of the quarter-master general of the army.

February 20th.—His Excellency the Commander in Chief is pleased to make the following removals and postings of medical officers:

Assistant surgeon A. McD. Stuart, from the 5th local horse to the 2d regiment of native infantry.

Assistant surgeon J. B. Macdonald, from the 3d light cavalry to the 5th regiment of local horse.

Assistant surgeon A. Gibbon will, on the arrival of the 58th native infantry at Barrackpore, rejoin the European regiment at Agra, to which he stands posted.

Assistant surgeon Alexander Bryce, M. D., is removed from the 2d to the 1st brigade of horse artillery, and directed to join its head quarters at Karnaul.

The undermentioned officer is permitted to proceed to Europe on furlough.

Lieutenant Augustus Turner, of the 1st regiment N. I., on medical certificate.

Feb. 22.—The appointment, in general orders of the 23d ultimo, of Sergeant Major Andrew Burrows to the situation of Barrack Sergeant at Mhow, is cancelled, and that non-commissioned officer will continue to serve with the 2d regiment native infantry.

Quarter Master Sergeant James Cooper is removed from the Ramgarh battalion, and appointed to the 43th regiment of native infantry at Dinapore vice Quinn pensioned.

Camp, Delhi, 22d Feb. 1838.—The Right Hon. the Governor General is pleased to make the following appointments:

Captain John Welchman, of the 1st regiment of native infantry, and second Assistant Adjutant General to be first Assistant Adjutant General, vice Craigie appointed deputy Adjutant General of the army, in general orders of the 22d ultimo.

Captain P. Grant, of the 59th regiment of native infantry, and Commandant of the Hurriannah light infantry battalion, to be second Assistant Adjutant General of the army, vice Welchman.

Captain R. Campbell, of the 43d regiment native infantry, to command the Hurriannah light infantry battalion, vice Grant.

Captain J. Scott, of the 57th regiment of native infantry, to be major of brigade to the troops in Oude, vice burst appointed to the Oude auxiliary force.

No. 35 of 1838.—The following appointment made by the Hon. the President of the Council, is published in general orders.

Captain William Prescott, of the 2d regiment Madras native infantry, to be a temporary Aide-de-camp on His Honour's personal staff from this date, vice Caine.

Head Quarters, Simla 23d February, 1838.—The presidency division order of the 5th instant, appointing assistant apothecary A. Deferandy, at present attached to the 4th, to do duty with the 1st battalion of artillery, is confirmed.

The presidency division order of the 6th instant, directing Shik Mahomed Rikbur, native doctor, at present serving with the 3d regiment of native infantry, to proceed to Allahpore, and do duty with the Calcutta native militia, is confirmed.

The Cawnpore division order of the 15th instant, appointing assistant apothecary John Robinson, attached to the 3d brigade of horse artillery, to act as hospital steward to the brigade, vice Byron performing the duties of apothecary, is confirmed as a temporary arrangement.

The following assistant surgeons, now at the general hospital, are directed to proceed and do duty under the superintending surgeons at the stations specified opposite to their names:

- Assistant surgeon L. T. Watson.....Meerut.
- " G. S. Cardew.....Agra.
- " J. Arnott, M. D.....Cawnpore.

Ensign William Egerton, of the 2d regiment native infantry is appointed to do duty with the Sylhet light infantry battalion and directed to proceed and join.

Fort William, 26th February, 1838.—No. 31 of 1838.—The Honorable the President in Council is pleased to make the following promotion.

Medical Department.—Assistant Surgeon Charles Chandler Egerton to be surgeon, from the 19th February 1838, vice surgeon J. M. Todd deceased.

The Hon. the President in Council is pleased to make the following promotions.

71st Regiment N. I.—Lieutenant and Brevet Captain William McGeorge to be Captain of a company, and Ensign Cernot Michael Bristow to be Lieutenant, from the 1st January 1838, in succession to Brevet Major R. Haydon, retired on the pension of a Lieutenant Colonel.

Mr. William Fisher is admitted to the service, in conformity with his appointment by the Honourable the Court of Directors, as a Cadet of Cavalry on this establishment, and promoted to the rank of Cornet, leaving the date of his commission for future adjustment, date of arrival at Fort William, 21st Feb. 1838.

Fort William, 26th February, 1838.—No. 33 of 1838.—Captain and Brevet Major Richard Baydon, of the 7th regiment native infantry, Assistant Adjutant General of the Benares division, is permitted to retire from the service of the East India Company, on the pension of a Lieutenant Colonel from the 1st January last, in conformity to general orders, No 258 of the 29th December, 1837.

Surgeon Thomas Munro, of the medical department, is permitted to retire from the service of the East India Company, from the 1st proximo.

Camp, Somalka, 27th Feb. 1838.—The following appointment was made on the 24th instant, in the general department, north western provinces:

Mr. Officiating Civil Assistant surgeon G. Paton, M. D., to be civil assistant surgeon at Ally Gah, vice Tritton.

Fort William, 5th March, 1838.—No 34 of 1838.—The Hon. the President in Council is pleased to make the following promotion:

Regiment of artillery.—2d Lieutenant William Timbrell to be 1st Lieutenant, from the 20th February 1838, vice 1st Lieutenant and Brevet Captain George James Cockson deceased.

Supernumerary 2d Lieutenant John Elliott is brought on the effective strength of the regiment.

Medical department.—Assistant Surgeon John Menzies to be surgeon, from the 1st March 1838, vice surgeon Thomas Munro retired.

Rank is assigned to the undermentioned Cornet of Cavalry, from the date expressed opposite to his name.

- Cornet William Fisher.....5th October 1837.

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February 23.—Lieutenant A. Ramsay, assistant to the commissioner in Kumaon, has obtained leave of absence, in the political department, from 1st February to 1st May, 1838, to visit the presidency, preparatory to applying to proceed to the Cape of Good Hope, on medical certificate.

Ensign William Matland Roberts, of the 58th regiment N. I., is permitted to proceed to Aurangabad, on his private affairs, and to be absent from Bengal on that account for six months.

4th regiment light cavalry.—Colonel G. Jackson, from 30th March to 20th September, to visit the hills north of Deyrah, on private affairs.

18th regiment native infantry.—Ensign C. P. Bruce, from 15th March to 30th April, to visit Neeruch on private affairs.
34th regiment native infantry.—Surgeon R. Tytler, M. D., from 15th February to 30th April, to visit Gwalior, on private affairs.

3d troop 1st brigade, horse artillery.—Lieutenant R. Walter, from 15th March to 15th September, to visit the hills north of Deyrah, on private affairs.

2d regiment native infantry.—Lieutenant R. N. MacLean, from 30th March to 30th September, to visit Simla, on private affairs.

42d regiment native infantry.—Lieutenant D. Gausson, from 1st March to 30th April, to visit Almorah and Hurdwar, on private affairs.

2d regiment native infantry.—Lieutenant C. Darby, from 2d October 1837, to 26th November 1837, in extension, to enable him to rejoin his regiment at Nusseerabad.

62d regiment native infantry.—Lieutenant the Honorable R. B. P. Dym, from 20th March to 20th September, to visit Meerut and Simla, on private affairs.

6d regiment native infantry.—Lieutenant and Adjutant R. Tripp, from 1st April to 1st August, to visit Allahabad, on private affairs.

44th regiment native infantry.—Lieutenant Colonel J. Holbrow, from 15th March to 15th July, to visit Cootehpore, on private affairs.

3d regiment native infantry.—Major C. Coventry, from 1st Feb., to 15th Feb., in extension, to enable him to rejoin his regiment at Dacca.

7th regiment native infantry.—Brevet Major T. Holt n, from 1st March to 30th Dec., to visit the hills in the vicinity of Kemaon and Almorah, on medical certificate.

2d regiment light cavalry.—Brevet Captain J. Inglis, from 20th April to 20th October, to visit the hills north of Deyrah, on private affairs.

Right wing European regiment.—Captain T. Box, from 1st April to 30th September, to visit Mussoorie, on private affairs.

Right wing European regiment.—Lieutenant H. T. Combe, from 1st April to 1st October to visit Mussoorie on private affairs.

58th regiment native infantry.—Lieutenant C. J. H. Potter, from 1st February to 8th March in extension to remain at the presidency, on medical certificate.

9th regiment native infantry.—Ensign J. Murray, from 25th April to 25th July to visit Calcutta, for the purpose of appearing before the examiners of the college of Fort William.

42d regiment native infantry.—Ensign A. H. Ross, from 1st March to 1st May to visit Almorah and Hurdwar, on private affairs.

69th regiment native infantry.—Surgeon J. Turner, from 17th December 1837 to 17th March to remain at the presidency preparatory to submitting an application for permission to retire from the service.

38th regiment native infantry.—Captain H. H. Arnaud, from 1st March to 1st September, to visit the hills north of Deyrah, on private affairs.

Major R. Hawkes, of the 9th light cavalry, is permitted, at his own request, to resign the command of the 3d local horse and to join the 5th regiment of light cavalry, to which he belongs at Nusseerabad.

Captain Charles Wilson, of the left wing European regiment having been declared incapable of performing the active duties of his profession, &c., at his own request transferred to the invalid establishment.

The undermentioned assistant overseers are promoted to the rank of overseer in the department of public works, to supply four vacancies which have occurred in that grade by the death of overseer McKittrick, and resignation of overseer Little, O'Meara, and Waring.

Assistant overseers Geoffrey Coleman, Edward Hopper, Thomas Stubbs and Alexander D'Castro.

Camp, Karnal, 2d March, 1838.—The following appointments were made on the 25th ultimo, in the political department north western provinces:

Lieutenant and Brevet Captain H. Huddleston, of the 7th regiment native infantry, to officiate as an assistant to the Com-

missioner in Kumaon, during Lieutenant A. Ramsay's absence, on medical certificate.

Lieutenant J. Duncan, of the 26th regiment native infantry, to be an assistant to the agent to the Governor General in the Saurer and Korbudda territories, vice Coraet C. G. Fagan, permitted to resign that appointment.

Camp, Karnal, 6th March, 1838.—The Right Hon. the Governor General is pleased to appoint Sergeant Major Thomas Ray of the 7th light cavalry, riding master to that regiment from the 11th February 1838, and during the absence, on furlough, of riding master Jordan or until further orders.

March 3d.—His Excellency the Commander in Chief is pleased to make the following appointment:

58th regiment native infantry.—Lieutenant C. J. H. Perreau to be Adjutant, vice Parker, who has proceeded on furlough to Europe.

The President in Council is pleased to make the following promotions.

Left Wing European Regiment.—Lieutenant Alistair Stewart to be Captain of a company, and Ensign Henry Brooks Walker to be Lieutenant, from the 5th March 1838, in succession to Captain Charles Wilson, transferred to the invalid establishment.

Medical department.—Assistant surgeon Benjamin Wilson to be surgeon, from the 1st March 1838, vice surgeon John Turner retired.

The following promotions are made in the ordnance commissariat department:

Sub-conductor Joseph Wilson to be conductor, Sergeant-major Matthew Parille, of the 10th regiment N. I., to be sub-conductor, from the 4th January 1838, vice Gale deceased.

Fort William, 12th March, 1838.—No. 36 of 1838.—The following paragraphs of a military letter, No. 87, from the Hon. the Court of Directors, to the Governor of Bengal, under date the 19th December, 1837, are published for general information.

"Para. 2. Sub-conductor William Donahoe, of your establishment, has been granted an extension of leave for six months.

3. We have permitted superintending surgeon G. G. Campbell to retire from the service. This vacancy has effect from the 1st September 1835.

4. We have also permitted Captain Lewis Barron's to retire. His retirement has effect from the 11th October 1837.

Head Quarters, Simla, 27th February 1838.—Briarsier W. Burgh's station order of the 9th instant, appointing Lieutenant, Brevet Captain and Adjutant G. H. Edwards, of the 13th regiment native infantry, to act as station staff at Nusseerabad, during the absence, on duty, of Captain and Brigade major La-Touche, is confirmed.

28th February.—The presidency division order of the 18th instant, directing Coraet A. S. Gall, who recently admitted into the service, to proceed to Cawnpore, and do duty with the 5th regiment of light cavalry at that station, is confirmed.

The Mysore division order of the 31st ultimo, directing reports of the division to be made to Colonel K. Barilly, of Her Majesty's 49th regiment, is confirmed.

Lieutenant Colonel J. Frushard's regimental order of the 28th ultimo, appointing Ensign G. Dalston to act as Adjutant to the 58th regiment of native infantry, vice Parker, proceeding on leave, is confirmed as a temporary arrangement.

Lieutenant Colonel J. Tullugh's regimental order of the 14th instant, appointing Lieutenant T. Kiedell to act as Adjutant to the 69th regiment of native infantry, during the absence of Lieutenant Whish, is confirmed.

The Karnal station order of the 3d instant, appointing Brevet Captain J. Christie, of the 3d light cavalry, to act as station staff during the absence, on duty of the deputy assistant Adjutant, General of the Sirhind division is confirmed.

The Malwah artillery division order of the 4th ultimo, appointing Sergeant-major J. J. of the 3d battalion artillery, to act as sub-conductor, and to take charge of the stores in the ordnance depot at Mhow, vice Gale deceased, is confirmed as a temporary arrangement.

Captain W. Mactier, of the 4th regiment light cavalry, is appointed to officiate as deputy judge Advocate General to the Sirhind division of the army, during the absence, on leave, of Captain Angelo, or until further orders.

Ensign G. A. F. Hervey, of the 3d regiment of native infantry, is permitted to visit the hills north of Deyrah, instead of Simla, for the period of leave granted to him in General Orders of the 19th ultimo.

Head Quarters, Simla, 2d March, 1838.—The Neeruch station order of the 17th ultimo, appointing Lieutenant G.

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Codrington, of the 19th native infantry, to act as staff to a detachment of the strength noted in the margin, under the command of Lieutenant Colonel C. R. Skardon, directing surgeon J. Gregg to attend medical aid to the flank companies of the 7th native infantry; and assistant surgeon J. Warrall, M. D. to perform the medical duties of the left wing 3d local horse are confirmed.

Ensign J. Morrison, of the 3d regiment native infantry, is appointed to act as interpreter and quarter master to the 1st light cavalry, during the absence of Lieutenant Smith, or until further orders.

This order to have effect from the 19th ultimo.

Head Quarters, Simla, 3d March, 1838.—The Dinapore station order of the 19th ultimo, appointing Lieutenant interpreter and quarter master W. Lamb of the 31st regiment of native infantry, to act as station staff, during the absence, on duty, of Captain Thompson, is confirmed.

The Simla artillery division order of the 20th ultimo, appointing 2d Lieutenant W. Timbrell to act as Adjutant to the left wing of the 2d battalion of artillery, vice Cookson deceased, is confirmed.

The Kurrul station order of the 6th ultimo, appointing Lance Corporal Isaac Francombe, of Her Majesty's 13th light infantry, to act as church clerk, is confirmed.

Assistant apothecary G. Higginson and assistant steward J. Hennessy, recently arrived with a detachment of artillery at Kurrul, are directed to proceed, for further to Cawnpore, and the latter to Meerut, and to ob- duty under the orders of the superintending sergeants at those stations.

Sergeant Major Charles Stewart, of the 38th regiment of native infantry, is appointed Bazar Sergeant at Mhow, vice Burrows.

26th February. His Excellency the Commander in Chief is pleased to order the following removals and postings of field officers.

Colonel (Brigadier) John Tombs, from the 8th to the 4th regiment of light cavalry.

Colonel Samuel Smith, new promotion, to the 8th regiment of light cavalry.

Lieutenant Colonel James Caulfield, C.B. (on staff employ) from the 1st to the 8th regiment of light cavalry.

Lieutenant Colonel James William Roberdeau, new promotion, to the 1st regiment of light cavalry.

Cornet Matthew Wood, who was brought on the effective strength in Government general orders No. 24, of the 12th instant, is posted to the 4th regiment of light cavalry, and directed to join.

The undermentioned officers are permitted to proceed to Europe on furlough;

Captain John Studholme Hodgson, of the 12th regiment N. I., and Captain Andrew Chelton, of the 74th Regt. N. I. second in command of the Assam light infantry, on medical certificate.

No. 37 of 1838.—Surgeon John Turner, of the medical department, is permitted to retire from the service of the East India Company, on the pension of his rank, from the 1st instant.

Head Quarters, Simla, 24th February, 1838.—The undermentioned officers have leave of absence.

Division staff.—Capt. F. Angelo, deputy Judge Advocate Genl., Simla division, from 25th March 1838 to 23rd March 1839, to visit the hills, north of Deyrah, on medical certificate.

8th regiment light cavalry.—Cornet F. T. Tucker, from 14th February 1838 to 1st February 1839, to visit the hills north of Deyrah, on medical certificate.

6th regiment native infantry.—Lieut. and Brevet Captain D. C. Keiller, from 1st April to 1st July, to visit Poorie, on private affairs.

29th regiment native infantry.—Lieutenant R. H. Seale, from 15th April to 15th October, to visit Delhi, on private affairs.

43d regiment native infantry.—Captain J. Nash, from 15th March to 15th April to proceed to Allahabad, on private affairs.

62d regiment native infantry.—Lieutenant D. E. Brewster, from 15th March to 15th June, to visit Shahjehanpore, on private affairs.

35th regiment native infantry.—Surgeon T. M. Munro, from 2d Feb. to 20th March, to visit the presidency, preparatory to submitting an application for permission to retire from the service.

This cancels the leave granted to surgeon Munro, in general orders of the 24th June last.

39th regiment native infantry.—Colonel W. Nott, from 30th March to 30th Oct. to visit Mussorie, on private affairs.

24th regiment native infantry.—Lieutenant T. Mackintosh, from 10th March to 10th July, to visit Malda, on private affairs.

62d Regiment Native Infantry.—Lieutenant J. C. Alderson, from 18th February 1838 to 17th February 1839, to visit Mussorie, on medical certificate.

67th regiment native infantry.—Lieutenant Colonel R. Chalmers, from 15th February to 15th March, to remain in Calcutta, on medical certificate.

Lieutenant Andrew Ramsay, of the 31st regiment N. I., assistant to the Commissioner in Kumaon, is permitted to proceed to the Cape of Good Hope on medical certificate, and to be absent from Bengal on that account for two years.

Captain Charles Herbert White, of the 8th regiment light cavalry, having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the invalid establishment, from the 20th February last.

The leave of absence obtained by Ensign William Maillon, Roberts, of the 30th regiment, N. I., in general orders No. 34 of the 5th instant, is to commence from the 10th February last.

17th regiment native infantry.—Captain T. Cooke, from 25th April to 25th October to visit Simla, on private affairs.

17th regiment native infantry.—Ensign H. P. Budd, from 25th April to 25th October, to visit Simla, on private affairs.

Camp, Panceput, 29th February, 1838.—The Right Honorable the Governor General is pleased to sanction an increase to the 1st corps of local horse of an additional or tenth messallah, into which will be incorporated such number of the forty sowars, originally raised in the civil department for Jhrend, and now employed in the Bhanee country, as may be found in every respect fit for the service.

Quarter Master Sergeant Dennis Collins, of the 1st brigade horse artillery, is admitted to the benefits of the pension sanctioned by minutes of council of the 11th January 1797 and general orders dated 5th February 1820, subject to the confirmation of the Hon. the Court of Directors, with permission to receive his stipend at Meerut.

No. 89 of 1838.—Lieutenant J. W. Fraser, of the corps of engineers, superintendent of the Cuttack survey obtained leave in the judicial and revenue department, under date the 27th ultimo, to be absent from the station from the 10th March till the 10th May next, on medical certificate.

The appointment of Ensign M. E. Sherwill, of the 62th regiment native infantry, under date the 21st January last, to serve with the Oude auxiliary force, was cancelled by the Governor General, in the Political department, on the 19th ultimo, it appearing to be of variance with the general order dated the 24th September 1832.

5th March.—His Excellency the Commander in Chief is pleased to make the following appointment.

47th regiment native infantry.—Lieutenant G. Biddulph to be Adjutant, vice W. Biddulph, who has embarked for Europe.

19th March.—His Honor in Council is pleased to make the following appointment in the department of public works.

Lieutenant John Gilmore, of the corps of engineers, to the temporary charge of the Burrissal division.

FOR WILLIAM 19th MARCH, 1838.—No. 11 of 1839.—The Hon. the President in Council is pleased to make the following promotions.

8th regiment light cavalry.—Lieutenant and Brevet Captain George Alexander Barber to be Captain of a Troop, and Cornet Christopher George Facau to be Lieutenant, from the 20th February 1838, in succession to Captain Charles Herbert White, transferred to the invalid establishment.

Supernumerary Cornet Francis Walker Drummond is brought on the effective strength of the Cavalry.

74th regiment native infantry.—Captain Andrew Spens to be Major, Lieutenant Henry William Leacock to be Captain of a company, and Ensign Charles Gordon to be Lieutenant, from the 1st March 1838, in succession to Major Hector Mackenzie deceased.

No. 42 of 1833.—The Hon. the President in Council is pleased to make the following promotions and alteration of rank:

Regiment of Artillery.—1st Lieutenant and Brevet Captain Joseph Turton to be Captain, vice Captain Lewis Burroughs retired; with rank from the 16th of October, 1837, vice Captain Edward Cumberland Thomas Bostock Hughes deceased.

2d Lieutenant Wm. Kerby Warner to be 1st Lieutenant, vice 1st Lieutenant and Brevet Captain Joseph Turton promoted; with rank from the 20th of February, 1834, vice 1st Lieutenant and Brevet Captain George James Cookson deceased.

Supernumerary 2d Lieutenant John Mill is brought on the effective strength of the regiment of artillery.

Medical Department.—Assistant Surgeon John McCreaston to be Surgeon, vice Surgeon George Gunning Campbell retired.

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with rank from the 1st of March, 1834, vice Surgeon John Turner retired.

Regiment of artillery.—Capt. W. Anderson, to rank from 11th October 1837, in the room of L. Burroughs retired; 1st Lieut. J. L. C. Richardson, to rank from 11th October 1837, in the room of W. Anderson promoted; M. Mackenzie, to rank from 16th Oct. 1837, in the room of J. Turton promoted; W. Timbrell, to rank from 17th November 1837, in the room of A. Cardew, deceased.

Medical department.—Surge. H. Clark, to rank from 1st Sept. 1835, in the room of G. G. Campbell retired; N. Morgan, to rank from 2d September 1835, in the room of P. S. Matthews deceased; J. Davidson, to rank from 5th September 1835, in the room of J. Eckford deceased; C. Motley, to rank from 3d October 1835, in the room of G. Skipton deceased; J. Roland, to rank from 15th October 1835, in the room of J. Allan M. D., deceased; E. J. Yeatman, M. D., to rank from 12th March 1836, in the room of J. Henderson deceased; J. Innes, M. D., to rank from 19th March 1836, in the room of O. Wray, deceased; G. Smith, to rank from 21st March 1836, in the room of R. N. Burnard deceased; J. F. Stuart, M. D., to rank from 11th November 1836, in the room of J. Clarke deceased; A. McK. Clark, to rank from 25th December 1836, in the room of W. A. Venour retired; J. Colvin, M. D., to rank from 1st February 1837, in the room of N. Maxwell, M. D., retired; W. Stevenson, Sr to rank from 5th March 1837, in the room of J. Tyler deceased; W. Bell, to rank from 21st March 1837, in the room of J. J. Patterson deceased; J. Groce, to rank from 1st May 1837, in the room of R. Gibbance invalided; J. S. Sullivan, to rank from 3d May 1837, in the room of James Duncan deceased; J. W. Grant, to rank from 13th July 1837, in the room of D. R. Dutton deceased; R. Shaw, to rank from 10th July 1837, in the room of W. P. Maston deceased; A. W. Street, to rank from 1st August 1837, in the room of W. Thomas retired; C. C. Egert, M. D., to rank from 31st Dec. 1837, in the room of J. Swiney, M. D., retired; J. Menzies, to rank from 19th Feb. 1838, in the room of J. M. Todd deceased; B. Wilson, to rank from 1st March 1838, in the room of T. M. Munro retired.

The services of Assistant Surgeon James Anderson, M. D. are placed at the disposal of the Honble the Deputy Governor of Bengal, for the medical duties of the civil station of Beerbhoom, vice Assistant Surgeon George Rae, placed at his own request at the disposal of His Excellency the Commander in Chief.

PORT WILLIAM, 10th MARCH 1838.—No. 44 of 1838.—Lieutenant Joseph Whitford, of the 66th regiment native infantry, is placed at the disposal of the Government of Bengal, for the purpose of being employed in the thuggee department in the Moonshehabad circle.

Camp Khyrah, 15th March, 1838.—The following paragraphs of a military letter from the Hon. the Court of Directors, to the address of the Governor General of India in Council, No. 9 of 1837, dated the 19th of December 1st are published in general orders, for the information of the army:

Para 7. We have no objection to the promotion to the local rank of major general of the Colonels of Her Majesty's army, serving in India who were Senior as such to Colonels of our arms, promoted to the rank of major general by the brevet of the 10th January 1837.

8. Unless the special circumstances in which local major generals are placed, we consent to their being considered as eligible to continue to reside in India, and to hold those brevet commands which they would have held had their promotion not taken place, provided always that no interference be permitted with the commands on the general staff allotted to the major generals and Brigades of the Queen's and the Company's forces respectively."

Head Quarters, Simla, 5th March 1838.—The Mysnootie station order of the 19th ultimo, appointing Lieutenant E. T. Treney, interpreter and quarter master of the 25th regiment native infantry, to act as station staff, is confirmed.

Head Quarters, Simla, 6th March 1838.—Brigadier G. R. Peiny's station order of the 1st of January last, directing all reports of the station of Barrackpore to be made to Colonel J. Cook, is confirmed.

Head Quarters, Simla, 8th March 1838.—The Jubbulpore station order of the 15th ultimo, directing surgeon A. Simson, M. D., to the 40th, to afford medical aid to the 33d regiment of native infantry, on the departure of surgeon G. Smith, is confirmed.

Lieutenant John Wedderburn Fraser, of the corps of engineers, superintendent of the survey of the Cutchak province, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

The leave of absence granted to Captain C. J. Lewes, of the 50th regiment native infantry, assistant commissary general, in general orders No. 238, of the 4th December last, is to have effect from the 6th of January, until the 8th February last, instead of the period therein stated.

No. 43 of 1838.—Captain H. Rutherford, of the regiment of artillery, principal assistant to the commissioner of Assam, obtained in the judicial and revenue department, under date the 20th ultimo, an extension of leave of absence from the 20th October 1837 to the 1st February last, the latter being the date of his receiving charge of the Gowaiparah division.

Captain J. Drummond, of the 19th regiment native infantry, commanding the Khoorlah Paik company, obtained, in the judicial and revenue department, under date the 9th instant, leave of absence for eleven months, on medical certificate, from the 1st March 1838 to the 1st February 1839, to visit the Himalaya mountains.

25th Regiment native infantry.—Captain T. O. O'Beirne, from 25th February to 25th August to visit the presidency, preparatory to submitting an application for furlough.

Medical staff—superintending surgeon C. Campbell, Sibind division, from 7th March, to 31st March to visit Simla, on private affairs.

6th battalion artillery.—Lieutenant J. L. C. Richardson, from 1st April, to 1st November, to visit the presidency and Cherra Pooojee, on private affairs.

14th regiment native infantry.—Ensign C. L. Showers, from 10th March to 10th March, 1839, to visit the hills north of Deyrah, on medical certificate.

1st regiment light cavalry.—Lieutenant Colonel J. W. Roberson, from 26th February to 26th August, to visit Simla, on private affairs.

27th regiment native infantry.—Ensign S. Arden, from 7th March to 7th July, to visit the presidency, on medical certificate, and apply for furlough.

Mr J. V. Law, of the pension establishment, is permitted to reside and draw his stipend at Cawnpore, instead of Futtchghar.

Conductor R. Sant, of the invalid pension establishment, is permitted to reside and draw his stipend at Agra, instead of Dinapore.

Captain P. C. Wilton, of the invalid establishment, is permitted to reside at Dehly, and to draw his pay and allowances from the Agra pay office.

Assistant Apothecary Richard Bean, promoted in Government general orders of the 19th ultimo, will continue to do duty in the hospital of Her Majesty's 16th lancers, during the absence, on duty, of assistant apothecary Absalom, or until further orders.

Head Quarters, Simla, 13th March 1838.—The Commander in Chief to India has been pleased to make the following appointment, on His Excellency's personal staff.

Ensign R. H. Yea, of Her Majesty's 13th regiment of foot, to be aide-de-camp, from the 1st instant.

Lieutenant and Brevet Captain E. H. Ludlow is appointed to act as Adjutant to the right wing 4th battalion of artillery.

Head Quarters, Simla, 9th March 1838.—There being no qualified officer present with the 26th regiment native infantry, Ensign J. S. Knox of the 42d Regiment, is appointed to act as interpreter and quarter master to that corps, vice Duncan nominated to a situation in the political department.

Captain Edward Fitzgerald Day, of the 1st company 1st battalion of artillery, is appointed aide de camp to major general C. Brown, G. B. commanding the Benares division, vice McC Atouq posted to the horse artillery.

Port William, 26th March, 1838.—No. 45 of 1838.—Mr. Crawford Foster Chamberlain is admitted to the service, in conformity with his ap. outant by the Hon. the Court of Directors as a cadet of infantry on this establishment, and promoted to the rank of Ensign, leaving the date of his commission for future adjustment.—Date of arrival at Port William, 20th March 1838.

Head Quarters Simla, 10th March 1838.—The presidency division order of the 23d ultimo, directing hospital apprentice J. Engin, lately attached to Her Majesty's 11th light dragoons, to join and do duty to Her Majesty's 9th regiment of foot, is confirmed.

The Neomuch station order of the 8th ultimo, directing Surgeon W. Darby, of the 1st regiment light cavalry, to afford medical aid to the Awar division of artillery, is confirmed.

Gunner John King, of the 4th company 4th battalion artillery, who was directed in general orders of the 21st of September last, to be sent to the eye infirmary having been declared unfit for the duties of a soldier, is transferred to the veteran company at Chunar.

Head Quarters, Simla, 13th March 1838.—The Cawnpore division order of the 31 instant, directing civil assistant surgeon J. G. to perform the medical duties of the 31th regiment of native infantry at Futtchghar, during the absence, on leave, of Surgeon R. Tyler, M. D. is confirmed.

The Allahabad garrison and cantonment order of the 21st January, directing all reports of the garrison and cantonment to be made to Lieutenant Colonel J. Orchard, commanding the 31st regiment of native infantry, is confirmed.

Head Quarters, Simla, 11th March 1838.—The recruit division orders of the 2d and 5th infantry, the former comprising assistant surgeon A. Bruce, M.D., of the 1st brigade of horse artillery, to be in charge of the detachment of convalescent companies proceeding to Bandra, and the latter directing hospital companies A. W. Wallace, of Her Majesty's 2d horse to be in charge as assistant surgeon with the detachment, are confirmed.

The recruit station order of the 5th infantry, making the following a commissariat staff establishment for the detachment of convalescent companies proceeding to Bandra, under the command of Captain Smith, of Her Majesty's 16th foot, is confirmed.

Sergeant Parkinson, of Her Majesty's 16th foot, to be Sergeant major.

Sergeant Randles, of Her Majesty's 16th foot, to be second sergeant.

Corporal McLean, of the 2d company 5th battalion of artillery, to be company-sergeant.

Head Quarters, Simla, 15th March 1838.—Lieutenant Colonel T. W. Russell's appointment on the 14th ultimo, of a staff surgeon, H. B. Ross, M.D., attached to the division of Mysore, to be in charge of the 2d hospital of native infantry, is confirmed.

The Assistant Surgeon and Hospital order of the 4th medical company, Captain J. G. Caldwell, of the 4th European regiment, to be in charge of the hospital, during the absence, on leave, or prolonged absence of any other officer, is confirmed.

The Hospital Station order of the 7th medical company, to be in charge of the hospital, of the 2d medical company, to be in charge of the hospital, at that station, is confirmed as a temporary arrangement.

His Excellency the Commander in Chief is pleased to confirm the following appointments of non-commissioned officers to a detachment of infantry detachments proceeding to the 2d medical company, under the command of Captain H. N. Pender, to have effect from the 1st of January last.

Company Sergeant Major, William Taylor, of the 2d company 4th battalion of artillery, to be in charge of the hospital, at that station, is confirmed as a temporary arrangement.

The Commander in Chief is pleased to confirm the following appointments of non-commissioned officers to a detachment of infantry detachments proceeding to the 2d medical company, under the command of Captain H. N. Pender, to have effect from the 1st of January last.

Company Sergeant Major, of the 2d company 4th battalion of artillery, to be in charge of the hospital, at that station, is confirmed as a temporary arrangement.

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Company Sergeant Major, of the 2d company 4th battalion of artillery, to be in charge of the hospital, at that station, is confirmed as a temporary arrangement.

No. 47 of 1833.—Captain N. Lewis, of the 6th regiment native infantry, an assistant to the general superintendent of the operations for the suppression of opium, has obtained from the General Department, leave of absence from the 20th instant, to visit the presidency, with a view to applying for leave to proceed to sea on medical certificate.

7th Regiment native infantry.—Lieutenant and Adjutant F. R. Arnold, from 17th May, to 5th September, to visit the presidency, preparatory to submitting an application for furlough to Europe.

10th battalion artillery.—Colonel A. Lindsay, C. B. from 3d April to 3d October, to visit the hills north of Deyrah, on private affairs.

26th regiment native infantry.—Major G. Hulse, from 25th April to 25th October, to visit Mussoorie, on private affairs.

68th regiment native infantry.—Lieut. and Adj. E. P. Bryant, from 5th April to 30th July, to visit the presidency, on private affairs, and apply for furlough.

Division Staff.—Captain J. S. H. Weston, Deputy Judge Advocate General, Meerut division, from 1st April to 1st October, to visit the hills north of Deyrah, on private affairs.

15th regiment native infantry.—Ensign B. M. Loveday, late doing duty with the 37th N. I. from 1st March to 1st September, to remain at Agia, on private affairs.

16th regiment native infantry.—Captain H. M. Graves, from 15th April to 15th October, to visit Mussoorie, on private affairs. 1st regiment native infantry.—Ensign Frederick C. Tombs, from 5th March to 5th August, in extension, to remain at Bareilly, on private affairs.

20th regiment native infantry.—Ensign Francis Tombs, from 5th March to 5th September, in extension, to remain at Bareilly, on private affairs.

20th regiment native infantry.—Ensign C. R. Larkins, from 1st March to 15th November, to visit Simla, on medical certificate.

59th regiment native infantry.—Ensign J. Gordon, from 30th April to 30th September, to visit Mussoorie, on private affairs. 62d regiment native infantry.—Lieutenant Colonel T. Dundas, from 17th February to 17th March, to remain at the presidency, on medical certificate.

Head Quarters, Simla 15th March 1838.—His Excellency the Commander in Chief, with the sanction of the Right Hon. the Governor General, is pleased to grant to the native army, the indulgence of leave of absence, from the 1st proximo, under the following restrictions and limitations. Where circumstances may prevent this indulgence from being granted to the full extent authorized, a report is to be made to head quarters.

To the troops stationed in Assam, at Dacca and Chittagong, leave is granted to the extent of 4 native officers and 21 non-commissioned officers per regiment, and 15 privates per troop or company, to cease on the 1st January 1839.

Orders will hereafter be issued relative to the furlough of the troops in Assam and elsewhere to the Meywar field force.

To all other corps in the presidency division, except those enumerated above, to corps in the Saugor division, in the Malwa and Rajpootana hill tracts, and in the Sind division, leave is granted to the same number, to cease on the 15th November next.

To half companies stationed at Subathoo, Deyrah, and Kemaon, leave is to be granted to the same number, to cease on the 15th December next.

To all companies of the line stationed in Kemaon, leave is to be granted to the same number, from the 15th October next to the 15th April 1839.

To the corps detailed in the D. napore, Benares and Cawnpore divisions at A. 1st and 2d, and in the Meerut division, (excepting Kemaon) leave is granted to 3 native officers and 16 non-commissioned officers per regiment, and 10 privates per troop or company, until the 15th October next.

Commissioned officers will be careful that leave is granted with strict regard to priority of claims, and will limit the time granted to non-commissioned officers with reference to the distance of their homes, and the nature of their business, so as to allow as full a participation as possible in the indulgence.

Officers and men detailed on furlough, are to be reminded of the necessity of giving notice to their regiments, if sickness should detain them at their homes.

The general orders of the 28th April 1810, containing peculiar directions to native troops, when travelling to or from their regiments, is to be particularly explained to the officers and men of every regiment, previous to their departure on leave.

The regulation of commissioning officers is directed to general orders of the 14th February 1833, regulating the mode of granting leave now authorized, as regards non-commissioned officers.

Much unnecessary correspondence being occasioned by general officers, in their inspection reports, making reference to articles "wanting" without communicating what orders they have issued for correcting the deficiency, His Excellency the Commander in Chief requests they will be so good as to refer to paragraph 5th of a memorandum, dated Adjutant General's office, 25th September 1818, and, in future, to refer their reports in strict accordance thereto, in the particulars alluded to.

The leave of absence granted to Captain George Cox, of the 6th regiment native infantry, in general orders No. 241, dated the 11th December last, to visit Bombay, is cancelled.

Lieutenant C. H. Thomas, of the 11th regiment native infantry, assistant to the general superintendent of the operations for the suppression of opium, having returned to his duties on the 15th February, his leave of absence from that date to the 1st of April next, has been cancelled in the political department under date the 14th instant.

The leave of absence, for six months, granted to Captain H. H. Arnold, of the 34th regiment native infantry, in general orders of the 23d ultimo, is cancelled at his request.

The leave of absence granted in general orders of the 24th ultimo, to Captain J. Nash, of the 45th regiment of native infantry, is cancelled at his request.

Major John Barclay of the 4th regiment light cavalry, having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the Invalid Establishment.

No. 46 of 1833.—The Hon. the President in Council having approved of a compilation of orders for the conduct of the medical Department of the Bengal army, hereby establishes the same as a code of Regulations for the guidance of all corps and departments to which it relates.

The Hon. the President in council is pleased to annul and to declare to be abrogated from and after the 30th April next, all existing regulations militating against any part of the code now established.

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Quarter Master Sergeant John Dillon, of the 21st, is appointed Sergeant Major to the 20th regiment native infantry at Loodianah, vice Acton, deceased.

Quarter Master Sergeant John Cooke, of the 53d, is appointed Sergeant Major to the 11th regiment native infantry at Etawah, vice Kelly transferred to the 16th native infantry.

Quarter Master Sergeant Thomas Mahon, of the 51st is appointed Sergeant Major to the 6th regiment native infantry at Barrackpore, vice Higginbottom, promoted to sub-conductor.

The following non-commissioned officers, of the regiment of artillery, are transferred to the town major's list, and appointed quarter master sergeants to the corps specified opposite to their names:

Staff Sergeant William Templeton, of the 1st company 5th battalion, to the 2d regiment native infantry at Lucknow, vice Culling invalided.

Drill Sergeant Henry Burgoyne, of the 5th battalion, to the 4th regiment native infantry at Gungahpore, vice Heery a wounded.

Sergeant James Tyrrell, of the 4th company 2d battalion, to the 21st regiment native infantry at Kurnaul, vice Dalton appointed sergeant major to the 20th regiment.

Sergeant James Fooly, of the 2d company 2d battalion, to the 26th regiment native infantry at Meerut, vice Crossley appointed sergeant major.

Sergeant Thomas Morgan, of the 1st company 1st battalion, to the 51st native infantry at Dumppore, vice Mahon appointed sergeant major to the 65th regiment.

Sergeant Peter Montgomery, of the 2d company 11th battalion, to the 57th regiment native infantry at Barrackpore, vice Williamson deceased.

The following non-commissioned officers, of the European regiment, are transferred to the town major's list, and appointed quarter master sergeants to the corps specified opposite to their names:

Sergeant Adam McGregor to the 5th regiment of native infantry at Benares, vice Dalton transferred to the Nussery battalion.

Sergeant John Nicholas to the 28th native infantry at Mynpore, vice Jones appointed sergeant major to the 72d regiment.

Sergeant Andrew Brennan to the 41th regiment native infantry at Banda, vice Surchiffle transferred to the Oude auxiliary force.

Sergeant David Clunne to the 53d native infantry at Meerut, vice Cooke appointed sergeant major to the 11th regiment.

The leave of absence, for six months, granted to Apothecary J Douglas, in General Orders of the 29th December last, is to have effect from the 1st of May next, instead of from the date therein specified.

Quarter master sergeant Laurence Cullen, of the 7th light cavalry, is appointed to act as sergeant major to that regiment, vice Ray acting as acting master, during the absence, on furlough, of riding master Jordan.

Sergeant John Cooke, of the 2d troop 2d brigade horse artillery is appointed to act as quarter master sergeant to the 7th regiment of light cavalry, vice Cullen.

GENERAL ORDERS TO THE QUEEN'S TROOPS.

Her Majesty's Quarters, Simla, 15th February 1837.—No. 102.—Her Majesty is graciously pleased to make the following promotions and appointments in the regiments serving in India.

11th Light Dragoons—Captain Thomas Billing Lang to be Major, without purchase, vice Thomas deceased, 27th November 1836. Lieutenant George Munner to be Captain, vice Lang, 17th September 1837.

Colonel John Hamilton Gray to be Lieutenant, vice Mannors 15th Sept. 1837.

Colonel and Adjutant Charles Floyd to have the rank of Lieutenant, 16th September 1837.

William Richmond Rosser, gent. to be Colonel, vice Gray, 15th September 1837.

2d Foot—Ensign Thomas A. Nixon to be Lieutenant, without purchase, vice Walton deceased, 6th February 1837.

Gentleman cadet Thomas Addison, from the Royal Military College, to be Ensign, vice Nixon, 15th September 1837.

14th Foot—Lieutenant Farquhar M. Campbell to be Captain, by purchase, vice Westmacott, who retires, 6th October 1837.

Ensign Charles Staunforth Hext to be Lieutenant, by purchase, vice Campbell, 6th October 1837.

Ensign William Wilby to be Lieutenant, by purchase, vice Zouch, who retires, 7th October 1837.

John Hales Glazbrook, gent. to be Ensign, by purchase, vice Hext, 6th October 1837.

6th Foot—Lieutenant Andrew David Alston Stewart, from the 47d regiment, to be Lieutenant, vice Lord Charles Koir, who exchanges, 1st September 1837.

41st Foot—Lieutenant General Sir Ralph Darling, from the 99th foot, to the Colonel, vice Lieutenant General Honorable Sir Edward Stopford, G. O. B. deceased, 26th September 1837.

11th Quarter, Simla, 15th February 1837.—No. 101.—Her Majesty is graciously pleased to direct the publication of the following circular memorandum and letter for the information of Her Majesty's troops in India.

The General Commanding in Chief desires, that all recommendations for the restoration of Service, forfeited by other non-commissioned officers or soldiers, may be accompanied by a correct transcript of the record of the service of the individual, on a separate sheet, according to the form issued by the War Office on the 21st March 1836.

By Command, &c.

(Signed) JOHN MACDONALD, A. C.

(Circular, No. 820)

War Office 30th September 1837.

Sir,—It having been ascertained that sums of

£ 500 15 Money paid to soldiers on their discharge for arrears of pay, or advance of pay, are frequently

61 squandered before the men arrive at their places

of residence, I am directed by the Secretary at

War to request you, that intimation shall have been

made, with the concurrence of the General Commanding in Chief,

for deferring the payment of such sums until the men shall have

reached their destination, and to suggest that similar directions

should be given to the agent of the regiment in which an

order is directed, and to any payments to be made to discharged men,

in any case of final settlement, or on any return in

which may exist, from which contributions are made to men

on their discharge.

I have, &c.

(Signed) L. SCLAVAN.

OFFICER COMMANDING.

Regt of

The leave of absence granted by His Excellency Lieutenant General Sir P. Mahomed, G. O. B. to Surgeon Macdonald, 57th foot, to proceed to England, for 2 years, from date of embarkation, on private affairs, is continued.

Servants	4	The division order by Major General Sir W. D. Capota
Capital	1	Leahy, G. O. B. and G. O. B. of the 10th
Privates	26	Wilmot, directed to the command of a detachment of
Women	3	volunteers for Her Majesty's 10th regiment of
Children	6	privateers, under the command of Ensign Brock

man of that corps, is continued.

The division orders by Major General Sir W. Hamilton Cotton, G. O. B. and G. O. B. of private leave of absence to the non-commissioned officers to proceed to England, each for 2 years from date of embarkation, on medical certificate, are continued:

3d Light Dragoons—Lieutenant E. G. Swinton.

16th Foot—Lieutenant J. O. Burridge.

26th Foot—Lieutenant W. B. Park.

31st Foot—Lieutenant T. J. Bouke.

Private leave of absence granted by His Excellency Lieutenant General J. Leane, to Lieutenant Bennett, 2d foot, to proceed to England, for 2 years from date of embarkation, on private affairs, is continued.

The undermentioned officers have leave of absence—

3d Foot—Lieutenant G. J. Austin, from 1st May to 1st November to visit the hills north of Dehra on private affairs.

11th Foot—Lieutenant A. J. Cameron, from 7th February to 1st May, to visit Mussoorie, on private affairs.

26th Foot—Lieutenant G. H. Smith, to proceed to sea, for 6 months from date of embarkation, on urgent private affairs.

31st Foot—Lieutenant J. M. McGehee, from 1st March to 31st August, to proceed to Cawnpore, on private affairs.

49th Foot—Lieutenant H. J. Turner, from 1st March to 31st August, to visit Meerut and the Hills, on private affairs.

Her Majesty's Quarters, Simla, 16th February 1837.—No. 103.—At the request of the General at Fort William, on Monday, the 4th day of February 1837, Colonel Edmund Roche, of Her Majesty's 2d light dragoons, was arraigned on the following charge—

Charge—“For Conduct unbecoming an officer and a Gentleman, in having, on the night of the 12th of October 1837, grossly insulted Mr. Henry Pownall Sawell, third mate of the ship *Thomas Grenville*, by striking him a blow, which knocked him down.”

Upon which charge the court came to the following decision—*Finding*—“The court, upon the evidence upon which they are of opinion that the prisoner Colonel Edmund Roche, of Her Majesty's 3d light dragoons, is guilty of having, on the night of the 12th of October 1837, struck Mr. Henry Pownall Sawell, third mate of the ship *Thomas Grenville*; but the Court taking into consideration the great and continued provocation received by Colonel Roche, fully acquit him of the remainder of the charge.

Sentence—“The court sentence the prisoner Colonel Edmund Roche, of Her Majesty's 3d light dragoons, to be severely

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reprimanded in such manner as His Excellency the Commander in Chief may be pleased to direct.

Approved, (Signed) H. FANE, General,
Commander in Chief, East Indies.

14th February 1838.

REMARKS BY HIS EXCELLENCY THE COMMANDER IN CHIEF.

The sentence of the court martial being, that the prisoner Colonel Edmund Roche should be severely reprimanded, he is to consider himself reprimanded by me accordingly.

At the same time however, that I issue this reprimand, I must remark, that the interference of Mr Swell, the 3d mate of the ship *Thomas Goodell*, with Colonel Roche, and the gross and vulgar language used by him, both with reference to the Irish generally, and to the Court personally (which language formed the probable ground for the subsequent proceedings), go far in extent and nature of the Colonel's misconduct.

He is to be released from arrest, and return to his duty.

(Signed) H. F.

Head-Quarters, Simla, 17th February, 1838 - No. 106 - At a general court martial holden at Bellary, on Thursday, the 1th day of January 1838, Lieutenant and Brevet Captain Richard Fitzham Hill, Her Majesty's 11st foot, was arraigned on the following charges.

First Charge.—“ For Conduct unbecoming the character of an officer and a gentleman, and in the prejudice of good order and military discipline in the following instances :

“ First instance In having, at Bellary on the 16th of September 1837, absented himself without leave, from his regiment, so continuing absent until the 23d of the same month.

“ Second instance In having, near Guddakul, on the 22d of the same month, when being brought back a prisoner by an escort of the same regiment, made his escape there from, notwithstanding that he had given the sergeant of the escort his word of honor, that he would not rise out of his sight.

Second charge.—“ For scandalous and infamous conduct, in becoming the character of an officer and a gentleman in having, at the same place, on the 23d of September 1837, addressed an official letter to the Adjutant of the same regiment, Lieutenant Eugene James Vaughan, containing a gross falsehood.”

“ The above being in breach of the Articles of War.”

Upon which charges the court came to the following decision.

Findings.—The court having most maturely weighed the evidence brought forward in support of the prosecution on the charges, as well as what the prisoner Lieutenant and Brevet Captain Richard Fitzham Hill, of Her Majesty's 41st regiment of foot, has urged in his defence, and the evidence in support thereof, is of opinion.

“ That the prisoner is guilty of the first instance of the first charge, which, however the court does not consider in this instance, as conduct unbecoming the character of a gentleman.”

“ That the prisoner is guilty of the second instance of the first charge.”

“ That the prisoner is guilty of the second charge.

Sentence.—“ The court having found the prisoner guilty to the extent above stated, doth sentence him, the said Richard Fitzham Hill, Lieutenant and Brevet Captain in Her Majesty's 41st regiment of foot, to be cashiered.”

Approved, (Signed) H. FANE, General,
Commander in Chief, East Indies

14th February, 1838.

By order of the Commander in Chief,

R. TORRENS, Major Genl.,
Adj. Genl. to Her Majesty's Forces in India

Head-Quarters, Simla, 19th February 1838.—No. 170—His Excellency The Commander in Chief has been pleased to direct the publication of the following circular letter for the information of Her Majesty's troops in India :

(CIRCULAR.) Horse Guards, 22d August, 1837.

Sir,—It having appeared on the trial of Sergeant Hugh Brennan, of the 1st Battalion of the Royals, before a court martial at Limerick, in April last, that as hospital servant, he practised a course of systematic fraud, and the facts elicited upon that and other occasions, having afforded the strongest ground for belief that the case of this culprit is not singular, but, on the contrary, one of no un-frequent occurrence in the regimental hospitals, I have Lord Hill's commands to direct your special attention to a subject, in which the character of the non-commissioned officers of the army, and the interests of the public, are so deeply concerned.

His Lordship desires that you consider it a most important part of your duty to examine, frequently and strictly, the Charges in the hospital accounts of the regiment (or depot, as may be) under your command;—that you particularly look, not only to the quantity of extra articles but to the prices charged for ordinary

and extra articles purchased for the hospital;—that you correctly inform yourself as to the local prices of provisions of very description, groceries, &c. which may be required from time to time, for the use of the sick;—and, that, upon the appearance of excessive charge, you take prompt measures to arrive at the truth, either by the preliminary investigation of a regimental board, consisting of three officers, where the case admits of doubt, or by bringing the accused to trial, when the facts present themselves to your mind in a conclusive shape.

Lord Hill assures himself, that no effort will be wanting on your part, to give due effect to these instructions as well as that you will derive the most zealous support from the medical officers of the regiment committed to your charge.

His Lordship strenuously recommends, that, in your ordinary visits to the hospital (as required by Her Majesty's regulations) you invariably examine the various items of hospital expenditure.

I have the honor to be, Sir,

Your most obedient, humble Servant,

(Signed) JOHN MACDONALD,

Adjutant General.

Head-Quarters, Simla, 22d February, 1838.—No. 69—The Commander in Chief has been pleased to make the following promotions until Her Majesty's pleasure shall be known.

62d Foot—Lieutenant Colin Buchanan to be Captain, without purchase, vice Moore deceased, 15th January 1838.

Ensign John Grant to be Lieutenant, without purchase, vice Buchanan promoted, 15th January 1828.

His Excellency the Commander in Chief has been pleased to promote the under-mentioned officers to the rank of Captain, by Brevet, in the East Indies only.

4th Foot—Lieutenant J. Cameron, from 24th December 1825.

19th ditto—Lieut A. R. Marshall, from 15th August 1830.

The leave of absence granted by His Excellency Lieutenant General Sir J. Keane K. C. B. to Lieutenant and Adjutant D. Cooper, 17th Foot, to proceed to England for 3 years from date of embarkation, on medical certificate, is confirmed.

The leave of absence granted by His Excellency Lieutenant General Sir P. Maitland K. B. C. to Lieutenant G. F. McKenzie 41st Foot, to proceed to Bombay on medical certificate, from 25th January to 24th July next, is confirmed.

The regimental order by the officer commanding 3d light Dragoons dated the 27th December 1837, appointing Lieutenant G. Forbes to act as interpreter to the regiment, until its arrival at Cawnpore, is confirmed, as a temporary arrangement.

Bt. Maj. Burwell The station and regimental orders issued Capt. C. Douglas by the officer commanding the 9th Foot dated Bt. Maj. Hartman, the 16th, 20th and 23d January last, directing Capt. J. Hamman, the officers of that corps, named in the margin

“ M. Smith to proceed on duty, to Fort Wallah, by water, Lieut. W. B. Larrant and to return in like manner after six

“ J. Duane completion, in conformity with division

“ Lieut. & Adj. orders by the officer commanding presidency

“ Robinson division, are severally confirmed.

Assist. Surgeon J. The undermentioned officers have leave of absence :

1th Foot—Lieut. J. Espinasse, to England, for the purpose of returning on half pay, and will report himself to the Adjutant General, horse-guards upon arrival.

16th ditto.—Lieut. F. Candi, from 1st March to 20th February 1839, to Landour on medical certificate.

31st ditto.—Captain and Brevet Major H. C. V. Coultren from 10th May to 10th November next, to Loodianah, and the hills north of Dehra, on private affairs.

Head-Quarters, Simla, 24th February 1838—No. 110—At a general court martial holden in cantonment near Poona, on Monday, the 22d day of January 1838, Lieutenant G. E. Cuyler, Her Majesty's 2d, or Queen's royal regiment of Foot, was arraigned on the following charges:—

1st Charge.—“ For disgraceful and scandalous conduct, unbecoming the character of an officer and a gentleman, in the following instances: viz

“ First. In having, in cantonment near Belgaum, on or about the 27th June 1827, and on subsequent days, asserted to private J. S. Darby of the same regiment, a gross and wilful falsehood, reflecting on the character of his senior and superior officer (Captain H. D. Keith of the same regiment) by stating, that he (Lieutenant Cuyler) had, at the mess of the officers of the regiment, on the march from Vingola to Belgaum, on or about the 13th January 1827, addressed most seditious language to Brevet Captain Keith, reflecting on his honor and honesty, and that he (Captain Keith) had taken no notice of the same.—Whereas, no such language had ever been addressed by Lieutenant Cuyler to Captain Keith.

“ Second. In having, at Belgaum, on the 28th June, 1837 dictated to private Thomas Sinnott, of the 2d, or Queen's royal regiment of foot, a paper containing false and scandalous aspersions against the character of Brevet Captain Keith, to the effect a set forth in the preceding instance, thereby infamously and falsely

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...grading the character of Captain Keith to a private soldier of the same regiment and tending to upgrade Captain Keith's character to the estimation of the said soldier, and the other soldiers of the corps.

2d Charge.—For scandalous and disgraceful conduct, unbecoming the character of an officer and a gentleman, in having, in contempt near Belgium, on or about the 10th June 1837, asserted a wilful and deliberate falsehood to the aforesaid paymaster J. S. Darby, by stating to him, that Brigadier General Salter, commanding the southern division of the army, had, some time previously, gone into his (Lieutenant Cuyler's) tent, when he (Lieutenant Cuyler) was under arrest for alleged misconduct at the mess, and that he (the Brigadier General) had then and there listened to the reflections referred to, in the preceding charge, against the character of Captain Keith, such false statement on the part of Lieutenant Cuyler, being derogatory to the professional character of Brigadier General Salter, his superior officer."

Upon which charges the court came to the following decision :

Findings.—The court having naturely weighed and considered what has been adduced in support of the prosecution, together with what the prisoner Lieutenant G. E. Cuyler, Her Majesty's 2d or Queen's royal regiment of foot, has brought forward in his defence, is of opinion, that he is

" Guilty of the first charge preferred against him in the first instance.

" Guilty of the second instance of the same.

" Guilty of the second charge.

Sentence.—"The court having found the prisoner guilty as above specified, in breach of the articles of war in such cases made and provided, does adjudge him, Lieutenant G. E. Cuyler to be cashiered."

Approved,

(Signed) H. FANE, General,
Commander in Chief, East Indies.

20th February 1837.

By Order of the Commander in Chief,
R. FORRENS, Major Genl
Adj. Genl. to Her Majesty's Forces in India.

Head Quarters Simla, 24th February 1838.—No. 111.—The following abstract statement of receipts and disbursements of the military fund for the benefit of the widows and children of officers of Her Majesty's regiments, serving in the East Indies, during the year ending 31st December 1837, is published for general information:

RECEIPTS.	
By cash balance on the 1st of January 1837,	10,754 14 11
" Government donation for the year ending 3rd April 1837,	6,000 0 0
" Interest on Government securities	3,566 2 0
" Amount of subscription received as per detailed account No. 1,	19,996 9 2
	<u>30,217 10 1</u>
DISBURSEMENTS.	
To amount paid for four 3d 4 per cent. Govt notes, Nos. 890, 7181, 2109 of 9314 and 2861 of 8-37, for Sa Rs 9,500	9,273 5 9
" ditto for 3 1/4 per cent Govt note, No 290, for Co's Rs 700	639 0 1
" established office allowance for a writer, stationery, &c from 1st Oct. 1836 to 30th Sept 1837,	9 0 0
" amount awarded to the families of deceased officers, as per list No 2,	11,216 8 4
Government agent's commission, brokerage and other charges	101 3 6
	<u>22,139 11 0</u>
Cash balance, Sa. Rs.	18,076 16 1

ASSETS.	
Cash balance as above, in Govt. Agent's hands,	18,076 15
2 second 5 per cent notes:— No. 821 of 1825 26, dated 15th Sept. 1827, for sicca rupees,	3000
13516 of 1825-26, dated 12th June 1828, for sicca rupees,	4500
	<u>7500 0 0</u>
16 third 4 per cent notes:— No. 395 of 1832-33, dated 1st May 1833, for sicca rupees	4,100
826 of 5403 of '82 83, May 1, 1828, 13,000 " 2061 of 88 17, do	3130
" 2109 of 9814, do	500
" 2341 do	1,700
" 2907 do	11,200
" 8061 of 12243, do	800
" 4131 do	8,300

74 do	3,000
6996 do	3,500
7188 do	1,000
9973 do	8,000
10 04 do	00
10619 do	10,000
12126 do	3,000
17715 do	4,200
	<u>76,500</u>
1/4 per cent note:— No 5910 of 1-35-36 dated 31st March 1836, Co's Rs.	700 456 1 0
	<u>1,02,713 3 1</u>

LIABILITIES.

Award passed, but passage money, and travelling expenses not yet paid to the widow and 5 children of a Lieutenant, 11th regiment,	3,600 0 0
Established allowance for writer, sta- tionery, &c for quarter ending 31st December 1837,	210 0 9
	<u>8920 0 0</u>
(Signed) R. H. STRONG, Pay Master H. M. 26th, Regt. Actg for Committee of Genl. Management, Fort William, 31st December, 1837.	

Certified, we have examined the Accounts and find them correct.
(Signed) W. JAMES, Lieut Colonel,
Commanding H. M. 26th Regt
G. HOCARIE, Capt. H. M. 26th Regt.

LIST NO. 1.

Subscription received from 1st January to 31st December 1837	
Major Genl. James Watson, C. B., from 1st April 1836 to 31st January 1837,	187 8 0
Major General Hon J. Painswy, from 1st January 1835 to 31st December 1836,	450 0 0
Major General Sir D. Ximenes, K. C. H., from 1st June 1836 to 21st March 1837,	93 12 0
Major General R. A. rens, C. B., Adjutant Gene- ral, from 1st January 1835 to 31st December 1837,	135 0 0
Major General Sir J. Jackson, K. C. B., Qr. M- Genl., from 1st January 1836 to 31st December 1836, Major General Olander, from 1st January 1827 to 31st December 1837,	135 0 0
Br. Maj. Halbhude, 44th Ft. Brig, Voj. Fort Wm., from 1st October 1836 to 30th September 1837,	81 6 0
Doctor McLeod, Inspector Genl. of hospitals, from 23d July 1836 to 31st March 1837,	45 0 0
Capt. Barnes, 1st foot, brigade Major Bombay, from 1st October 1836 to 30th September 1837,	92 13 0
4th Light dragoons, from 1st October 1836 to 30th September 1837,	67 8 0
11th ditto, ditto ditto,	351 11 9
13th ditto, ditto ditto,	877 13 0
16th ditto, ditto ditto,	610 8 0
16th Lancers, ditto ditto,	745 70 0
2d Foot, from 1st Jan. 1836 to 31st Dec 1836,	1003 12 0
3d ditto, from 1st Oct. 1836 to 30th Sept. 1837,	498 12 0
6th ditto, ditto ditto,	1300 13 0
9th ditto, ditto ditto,	504 11 0
14th ditto, ditto ditto,	855 5 0
16th ditto, ditto ditto,	761 4 0
17th ditto, ditto ditto,	629 5 5
20th ditto, from 1st Nov. 8.6 to 30th Nov 1837	58 8 5
2d h ditto, from 1st Oct. 1836 to 30th Sept 1837,	6 1 4 0
3rd ditto, ditto ditto,	1126 12 8
39th ditto, ditto ditto,	508 2 0
40th ditto, ditto ditto,	421 14 0
41st ditto, ditto ditto,	757 13 0
41th ditto, ditto ditto,	432 5 0
15th ditto, ditto ditto,	987 3 0
40th ditto, ditto ditto,	1200 13 11
5th ditto, ditto ditto,	102 8 0
53th ditto, ditto ditto,	971 6 2
57th ditto, ditto ditto,	433 2 0
62d ditto, from 1st July 1836 to 30th June 1837,	1054 11 1
63d ditto, from 1st Oct. 1836 to 30th Sept. 1837,	1024 11 0
	<u>Total, Sa Rupee, 19,906 9 2</u>

LIST NO. 2.

Statement of Relief afforded by the Fund from 1st January to 31st December 1837.	
To two children of a Captain 11th dragoons, who died at Arcuat, maintenance for each child, at 60 rs each	1260 0 0
Passage money of 500 ditto,	1000 0 0
Travelling expenses and atten- dence, at 200 ditto,	500 0 0
	<u>Total, awarded Co's Rs., 2760 0 0</u>
	2531 4 0

GENERAL REGISTER.

To the widow and one child of a Major, 13th Division who died at Bangalore, on the 26th Nov 1836, maintenance for two months, 1560 0 0

25 days travelling allowance from Bangalore to Mysore 650 0 0

Passage money to the widow 200 0 0

Ditto for one child 500 0 0

Travelling expenses from London to Bally Shanon, Ireland, 472 miles £ 22 5 0

Total, awarded Co's Rs. 4633 2 0

To the widow and one child of a Lieutenant 23d Foot, who died on Board the ship *Jago*, in the Madras coast, 21th February 1817, maintenance for 2 months, 491 8 0

Passage money to the widow 1500 0 0

Ditto for one child 500 0 0

Travelling expenses for herself and child, 90 1/2 Portsouth to Derby, 195 miles, £ 14 17 0 142 9 0

Total, awarded Co's Rs. 4111 1 0

To the widow of a Lieutenant, 11th Dragoons, who died at Meerut, on the 1st August 1836, maintenance for three months, or in full of all arrears against the widow, Co's Rs. 885 12 0

To the widow and five children of a Lieutenant, 21st Regiment of Foot, who died at Bombay, on the 22d May 1837, maintenance for 12 months, 510 0 0

One month and 11 days travelling allowance from Bellary to Mysore 82 8 0

Passage money to the widow 150 0 0

Ditto for 5 children 100 0 0

Ditto for 5 children, two children, Travelling expenses from London to Birmingham, 63 miles, £ 5 19 0 80 0 0

Total, awarded Co's Rs. 4572 8 0

Balance in account of maintenance and travelling allowance, 893 8 0

Total, Sa. Rs. 11216 8 8

It may be satisfactory to add, that the average number of deaths of deceased officers by this institution since its establishment in 1823, amounts to six hundred and twenty-nine, and that of privates to six hundred and thirty-two.

Foot Withdrawn Queen's Military Widows' Fund 2d & 3d Dec. 1837.

1st Foot—Ensign *Stamba*, 1st March 1838.—No. 112.—Her Majesty has been pleased to make the following promotions and appointments of persons not serving in India:—
2d Foot—Lieutenant Thomas Lane to be Captain, by purchase, vice Lawrence, pay retro to 23d June 1837.
 Ensign Charles Day Ruxton to be Lieutenant, by purchase, vice Lawrence, 23d June 1837.
 Joseph Palmer, gent. to be Ensign, by purchase, vice Ruxton, 23d June 1837.
20th Foot—Ensign Charles Cameron to be Lieutenant, without purchase, vice Henning deceased, 23d September 1837.
 Ensign John Wright, from the half-pay of the 96th Regiment to be Ensign, vice Cameron, 23d September 1837.
 Quarter Master Sergeant John Cumming to be Ensign, by purchase, vice Wright who retires, 23d September 1837.
91st Foot—Captain Henry Croly, from the half-pay unattached to be Captain, vice Lase, appointed Pay Master, 20th September 1837.
 Captain Richard Lane to be Pay Master, vice Foster appointed pay master of a recruiting district, 20th September 1837.
 To be Captain without purchase.—Lieutenant Robert Stuart Riddle, from the 13th Light Dragoons, 29th September, 1837.
 The Christian name of quarter master Sheridan, of the 13th foot, is Mark.

The leaves of absence granted by His Excellency Lieutenant General Sir P. Maitland, K.C.B., to the following officers, are confirmed:
4th Foot—Lieutenant R. Hawkes, for 3 months from date of embarkation, to Calcutta, on private affairs.

57th ditto—Lieutenant T. Shadforth, to England, for 2 years from date of embarkation, on private affairs.
 The division orders by Major General Sir Willoughby Cotton, C.B. and K.C.H., of the following dates, are confirmed:
15th February 1838—Appointing Lieutenant Hadfield, 31st Light Dragoons, to the command of a detachment of that, and other corps, proceeding to Cawnpore, by water.
16th February 1838—Granting leave of absence to Captain D. MacAndrew, 49th Regiment, to proceed to England, for 2 years, from date of embarkation, on medical certificate.

The regimental order issued by the
 Rt. Maj. Hartman, officer commanding the 9th Foot dated
 Capt J. Hammill 9th February 1838, directing the officers,
 Lt. Capt. W. F. Ker, named in the margin, to proceed to Bar-
 Lt. W. B. Farrant, Cawnpore, on Court Martial Duty, by
 J. Dunns, water, and to return in like manner
 J. W. Robinson, after its completion is confirmed.
 Adjutant.

The leave of absence granted in division orders by Major General Sir Willoughby Cotton, C.B. & K.C.H., to Ensign F. J. Bourke, 1st Foot, to proceed to England, on medical certificate, and confirmed in the general order No. 101, of the 15th February 1838, is cancelled at the request of that officer.
 The leave of absence granted to Lieutenant J. H. Shadforth, 57th foot, in the general orders No. 85, of the 14th December 1837, to proceed to England, for 2 years, on private affairs, is cancelled.

The undermentioned officers have leave of absence:
3d Light Dragoons—Lieutenant J. Martin, to proceed to the presidency, and eventually to England, for 2 years from the date of embarkation, on private affairs.
3d Foot—Pay Master J. Lukis, from 15th March to 15th November 1838, to Mussoorie, on medical certificate.
 Captain Chinn will retain the duties of payment of pay master during the absence, and on the resumption of pay master duties.
14th Foot—Major E. T. Thomson, from 10th May to 9th November 1838, to Simla, on private affairs.
47th ditto—Lieutenant J. G. Campbell, to remain at Calcutta until the 31st March next, on private affairs.
 By order of the Commander in Chief
Head Quarters, Madras, 20th March 1838. No. 111.—The following orders have been issued on the 17th Foot, C.B. & K.C.H. The same have since been cancelled. A report to that effect, from the 1st February 1838, dated 15th March, at Lieutenant and Adjutant Cooper, proceeded on leave to England, is confirmed.

The leave of absence granted by His Excellency Lieutenant General Sir P. Maitland, K.C.B., to the undermentioned officers is confirmed:
10th Light Dragoons—Captain C. H. D. Douvion, to proceed for 1 year from date of embarkation, on urgent private affairs.
1st Foot—Captain J. Simmons, from 2nd January to 24th July next, to Bombay, on medical certificate.
 The undermentioned officers have leave of absence:
10th Foot—Lieutenant H. D. Gibbs, to Europe, from 1st to 1st July 1838, to Simla, on private affairs.
1st Foot, 20th March 1838, No. 111.—The Commander in Chief has been pleased to make the following appointment in His Majesty's personal staff:
 Ensign B. H. Yule, of the 1st Light Infantry, to be Aide-de-Camp, from the 1st of May next.

The Commander in Chief has been pleased to make the following promotions into Her Majesty's personal staff to be known:
31st Foot—Ensign W. J. Donhill to be Lieutenant, with arrears, vice Withall deceased, 10th March 1838.
 The order by Colonel G. P. Pannam, 16th Foot, commanding the detachments of His Majesty's troops, proceeding to the upper provinces, by water, dated 25th February 1838, appointing the following men commissioned acting staff, is confirmed:
 Acting Provost Sergeant James Warren, 16th Foot, to act as Sergeant Major, vice O'Connor, 31st, who is a joint hospitaler.
 Acting Sergeant Timothy McNamara, 16th Foot, to act as Provost Sergeant, vice Warren.
 Acting Corporal John Jackson, 16th foot, to act as sergeant, vice John Carr, 31st, who has joined his corps.
 Acting Corporal Patrick Murphy, 16th Foot, to act as Sergeant, vice Hefferon 31st, who has joined his corps.
 Privates William White, and William Read, 16th Foot, to act as corporals.
 The leaves of absence granted by His Excellency Lieutenant General Sir P. Maitland, K.C.B. to Lieutenants F. Parker, and W. M. Julius, of the 13th Light Dragoons, to proceed to England, each for two years from date of embarkation, on medical certificate, are confirmed.

The undermentioned officers have leave of absence:
3d Foot—Lieutenant Colonel and Colonel J. Dennis, from 1st April to 1st October next, to Mussoorie, on urgent private affairs.
13th Light Infantry—Lieutenant W. Deane, from 20th March to 1st December next, to Landour, on medical certificate.
Ditto—Lieutenant A. E. F. Holcombe, from 1st May to 31st October next, to Simla, on private affairs.
Ditto—Ensign J. Oxley, ditto.
Ditto—Ensign G. Melu, from 1st May to 1st October next ditto ditto.

Ditto Lieutenant J. S. Wood, from 1st April to 1st May next, to enable him to join
Ditto—Ensign G. Wade, ditto ditto
3rd Foot—Lieutenant B. E. S. Hutchinson, for 2 months, to Calcutta, and thence to England, from date of embarkation, and will report his arrival at the horse guards.
4th Ditto—Captain E. L. Estrange for two months, to the pre-

sidency to appear before a medical board.
6th Ditto—Lieutenant P. E. Scoble, to England for 2 years from date of embarkation, on urgent private affairs.
 By Order of the Commander in Chief,
 R. TORRENS, Major-Genl.
 Adj. Genl. to Her Majesty.

SHIPPING INTELLIGENCE.

ARRIVALS AT KEDGEREE.

March 1st.—English Schooner *Guyre*, J. Fairweather, from Moulinein 4th February.
 3d.—H. M. Ship *Wolf*, Capt. E. Stanley, from Madras 18th Feb., English Barque *Ariel*, W. Warden, from China 3d Feb.
 5th.—French ship *Vernat*, P. Herichou, from Bourbon 21st January.
 7th.—English Barque *Catherina*, A. Brown, from Cape of Good Hope 15th January; English Ship *Heywood*, J. Jones, from Liverpool 17th Aug. ult.
 8th.—English Barque *Gilbert Moore*, Jas. Nicholson, from the Mauritius 17th January; English Barque *Elephanta*, J. Buchanan, from Liverpool 15th November; English Barque *Sophia*, J. Greenwood, from Bombay 25th January, and cannon 7th February; English Ship *Diana Pascoa*, J. Haddock, from the Mauritius and Ceylon (no date) and Point de Galle 23d February.
 9th.—English Ship *Saltan*, J. Pace, from Bombay 22d January and Alrope (no date); H. G. Steamer *Diana*, S. Congaltin, from Moulinein, (no date) and Amherst 28th February.
 12th.—French Barque *Clio*, P. Le Rossignol, from the Mauritius 23d January; English Barque *Calcutta*, T. H. Bentley, from Moulinein 21st and Amherst 26th February.
 15th.—H. M. Brig *Krishna*, T. C. Robson, from Kyook Phoo 2d, and Akyab 9th March.
 16th.—English Ship *Roberts*, B. J. Elder, from London (no date) Portsmouth 6th November, Cape 8th January, and Madras 8th March.
 18th.—French Ship *Atlas*, Gullet, from Bourbon 15th Jan.
 20th.—English Schooner *Elizabeth*, J. Glass, from Colombo 2d and Point de Galle 6th March; English Ship *Julia*, R. Richards, from China 27th January, Singapore 16th and Penang 22d February; English Barque *Cashmere Merchant*, R. Smellie, from Moulinein 27th February.
 23d.—English brig *Jessy*, J. Auld, from Penang 15th Feb.
 26d.—H. M. ship *Hatfield*, Captain W. Hobson, from Amherst 3d, and Rangoon 11th March.
 The *Jellyfish* in tow of the *Thames* arrived on the 13th, with the following passengers—Mr and Mrs Davidson, Miss Seward and J. Martin, Esq., 10th Division.
 The *Matagan*, in tow of the *Lord William Bentinck*, from Allahabad to Calcutta, passed Galleore on the 11th instant, with the following passengers—From Allahabad—Dwarkanath Tagore, Esq., Baboo Chundernath Chatterjee; Di. Akshita—From Mizapore—Mrs and Miss Egan, from Calcutta, Mr. W. Auzier; for Rangoon—Bowlen—From Betares—Mrs Millet and Mrs Hogg, for Calcutta.

ARRIVALS OF PASSENGERS.

Per *Ariel*, from China.—William McTaggart, J. Scott, and G. M. Sherwin, Esqs., merchants, and Capt. J. Hudson, of the *La bella Robe* ton.
 Per *Diana*, from Moulinein.—Dr. Richardson, Surgeon.
 Per *Leo*—Mr. and Mrs. T. Francis.
 Per H. M. Brig *Krishna*, from Kyook Phoo.—Mrs Parker, 28 Sepoy, 67th N. I., and 2 convicts. From *Akyab*—Captain Edwards, 11 Convicts, 1 Duflard and 1 Sepoy, Guard.
 Per *Roberts*, from London.—Hon. Mr. and Mrs. Ames, and 2 Children; Major Andrews, H. M. 3d. regiments; Mr. Toone, C. S.; Baton Vou Strong, H. M. 13th Regt.; Mr. Benoit, Mr.

Barettee; Mr Chamberlain, Cadet, Messrs. J. Hampton, G. Hampton and Higgins *Meerage Passengers*—Messrs. Heritage and Stoddart, and 2 Privates, H. M. S.—From *Madras*—Mr Seth. Per *Cashmere Merchant*—Mrs. Smellie; Lieut. H. B. Herbert, 7th Regt. M. N. I.
 Per *Elizabeth*—Mrs. Glass; A. W. Glass, Merchant.

DEPARTURES FROM CALCUTTA.

March 7th.—*Bethaven*, B. W. Crawford, for Bussorah and Bushire
 8th.—*Susan*, J. Young for Liverpool
 9th.—*London*, M. King, for Liverpool; *Sir Edward Ryan*, H. Pybus, for Singapore and (10th)
 March 10th.—*Gretil*, F. Vesque, for Bourbon; *Astronomie*, G. Bernard, for Bourbon; *Francis Warden*, Nacoda, for Bombay.
 12th.—*Ward*, A. Summers, for Mauritius; *John Adam*, E. D. O'Enley, for Porten Gulph
 14.—*Encke*, R. Paul, for Liverpool; *Royal Scron*, R. Reamer, for London; *Bright Planet*, A. Steel, for Australia; *Ann*, J. McGowan, for Calcutta; *Resolution*, A. R. Dixon, for Madras
 16th.—*Baboo*, G. B. Bowk, for London; *Annand Chandler*, G. S. Jones, for Kyook Phoo and Moulinein
 20th.—*Haroon*, M. Caithly, for London; *Ariel*, W. Warden, for Singapore and China
 21st.—*Euphrates*, A. Poyet for the Mauritius.
 24d.—*Dover*, J. Austin, for Boston.
 26th.—*John Heppner*, B. Robertson, for Moulinein and Rangoon; *Ch. Maria*, A. Brown, for Cape of Good Hope
 29th.—*Schooner*, W. Smith, for Point de Galle
 30th.—*Doona Maria*, H. R. Bowman, for Stockholm; *Voluntier*, A. Mc Minn, for Singapore and China; *Fraquitta*, P. Herichou, for Bourbon

DEPARTURES OF PASSENGERS.

Per *Marion*—Mrs Davidson, Mrs McDonald, Miss Conring and Signora Scheroni; C. D. Davidson, Esq., C. S.; Dr. Munro; Capt McAndrews; Lieut Macdonald R. N.; C. Harvill Esq., Capt Fraser; Lieut. G. Sherry, 13th Dragoons; Capt C. Gover Lieuts Phillip and Hamoy; L. Playfair, Esq; Masters Davidson and Hogarth, and 2 Masters Goodfellows; and Miss Davidson.
 Per *Ariel*, for China—Capt John Hudson. For Singapore—Mrs. Durham and Child,—Durham Esq., C. S. and Mr Jobbanes.
 Per *Indiana* for London, via Cape and St. Helena.—Mrs. Hamilton and Lieut. Martau.
 Per *Saxonia*, for London.—Mrs. Yates; Mrs Deane; A. Charlton Esq; R. W. Dodgson, Esq; Cornet Shute, Lieut. Turner, and Fisher
 Per *St. Louis*, for Point de Galle.—Mrs. Fulton and Child, and Mr Fulton.
 Per *Ludora*, for Hobart Town.—Mrs. Loughnan; Lieut. Loughnan; Messrs Townsend, Dennis and Sinton.
 The *Storm*, in tow of the *Junon*, left Calcutta en Merda for the Western Provinces, with the following passengers:—To Allahabad—Mrs Roberts, Miss Hamilton, and Lieutenant Thomas. To Mizapore—Captain Manning. To Ghazepore—Revd. Mr. A. Hammett; Miss Reid and Captain and Mrs. Matland. To Dwarapoor—Mrs Bridgman. To Rampore *Beachyiah*—F. A. Lushington, Esq., and E. Wylly, Esq.

DOMESTIC OCCURRENCES.

BIRTHS.

Jan. 10 At Nusserabad, the lady of Surgeon Dalrymple, 9th light cavalry, of a son.
 24. At Hoshungabad, the lady of Lieutenant MacGregor, 65th regiment native infantry, of a son and heir.
 30. At Nusserabad, the lady of Capt. H. N. Woistley, 74th regt. N. I., of a daughter.
 Feb. 4. At Arrah, Shahabad, the lady of Stanislas Henry Batson, Esq., Civil Assistant Surgeon, of a daughter.
 7. At Neemuch, the lady of Captain R. F. Macvittie, 49th regiment native infantry, of a son.
 10. At Jubbulpore, the lady of Major William Henry Sleeman, 1st regiment of native infantry, of a daughter.
 — At Agra, Mrs. Ann Pantun, of a son.
 11. At Ghazepore, the wife of Mr. J. Pitts, Apothecary, H. M. 43th regiment, of a daughter.

16. At Sons Soud, Prince of Wales's Island, the lady George Stuart, Esq., of Penang, of a daughter.
 16. At Hussunabad, in the Moorsabad division, the lady Capt. Biome, Browne, Art., of a son.
 19. Upon the river, near Sacregally, the lady of Captain G. W. Phillips, of a son.
 22. At Kurnaul, the lady Captain H. Garbett, artillery, of a daughter.
 23. At the General Hospital, Mrs Berkeley, of a son.
 — At Fattyghar, Mrs Charles Sutherland, of a daughter.
 24. At Calcutta the wife of Mr. James Stark, of a son.
 24. At Calcutta, Mrs. J. P. Green, of a daughter.
 25. At Calcutta, the lady of A. A. Anthony, Esq., of a daughter.
 — At Calcutta, Mrs. Thomas Lakin, of a son.
 27. At Humeerpoor, Mrs. R. C. Warnes, of a daughter.
 Mar. 2. At Dinapore the lady of Lieut. Danbar, H. M. 31st regt., of a daughter, still-born.

GENERAL REGISTER.

— At Pussawa Juanpore, the lady of Vincent Tregear, Esq. of a son.
 3. At Bangalore, the lady of Capt J. C. Coffin, Paymaster, in Mysore, of a son, still born.
 4. At Cawnpore, Mrs John Beaumont, of a son.
 5. At Semmitattu Factory, Putnaul, the lady of G Walker, Esq., of a daughter.
 — At Benares, the lady of Moji Sibaidd, 41st N. I., of a daughter.
 6. At Calcutta, Mrs E. T. Ferguson, of a son.
 — At Mooradabad, the lady of J. Toogood, 25th regiment, of a daughter.
 7. At Calcutta, Sahibzadr, Rajah Rajkishen's house, the wife of Ragh Anpysakri-hoa Bahadur, of a son.
 — At Espinac Row, the lady of J. F. Leath, Esq., of a daughter.
 — At Alahabad, the lady Lieut Alison, of the 68th regt N. I. of a daughter.
 8. At Benares, the lady of C. C. Pigot, Esq., 18th regiment native infantry, of a son.
 — At Calcutta, Mrs F. Boezatt, of a still born son.
 — At Karnaol, the lady of J. R. Colvin, Esq., of a son.
 9. At Bolahm, the lady of Lieut. Howarth, 39th regt. B. N. I., of a daughter.
 — At Amere, the wife of Mr. G. D. Boyd, Head Clerk to the Superintendent, of a daughter.
 12. At Calcutta, the lady of L. A. Rieky, 1sq of a son.
 13. At Benares, the lady of Lieut F. W. Burkingoung, of a son.
 — At Calcutta, Mrs. A. Smith, of a son.
 — At Agra, Mrs James Stuart, of a son.
 17. At Fussaia, Factory Zillah Rageshye, Mrs. A. C. Mounier, of a son.
 19. At Barrackpore, the wife of Quarter Master Sergeant Hol. Insworth, of a daughter.
 21. At Calcutta, Mrs P. Vator, of a daughter.
 22. At Calcutta, Mrs Jane Dunnett, the wife of Mr. J. L. Dunnett, Veterinary Surgeon, of a daughter.
 26. At Dum Dum, the lady of Alexander Humphreys, Esq., of the Horse Artillery, of a daughter.
 27. In Sunder Street, Chowringhee, the lady of Lieut. C. W. Montagu, N. I., of a son.
 28. At Calcutta, the lady of N. C. Bule, Esq., of a daughter.
 29. At Calcutta, Mrs F. H. Eatson, of a son.
 30. At Calcutta, the lady of the Rev. A. B. Lash, of a daughter.
 31. At Calcutta, the lady of James Ogilvie, Esq. of a son.
 — At Dyrain, in the Dhoon, lady of Captain John Fisher, of a daughter.

MARRIAGES.

Feb. 2. At Saugor Central India, by Major General Sir T. Annuer, C. B. Commanding the Saugor division, Lieutenant W. Bignall 69th regiment native infantry, to Miss M. Kyd.
 13. At Calcutta at the Principal Roman Catholic Church, by the Rev. Antonio da Santa Maria, Mr J. H. Peters, Watchmaker, to Miss Henrietta Rittman.
 20. At Fultahpur, at Christ Church, by the Rev. W. Sturrock A. B., Mr John O'Brien Kew, head clerk magistrate's office, Shalighaumpore, to Miss Ma in Tutty.
 24. At Saint Peter's Church, Mr W. Mar in, of the Iron Bridge Department, to Mary Elizabeth, eldest daughter of Capt R. Smith.
 — At Calcutta, at the Old Church, by the Venerable the Archdeacon, Mr W. Rusbale, of Bishop's College, to Henrietta Rothman, second daughter of the late J. U. Shillit, Esq.
 — At Chinsurah, by the Rev. Mr. Rudd, C. D. Quinlan, Esq., to Mrs. T. Elizabeth, relict of the late Charles Barber, Esq., of Chinsurah.
 24. At Calcutta Mr. V. Rees, to Miss Eliza Jones, eldest daughter of the late Mr. James Jones, of Ireland.
 — At Fort William at St. Peter's Church, by the Rev. O. Ruspini, Mr. J. Jeffereis, formerly Sergeant Major to the 1st battalion artillery, to Mrs. Sarah Buchanan.
 27. At the Scotch Kirk, by the Rev. Mr Charles, Mr Augustus Frederick Langer, to Miss Sarah Colgan, a daughter.
 28. Agra by the Rev. Gregory Mary de Bane, Catholic Apostolic Missionary, and afterwards at the Protestant Church, by the Rev R. Chambers, Arnold Henry Matthews, Esq., of Alimnahan near Allahabad, to Mary Eleanor, eldest daughter of the late Captain John Caman Carne, of the Honourable East India Company's Bengal Artillery.
 29. At Calcutta, at the Armenian Church, by the Rev. David Mackintosh, M. Ter Arratoon, Esq., to Miss Elizabeth Carapet, second daughter of Carapet Mackintosh, Esq.
 Mar. 1. At the Cathedral, by the Rev. H. Fisher, P. P. Carter, Esq., of Bhojpoore, to Sarah Aline, eldest daughter of the late J. W. Rickards, Esq.
 — At Calcutta, at the Scotch Kirk, by the Rev. James Charles, Senior Chaplain, Capt. William Prescott, of the Madras native infantry, to Eliza Jane, eldest daughter of the Honourable Alexander Ross.
 — At Benares, by the Rev. W. Smith Richardson Nicholson, Esq., to Miss Eleanor Watson.
 5. At Dacca, by the Rev. H. R. Shepherd, George Henry Lamb, Esq., to Miss Georgina M. Lamb.
 8. At Chinsurah, by the Rev. J. Rudd, John Frederick Field Esq., Lieutenant in Her Majesty's 9th regiment, to Mary, the only daughter of Lieutenant H. B. Farrant, of the same corps.

— At Cawnpore, by the Rev. J. Jennings, M. A., Cornel H Y Bazett, 5th light cavalry, to Louisa Coleborne, youngest daughter of the late John Bruce, Esq., of the Honourable East India Company's medical service.
 10. At Calcutta at the Cathedral, by the Rev. Henry Fisher, Werner Cathry, Esq. of Her Majesty's 11th regiment of light dragoons, to Jane Janeite Hosseson, surviving daughter of the late Thomas Hosseson, Esq. formerly of Blanklands, near Lynn, in the County of Norfolk.
 At Barrackpore, by the Rev. A. Hammond, A. B. Charnock, Ingleby Harrison, Esq. 65th regiment native infantry, to Mary Anne fifth daughter of the late Captain Tritton, Her Majesty's 24th dragoons.
 12. At Calcutta, at the Cathedral, by the Rev. H. Fisher, Mr. William Neil Dodd, Sergeant Major 67th regiment native infantry to Miss Margaret Airey.
 — At Chinsurah, by the Rev. J. H. A. Rudd, A. B. J. Sankey Esq., of H. M. 9th regt, of foot to Miss Sarah Anne Bronny.
 15. At Calcutta, at St. Andrew's Church by the Reverend Mr. McDonald, James Adves, Esq., to Miss Flora Lyon.
 — At Meerutt, at St. John's Church, George Lukins, Esq. horse artillery, to Emma Canachan.
 20. At Allahabad, by the Rev. H. Pratt, A. M., John Theophilus, Revaz, Esq. of the Bengal Civil Service, to Mary, eldest daughter of William Lambett, Esq., of the same service.
 — At Calcutta, at the Cathedral, by the Rev. A. Garstin, Mr. Robert Godiere, to Miss Anne Margaret Hamilton.
 29. At St John's Cathedral, by the Venerable the Archdeacon, Mr J. B. M. Ross, to Miss Letitia Powers, only daughter of Mr. P. W. Powers.
 EUROPE.—The Rev. R. Crosse, son of a Crosse, Esq. of Evre Court, Bromfield, to Eliza Mary, widow of the late Lieut. Arthur H. M. 10th foot, and second daughter of Charles Mackenzie, Esq. Bengal Civil Service.

DEATHS.

Nov. 1. on board the Barque *Britannia*, Capt. Leitch, on his passage to the Mauritius, William McDonald Cameron, Esq., aged 26 years, 8 months and 13 days.
 Dec. 7. At Sea, on board the *Palmyra*, Jackson Perrine, Esq. late solicitor General of the Island of Ceylon, aged 37 years.
 Feb. 2. At Cuddalore, Mrs. Emily Barbara McCally, relict of the late Mr. Andrew McCally, Head Uncommissioned assistant in the principal collector's office of that district, aged 50 years and 7 months.
 29. At Karnaol, of small pox, Brevet Captain George James Cookson, 2d battalion H. C. Artillery.
 21. At Delhi, Mrs. F. Cronch.
 22. At Calcutta, Mrs. Elizabeth Bailey, relict of the late Mr. William Bailey, aged 65 years.
 23. At Calcutta, at the General Hospital, Mr. John Gibbons, late steward of the Ship *Vandaria*, aged 5 years.
 24. At Mhow, Malwa, Brian Hamilton, the son of Lieut W. Hodgson, of the B. N. I. A., aged 16 months and 5 days.
 25. At Calcutta, Mrs. Charlotte Watts, relict of the late Joseph Watts, Esq. of Howrah, aged 51 years.
 26. At Calcutta, Mrs. Ann Humphreys, relict of the late, Mr Jacob Humphreys, aged 90 years.
 27. At Fort William, Mrs. Mary Ann, the lady of Capt. George Hogarth, of the Cameromians.
 28. At Agra, the infant son of Mr. E. Gray, of the Political Department, aged 3 months.
 March 1. At Nusseerabad, Major Hector Mackenzie, 74th, regt. N. I., deeply regretted.
 2. At Agra, Captain and Brevet Major Theophilus Bolton of the 47th native infantry.
 — At Kishnagpur, at the house of Dr. Fuller, E. D. Symon, Esq., aged 21 years and 5 months, deeply and sincerely regretted.
 4. At Calcutta, Mr. Charles Malachi Smith, an assistant in the secret and political department.
 — At Purneah, Mrs M. A. D'Assis.
 6. At Calcutta, Mr. Michael Newson, Livery Stable Keeper, aged 31 years.
 — At Calcutta, Mrs. Ann Cox, relict of the late Captain William Benford Cox, of the Bengal Engineers, late of Fort Marlbro' Bencoolien, deeply regretted.
 8. At Calcutta, in Park Street, Chowringhee, Amelia Anne, infant, daughter of the Hon. Mr. and Mrs. Shakespear, aged 1 year, 1 month and 27 days.
 At Dacca, Mrs. P. M. David, relict of the late P. M. David, Esq., sincerely regretted.
 — At Madras, in the 50th year of her age, Elizabeth Susanna, the beloved wife of W. R. White, Esq., Acting Deputy Inspector General of Hospitals, Her Majesty's troops.
 11. At Barrackpore, Emily Madeline, the infant daughter of Alexander Humphreys, Esq., of the horse artillery, aged 13 months, and 5 days.
 12. At Calcutta, Mr. John Smith, Surgeon, aged 22 years.
 — At Calcutta, Mrs. Mary Anne Clive, wife of Mr. George Clive, Assistant in the Sudder Board of Revenue, Allahabad, aged 24 years and 4 months.
 — At Cawnpore, Augusta Anna, the beloved child of Augustus Munter, Esq., 7th light cavalry, aged 2 years, 10 months and 12 days, deeply lamented.

GENERAL REGISTER.

13 At the General Hospital, Mr. John Longdon, aged 37 years
 — At mymensing, M. W. Carruthers, Esq., of the Bengal Civil Service, aged 27 years.
 16. At Delhi, Philip Augustus, infant, son of the late G. Lumley, Esq., aged 1 year and 5 months.
 17 At Chandernagore, Monsieur Claude Brunet, aged 21 years and 9 days.
 19 At Calcutta, after about fourteen hours suffering of spasmodic cholera, Mrs. Amelia Henderson, the wife of George Henderson, Esq., of 5, Farlie Place, solicitor, deeply regretted.
 — At Calcutta, Master John Nicol, a Ward of the Upper Orphan School, aged 9 years and 6 months
 — At Calcutta, Charles Frederick Young, Esq., of the Bengal Civil Service, aged 36 years.
 20 At Calcutta, the Honorable Henry Davenport Shakspeare Esq., member of the Supreme Council of India, aged 52 years
 21. At Calcutta, Mr. Wm. Johnson, of Cholera, aged about 19th years.
 — At Calcutta, Mr. J. T. Laurence, of Cholera, aged 31 years
 — At Calcutta Mrs. Anna Maria Grillard, aged 43 years, 9 months and 26 days.
 — At Fort William, Louisa Cecilia, the infant daughter of Brevet Captain French, Her Majesty's 26th regiment, aged 10 months and 14 days.
 At Mr. Spence's, Town hall, Calcutta Mrs. Anna Austin, relict of Dr. Austin, Madras Medical Service, aged 27 years
 21 At Calcutta, Mrs Elizabeth Matthews, wife of the late Mr. Joseph Matthews, of the Judicial department, aged 73 years.
 24 At Calcutta, Master Robert Orton, son of the late Mr. George Orton, of the Ordnance department, aged 16 years and 5 months.

22. At Calcutta, of Cholera, Mrs. E. Davis, aged 42 years and 5 months.
 23. At Calcutta, Robert, the infant son of P. Daly, Jail Sergeant, aged 7 months.
 24. At Calcutta, Miss Cecilia Damzen, daughter of Mr. Solomon Damzen, Political department, aged 10 years, 8 months and 24 days.
 — At Calcutta, Mr. John Rittman, constable of the police, aged 38 years.
 — At Calcutta, Miss Louisa Lee, aged 16 years, 4 months and 13 days.
 — At Calcutta, Mrs. Elizabeth Carmello Rodrigues, aged 25 years, 2 months and 9 days.
 25. At Calcutta, Mrs Frances Hanway Uday, lady of George Udny, Esq., of the H. C. Civil Service, aged 21 years.
 — At Calcutta, Mr J. Spencer, aged 27 years.
 26 At Calcutta, of Cholera, Miss Joana Pereira, aged 40 years
 27 At Calcutta, at the residence of his brother, Monsieur Frederic Tiron, of la Rochelle, aged 37 years.
 29 At Calcutta, William Levie Milano Toone, Esq., of the Hon'ble Company's Civil Service, aged 26 years
 Europe.—Died in London, on the 18th December, 1837, Jane Ralston, second daughter of Captain G. R. Crawford, Artillery, aged 7 years and 10 days.
 At Bath, on the 20th July last, Jane, eldest daughter of the late William Marriott, Esq., formerly in the Honorable Company's Civil Service on the Bengal Establishment.
 At Kensington, on the 27th November, Edward William, fourth son of Major H. Moberly, Secretary Madras Military Board, aged 9 years.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, March 31.)

INDIGO.—There is no change to notice in this article since our last. The exports to the evening of the 25th instant are—
 To Great Britain.....Fy. mds. 68,203
 France....." 47,314
 North America....." 313
 Stockholm....." 184
 Gulph, &c....." 4,570
 Fy. mds. 88,612

RAW SIKK.—We have not heard of any transaction since our last, and have no alteration in prices to notice
 SILK PIECE GOODS.—The demand has been somewhat active during the week, chiefly for the English market, and our last quotations are maintained.

CATION.—We have not heard of any transaction in the new staple. A shipment of last year's produce has been made per *Volunteer* for China, which we understand, was purchased from 8 to 12 annas under the currency of last season.

SALTPETRE.—The demand for this article, continues to be but trifling, but prices remain steady. The stock in the Bazar is very heavy, and reported of Chupah about 10,000 bags and other qualities 18,000 bags.

SOON.—Continues to engage attention for shipments to England and Hobart Town, and prices are quoted at an advance of about 8 annas per mound on our last quotations.

The stock of the old Sugar has considerably diminished and is reported to consist of about 5,000 bags, none of the new sugar has yet arrived in the market.

SHELL LAC AND LAC DYE.—Transactions during the week have been confined to the latter, prices of which have advanced a shade.

HIDES AND HORNS.—Continue in steady demand, at former prices

OIL SEEDS.—Without report of purchase, and remain at last week's quotations.

GRAIN.—We have not heard of a single transaction during the week in any description of Grain, but the quotations of the day show a shade of improvement on Rice, Dhol, Oats, Bran and Flour.

OPIMUM.—There has been nothing doing in this Drug during the week, and our quotations are nominal.

The quantity cleared at this Company's Warehouse to 30th instant, consists of

	Patna.	Benares.	Total.	
New.....	773	456	1229	chests.
Old.....	360	240	600	"
			2229	

GOVERNMENT SECURITIES.

* March 11.

Stock	Transfer Loan of 1835-36, } Interest payable in Eng- } land,.....	}	BUY.]		[SELL
			Rs.	p.	ct.
Paper	From No. 1200 a 18200 }	to sell	0 8 a	pm	20 ,,
Second	5 pr. ct. }	according to Numbers }	par	a	3 0 ,,
Third	6 per Cent.....	prem.	2 12	2 4	"
	4 per Cent.....	Direct. Co's. Rs.	3 10	2 14	"

BANK SHARES.

BENGAL BANK. (Co.'s Rs. 4,000)	Pres. Co.'s Rs.	3,250 a	3,200
UNION BANK (Co.'s Rs. 1,000)	"	400 a	275

COURSE OF EXCHANGE.

BUY.]	s. d.	s. d.	[SELL.	s. d.	s. d.
2 2 a	0 0 on London,	6 months' sight	2 0 1/2	0 1 1/2	
103 9 a	102 8 on Madras,	30 days' sight...	98 0 a	98 8	
102 8 a	103 0 on Bombay,	30 days' sight...	98 0 a	98 8	

RATES OF INTEREST AND DISCOUNT.

BANK OF BENGAL.

Discount	on Government Bills and Salary...	5 per cent.
	on Private Bills, 3 months.....	10 ditto.
	on Loans on Government Papers, 6 1/2	ditto.
Interest	on Goods.....	8 to 10 ditto.

GENERAL REGISTER.

UNION BANK.

Discount	}	charged on Govt and Salary Bills	5	per cent.
		charged on Private Bills, 1 month	9	ditto.
		charged on ditto ditto, 2 ditto	10	ditto.
Interest	}	charged on ditto ditto, 3 ditto	11	ditto.
		charged on Company's Paper Loans	8	ditto
		charged on Deposit of Goods	9	ditto.

GOVERNMENT SECURITIES.

March 25.

		BUY]	[SELL.
		Sa. Rs.	0 p. ct.
Stock Paper	} Transfer Loan of 1855-36, interest payable in Eng-land,	Prem. 16 0 15	0 p. ct.
Second		} Figure No. 1200 a 1500 } to sell dis. according to numbers } to buy do.	0 4 a pm	2 4 ,
5 pr. ct	3 0 2 8		,, 3 0 ,,
Third	5 per Cent. prem.		2 0 2 6
	4 per Cent. Disc't: Co. Rs.		

BANK SHARES.

BENGAL BANK. (Co. Rs. 4,000)	Prem: Co. Rs.	3,100	a	3,000
UNION BANK. (Co. Rs. 1,000)	,,	360	a	345

PRICE OF BULLION, &c.

March 25.

Spanish Dollars....	Co. Rs.	220	8 6 a	211	0	0	per 100
Dubloons		31	0 0 a	33	8	0	each.
Joes or pezas		19	11 0 a	20	0	0	
Sovereigns		10	8 8 a	10	9	0	
Bank of England Notes		10	8 6 a	10	10	8	
Gold Mohurs		18	6 0 a	18	7	0	
China Gold Bars		12	0 0 a	14	10	8	per. sa wt.
Sycee Silver		102	4 0 a	104	8	3	p 100 sa. wt.

RATES OF INTEREST AND DISCOUNT.

BANK OF BENGAL.

Discount	}	on Government Bills and Salary..	5	per cent.
		on Private Bills, 3 months.....	10	ditto.
Interest	}	on Loans on Government Papers..	6 1/2	ditto.
		on Goods,.....	8	to 10

UNION BANK.

Discount	}	charged on Govt. and Salary Bills.	5	per cent.
		charged on Private Bills, 1 month.	9	ditto.
		charged on ditto ditto, 2 ditto....	10	ditto.
Interest	}	charged on ditto ditto, 3 ditto....	11	ditto.
		charged on Company's Paper Loans	8	ditto.
		charged on Deposit of Goods.....	9	ditto.

ADMINISTRATION TO ESTATES.

Humphreys, Ann.....	Mr. Manuel Payne.
Cox, Aune, Widow.....	Mr. William Starmer.
Pigou, Robert.....	Registrar Supreme Court.
Rees, William Edward, Lieutenant of Engineers.	Registrar Supreme Court.
Buchan, Mary, alias, Mary Healy.....	J. W. Caston.
Hodges, Sarah, widow.....	Registrar Supreme Court.
Lonsdale, G O., Lieutenant H. M. 3d Regt.	W. Ainslie.
Mcqueen, Roderick, Captain.....	Registrar Supreme Court.
Strong, Lawrence Coulder.....	Registrar Supreme Court.
Shakespeare, Hon'ble H. D.	Mrs. L. Shakespeare, Widow.
Smith, C. M.	Registrar Supreme Court.
Toone, W. L. M.	Registrar Supreme Court.

GOVERNMENT NOTIFICATIONS.

&c. &c. &c.

BY THE DEPUTY GOVERNOR OF BENGAL.

Political department, the 11th April, 1838.—Mr. Surgeon D. Richardson is appointed a supernumerary assistant to the commissioner of the Tenasserim provinces, and to the medical charge of the Talayn corps recently raised at Moulineau.

General Department, the 8th April, 1838.—The Hon. the Deputy Governor of Bengal is pleased to grant to Mr. Henry Walters of the civil service, a furlough of the past season.

Mr. W. Adam resumed charge as clerk to the committee for controlling the expenditure of stationery, from the 1st instant.

Ecclesiastical Department.—Mr. W. H. Abbott registrar of the Arcdeaconry of Calcutta, with the approbation of the Right Reverend the Lord Bishop of Calcutta, resumed charge of his duties on the 14th instant.

Separate Department.—The Deputy Collector of Bulloah is hereby vested with jurisdiction for the trial of persons charged with offences against the laws for the perfection of the salt revenue when made over by the superintendent of Megua salt chokias, appointed to that District under the act No. IX of 1835, and the said deputy collector shall, and is hereby empowered to exercise in respect to such cases, the powers, described in sections XCVI and CLX., and other provisions of regulation X. 1819 of the Bengal code.

General Department, the 18th April, 1838.—The Hon. the President in Council gives notice that the following arrangements have been made by the Government of Bombay, for the conveyance from the Red Sea to Bombay of the English mails of June, July, August and September:

The June packet will be brought by the new schooner just launched.

The July packet will be brought by the *Paliburnus*

The August packet will be brought by the second news schooner which is now being built

The September Mail may be expected to arrive at Suez by the 2d of October, if a steamer cannot be sent for it, it will be brought to Bombay by the *Euphrates*.

Published by order of the Hon. the President in Council,
H. T. PRINSEP,
Secy. to the Govt. of India.

Fort William, political department, the 18th April, 1838.—The leave of absence granted to Major Sandys, principal assistant in Nilgar, on the 3d January, is to commence from the 25th instead of the 5th January last.

Fort William, general department, the 18th April, 1838.—The Hon. the Deputy Governor of Bengal is pleased to authorize the superintendent of police in Calcutta to grant tickets or the admission of sick paupers into the General Hospital.

The Hon. the President in Council is pleased to appoint Mr. Assistant Surgeon J. Bowron post master at Jessore.

Fort William, legislative department, the 23d April 1838.—The following Act is passed by the Hon. the President of the Council of India in Council on the 23d April, 1838, with the assent of the Right Hon. the Governor General of India, which has been read and recorded.

Ordered, that the act be promulgated for general information
Act No. VII. of 1838.

It is hereby enacted, that it shall be lawful for a Judge of any zillah or City Court, within the territories subject to the Pres-

idency of Fort William in Bengal, to exercise the powers vested in a single Judge of the Sudder Dewanny Adawlat, by clause, 2 section 11, regulation IX, of 1831 of the Bengal code.

The following act is passed by the Hon. the President of the Council of India in Council on the 23d of April, 1838, with the assent of the Right Hon. the Governor General of India, which has been read and recorded.

Ordered, that the act be promulgated for general information.
Act No. VIII. of 1838.

I. It is hereby enacted, that from the 10th day of May, 1838, the following rates of toll shall be levied, in the Company's currency, at the toll-gate of the Bhore ghaut, on palanquins and laden bullocks, both in going and returning:

On every palanquin..... 1 rupee.
On every laden bullock..... 6 pies.

II. And it is hereby enacted, that from the said day, all the provisions of Act No. 11. of 1837, of the Governor General of India in Council, shall be applicable to palanquins and laden bullocks, and the tolls to be levied thereon, as if they had been inserted among the rates of tolls contained in section II. of that Act.

ROSS D. MANGLES,
Offg. Secy. to the Govt. of India.

Judicial and revenue department.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

The 20th March, 1838.—Mr John Fitzpatrick to the charge of the revenue survey of the northern division of Cuttack, with the powers of a deputy collector under regulation IX. of 1833, for the special and exclusive duty of deciding boundary disputes within the limits of his operations as surveyor.

The 10th April, 1838.—Mr. C. G. Mackintosh, to be joint magistrate and deputy collector of Purneah.

The 14th April, 1838.—Baboo Rae Porusnath Bose, principal sudder ameen West Burdwan, to be a principal sudder ameen in East Burawan, vice Mr. Duououlin deceased.

Moulavie Abdool Majid, principal sudder ameen in Chittagong to be a principal sudder ameen in West Burdwan.

Moulavie Mohommed Fyz Khan to be a principal sudder ameen in zillah Chittagong.

Baboo Ram Lochnu Ghose to be a sudder ameen in zillah Tipperah.

Moulavie Mohummud Khoorshed to be additional principal sudder ameen in zillah Mymunsingh.

The 16th April, 1838.—The leave of absence granted to Mr. R. P. Nisbet, judge of Nuddea, under orders of the 3d instant, has this day had been canceled at his request.

The 17th April, 1838.—The following officers have obtained leave of absence from their stations:

Mr. C. Steer, officiating magistrate of Nuddea, an extension of two days leave of absence, in addition to that granted to him on the 3d instant.

Moulavie Mohommed Rafiq, officiating sudder ameen of Moonghyr for four days, on private affairs.

The Hon. Deputy Governor of Bengal has been pleased to make the following appointments:

The 19th April, 1838.—Mr. Assistant Surgeon E. V. Davies to perform the medical duties of the civil station of Boncoorah.

The 20th April, 1838.—Lieutenant Robert Mathison, of the 6th regiment native infantry, to be a revenue surveyor in Cuttack, with the powers of a deputy collector under regulation IX. of 1833, for the special and exclusive duty of deciding boundary disputes within the limits of his operations as surveyor.

The following officer has obtained leave of absence from his station:

GENERAL REGISTER.

Mr. H. Walters, a temporary member of the Sudder Board of Revenue, for one month, preparatory to his proceeding to England on furlough.

FRED. JAS. HALLIDAY,
Offg. Secy. to the Govt. of Bengal

Judicial and Revenue Department, the 21st April, 1838.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. Assistant Surgeon John Arnott, M. D., to the temporary charge of the Medical duties of the Civil Station of Gownalparah.

The following Officer has obtained leave of absence from his Station:

Lieutenant H. Siddons, Revenue Surveyor in Chittagong, for six weeks on private affairs.

The 24th April, 1838.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. J. Marley to be Deputy Collector under Regulation IX of 1833 in Patna.

Baboo Degumber Witter to be ditto ditto under ditto ditto, taking effect from the 19th December last.

Mr. J. Macleod to be ditto ditto under ditto in Shahabad, ditto from the 1st January last.

Mr. G. Dixon to be ditto ditto under ditto ditto, ditto from the 1st January last.

Moulvie Shukawat Ally to be ditto ditto under ditto in Sarun, ditto from the 1st January last.

Mr. L. H. Bolland to be ditto ditto under ditto ditto, ditto from the 28th December last.

The following officer has obtained leave of absence from his station:

Mr. W. B. Jackson, Commissioner of Revenue of the 14th or Moorshedabad Division, for five days, to visit the Presidency, on private affairs.

Mr. C. J. H. Graham, Joint Magistrate and Deputy Collector of Rajeshahy, reported his departure for the Cape of Good Hope on the ship *Roxburgh Castle*, which vessel was left by the Pilot on the 15th instant.

Mr. C. Tottenham, Deputy Collector of Tirhoot, reported his departure for the Cape of Good Hope on board the same vessel.

FRED. JAS. HALLIDAY,
Offg. Secy. to Govt. of Bengal

Fort William, General Department, the 25th April, 1838.—The leave granted under the orders of Government of 1st November last, to Mr. David Pingle, of the Civil Service, to proceed to Europe on furlough, is cancelled at his own request.

Mr. W. Young having exceeded the period within which, under the orders of the Honorable the Court of Directors he ought to have qualified himself for the Public Service by proficiency in two of the Native languages, has been ordered to return to England.

H. T. PRINSEP,
Secy to the Govt. of Bengal

Fort William, Legislative Department, the 26th March, 1838.—The Hon. the Court of Directors having, with the approbation of the Right Hon. the Commissioners for the affairs of India, recommended the appointments of Frederick Millett, Esq., of the Bengal Civil Service, as member, and James Charles Colebrooke Sutherland, Esq., as secretary, of the Indian Law Commission.

The Hon. the President of the Council of India in Council, with the concurrence of the Right Hon. the Governor General of India has this day been pleased to appoint Frederick Millett, Esq., to be a member of the Indian Law Commission, and James Charles Colebrooke Sutherland, Esq., to be secretary to the said Commission in the place of Mr. F. Millett.

Judicial and revenue department, the 27th March, 1838.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. A. Moss to be an assistant to the register of the Courts of Sudder Dewanny and Nizamut Adawlat.

Mr. H. Atherton to officiate as joint magistrate and deputy collector at Rajeshahy during the absence of Mr. Drom or until further orders.

The following officers have obtained leave of absence from their stations:

Mr. G. C. Chesp, civil and session judge of Shahabad, for three days, in addition to that granted to him on the 3d ultimo.

Mr. J. T. Wallis, officiating joint magistrate and deputy collector of Burdwan, for one month, on medical certificate.

The 30th March, 1838.—Mr. Charles Francis, deputy collector of Calcutta, for three months, to proceed to Singapore on medical

certificate, Mr. Wals Byrn will officiate as deputy collector during Mr. Francis' absence or until further orders.

Rai Doorgannath Roy, 1st principal, sudder ameen of West Burdwan, for twenty days, in addition to the period of the Mohurram vacation.

Moulvie Mahomed Rasq, acting sudder ameen of Monahyr, for the period of the Mohurram vacation.

Mr. T. R. Davidson, commissioner of revenue of the 11th or Patna division, has reported his departure from Bengal for the Cape of Good Hope on board the ship *Mission*, which vessel was left by the pilot on the 23d instant.

Judicial and revenue department, the 27th March, 1838.—The Honorable the Deputy Governor of Bengal has been pleased to make the following appointment:

Syed Hosseyn Bukah to be Sudder ameen in zillah Beerbhoom.

The following officer has obtained leave of absence from his station:

Mr. W. Luke, officiating magistrate and collector of Sarun, for our days, in addition to that granted to him on the 10th January last, to enable him to rejoin his station.

The 31st March, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointment:

Mr. Assistant Surgeon J. S. Loren, M. D., to perform the medical duties of the civil station of Hooghly, during the absence of Doctor Wise.

The 3d April, 1838.—The following officers have obtained leave of absence from their stations:

Mr. R. P. Nichol, judge of Nuddah, during the remainder of the Mohurram vacation, on medical certificate.

Mr. C. Grant, magistrate and deputy collector of Hooghly, for twenty days, in extension of the leave granted to him on the 2d ultimo.

Mr. C. Steer, officiating magistrate of Nuddah, for one week, on private affairs. Mr. G. Loch will officiate in the above office during the absence of Mr. Steer.

Mr. W. M. Drom, joint magistrates and deputy collector of Rajeshahy, has reported his departure to sea on board the ship *Idel*, which was left by the pilot on the 25th ultimo.

Judicial and revenue department, the 27th March, 1838.—Mr. C. Tottenham, deputy collector of Tirhoot, for two years, on medical certificate, to proceed to New South Wales, via Mauritius or the Cape of Good Hope.

The 3d April, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointment:

Mr. C. Grant to officiate, until further orders, as joint magistrate and deputy collector at Nacooly, in the room of Mr. C. T. Davidson.

The 1st April, 1838.—The following officer has obtained leave of absence from his station:

Mr. H. Atherton, assistant under the Commissioner of Cuttack for one month, from the 1st ultimo, on medical certificate.

The 1th April, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. Assistant Surgeon James Pagan to the charge of the Medical Duties of the Civil Station of Gwah, vice Mr. Assistant Surgeon Taylor.

Mr. Assistant Surgeon John Wood to the charge of the medical duties of the civil station of Rungpore, vice Mr. Assistant Surgeon Pagan.

The 12th April, 1838.—Mr. C. Tottenham, deputy collector of Tirhoot, has reported his departure for the Cape of Good Hope, on board the *Roxburgh Castle*, on the 10th instant.

FRED. JAS. HALLIDAY,
Offg. Secy. to the Govt. of Bengal,

Fort William, political department, the 26th March, 1838.—Mr. H. W. Forester to be deputy secretary to the Government of India and Bengal in the secret and political department, vice Mr. Trevelyan, to take effect from the date of his departure.

Fort William, separate department, the 26th March, 1838.—Mr. Lane Mackenzie is appointed to do duty in the office of the Secretary to the Board of Customs, salt and opium, until further orders.

ADDITIONAL POST OFFICE RULES.

Fort William, general department, the 26th March, 1838.—In order to provide for the public convenience at stations from, and to, or between which, a bangy post has not yet been established, the President in Council, until further orders, authorizes Post Masters at such out-stations to receive (as an act of indul-

MILITARY.

BY THE PRESIDENT IN COUNCIL.

ence to be exercised at their discretion) Packets of reasonable weight at the ordinary bangy rates of Table 4, schedule A, for despatch, by the letter post of any cross road on which a bangy post may not be established, or to the nearest station whence they can be conveyed by bangy, provided that the party sending the same shall satisfy the post-master that the packet contains no letter or writine, and provided that the mail be not thereby loaded above the maximum gross weight to be conveyed by a single runner, viz. 9 seers, or 18 lbs.

Bangy parcels of moderate weight, received for transmission to places beyond a bangy range, will in like manner be received at bangy rates for the whole distance. They will then be forwarded by bangy as far as such bangy post travels, and thence be sent on by letter post, should such transmission be possible without overloading the runners; otherwise their further transmission will be completed by means of extra bangies to be hired for the purpose.

By order of the Hon. the President in Council,
H. T. PRINSEP,
Secy. to the Govt. of India.

Fort William, legislative department, the 2d April, 1838.—The following draft of a proposed act was read in Council for the first time on the 2d April, 1838.

Act No. — of 1838.

It is hereby enacted, that from the — day of — all powers vested by regulation XI. of 1837 of the Madras code in zillah or assistant judges, shall be vested in every principal sudder ameen within the territories subject to the Government of the presidency of Fort St. George, in respect of all hidden treasure of any of the kinds specified in section II. of that regulation, which may be found within his jurisdiction; and all rules applicable to zillah or assistant judges, shall be applicable to every such principal sudder ameen, in respect of such treasure.

Ordered, that the draft now read be published for general information.

Ordered that the said draft be re-considered at the first meeting of the legislative council of India after the 15th day of May next.

Fort William, legislative department, the 2d April, 1838.—The following draft of a proposed act was read in Council for the first time on the 2d April, 1838.

Act No. — of 1838.

I. It is hereby enacted that it shall be competent to the Governor General of India in Council by an order in Council, to extend any part of the provisions of regulation XI of 1818, to the court of any principal sudder ameen, sudder ameen, or moonsiff.

II. And it is hereby enacted, that it shall be lawful for the Governor General of India in Council to delegate the power given to him by section I of this act to the Governor of Bengal, and to the Lieutenant Governor of the north western provinces, or to any functionary exercising the authority of Government in the north western provinces.

Ordered, that the draft now read be published for general information.

Ordered, that the said draft be re-considered at the first meeting of the legislative Council of India after the 15th day of May next.

Fort William, general department, the 4th April, 1838.—The Hon. the President of the Council of India in Council is pleased to direct that the following act of parliament, made and passed in the fifth and sixth years of the reign of His late Majesty, entitled, "An act to regulate the admeasurement of the tonnage and burthen of the merchant shipping of the United Kingdom," bearing date the 9th of September 1833, be published for general information.

ROSS D. MANGLES,
Offg. Secy. to the Govt. of India.

Fort William, general department, the 14th April, 1838.—Mr. T. P. Blacoe, of the civil service, attached to the north western provinces, reported his return to this presidency from sea on the 6th instant.

Fort William, political department, 11th April 1838.—Capt. N. Lewis, assistant to the general superintendent of the operations for the suppression of thuggee in the Monshedabad division, made over charge of the office to Capt. J. Whiteford on the 3d instant.

By order of the Hon. the president in Council.
J. STUART, Lieut. Col.
Offg. Secy. to the Govt. of India Mily. Dept.

Fort William, 31st March, 1838.—No 48 of 1838.—Assistant Surgeon John Spence Logan, M.D., is placed at the disposal of the Hon. the Deputy Governor of Bengal for the temporary charge of the medical duties of the civil station of Hoogly.

Fort William, 2d April, 1838.—No 39 of 1838.—The Hon. the President in Council is pleased to make the following promotion and alteration of rank:

Infantry.—Lieutenant Colonel and Brevet Colonel William Henry Kemm to be Colonel, from the 11th of November 1837, vice Colonel (Major General) Robert Patton, C.B. deceased.

Major James Eckford to be Lieutenant Colonel, vice Lieutenant Colonel and Brevet Colonel William Henry Kemm promoted with rank from the 31st of January 1838, vice Lieutenant Colonel James Watkins retired.

4th regiment light cavalry.—Captain William Buriton to be Major, Lieutenant and Brevet Captain Charles O'Hara to be Captain of a troop, and Cornet George Jackson to be Lieutenant, from the 20th March 1838, in succession to Major John Barclay transferred to the invalid establishment.

Superannuated Cornet Frederick Neil Edmonstone is brought on the effective strength of the cavalry.

6th regiment native infantry.—Captain John Gavin Drummond to be Major, Lieutenant and Brevet Captain David Gabriel Keller to be Captain of a company, and Ensign Bernard Cary to be Lieutenant, from the 31st of January 1838, in succession to Major James Eckford promoted.

17th regiment native infantry.—Lieutenant and Brevet Captain Henry John Rabau to be Captain of a company, and Ensign William Dinely Goudy to be Lieutenant, from the 2d of March 1837, in succession to Captain and Brevet Major Theophilus Bolton deceased.

Medical department.—Assistant Surgeon John Smyth, M.D. to be Surgeon, from the 17th March 1838, vice Surgeon Robert Fyter, M.D., deceased.

Alteration of rank.—Infantry.—Lieutenant Colonel W. Burroughs, Major J. A. Thompson, Captain T. Lysonet, and Lieutenant E. Manway, L.W. European regiment, to rank from 11th November 1837, in the room of Lieutenant Colonel and Brevet Colonel Wm Hy. Kemm promoted, vice Colonel (Major General) Robert Patton, C.B. deceased.

Major David Dalrymple Anderson, of the 29th regiment native infantry, is permitted to retire from the service of the East India Company, from the 6th instant, on the pension of a Colonel, in conformity with the regulation of the 29th December 1837.

Major J. G. Drummond, of the 6th regiment native infantry, is placed at the disposal of the right Hon. the Governor General, for the purpose of Surveying a line of road from Agra to Bombay.

The following temporary arrangement is made in the subordinate branch of the department of Public works during the absence of Conductor E. Townsend, from the 11th February last, the date on which he proceeded to Europe on furlough, on medical certificate.

Sub-conductor Walter Synnott is promoted to the rank of acting conductor, and Overseer Pigott to that of Acting Sub-conductor.

Gunner Michael Carroll, of the 1st troop 3d brigade horse artillery, is admitted to the benefits of the pension sanctioned by minutes of Council of the 11th January 1797, and General orders dated 5th February 1826, subject to the confirmation of the Hon. the Court of Directors, with permission to receive his stipend at Dum Dum.

Fort William, 9th April, 1838.—No. 51 of 1838.—The Hon. the President in Council is pleased to make the following promotions:

8th regiment native infantry.—Captain George Hicks to be Major, Lieutenant and Brevet Captain George Gordon to be Captain of a Company, and Ensign Charles Gunkell Landon to be Lieutenant, from the 8th of January 1838, in succession to Major James Leslie Day deceased.

29th regiment native infantry.—Captain John Satchwell to be Major, Lieutenant and Brevet Captain Henry Fitz Simons to be Captain of a company, and Ensign Henry Shaw Stewart to be Lieutenant, from the 6th of April 1838, in succession to Major David Dalrymple Anderson retired on the pension of a Colonel.

This Honour in Council is pleased to make the following appointment:

GENERAL REGISTER.

Major Richard Home, of the 73d Regiment native infantry, to officiate as presidency pay master during the absence of Major Stoddart, on medical certificate, or until further orders.

Lieutenant William Lamb, of the 51st regiment native infantry, is permitted to proceed to Europe on furlough, on medical certificate.

Ensign Charles Ginkell London, of the 8th regiment native infantry, has returned to his duty on this establishment without prejudice to his rank, by permission of the Hon the Court of Directors. Date of arrival from Europe via Bombay within the boundary of the Bengal presidency, 23d February 1838.

The leave of absence granted in general orders No. 17, of the 23d January 1837, to Captain Henry Pritch, of the 73d regiment native infantry, has been extended from the 1st September to the 30th November last, on medical certificate.

His Honor in Council is pleased to accept of the resignation of Mr T. C. Pennington of his situation of assistant to the executive officer, Madras division department of public works

No 52 of 1838.—The Hon. the President in Council is pleased to direct, that the allowances of officers of Her Majesty's service removed from one presidency to another, shall, up to the date of their departure from the presidency, at which they are serving, be governed by the regulations of that presidency, and subsequently by those of the presidency to which they are transferred.—General orders Governor General, No. 150, of 25th July 1836, are in consequence cancelled.

Fort William, 9th April, 1838.—No. 54 of 1838.—Surgeon James Ranken, M.D., is permitted to resign the temporary appointments of officiating secretary to the Medical Board and officiating presidency surgeon, and return to his duties as civil surgeon at Delhi.

Surgeon James Hutchinson, having returned to the presidency, is directed to resume charge of his office as secretary to the medical board.

No 56 of 1838.—Lieutenant Thomas Dixon, of the 43d Regiment Native infantry, is promoted to the rank of Captain, by Brevet, from the 13th April, 1838.

Lieutenant Herbert Apperley, of the 6th regiment native infantry, is appointed to the charge of the Khoorda Pak Company, during the absence of Captain J. Drummond, provided his corps shall remain so long at Cuttack.

Lieutenant Robert Mathison, of the 6th regiment native infantry, is placed at the disposal of the Hon the Deputy Governor of Bengal for employment on the survey of the Cuttack province.

Assistant Surgeon Elliot Voyle Davies is placed at the disposal of the Deputy Governor of Bengal for the medical duties of the civil station of Bancoorah.

Assistant Surgeon Thomas Alexander Wise, of the civil station of Hooghly, is permitted to proceed to the Mauritius, on medical certificate, and to be absent from Bengal on that account for four months.

Lieutenant Frederick Baratty Lardner, of the 58th regiment native infantry, is permitted, at his own request to resign the service of the East India Company.

The Right Hon. the Governor General of India was pleased, in the Political Department, under date the 24th ultimo, to post Assistant Surgeon Henry Taylor, at present attached to the Civil Station of Cymb, to the 2d regiment of infantry in the Oude auxiliary force.

Conductor Stephen Patman of the ordnance commissariat department, having been declared incapable of performing the active duties of his profession, is transferred to the invalid pension establishment.

J. STUART, Lieut.-Col.

Offg. Secy. to the Govt. of India Milly. Dept.

Fort William, General Department, the 14th April, 1838.—Mr. J. P. Grant has resumed his situation of deputy secretary to the Government of India in the judicial and revenue departments, and has been directed to officiate as deputy secretary in the general, secret and political departments of the Government of India.

Mr. G. C. Plowden will continue to officiate as deputy secretary to the Government of Bengal in the judicial and revenue departments.

Mr. H. V. Bayley is appointed to be special assistant in the general, secret and political departments.

H. T. PRINSEP.

Secy. to the Government of India.

The Hon. the President in Council is pleased to appoint Mr. Assistant Surgeon Henry Taylor, Post-Master at Cymb.

Fort William, 16th April 1838.—No. 58 of 1838.—Assistant Surgeon John Arnott, M.D., is placed at the disposal of the Government of Bengal, for the purpose of being appointed to the temporary charge of the medical duties of the civil station of Guwalparah.

Fort William, 23d April, 1838.—No. 50 of 1838.—The Hon. the President in Council is pleased to make the following promotion:

58th regiment native infantry.—Ensign George Dalston, to be Lieutenant from the 16th April 1838, vice Lieutenant Frederick Baratty Lardner resigned the service of the East India Company.

Lieutenant William Anderson, of the 59th regiment native infantry, is promoted to the rank of Captain by Brevet, from the 21st April 1838.

Major Charles Hamilton, of the 22d regiment native infantry, is permitted to proceed to Europe on furlough, on account of his private affairs.

Captain Ninian Lewis, of the 63d regiment native infantry, assistant to the general superintendent for the suppression of Thuggee, is permitted to proceed to Singapore, on Medical Certificate, and to be absent from Bengal on that account for six months.

Ensign David Clark Scott, of the 3d regiment native infantry is permitted to proceed to Singapore on account of his private affairs, and to be absent from Bengal on that account for five months.

BY THE GOVERNOR GENERAL.

Revenue department, camp at Rajghat, the 22d March 1838.—The services of Mr H. Stokes, lately Superintendent of sugar, under the Commissioner of Mysore, have this day been placed at the disposal of the Government of Fort St. George.

Political department, camp at Rajghat the 21th March 1838.—Mr. Assistant Surgeon H. Taylor, at present civil surgeon at Cymb, is posted to the 2d regiment of infantry in the Oude auxiliary force.

Mr. B. H. Hodgson, the resident at Nepal, reported his having resumed charge of the residency from Mr. A. Campbell on the 5th instant.

Political department, camp, at Nahna, the 26th March, 1838.—The Right Hon the Governor General has been pleased to make the following appointments, viz.

Lieut. R. S. Dobbs to be Superintendent of the Nugaur division of the Mysore territory, vice Mr H. Stokes, Lieutenant Dobbs will continue to officiate as superintendent of the Chittredroog division, until further orders.

Captain I. Briggs is promoted to be 3d assistant to the commissioner for the Government of the territories of his Highness the Rajah of Mysore, vice Lieutenant Dobbs.

The Hon. H. B. Devoreux is promoted to be 4th assistant to ditto ditto, vice Captain Briggs, and is to officiate as 3d assistant: and Lieutenant H. Montgomery is appointed to officiate as 4th assistant to the commissioner.

Political Department, camp, Ramghur, the 30th March, 1838 Mr. Assistant Surgeon W. Stevenson, M. D., attached to the Lucknow residency, has been permitted to proceed to the hills, on medical certificate, for the period of eight months, from the 1st proximo to the 1st of December next.

By order of the Right Hon. the Governor General of India,

Political department, camp, at Pnjore, the 31st March 1838.—Mr. H. Stokes, superintendent of the Nugaur division, delivered over charge of his office on the 22d ultimo, to Captain A. Macleod.

By order of the Right Hon'ble the Governor General of India.

W. H. MACNAGHTEN.

Secy. to the Govt. of India with the Gov. Gen.

Judicial, revenue and general department. Simla, the 2d April, 1838, revenue.—Mr. G. F. Edmonstone is appointed to conduct the revision of settlements under Regulation IX of 1833, from the 1st instant, and will be employed for the present in the District of Allahabad.

GENERAL REGISTER.

The 5th April 1838, judicial.—Mr. A. P. Currie is appointed to officiate as judge of Etawah.

Judicial and Revenue—Mr. T. R. Davidson is appointed to officiate as magistrate and collector of Benares, till further orders.

J. THOMASON,

Offg. Secy. to the Govr. Genl. W. N. P.

Simlah, 3d April 1838.—The Hon. the Governor General is pleased to make the following appointments:

Captain D. Thompson of the 56th regiment native infantry Senior Deputy Assistant Adjutant General, to be an Assistant Adjutant General of division, vice Baylison, who has been permitted to retire from the service.

Captain W. G. Cooper, of the 71st regiment native infantry, a Major of brigade on the Establishment, and officiating as deputy Assistant Adjutant General, to be a deputy assistant adjutant general of division, vice Thompson.

Captain and Brevet Major C. E. Davis, of the 58th native infantry, to be major of Brigade at Barackpore, vice Cooper, during the period his regiment may be serving at that station.

Assistant Surgeon H. Taylor, attached to the civil station of Cytah, was appointed in the political department, on the 24th ultimo, to the 2d regiment of infantry in the Oude auxiliary force.

The Right Hon the Governor General is pleased to appoint Sergeant Richard Minton, of the 1st troop 1st brigade horse artillery, to be an assistant overseer, to fill a vacancy in the 3rd or Dinapore division of public works, vice Sergeant Miller deceased.

WM. CASEMENT, M. G.,

Secy. to the Govt. of India, Mty. Dept. with the Rt.

Hon. the Govr. Genl.

Ecclesiastical department, the 4th April, 1838.—The Hon. the Deputy Governor of Bengal is pleased to appoint the Rev. W. Palmer, A. B. Junior Presidency Chaplain. The appointment, to take effect from the 17th February last.

H. T. PRINSEP,

Secy. to the Govt. of Bengal

Simlah, 16th April, 1838.—The following Appointment was made on the 9th instant, in the Political Department:

Mr. Assistant Surgeon J. S. Logan, M.D., to the Medical charge of the Residency at Lucknow, during the absence of Mr. Assistant Surgeon W. Stevenson, who has obtained eight months leave, on Medical Certificate, from the 1st instant, to proceed to the Hills.

Simlah, 10th April, 1838.—The Right Hon. the Governor General has been pleased to make the following appointments:

Major C. J. C. Davidson, of engineers, to be executive engineer to the 6th or Allahabad Division of public works.

Lieutenant Hugh Fraser, executive engineer Mhow division, to be executive engineer to the 7th or Cawnpore division of public works, but to remain at Mhow until the work on which he is at present engaged is completed.

Lieutenant J. N. Sharp, in charge of the 7th or Cawnpore division, to be executive engineer to the Mhow division of public works, but to remain at Cawnpore till relieved by Lieutenant Fraser.

WM. CASEMENT, M. G.

Secy. to the Govt. of India Mty. Dept.

with the Rt. Hon. the Govr. Genl.

Political department Simlah, the 11th April, 1838.—Mr. Assistant Surgeon J. S. Logan, M.D., was on the 9th instant, appointed to the medical charge of the residency at Lucknow, during the absence of Mr. Assistant Surgeon W. Stevenson.

By order of the Right Hon. the Governor General of India,

W. H. MACNAGHTEN,

Secy. to the Govt. of India with the Govr. Genl.

BY THE GOV. GENERAL FOR THE N. W. PROVINCES.

Judicial, revenue and general department, camp, Meerut, the 6th February, 1838.—Khajsh Uieem Oollah is appointed to be deputy collector under regulation, IX. of 1833, in zillah Azimghur.

Camp Delhi the 22d February, 1838.—Mr. W. H. DeGruythe is appointed to be deputy collector under regulation IX. of 1833 in zillah Furruckabad.

Judicial, revenue and general department, camp, Saharans poor, the 1st March, 1838.—Mr G. T. Lushington to be magistrate and collector of Etawah, from the date on which Mr. S. G. Smith vacated the appointment. Mr. Lushington will continue to officiate as magistrate and collector at Bareilly till further orders.

Mr G. F. Harvey to be magistrate and collector of Allypore from the date on Mr. T. P. Woodcock may vacate the appointment.

Mr. E. H. Morland to be civil auditor, north western provinces, in succession to Mr. G. F. Harvey.

Mr. M. R. Gubbins to be joint magistrate and deputy collector of Allahabad. Mr. Gubbins will continue to officiate with the powers of a joint magistrate and deputy collector in charge of the Berzopore pergunnahs of the Gurgaon district, till further orders.

Mr. W. H. Benson to officiate as judge of Meerut during Mr. Glyn's absence on leave, or till further orders.

Mr. G. T. Lushington to officiate as magistrate and collector of Bareilly during the absence of Mr. Benson, or till further orders.

The following officers have obtained leave of absence:

Captain M. Smith, principal assistant to the commissioner in the district of Saugor, for nine months, on medical certificate, to proceed to sea from Bombay and eventually to Calcutta. Lieutenant R. W. C. Doolan will officiate as principal assistant at Saugor, till further orders.

Mr. M. S. Tierney, magistrate and collector of Boolundshuhur from the 1st April to the 1st December next, for the purpose of visiting the hills north of Dehra, on medical certificate.

Cornet C. G. Fagan, assistant to the agent and the Commissioner in the Saugor and Nerbudda territories, has been permitted to resign his appointment from the 5th February last.

Mahomud Yousuf is transferred in his present capacity of sudder ameen and law officer from Cawnpore to Jounpore, and Moulvee Khudim Hoossain Khan, sudder ameen and law officer at Jounpore, removed to Cawnpore.

Camp Naraingurh, the 7th March 1838.—the following officer have obtained leave of absence:

Mr. W. S. Donnitborne, officiating magistrate and collector of Banda, for twelve months on medical certificate, to proceed to the hills. Mr. Donnitborne has been authorized to make over charge of the office of magistrate and collector of Banda to Mr. W. F. Massou, the joint magistrate and deputy collector.

Mr. C. W. Kinloch, deputy collector for the investigation of rent-free tenures at Mynpore, from the 20th March to the 5th November next, on medical certificate, to visit the hills north of Dehra. Mr. Kinloch has been authorized to make over charge of his office to the collector, till further orders.

J. THOMASON.

Offg. Secy. to the Govr. Genl. N. W. P.

Political department, camp, at Rajghat, the 24th March, 1838.—Mr. H. Swetenham, the Agent to the Governor General at Furruckabad, reported his having resumed charge of the agency on the 14th instant.

By order of the Right Hon. the Governor General for the N. W. Provinces.

W. H. MACNAGHTEN.

Secy.—to the Gov. Genl. for the N. W. P.

Judicial, revenue and general department, Simlah, the 27th March, 1838.—*Judicial and revenue.*—Mr. E. Whitmet is appointed to officiate as magistrate and collector of Boolundshuhur, during the absence of Mr. Tierney on leave, or till further orders.

Judicial.—Mr. C. Lindsay, officiating Judge of Dehlee, has obtained leave of absence, on his private affairs, for ten days, from the 3rd of April next.

GENERAL REGISTER.

The 24th March, 1838.—The remainder of the leave of absence granted to Mr. H. Swetnam, judge of Barrackabad, under orders of the 15th November last, is cancelled from the 14th instant the day on which he resumed charge of his office.

The 31st March 1838— *Ecclesiastical*—The Rev. Mr. Brooks is appointed to officiate as junior Chaplain of Cawnpore.

The Revd Mr. Eteson is appointed to officiate as assistant Chaplain at Benares and Chunar.

The above appointments will have effect till the close of the next rainy season, and are so far in modification of the orders of the 17th ultimo.

J. THOMASON.

Offy. Secy. to the Govt Genl N. W P

BY THE COMMANDER IN CHIEF.

Head Quarters, Simla, 19th March 1838—Captain J. D. Nash, of the invalid establishment, is permitted to reside and draw his pay and allowances at the presidency.

Captain C. Wilson of the invalid establishment, is permitted to reside in the hills north of Dehra, and draw his pay and allowances from the deputy pay-master at Meerut.

The following medical officers are directed to do duty under the orders of the superintending Surgeons at the stations specified opposite their respective names, instead of in the divisions to which the three former were attached in general orders of the 20th ultimo.

Assistant Surgeon G. S. Cardew..... Dinapore.
Assistant Surgeon L. T. Watson..... Cawnpore
Assistant Surgeon J. Arnott, M. D. Meerut.
Assistant Surgeon E. V. Davies..... Meerut.

Head Quarters, Simla, 20th March 1838.—The Dacca station order of the 29th of January last, directing assistant Surgeon J. Taylor, attached to the civil station of Dacca, to afford medical aid to the 32d regiment of native infantry, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointment.

62d regiment native infantry. Lieutenant C. E. Grant to be interpreter and quarter master.

The undermentioned officers have leave of absence.

Garrison staff.—Lieut. General B. Marley, Commandant of Allahabad, from 16th April to 15th July, in extension, to visit the presidency, on medical certificate.

2d brigade horse artillery.—Major J. J. Farrington, from 30th March to 1st December, to visit the hills north of Dehra, on medical certificate.

3d regiment native infantry.—Surgeon G. Smith, from 1st February to 1st August, to visit the presidency, on medical certificate, preparatory to applying for leave to sea.

Head Quarters, Simla, 21st March 1838.—The Cawnpore division order of the 16th instant, directing the following arrangements in the subordinate medical department, is confirmed:

Apothecary C. Billings, hospital steward G. W. Harding, and assistant Apothecary W. Pughman, to join and do duty with Her Majesty's 3d light dragoons.

Assistant Apothecary C. Fermien, attached to the hospital of Her Majesty's 16th foot, to act as Apothecary to the regiment, vice Billings.

The Sirhind artillery division order of the 16th instant, appointing Lieutenant Brevet Captain and Adjutant J. B. Backhouse, of the 1st brigade of horse artillery, to act as Adjutant to the division, is confirmed.

Captain Augustus Abbott, of the 1st company 3d battalion of artillery, is directed to proceed forthwith to Delhi, and to place himself under the orders of Major F. L. Few, who, under instructions from the Right Hon. the Governor General, has been required to repair to that station, for the purpose of being employed on special duty.

There being no qualified officer present with the 1st regiment native infantry, Lieutenant H. Hollings, of the 66th regiment, is appointed to act as interpreter and quarter-master to the former corps, vice Sandeman promoted.

His Excellency the Commander in Chief is pleased to make the following appointment:

10th regiment native infantry.—Lieutenant R. Ramsay to be interpreter and quarter master, vice Grange, who has proceeded to Europe on furlough.

The appointment of Sergeant Peter Montgomery, of the 2d company 4th battalion of artillery, to be quarter master Sergeant to the 57th regiment of native infantry, published in general orders of the 9th instant, is cancelled; and that non-commissioned officer is appointed an Overseer in the gun powder works at Ishapore, vice Prussia, who has obtained his discharge.

Sergeant John Forrest, of the 1st company 1st battalion of artillery, is transferred to the Town Major's list, and appointed quarter master Sergeant to the 57th regiment of native infantry at Barrackpore, vice Montgomery.

By order of His Excellency the Commander in Chief.

J. R. LUMLEY, Major General

Adjutant General of the Army.

Head Quarters, Simla, 23d March 1838.—His Excellency the Commander in Chief having had under his consideration the weekly and reduced state in which native soldiers are reported to reach their regiments at the head quarters of the Rajpootana, Udyar and Malwah field forces, on their return from furlough, occasioned by their protracting their stay at their homes, until it is rendered difficult for them, except by the greatest possible exertion, to rejoin their regiments before the termination of their leave of absence, and being desirous of applying a remedy to this evil, is pleased to direct, that, previous to the departure of their men on furlough, the officers commanding regiments at Nusseerabad, Neemuch and Mhow shall warn them to leave their homes so as to admit of those for Mhow reaching Agra by the 3d of October, those for Neemuch by the 10th, and those for Nusseerabad by the 21st of that month.

2. The men, as they arrive at Agra, will report themselves to the Brigade Major, who, under the orders of the Brigadier Commandant, will provide tents for their accommodations, so long as they may remain at that station.

3. The Mhow party will proceed on the 5th Oct. under the senior native commissioned officer, by the regular marches; and the parties for Neemuch and Nusseerabad will move on the 12th of that month respectively.

4. The Brigade Major at Agra will furnish the native officers commanding parties with routes; and will make the necessary communications to the officers of the political department, to ensure supplies being provided for the men at the different stages.

5. The Superintending Surgeon of the Agra circle will make such arrangements as will enable him to hold a native doctor available to proceed with each party, supplied with such medicines as may be thought necessary; and on the arrival of the men at their destinations, the brigadiers commanding the field forces will inspect the report, for this excellencies information, the state in which they may find them.

6. Officers commanding regiments are required to notice, as a disobedience of orders, any instance in which a soldier may fail to join at Agra in time to move with the party to which he may belong.

7. Commanding officers of corps from which men are about to proceed on leave, are to take care that every one is made acquainted with the date on which he is required to quit his house, in order to reach Agra at the appointed time; and the calculation for this purpose is to be made as nearly as possible, so as to allow the individual one day for every 16 miles from his home to the place of general rendezvous.

8. It is to be considered a general rule throughout the service, that men returning from furlough, who, from having over-marched themselves, arrive in a debilitated state, rendering their admission into hospital necessary shall continue on the same allowances as if absent on leave, until they return to their duty perfectly recovered.

His Excellency the Commander in Chief is pleased to order the following removals and postings of medical officers:

Surgeon N. Morgan, on furlough, from the 62d to the 7th regiment of native infantry.

Surgeon J. Menzies, new promotion, to the 62d regiment of native infantry.

Assistant Surgeon E. Tritton, on furlough, to the 5th regiment of native infantry.

GENERAL REGISTER.

Assistant Surgeon J. Stokes, M. D. on furlough, to the 23d regiment of native infantry.

Assistant Surgeon J. S. Login, M. D. to serve with the artillery at Dum-Dum.

Assistant Surgeon R. J. Brassey, on furlough, to the 37th regiment of native infantry.

Head Quarters, Simla, 24th March 1838—The Dinapore division order of the 12th instant, directing the superintending Surgeon to entertain, as a native doctor, Shuk Hooanoo, who was lately employed in that capacity with the Rangbuth light infantry-battalion, is confirmed.

His Excellency the Commander in Chief is pleased to make the following removals and postings of field officers :

Lieutenant Colonel Thomas Oliver, (on furlough) from the 3d to the 12th regiment native infantry.

Lieutenant Colonel B. Sissmore, (on furlough) from the 12th to the 3d regiment native infantry.

His Excellency is also pleased to make the following appointments :

7th regiment light cavalry.—Lieutenant C. Ekens to be Adjutant, vice Tabor, who has proceeded to Europe on furlough.

Hospital Apprentice John Lemon, who was appointed to the subordinate medical department, in general orders of the 9th Oct. last, will do duty at head quarters, until further orders.

By order of His Excellency the Commander in Chief.

Head quarters, Simla, 24th March 1838.—The detachment order by Lieutenant Colonel C. R. Frank comprises 39th regt N. I. Sladdon, under whom the 40th regt N. I. 5th instant, appointing 71st regt N. I. Lieutenant J. Smith, of the 49th regiment native infantry, to act as Adjutant to the troops noted in the margin, during the period they may be employed at a distance from the head-quarters of the corps to which they belong. is confirmed.

The regimental order, dated the 14th instant, by Lieutenant Colonel H. Ross, commanding the 7th native infantry, appointing Lieutenant S. C. Starkey to act as Interpreter and quarter-master vice Huddleston nominated to a temporary civil situation, is confirmed.

Colonel Beresford having returned from leave of absence, has resumed the duties of the military secretary to His Excellency the Commander in Chief.

J. Burton, Rank Major, of the Pension establishment, is, as a special cause, transferred to the veteran company at Chunar.

The undermentioned officers have leave of absence.

5th regiment light cavalry.—Cornet E. W. C. Powden, from 15th April to 15th October, to visit Mussoorie, on private affairs.

6th regiment native infantry.—Lieut. Col. W. G. Mackenzie: from 5th March to 5th April to remain at the presidency, on medical certificate.

51st regiment native infantry.—Lieutenant intr. and quarter-master W. Lamb, from 12th March to 12th June, to visit the presidency, on medical certificate preparatory to applying for leave to sea.

58th regiment native infantry.—Major H. C. M. Cox, from 19th February to 9th March, in extension, to remain at the presidency, until the arrival of his regiment.

By order of His Excellency the Commander in Chief.

Head-quarters, Simla, 26th March, 1838.—Surgeon T. Tyndie (on furlough) is removed from the 6th to the 65th regiment of native infantry.

Surgcon B. Wilson (new promotion) is posted to the 6th regiment of native infantry.

Lieutenant G. Pengree, of the invalid establishment, is permitted to reside in the north western hills, drawing his pay and allowances from the deputy pay-master at Meerut.

Head quarters, Simla, 28th March, 1838.—In preparing the rolls of individuals proposed to be transferred to the invalid establishment, commanding officers of corps are directed to insert, in the fullest manner, in the column for remarks, the characters of all men who have served forty years and upwards.

The Dinapore division order of the 13th instant, directing Assistant Surgeon V. Nightingale, on being relieved from his duties as officiating Civil Assistant Surgeon at Bhooshr, to proceed to Dinapore, and to duty with Her Majesty's 31st regiment, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointments :

19th regiment native infantry.—Lieutenant W. L. Mackeson to be Adjutant, vice Smith, who has proceeded to Europe on furlough.

69th regiment native infantry.—Lieutenant J. H. Haybell to be Adjutant, vice Smith who has proceeded to Europe on furlough.

Captain C. H. White, of the invalid establishment, is permitted to reside in the hills north of Deyrah, drawing his pay and allowances from the deputy pay-master at Meerut.

By order of His Excellency the Commander in Chief.

Head-quarters, Simla, 29th March, 1838.—The presidency division order of the 12th instant, appointing 2d Lieutenant J. W. Kaye, of the 3d company 1st battalion artillery, to the command of the detachment of golanzaue at Kyook Phyou, Arracan, is confirmed.

Lieutenant Colonel W. A. Yates's regimental order of the 10th instant, appointing Lieutenant Y. Lamb to act as interpreter and quarter-master to the 51st native infantry, vice W. Lamb proceeding on leave, is confirmed.

Captain F. Beaty's detachment order of the 18th ultimo, appointing the undermentioned non-commissioned staff to the detachment of European recruits under his command, is confirmed :

Acting Sergeant Thomas Watts to act as provost, Sergeant, vice Wilson deceased.

Acting Corporal John Rogers to act as Sergeant, and private Thomas Hammond as Corporal, vice Watts promoted.

Ensign T. H. Shum, of the 25th, is, at his own request, removed, as junior of his rank to the 33d regiment of native infantry.

The undermentioned officers have leave of absence :

51st regiment native infantry.—Captain C. Griffin, from 12th March to 12th April to enable him to rejoin.

67th regiment native infantry Lieut. Colonel R. Chambers, from 15th March to 15th April in extension, to remain at the presidency, on medical certificate.

By order of His Excellency the Commander in Chief.

J. R. LUMLEY, Major Genl,
Adjutant General of the Army

Head-quarters, Simla, 2d April, 1838.—The Sibhid artillery division order of the 24th ultimo, appointing 2d-Lieutenant A. G. Hutchinson to act as Adjutant to the left wing of the 2d battalion artillery, vice Timbrell appointed to be horse artillery, is confirmed.

The Dinapore division order of the 5th February last directing all reports of the division to be made to Colonel T. Newton, of the 40th regiment of native infantry, is confirmed.

Head quarters, Simla, 4th April, 1838.—An unfortunate occurrence at Deyrah, which took place in January last, in which the conduct of the medical officers at Mussoorie and Deyrah were implicated, has led to a voluminous correspondence being laid before the Commander in Chief.

In that correspondence is an official letter from Lieutenant Colonel Young, conveying the sentiment following, as from the medical officer at Deyrah :

"He has no objection to attend A. or any other patient of B's. (the medical officer at Mussoorie) under the customary rules of etiquette: but it is usual on such occasions for the medical adviser in attendance on the patient to call in further aid himself, should the case demand it: as no request, coming from friends, can be attended to, without the probability of giving offence."

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The doctrine, based on medical etiquette, that the friends of an invalid called on a medical officer for the aid of his skill, cannot be attended to by an officer of the Hon. Company's service, unless called on through the medical officer (with whose practice, or success, those friends are perhaps dissatisfied) appeared to the Commander in Chief to be opposed to reason and sense.

He therefore caused reference to be made to the medical board, for their sentiments on the case.

The following paragraph, in the reply of the medical board, accords exactly with His Excellency's opinions; and he publishes it, for the future guidance of medical officers, and for the especial attention of those who were parties in the transaction under consideration. "It the word etiquette imply only complimentary ceremony or forms of intercourse, it has on this occasion been very improperly used by medical officers, with reference to the serious duties of their profession, which demand that the welfare of a patient should ever be paramount to all ordinary feelings and considerations."

His Excellency directs, that the latter part of this quoted paragraph may be carefully attended to; and that "rules of etiquette" may not again be advanced in extenuation of any medical neglect.

Head quarters, Simla, 5th April 1838.—The Allahabad garrison and cantonment order of the 26th ultimo, directing Captain A. Stewart, of the European regiment, in charge of recruits for that corps to proceed on to Cawnpore with Captain Thompson's detachment of Queen's troops, and Assistant Surgeon J. Smyth, M.D., to continue to afford medical aid to the party, is confirmed.

The undermentioned officers have leave of absence :

1st regiment native infantry.—Ensign G. P. Goad, from 20th April to 20th November, to visit the Presidency, on private affairs.

42d regiment native infantry.—Captain J. Lesson, from 5th March to 16th November, to visit the hills north of Dehra, on medical certificate.

62d regiment native infantry.—Lieut. R. E. T. Richardson, from 2d April to 31st October, to visit the Presidency, on urgent private affairs and preparatory to applying for furlough.

By order of His Excellency the Commander in Chief.

Head quarters, Simla, 5th April 1838.—In promulgating to the army, the following extract of an honorary letter from the Honorable the Court of Directors, No. 89, dated 20th December 1837.

His Excellency the Commander in Chief directs the strictest conformity to the changes in dress therein authorized :

"8. We authorize the use of the gold strap on the shoulder of the blue frock coat, for officers of infantry, as recently introduced into Her Majesty's service.

"9. The introduction of the blue frock coat for native officers, and of hats for the sepoy, we are of opinion, would entail on unnecessary expense upon the troops, and we desire, that the use of these articles be forbidden accordingly."

A description of the shoulder-strap now sanctioned, is subjoined for general guidance.

Shoulder-strap—blue cloth, lined round with lace of the established regimental pattern, with metal crescent; the strap to be attached to the coat by brass tongue and gold lace binder. The different ranks of field officers to be distinguished by the crown and star. Officers of grenadier companies to have a silver grenade within the crescent; officers of light infantry companies to have the bugle within the crescent.

Under instructions from Government, His Excellency the Commander in Chief is pleased to direct officers commanding European corps and detachments, in which "soldier's libraries" have been established, to forward annually to the adjutant general of the Army, on the 1st of July, a report on the state of their respective libraries, for communication to the Honorable the Court of Directors; and they are required, at the same time, to state, what advantages may appear to them to have attended their institution.

The Agra district order of the 19th ultimo, directing Hurrechurn Sang, native Doctor, doing duty with the 10th light cavalry, to repair to Agra, and report himself to Superintending Surgeon Ludlow, with the view to his being appointed to a situation in the civil department, is confirmed.

The leave of absence granted to Major H. D. Cox, of the 26th native infantry, in general orders of the 31st October last,

is to have effect from the 1st January to the 1st August 1831, instead of the dates therein specified.

Cornet Francis Walker Drummond, who was brought on the effective strength in Government General Orders No. 41, of the 19th ultimo, is posted to the 8th regiment of light cavalry, and directed to join.

Assistant Surgeon G. Rae, whose services are placed at the disposal of His Excellency the Commander in Chief, in Government General Orders No. 41, of the 10th ultimo, is directed to do duty under the orders of the Superintending Surgeon at Barrackpore.

Sergeant Major Thomas Clinton, of the Hurriannah light infantry battalion, is appointed Bazar Sergeant at Kurawal, vice Stokes reduced by the sentence of a court martial.

Sergeant Michael Twoomey, of the European regiment, is transferred to the Town Major's list and appointed Sergeant Major to the Hurriannah light infantry, vice Clinton.

Sergeant Major Twoomey is to be sent forth with to join his new corps at Hiansi.

Head quarters, Simla, 6th April, 1838.—The Cawnpore division order of the 9th ultimo, directing the commissariat officer in charge of the sudder bazar, to hire a boat, with a small establishment, for the purpose of being employed in removing to some distance below the station, the numerous dead bodies, which have collected on the bank of the river opposite the cantonments, or which may hereafter be thrown ashore, is, for so long a period as the measure may be considered necessary, confirmed.

The Behlaspore station order of the 10th ultimo, appointing Assistant Surgeon R. Marshall, M.C. to the medical charge of the staff and artillery detachments at that post, from the date of the departure of the 65th regiment native infantry, is confirmed.

Captain W. Macgregore, Deputy Judge Advocate General of the Saugor division is appointed to officiate as Deputy Judge Advocate General to the Meerut division, during the absence, on leave, of Captain Weston, or until further orders.

Conductor W. Gibson, who was posted, to the Saugor magazine in general orders of the 19th ultimo, is directed to continue attached to the magazine at Cawnpore until further orders.

By order of his excellency the Commander in Chief.

Head quarters, Simla, 10th April 1838.—The Meerut station order of the 2d ultimo, directing 2d Lieutenant P. Turner, of the 2d brigade horse artillery, to receive charge from Captain Dennis of remounts for the horse artillery and native cavalry at Kurawal, and to proceed with them to that station, is confirmed.

The Cawnpore division order of the 30th ultimo, appointing Hospital Steward W. Brookes to act as apothecary to Her Majesty's 10th foot, vice Permen, is confirmed.

The Agra garrison and station order of the 29th ultimo, placing Hospital Apprentice E. Ensor, of the European regiment and Ameer Khan, native Doctor, of the artillery hospital, at the disposal of the civil surgeon at Agra, to assist in the treatment of cholera in the city, is confirmed.

Head quarters, Simla, 11th April 1838.—The Meerut division order dated the 29th ultimo, appointing Captain W. F. Beston, of the 54th regiment native infantry, to act as Deputy Judge Advocate General to the division, during the absence, on leave, of Captain Weston, is confirmed as a temporary arrangement, and until the arrival at Meerut of Captain Macgeorge.

The Meerut division order of the 2d instant, appointing Bombardier Edward Hughes, of the 2d company 4th battalion artillery, to act as laboratory man in the Agra magazine, is confirmed.

The Benares division order of the 10th ultimo, directing Soohannahally to be entertained as a native doctor, for the purpose of accompanying a detachment from the 5th regiment of native infantry proceeding to Azimguh on escort duty, is confirmed.

The appointments of hospital apprentice J. Fagan to act as assistant apothecary and assistant steward to the 1st division, and assistant apothecary G. Oliver, as assistant apothecary and assistant steward to the 3d division, of Her Majesty's 11th dragoons, during the progress of those detachments from Cawnpore to the presidency, are confirmed; the former from the 4th of December to the 19th of January, and the latter from the 31st of December to the 2d of February next.

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Sergeant John Owen, of the 1st company 2d battalion of artillery, is transferred to the town major's list, and appointed quarter master sergeant of the Joudpore legion, vice taken, whose appointment, as notified in general orders of the 17th ultimo, has not taken place.

Quarter Master Sergeant Owen will proceed forthwith and join his new corps.

Head-quarters, Simla, 12th April 1838.—The presidency division order of the 27th ultimo, directing Ensign C. T. Chamberlain, recently admitted into the service, to do duty with the 57th regiment of native infantry at Barrackpore, is confirmed.

The Hansi station order of the 26th of December last directing the barrack department to level and lay dry all receptacles for stagnant water south of the canal, and to extend the lines of the Murriannah light infantry, is confirmed.

Captain T. H. Scott, of the 38th regiment of native infantry, is permitted to visit Meerut and Mussoorie, during the leave of absence granted to him in general orders of the 16th ultimo.

The undermentioned officers have leave of absence :

2d regiment native infantry.—Lieutenant R. N. MacLean, from 15th April to 15th October, to visit Simla, on private affairs.

This cancels the leave granted to Lieutenant MacLean, in general orders of the 20th of February last.

15th regiment native infantry.—Captain K. Campbell, from 15th April to 15th October to visit Almorah and Mussoorie, on private affairs.

48th regiment native infantry.—Lieutenant H. D. Van Horn, from 1st May to 30th June, to visit Mussoorie, on private affairs.

Sirmoor battalion.—Captain J. Fisher, 2d in command, from 28th March to 12th April, to visit Mussoorie, on private affairs.

Head-quarters, Simla, 13th April 1838.—His Excellency the Commander in Chief is pleased to make the following removals and postings in the regiment of artillery :

Captain C. Grant, from the 3d company 5th battalion to the 4th company 3d battalion.

Captain J. Turton, (new promotion) on furlough, to the 1st troop 3d brigade horse artillery.

By order of His Excellency the Commander in Chief,

J. R. LUMLEY, Major General,
Adjutant General of the Army

GENERAL ORDERS TO THE QUEEN'S TROOPS.

Head-Quarters, Simla, 20th March 1838.—No. 119.—Her Majesty has been pleased to make the following promotions and appointments in the regiments serving in India :

3d. Foot.—Staff Assistant Surgeon Samuel Currie, M. D., to be assistant surgeon, vice Law deceased, 20th October 1837.

4th Foot.—Lieutenant William Perasse, from the half pay of the 20th foot, to be Lieutenant, vice Wilson appointed to the 8th Regiment, 20th October 1837.

Edward James Baldwin, gent. to be Ensign, by purchase, vice Wilby promoted 20th October 1837.

16th foot.—pay-master John Grant, from the half pay of the 8th regiment of foot, to be pay-master, vice Ford Cashiered, 20th October 1837.

17th foot.—Lieutenant Wellington Hackett to be Captain, by purchase, vice Church, who retires, 27th October 1837.

Ensign Oliver Paget Bourke to be Lieutenant, by purchase, vice Hackett, 27th October 1837.

Gentleman Cadet Edward Coker, from the Royal military College, to be Ensign, by purchase, vice Bourke, 27th Oct. 1837.

26th foot.—Ensign John William Johnston to be Lieutenant, without purchase, vice Heming deceased, 26th February 1837.

Ensign Charles Cameron to be Lieutenant, without purchase, vice Barnes appointed to the 3d light dragoons, 1st July 1837.

57th Foot.—Lieutenant John Owens to be Captain, without purchase, vice Gray deceased, 9th September 1837.

Ensign Langford Frost to be Lieutenant, vice Owens, 9th September 1837.

Gentleman cadet Frederick, C. W. Fitzpatrick, from the Royal Military College, to be Ensign, vice Frost, 20th October 1837.

The Commander in Chief has been pleased to make the following promotions until Her Majesty's pleasure shall be known :

39th foot.—Lieutenant Robert D. Werge to be Captain, by purchase, vice Spencer, who retires, 28th March 1838.

Ensign Wurdsworth Smith to be Lieutenant, by purchase, vice R. D. Werge promoted, 28th March 1838.

Colonel Beresford having returned from leave of absence, has resumed the duties of the military secretary to His Excellency the Commander in Chief.

The Commander in Chief in India has been pleased to promote the undermentioned officer to the Rank of Colonel, by Brevet, in the East Indies only :

1st Foot.—Lieutenant Colonel Richard England, K. H., date of Commission, 18th June 1838.

The leave of absence granted to Lieutenant Mockler, 67th foot in the general order of the 14th December, No. 65, for 2 years, to England, on private affairs, is cancelled at that officer's request.

The leaves of absence granted by His Excellency Lieutenant General Sir P. Maitland, K. C. B., to the undermentioned Officers, are confirmed, from the date of embarkation.

39th foot.—Captain G. Sleeman, for 10 months, to proceed to Sea, and to the upper provinces of Bengal, on medical certificate.

54th ditto.—Lieutenant U. Boyd, to England, for 2 years, on medical certificate.

The undermentioned officers have leave of absence :

16th foot.—Lieutenant G. H. Wallace, from 25th March to 24th November, to Landour, on medical certificate.

31st ditto.—Ensign G. Douglas, from 20th March to 19th May, to Calcutta, for the purpose of a appearing before a medical board.

49th ditto.—Brevet Captain R. Campbell, from 2d April to 30th June, to Nonore, on private affairs.

Head-Quarters, Simla, 5th April 1838.—No. 119.—Serious neglects, or omissions having occurred on the embarkation of Her Majesty's 11th light dragoons, and the invalids of the season 1837, at Calcutta, His Excellency the Commander in Chief directs attention to be paid to the 38th page of the regulations and orders for the army, 1st of June 1837,—and to the following pages to 406.

His Excellency orders that all parts of those regulations which are capable of being applied to Her Majesty's troops arriving at, or departing from, any port in the East Indies, may be so applied as they would be "in any port of the United Kingdom."

It appears to have been a practise in Calcutta to make the inspection of the "medical comforts" for the use of sick and convalescent soldiers, at the stores of the commissariat department.

This is forbid ; and every article allowed to the soldiers, is to be inspected on board the transports ; so that it may not again occur that ships go to sea without hammocks, or the comforts which are granted for the soldiers.

The regimental order of the 20th March 1834, by the officer commanding 62d regiment, appointing Lieutenant Pender of that corps, to act as interpreter, giving the employment of Lieutenant Corfield in the duties of Adjutant, is confirmed.

The order dated 3d January, by Lieutenant Hadfield 2d light dragoons, commanding the detachments of Her Majesty's troops proceeding to the upper provinces, by water, appointing Sergeant J. McKeever, 3d light dragoons, to act as Sergeant Major, and

GENERAL REGISTER.

Sergeant J. Grievé, as provost Sergeant to the detachments, is confirmed.

The undermentioned officers have leave of absence :

13th regiment—Captain H. N. Vigors, from 1st May to 1st November next, Simla on private affairs.

40th Rifle—Ensign H. S. Mickle, to Gwalior, for 6 months from the date of his departure from the Regiment, on private affairs.

Head Quarters, Simla, 22d March 1833.—No. 11a—A report having been made to the Commander in Chief, that several officers absent from their Corps at Calcutta, have lately quitted the Presidency for the upper Provinces—some for England, and that others have changed their quarters without making the required report to the Brigade Major Queen's troops: His Excellency is pleased to direct the attention of all officers to the general orders of the 13th June 1816, and 10th June 1826, and to desire, it may be made known, that he will take serious notice of the next case of inattention to these orders, which is reported to him.

His Excellency the Commander in Chief, has been pleased to make the following appointment until Her Majesty's pleasure shall be known:

5th Foot—Lieutenant J. B. Magill, to be Adjutant, vice Hecot, who resigns the Adjutancy only, 17th March 1833.

The order by the officer commanding the Cawnpore division, dated 2th instant, directing assistant Surgeon Chapman, 16th Lancers to proceed in medical charge of the detachments of that, and other corps, under the command of Lieutenant Hooper, 13th foot, on the march to Meerut, is confirmed.

The leaves of absence granted by His Excellency Lieutenant General Sir E. Blandford, K. C. B., to the following officers are confirmed :

4th Foot—Lieutenant Colonel England, for 2 years, to Europe, from date of embarkation, on private affairs.

29th ditto—Captain J. L. Innes, ditto, ditto, on medical certificate.

The undermentioned officers have leave of absence

3d Light dragoons—Major C. G. Slade, from 25th March to 20th June next, to visit Simla, on private affairs.

4th foot—Ensign W. Sherloun, for 2 months, to Calcutta, to appear before a medical board.

62d ditto—Lieutenant R. Gibson to England, for 2 years from date of embarkation, on private affairs.

By order of the Commander in Chief.

Head quarters, Simla, 12th April 1833.—No. 120—Her Majesty has been pleased to make the following appointment:

13th light dragoons.—Lieutenant Werner Cathrey, from the 11th light dragoons, to be Lieutenant, without purchase, vice Ridge promoted, 29th September 1837.

The Commander in Chief has been pleased to make the following promotions until Her Majesty's pleasure shall be known:

3d Foot—Lieutenant Donald Stewart to be Captain, without purchase, vice Carnac deceased, 3d April 1833.

Ensign Peter Browne to be Lieutenant, without purchase, vice Stewart promoted, 2d April 1833.

With reference to the general order of the 1st of March last, appointing Captain Carnac, 3d Buffs, to act as pay-master, during the absence, and on the responsibility of pay-master Lukin of that corps, Captain D. Stewart, in consequence of the death of Captain Carnac, will perform the duties of pay-master, during the further absence of pay-master Lukin, at the desire and under the responsibility of the said pay-master.

The division order by Major General Sir Willoughby Cotton, C. B. & C. H. dated 25th March 1833, granting leave of absence to Ensign Douglas, 3d Foot, to proceed to England for 2 years from date of embarkation, on medical certificate, is confirmed.

The undermentioned officer has leave of absence :

9th foot—Lieutenant G. S. Tyler, attached as interpreter to Her Majesty's 16th Buffs, for 1 month from the 24th March, to proceed to Gwalior, on urgent private affairs.

By order of the Commander in Chief,

R. TORRENS, Major Genl.,
Adjt. Genl. to Her Majesty's Forces in India

SHIPPING INTELLIGENCE.

ARRIVALS AT KEDGEREE.

March 31st—English barque *Betsy*, Sunfield, from Bombay 21st January, and Madras 26th March.

April 1st—English barque *Selma*, D. Luckie, from Liverpool 7th November.

2d—American ship *William Gray*, W. Bartoll, from Boston 18th October.

3d—English ship *Pearl*, P. Stark, from the Mauritius 12th February.

4th—French barque *Lancier*, H. Aubin, from the Mauritius 9th February.

5th—American ship *Edward*, J. H. Choyney, from Philadelphia 19th October and Madeira 6th December, English ship *Emma*, A. D. Hudson, from the Mauritius 25th Feb. and Madras 30th March.

6th—English barque *Alfred*, Thos. Janfesson, from the Mauritius 2d February, English barque *Water Witch*, H. Reynell, from China 5th and Singapore 18th March.

April 7th—English Schooner *Flora MacDonald*, Rt. Major, from Rangoon 16th March.

8th—English barque *New Grove*, W. Johnston, from Madras, 1st April.

9th—English schooner, *Margaret*, D. Tapley, from Rangoon 16th March.

10th—English barque *Lawrence*, H. Gill, from Liverpool 2d December; American ship *Washington*, L. T. Thurber, from Philadelphia 21st December.

15th—American barque *Gasper*, N. Pool, from Boston 14th December; U. C. Steamer *Ganges*, J. M. Dicey, from Rangoon 16th April.

16th—English barque *Rob Roy*, McKinnon, from China 18th March; English Brig *Elizabeth*, M. Thaddeus, from Rangoon 29th March.

17th—American barque *Eugene*, D. R. Glass, from Boston 19th December.

18th—English barque *Himtoo*, J. M. Gill, from Liverpool 2d December.

19th—English ship *Victory*, W. Blackley, from Liverpool 2d December.

20th—English ship *Buseorah Merchant*, L. W. Moncrief, from Hobart Town 21st February.

21st—English schooner *Attaran*, C. R. Smith, from Moulmein 5th April, English ship *Thalia*, W. Graham, from Liverpool 27th December, and English brig *Frederick Hutk*, J. Toby, from the Mauritius 7th March.

22d—Netherland barque *Chereban Packet*, C. Kenrich, from Batavia 26th January, and Padang 18th March; H. M. Ship *Victor*, Capt. F. Crozier, from Madras 12th April.

24th—English brig *Brigand*, D. Wemyss, from Penang 14th March.

26th—English ship *Recovery*, T. Johnson, from the Downs, 1st June and Hobart Town 8th August.

ARRIVALS OF PASSENGERS.

Per Lancier—C. Hills, Mariner, and Mad. V. Aubineau.
Per Edward—Revd. H. R. Wilson and Lady, Revd. J. H. Morrison and Lady, Revd. James Craig, Lady and Child, Revd. Reese Morris, Lady and 2 Children, Missionaries.

Per Water Witch, from New South Wales via Singapore.—T. H. Biscoe, Esq., B. C. S. and Captain Johnston, B. N. I.

GENERAL REGISTER.

From China—P. Grant, Esq., M. C. S.; W. H. Legie and D. M. Gordon, Esqrs., Merchants.

The *Bhanguratty* in tow of the Iron Steamer *Magna*, arrived on Monday from Allahabad with the following passengers, viz: Miss Curteis, Lieutenant Hawkes; Mr. W. Picston, Mrs. Bruce, Mr. and Mrs. Lanchlin, Lieutenant Otley.

Per Victory.—Major McKie, Lady and 7 Children; Thomas Allen, Esq., Surgeon; Mr. John Russell, Merchant, Steerage Passenger.

Per Attaran, from Moulmein.—Captain H. Spooner, Country Service.

DEPARTURES FROM CALCUTTA,

April 1st.—*Sesostris*, A. Yates, for London. *East of Cape*, J. Scott, for the Mauritius; *Indiana*, A. Gillett, for London.
April 12th.—*Clio*, P. Rosignol, for the Mauritius.

April 21st.—*Arcthesa*, J. Taylor, for Singapore.

25th.—*Jessy*, J. Auld, for Penang.

27th.—*Atlas*, Gallet, for Bourbon.

DEPARTURES OF PASSENGERS.

Per Roxburgh Castle, for London.—Mrs. McKay, Mrs. Broad and Mrs. Thompson and 2 Children; Miss McKay, Major Anderson, Mrs. Turner and Jackson; Messrs. Graham and Tottenham, G. S.; Mr. Portius, Merchant; Lieut. Douglas and Stotten, and Mr. Broad. *Steerage Passengers*.—Messrs. Sherin and Colman.

The *Matabanca* in tow of the *Thames* steamer left for Allahabad on Sunday afternoon with the following passengers: viz.—Mr. and Mrs. Dickens and Child; Mrs. Ryan, D. C. Richardson, Esq.; Lieutenant Watson, 44th Regiment; Lieutenant Fisher, 3d Dragoons; Mr. G. R. Cline and three Children.

DOMESTIC OCCURRENCES.

BIRTHS.

Mar. 6 At Barilly, on Tuesday, the lady of Captain Polwhele 47d native infantry, of a daughter.

19. At Futtighub, Mrs. C. Brierly, of a son.

20. At Calcutta, Mrs. George K. McIrdie, of a son.

23. At Cawnpore, the lady of Lieut. J. E. Toad, King's own dragoons, of a daughter.

24. At Lucknow, the lady of Captain R. Wilcox, of a son.

— At Delhi, the lady of Captain Graham, assistant to general superintendent, Bugbee department, of a son.

— At the farm in Mysore, the lady of assistant surgeon W. Gilchrist, of a daughter.

— At Mahabulshwar, the lady of Henry Young, Esq., of the civil service, of a daughter.

25. At Dharwar, the lady of Major Billamore, 1st Grenadiers, of a daughter.

26. At Sylhet, the lady of Lieut. H. Thuillier, artillery, revenue survey department, of a son.

27. At Calcutta, the lady of Captain James Pearson, of the country service, of a daughter.

29. At Calcutta, in Chowringhee Lane, Mrs. Gego, of a son.

30. At Calcutta, the wife of Mr. Richard Deerholts, of a son.

— At Bishnauth, Assim, the lady of Lieut. John Innes, of the artillery, of a daughter.

Apr. 1 At Muttra, the lady of Cornet W. B. Mosley, 10th light Cavalry, of a son.

2. At Rajmahal, the lady of T. B. Rice, Esq., of a son.

— At Neemuch, the lady of Captain J. A. Scott, 1st Regiment Light Cavalry, of a son.

4. At Meerut, the lady of Charles Havelock, Esq., 16th Lancers, of a daughter.

6. At Dum Dum, Mrs. John Watson, of a daughter.

— At Berhboom, the lady of John Hadley D'Oily, Esq., of the Civil Service, of a son.

— At Burdwan, the lady of the Reverend J. Weitbrecht, of a daughter.

— At Cherra Poonjee, the lady of W. Lewis, Esq. of the invalid establishment, of a son.

8. At Chumsarah, the lady of Captain M. Smith, Her Majesty's 9th Regt., of a daughter.

11. At Calcutta, the wife of Mr. James Black, Branch Pilot, of a son.

12. At Calcutta, the wife of Mr. C. Ross, of a son.

13. At Calcutta, the lady of Lieut.-Col. Cheape, of a daughter.

— At Calcutta, the lady of Lieut.-Col. Cheape, of a daughter.

— At Hooghly, the lady of W. H. Bell, of a daughter.

14. At Calcutta, the lady of Mr. J. Davidson, of a son.

— At Midnapore, the lady of Captain Griffin, 24th native infantry, of a daughter.

16. At Calcutta, the lady of H. G. Martindell, Esq., Attorney at Law, of a son.

17. At Chowringhee, the wife of Mr. J. F. Deatker, of a daughter.

— At Calcutta, Mrs. John Hammerdinger, of a daughter.

19. At Calcutta, the wife of Mr. J. Chisberry, Government Place, of a son.

— At Calcutta, the lady of J. Lewis, Esq., of the civil service, of a son.

— At Chandernagore, at the residence of Mr. W. Wilson, the wife of Mr. D. E. Rodrigues, of a daughter.

20. At Chowgatchie, near Jessore, the lady of G. R. J. Meates, Esq., of a daughter.

— At Dinapore, the wife of Mr. W. B. Tjeller, superintending engineer, of a daughter.

25. At Calcutta, Mrs. Thomas Black, of a daughter.

26. At Calcutta, the lady of Thomas Brae, Esq., of a daughter.

28. At Calcutta, Mrs. Thomas E. Mullius, of a son.

At Dawson's Hotel, Neelgheeties, the wife of Mr. H. R. Dawson, of a son.

Europe.—In New Broad Street, London, on the 25th November, the lady of George Parbury, Esq., of a daughter.

MARRIAGES.

Mar. 20. At Havil Bagh, by the Rev. G. Ward, A. B., at the residence of Captain Stuart Cobbett, Commanding Kumaon local battalion, and 1st assistant to the commissioner, Andrew Walker Esq., assistant surgeon Kumaon local battalion, to Miss Georgina Britton, youngest daughter of the late Thomas Britton, Esq., of Forrester Hill, Kent.

28. At Calcutta, at the Cathedral, by the Rev. H. Fisher, Mr. John Hubbard, to Mrs. Charlotte Reidy.

Apr. 2. At Calcutta, at the Cathedral, by the Rev. H. S. Fisher, Mr. William Edward Templeton, to Miss Mary Anne LeClerc.

3. At Huttwie, William Coker, Esq., of Irwarrah, to Mrs. Eliza Nishett.

7. At Calcutta, at the Cathedral, by the Rev. H. S. Fisher, Mr. H. G. Leicester, to Jessy Maria, eldest daughter of Thomas Bartlett, Esq.

— At Mirzapoor, by the Rev. H. Pratt, A. V., Edward Anderson Reade, Esq., of the Civil Service, to Eliza, youngest daughter of the late R. N. Burnard, Esq. of Crenkerne, Somersetshire.

At Dum Dum, Mr. William Watson, officiating assistant Steward, detachment 4th battalion artillery, to Mrs. E. Morrisou, matron of the female hospital.

16. At Calcutta, at the Cathedral, by the Rev. H. S. Fisher, Mr. William Edward Middleton, to Miss Mary Ann Fishy.

18. At Calcutta, at the Cathedral, by the Rev. H. Fisher, Captain Pierre Real, to Amelie Aubinaunce Duval.

— At the Cathedral, by the Rev. H. Fisher, Mr. Joshua Hamilton Counsel, assistant Customs House, to Miss Elizabeth Carapit, the eldest daughter of Mr. Mackertoon Carapit, of Calcutta.

21. At Calcutta, by the Rev. H. S. Fisher, at the Cathedral, Mr. Mark Thornhill Wade, Clerk in the Police Office, to Miss Louisa Isabella Bastard.

25. At the Cathedral, by the Rev. H. Fisher, Joseph Welsh, Esq., to Harriett Magy, second daughter of J. M. Dove, Esq.

— At Calcutta, by the Rev. H. S. Fisher, at the Cathedral Serjeant Wm. Dixon, School Master H. M. 9th Regt., to Mrs. Mary Little.

July 6. At Malacca, John Minjoot, Esq., to Miss Catherine, Maidman, of Panang.

DEATHS.

Mar. 10. At Barilly, Jane, the beloved wife of Mr. H. I. F. Berkeley, Principal Sudder Ameen, leaving a large family of children, and numerous relatives and friends to be moan their irreparable loss, aged 38 years.

17. At Calcutta, the infant son of Mr. W. B. H. Greene, aged 2 months and 1 day.

21. At Agra, of Cholera, Benjamin Wickes Marshman, Esq., the second son of the late Reverend Dr. Marshman, aged 38 years.

GENERAL REGISTER.

3. At Dacca, C. D. Elias, Esq., aged 35 years.
27. At Delhi, Mr. C. Whitmore, Under Master of the Agra College, of Spasmodic Cholera, aged 21 years.
- At Agra, Edward Greenway Paschaud Horn, aged 1 year, 19 months and 27 days.
28. At Calcutta, Mrs E. Maxwell, wife of Captain Maxwell, aged 57 years.
29. The Rev. C. Knorpp, of the Church Mission Society, aged 31 years.
30. At Calcutta, Master John Peter, aged 10 years.
- At Calcutta, Thomas Samuel Keymer, son of the late Mr G. Keymer, of the Post Service, aged 9 years, 6 months and 20 day.
- At Chinsurah, Mr. Joakim Vosconcellos, aged 21 years, 8 months and 9 days.
- Appl. 1.* At Calcutta, of Cholera, Augustine Fanny, youngest daughter of Monsieur and Madame Nouveau, aged 2 years and 5 months.
- At Meerut, Frederick, the fourth son of Major Hoggan, of the 53d Native Infantry.
2. At Calcutta, Mr. Peter Bettenev, aged 54 years.
- At Calcutta, Major Henry Andrews, of the Queen's own regiment of 3d light dragoons.
- At Chirra, Maria Julia, wife of James Davenport, Esq., M. D., Assistant-Surgeon.
3. Anne, his relict, aged 23 years.
- At Calcutta, Dr. Richard Randolph Fleming, Garrison Assistant Apothecary, aged 22 years.
- On the river above Chitpore, Selina, the beloved daughter of Captain and Mrs Butler, 2d native infantry, aged 6 years and 5 months.
4. At Calcutta, of Cholera, Colonel George Alexander Dyce, aged 36 years, for many years in the Service of Her Highness the late Begum Sombie and father of D O. Dyce Sombie, Esq., who succeeded, will, to the whole of the personal property of the Begum.
- At Calcutta Robert Wardlaw Ramsay, infant son of Captain A. B. Clapperton, aged 11 months and 6 days.
- At Meerut, after a short but severe illness, and at the early age of 26, Mr. H. Robbins, of the Majesty's 16th Lancers, deeply and deservedly regretted by all his Regiment, who had opportunities of knowing his real worth.
6. At Calcutta, Lieutenant William Maule, H. M. 26th Camerouans, aged 27 years.
7. At Agra, of Cholera, Messrs. J. and H. Babedian, within a few hours of each other.
8. At Calcutta, of Cholera, Mr. J. D'Mottos, aged 67 years, 3 months and 21 days.
- At Calcutta, of Cholera, Mrs. S. Robison, aged 70 years.
- At Calcutta, Chas. Adolphus Williams, son of Mr Andrews Williams, Architect, aged 6 years, 11 months and 23 days.
9. At Calcutta, Mr George Mols, Teacher in the Hindoo College, aged 41 years, 6 months and 20 days.
- At Calcutta, George Archibald, the only son of Mr. and Mrs George Smith, aged 5 years and 2 days.
- At the General Hospital, Staff Sergeant Thomas Owens, of the Arsenal Department, Fort William.
- At the General Hospital, Mr. T. B. Kirk, aged 27 years.
10. At Chirra Porjee, the infant son of W. Lewin, Esq., aged 4 days.
- At Tipperah, of small-pox, Mr. James Martindell, Assistant in the office of the Civil and Session Judge, aged 25 years and 14 days.

13. At Agra, of Cholera Mr. John Tomlin, aged 32 years.
14. At Chittagong, after a few hours' illness, George Doucett, Esq., aged 52 years.
15. At Calcutta, Mr. James Skelton, aged 53 years.
- At Banneah, Lieutenant G. Shairp, of the 15th regiment of Bengal native infantry, aged 26 years.
17. At Calcutta, Hannah, daughter of Mr. William Prestou, aged 1 year, 5 months 3 days.
- At Calcutta, Mrs. Sarah Rabeholm, wife of Mr. C. C. Rabeholm, Assistant to the Salt Agent of the 24-Pergannahs, aged 27 years.
18. At Calcutta, Miss Louisa Bracken, H.C. 29th Native Infantry, aged 26 years and 3 months.
19. At Calcutta, of small-pox, Mr N.T. Boyesen, eldest son of the late Capt. Boyesen, of Scrampore, and lately an Examiner in the Revenue Board Office, aged 39 years.
- In Kyd-street, Chowringhee, at the residence of Major Burton, Miss Caroline Louisa Cumyn, youngest daughter of the late Lieut. Colonel Powell Thomas Comyn, of the Bengal Army, aged 18 years and 2 months, much and most deservedly beloved and regretted.
20. At Calcutta, of small-pox, Elizabeth, the daughter of the late Samuel Evison, Commander of the *Mattabanga* Flot, aged 5 years and four months.
- At Chowringhee, Caroline, the infant daughter of Mr. J.F. Deaker.
- At her residence in Rada Bazar Street, of Cholera, Mrs. Mary Coles, wife of Mr. John Coles, aged 67 years.
- At Sulkea, Sarah, the beloved wife of Constable Neil Macaskill, aged 2 1/2 years, 11 months and 3 days, of the small-pox.
- At Cuttack, after an illness of four days from a fever caught in the Mofussil, J.C. Pritchard, Esq., Assistant to the Salt Agent.
21. At Calcutta, of Cholera, Benjamin, the infant son of Mr. E. Roberts, aged 3 months.
- At Calcutta, Benjamin Roberts, son of Mr. E Roberts, Mariner, aged 3 months.
- At Calcutta, Miss Mary Joseph Camell, eldest daughter of Joseph A. Camell, Esq., aged 8 years, 7 months and 11 days.
22. At Calcutta, J. H. Suwerkrop, Esq., aged 30 years.
- At Calcutta, at the residence of Mr. R. Plummer, of small-pox, Mr. William Rind, preventive officer of the custom house, aged 25 years.
23. At Sulkea, John Thomas Spencer Colliard, son of Mr T.S. Colliard, aged 9 years, 10 months and 16 days.
- At the Village Chouda, 8 miles from Gwalior, Robert Tytler, Esq., Surgeon, Bengal medical establishment.
- At Calcutta, Henry Fuller King, Esq., Merchant, aged 33 years, 4 months and 10 days.
- At Calcutta, Mrs. Julia Edwards, wife of Capt. R. Edwards, of the Country Service, aged 28 years.
25. At Calcutta, Archibald Edward Dobbs, Esq., Master in Equity, Supreme Court, aged 37 years.
26. At Calcutta, George DaCosta, Esq., aged 67 years, 7 months and 6 days.
- ENIGME.**—In London, on the 10th November 1837, Captain John Tulloh, formerly of the Country Service, after a long and harassing illness.
- At Tonquay, in Devonshire, on the 3rd November last, Miss Emily Llewellyn, second daughter of Mr J. Llewellyn, aged 19 years and 2 months.
- On the 5th January, 1838, at her residence Ellace Lodge, in Gostorth, near Whitehaven, Cumberland, Arabella, the beloved wife of Joseph Yungbusband, Esq., late Merchant of Calcutta.

ADMINISTRATIONS TO ESTATES.

Dyce, G. A. D., Colonel.....	Registrar Supreme Court.
O'Donel, Hugh, Lieutenant Colonel 13th N. L.....	Jane O'Donel Widow.
Rae, M. D., William, Assistant Surgeon.....	Registrar Supreme Court.
Rose, G. H., Lieutenant.....	Hugh Ross, Junior Merchant.
Thomas, William.....	Registrar Supreme Court.
Townshend, Thomas George, Merchant.....	Registrar Supreme Court.
Glazbrook, H.....	Theodore Dickens, Esq.
Moonshie Illuson Ally.....	Theodore Dickens, Esq.
Strong, L. C.....	Theodore Dickens, Esq.
Crawley, Ambrose Lieutenant of Artillery.....	Registrar Supreme Court.
Donsidoup, James, M. D., Assistant Surgeon.....	Registrar Supreme Court.
Kistamochun Roy.....	Registrar Supreme Court.
Locker, Edward, Ensign 52d N. L.....	Registrar Supreme Court.
Shaw, William, Lieutenant 52d N. L.....	Registrar Supreme Court.
Young, Frederick Charles, Civil Service.....	Registrar Supreme Court.
Carruthers, M. W., Junior Merchant.....	Registrar Supreme Court.
Gilmore, A.....	John Gilmore.
Kristomones Boistobee.....	Registrar Supreme Court.
Thomas; W., ship Builder.....	Registrar Supreme Court.

GENERAL REGISTER.

GOVERNMENT NOTIFICATIONS.

&c. &c. &c.

BY THE PRESIDENT IN COUNCIL.

Fort William, revenue department, the 24th April, 1838.—The Hon. the Deputy Governor of Bengal has been pleased, under the authority vested in him by act No. XXII. of 1836, to determine, in modification of the orders of the 1st November, 1836, to make the following reduction in the rates of tollage on boats passing into the Calcutta Canals specified in section II. of the above act, to take effect from the 1st proximo.

Boats now paying toll at the rate of one rupee per one 100 maunds burthen, shall in future pay eight annas.

Rafts now paying two annas each timber, shall in future pay one anna.

Floats now paying four annas per 100 bamboos, shall in future pay two annas.

FRED JAS. HALLIDAY,
Offg. Secy. to the Govt. of Bengal.

Fort William, legislative department, the 30th April, 1838.—The following Act is passed by the Hon. the President of the Council of India in Council on the 30th April, 1838, with the assent of the Right Hon. the Governor General in India, which has been read and recorded.

Ordered, that the act be promulgated for general information
ACT No. IX. of 1838.

It is hereby enacted, that from the fifteenth day of May 1838, it shall be competent to the session judges within the presidency of Bombay, in adjudging a sentence of fine, to award such fine, or any part of such fine, in compensation to the party who may have been injured, in like manner as it is competent to magistrates to award fines, under clause 1st, section XIII. Reg. XII. of 1827 of the Bombay code.

The following act is passed by the Hon. the President of the Council of India in Council on the 30th April 1838, with the assent of the Right Hon. the Governor General of India, which has been read and recorded.

Ordered, that the act be promulgated for general information
ACT No. X. of 1838.

I. It is hereby enacted, that Regulation X. 1817, of the Bengal code, be repealed.

II. And it is hereby enacted that the functionaries who are or may be appointed in the province of Kumaon, be henceforth placed under the control and superintendence, in civil cases, of the Court of Sudder Dewanny Adawlat at Allahabad, in criminal cases of the Court of Nazimut Adawlat at Allahabad, and in revenue cases of the Sudder Board of Revenue at Allahabad; and that such control and superintendence shall be exercised in conformity with such instructions, as the said functionaries may have received, or may hereafter receive, from the Government of the north western provinces of the presidency of Fort William.

ROSS D MANGLES,
Offg. Secy. to the Govt. of India.

Fort William, general department, the 7th May, 1838.—The Honorable the President in Council is pleased to appoint Mr. Assistant Surgeon J. S. Logan, M. D. to officiate as post-master at Hoogly during the absence of Mr. Wise, on sick certificate or until further orders. This appointment to take effect from the date on which he assumed charge of the office from Mr. Wise.

General department, the 9th May, 1838.—The Hon. the President in Council is pleased to attach Mr. William Trevor Taylor, of the civil service, to the Bengal presidency.

The Hon. the President in Council is pleased to appoint Mr. Assistant Surgeon James Steel, M. D., post-master at Cooruckpore.

Financial department, mint, the 9th May, 1838.—The public is hereby informed that the mint-master of Calcutta has been authorized, until further orders to receive Bombay and Furruckabad rupees in like manner as Madras rupees, and generally the rupees issued from any mint of the British Government that may still be a legal tender in any part of India for coinage, without demand of seigniorage duty. Rupees of any such coinage will be received by weight according to the forms of the mint for the receipt of bullion, and if of equal standard a mint certificate will be granted entitling the holder to Company's rupees of equal weight. If the coin brought be better than standard, the advantage will be given according to the tables, but counterfeit pieces, as well as drilled, plugged and other bad coin, will of course be rejected. The mint of Calcutta will not however re-

ceive a less quantity of the coins above specified than 1,000 tolahs, but for the convenience of officers and soldiers and other persons in public employ, less sums than 1,000 tolas will be exchanged on the same terms at the general treasury,—the sub-treasurer having been authorized to collect them for transmission to the mint.

H. T. PRINSEP, Secy. to the Govt. of India.

Fort William, Legislative Department, the 14th May, 1838.—The following act is passed by the Hon. the President of the Council of India in Council on the 14th May, 1838, with the assent of the Right Hon. the Governor General of India, which has been read and recorded.

Ordered, that the act be promulgated for general information.
ACT No. XI. of 1838.

I. It is hereby enacted, that section XV. Regulation XIX. of 814, of the Bengal code, be repealed.

II. And it is hereby enacted, that it shall be lawful for the Sudder Board of Revenue at Calcutta, with the sanction of the Governor of Bengal, and for the Sudder Board of Revenue at Allahabad, with the sanction of the functionary exercising the authority of Government in the north western provinces, to fix the remuneration of an Ameer, or other person employed to effect a partition of estate under the Regulations enacted for that purpose and to cause the same to be levied from the parties concerned in the same manner as an arrear of revenue, at such periods, and in such proportions, as the said Boards may severally think fit.

Fort William, Ecclesiastical Department, the 19th May, 1838.—The Rev. Charles Parker, a chaplain of the Bengal establishment, has been permitted by the Right Hon. the Governor in Council at Bombay, to proceed from that presidency to Europe on furlough, under medical certificate.

BY THE DEPUTY GOVERNOR OF BENGAL

Judicial and revenue department, the 17th April, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments:

Bahoo Hareepsershad Sein to be deputy collector under the provisions of regulation IX. of 1833, in Balasore.

Baboo Hurmohun Roy to be ditto ditto under ditto, in ditto.

Fort William, separate department, the 18th April, 1838.—The appointment of Mr. L. Magniac, under date the 26th March last, is hereby cancelled.

The 27th April, 1838.—The following officer has obtained leave of absence from his station:

Lieut J. R. Abbott, junior assistant to the commissioner of Arrakan, for one month, to visit the presidency, on private affairs.

FRED. JAS. HALLIDAY,
Offg. Secy. to the Govt. of Bengal.

Judicial and revenue department, the 30th April, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments:

Captain W. M. Ramsay has been invested with the general powers of a joint magistrate in zillah Saun, to be exercised by him under the direction of the magistrate of that district, in addition to the special powers which he now exercises under the direction of the superintendent of the operations for the suppression of thuggee.

Captain N. Lewis has been invested with similar powers in zillah Moorsshedabad, in addition to his special duties in the thuggee department.

Lieutenant J. Sleeman has been invested with similar powers in zillah Mymensing, in addition to his special duties in the thuggee department.

Fort William, financial department, the 2d May, 1838.—Notice is hereby given, that the board of customs, salt and opium at Calcutta, have been authorized to accept tenders for advances to be made upon bills drawn on London, and secured in the manner described and provided in the advertisement of this department, dated the 15th June, 1836, at the rate of exchange, until further orders, of (2s. 2d.) two shillings and two pence for the Company's rupee, orders for the amount advanced will be issued by the Board payable at the general treasury at Calcutta, twenty days after sight.

GENERAL REGISTER.

Published by order of the Hon. the Deputy Governor of Bengal.

Fort William, general department, the 2d May, 1838.—*Megara C. Whitmore and W. Trevor Taylor, of the civil service reported their return to this presidency from England on board the ship David Scott, on the 29th ultimo.*

H. T. PRINSEP,

Secy to the Govt of Bengal

The 7th May, 1838.—The following officers have obtained leave of absence from their stations:

Mr. F. Skipwith, magistrate of Patna, for five days, on private affairs. Mr. D. Canliffe will conduct the current duties of the office during Mr. Skipwith's absence.

The 8th May, 1838.—Mr. J. Stanforth, special deputy collector of Rajshy, &c., an extension of leave of absence for two months from the 6th instant, on medical certificate.

Judicial and revenue department, the 5th May, 1838.—The following officer has obtained leave of absence from his station: Baboo Hurrachunder Ghose, Sudder Ameen at Bancoorah, for seven days, in excess of the Mohorum vacation.

General department, the 9th May, 1838.—Sir Charles Metcalfe, Secretary, Bant, having exceeded the period within which, under the orders of the Hon. the Court of Directors he ought to have qualified himself for the public service by proficiency in two of the native languages, has been ordered to return to England.

Mr. Edward Wyllie has been permitted to proceed to Berhampore and prosecute his study of the Oriental languages at that station.

Captain J. H. Johnston, controller of Government steam vessels, has obtained leave of absence for one month, from the 7th instant.

H. T. PRINSEP, *Secy to the Govt. of Bengal.*

The 11th May, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointment:

Mr. R. Hampton to officiate as special deputy collector of Rajshy, Dinagepore, Rungpore, Bogra and Pubna, during the absence of Mr. J. Stanforth, or until further orders.

Mr. T. Higon, sub-assistant to the commissioner of Assam, reported his departure to the Mauritius on the ship *Donna Pascoa* which vessel left the pilot on the 7th instant.

The 11th May, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointment:

Mr. G. P. Leicester has been authorized to exercise the powers of joint magistrate and deputy collector in Bancoorah, under Mr. Baikitt.

General department, the 16th May, 1838.—Mr. Henry Walters of the Civil Service, embarked for England on board the ship *Robarts*, which ship was left by the pilot at sea on the 11th instant.

Mr. Edward Wyllie has been permitted to return from Berhampore to the presidency for the purpose of prosecuting his study in the Oriental languages at the College of Fort William.

Mr. Assistant Surgeon C. Rae to the temporary charge of the medical duties of the civil station of Hoogly, during the absence of Doctor Wise.

The 15th May, 1838.—Mr. C. Steer to be magistrate of zillah Naddea.

The following officers have obtained leave of absence from their stations:

Mr. F. Kemp, deputy collector of Tipperah, for one month, to proceed to the presidency, preparatory to his applying for leave to proceed to England, on private affairs.—Mr. A. S. Anand will officiate as joint magistrate and deputy collector of Tipperah until further orders, and Mr. W. Bell will exercise the powers of joint magistrate and deputy collector in zillah Chittagong, during Mr. Anand's absence.

Mr. G. G. Mackintosh, officiating magistrate and collector of Purneah, for one month, on medical certificate, from the date of his making over charge of office to Mr. C. T. Davidson.

Luckyvarain Narayan pundit, sudder ameen of Purneah, for two months and a half, on medical certificate, in excess of the ten days granted to him on the 13th March last, in addition to the Mohorum vacation.

FRED. JAS. HALLIDAY,
Offg. Secy. to the Govt. of Bengal.

Fort William, General Department, the 18th May, 1838.—Mr. William Crawford, a civil servant, attached to the north western provinces, has been permitted to proceed to England on furlough, under medical certificate.

H. T. PRINSEP,

Secy. to the Govt. of Bengal.

Judicial and revenue department.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments.

The 1st May, 1838.—Mr. H. S. Thompson to be deputy collector under regulation IX. of 1-33 in Burdwan.

Judicial and revenue department, the 8th May, 1838.—*Notification.*—Conformably with the notification of the Government of India published in the *Calcutta Gazette* of the 7th October last, the Hon. the Deputy Governor of Bengal has been pleased at the recommendation of the Court of Sudder Dewanny Adawlut, to raise the personal allowances of the undermentioned principal sudder ameen from 400 to 600 rupees per mensem, and of the undermentioned moonisifs from 100 to 150 per mensem.

Principal sudder ameen.—Cazee Mohammad Mah, in east Burdwan; Syed Ahmad, Hoogly; Moolvie Mohammad Faiz, Beerbhoom; Moolvie Mohammad Mejid, Bhaugulpore; Syud Munwar Ali, Shahabad; Parasnauth Bose, East Burdwan; Cazee Mohammad Ali, Tipperah; and Moolvie Syud Fuzul-ool Haq, Sarun.

Moonisifs.—Mohammad Abraham, of Bisenpore, in Burdwan; Hurschunder Doss, Burjarah, Ditto; Nokorclunder Chowdry, Sullemahad, Ditto; Zamin Ali, Indos Ditto; Gurreeb Oallah, Khunghose Ditto, Lutool Uzeez, Oahdai, Ditto; Mahomed Nafeh, Seebampore, Ditto, Moolvie Musce Ooddeen, Dwarhat, Hooghly; Cazee Golam Musafah, Mohamad, Ditto; Moolvie Umjad Ali, Keerpooy, Ditto; Tarrachunder Ghose, Noabad, Jessore; Oopindurclunder Bhuttachoye singhae, Ditto; Syud Ahmad, Tirahose, Ditto; Nittannud Roy, Arunpore Madnapore; Bhoyruchunder Bose, Kasimgunge, Ditto; Syud Assad Ali, Mohunpore, Ditto; Moolvie Fuzl Rubbe, Banickullah, 21-Pergunnahs; Mousher Fyez Ooddeen, Puttergotah, Ditto, Mahomed Ruffa, Bishcupore, Ditto; Ubeet Purshad Ghose, Pooree, (adcl) Cuttack; Mahomed Arshed Kendravarrah, Ditto; Lala Saukur Lall, Mendgunge, B.ckeringee; Abechunder Mokerjee, Furreepore, Dacca; Raudun Fuditt, Nusserabad, Mymensingh; Anceoodin, Mudargunge, Ditto; Kullyuth, Pingwah, Ditto, Moolvie Ashraf Ali, Jugg moth Diggy, Tipperah; Moolvie Mahommed Nazim, Pauchpookorah, Ditto; Moolvie Buddee Ooddeen Umud, Bhuttarey, Chittagong; Moolvie Gudia Inassy, Puteeah, Ditto; Sham Ram, Leckerpore, Sylhet; Mahomed Salim, Russongunge, Ditto; Syud Hassan Bux, Daobrajpore, Beerbhoom; Sheik Mahomed Sam, Labpore, Ditto; Moolvie Izat Ulee, Noorgunge, Bhaugulpore; Hindrabun Mullick, Rajarampore, Dinagepore; Moatah Ooddeen, Kulligunge, Ditto; Sham Lall Roy, Daudkhorah and Munebaree, Purnea; Bhagwat Chundee Gupl, Shazadpore Rajshyee, Lokoath Bose, Bhutwaree, Rungpore; Jagmohun Dutt, Rungpore, Ditto; Syud Tufuzal Hussyn, Jehanabad, Behar; Syud Nader Ali, Arunabad, Ditto; Anand Uster, Patna, Golam Nurjuff Dhunzeaa, Shahabad; Mahomed Sadiq, Arrah, (adcl) Ditto; Oorant Ollah, Dumbongah, Tahont; Syud Kasim Ouddeen Eohudungah, Hazareebaugh; Sheik Muneer Ooddeen Ahmad, Gowalparah; Jugoram Khurru-ee Assan; Gholam Russool, Nema, Midnapore; Moharuck Allee, Kuddungatchee, 24-Pergunnahs; Mahomed Sadiq, therepore, Mymensingh; Imad Alee, Nassirougur, Tipperah; Casseemah, Sonangunge, Sylhet; Koer Joy Gopal Singh, singham, Beerbhoom; Dutaran Moughter, Bhaugulpore; Esanchunder Mokerjee, Seebgunge, Bhaugulpore; Furzand Allee, Doolagunge, Purnea; Akbur Allee, Burharee, Rungpore; Mahomed Waiz, Dowltagunge Naddea; Koorhan Allee, Alahpore, Ditto; and Hurnath Singh, Hazareebaugh.

FRED. JAS. HALLIDAY,

Offg. Secy. to the Govt. of Bengal

The 15th May, 1838.—Captain J. Whitford has been invested with the general powers of a joint magistrate in zillah Moorshedabad, to be exercised by him under the direction of the magistrate of that district, in addition to the special powers which he now exercises under the direction of the superintendent of the operations for the suppression of thuggee, during the absence of Captain N. Lewis.

The 19th May, 1838.—Mr. G. P. Leicester has been authorized to officiate as joint magistrate and deputy collector of Bancoorah during the illness of Mr. H. C. Baikitt, or until further orders.

The 22d May, 1838.—The following officer has obtained leave of absence from his station:

Mr. W. B. Jackson, commissioner of the 14th or Moorshedabad division, for two days, in extension of the leave granted to him on the 24th ultimo.

GENERAL REGISTER.

Fort William, financial department, the 23d May, 1838.—The Hon. the Deputy Governor of Bengal directs that the following extract from a despatch from the Hon. the Court of Directors in the financial department, dated the 20th March last, be published for the information of the Members of the civil service of this Presidency.

Para 1. In our despatch to India in the department, dated 27th May 1815, we sanctioned for a limited period and on special conditions the appropriation to subscribers to the civil-service retiring funds of two thirds of the unaccepted annuities of each year, at one fourth instead of one half their value, and we desired that twelve months before the expiration of the period fixed there might be transmitted to us particular information of the state of the funds at that date, and of the effect produced by the authorized modification, in order that we might determine upon the propriety of its continuance.

2. We rely upon receiving the information required as soon as possible after the appointed period—but to prevent inconvenience from the declaration of our intentions not having reached India at the date of the expiration of the time to which the trial of the plan was limited, we are willing to enlarge that limitation to the 30th of April, 1839, and we desire to be furnished with an account made up to the 30th of April 1839, similar to that required in our despatch above referred to.

Fort William, general department, the 23d May 1838.—Messrs. H. D. H. Ferguson, G. C. Barnes, and A. A. Roberts, writers, are reported qualified for the public service by proficiency in two of the native languages

THE 23d MAY, 1838.—GOVERNMENT NOTICE—P AT OFFICE.

The President in Council, under the orders of the Honorable the Court of Directors, directs that the privileges of franking and receiving letters free as conferred by section 2^d of act XVII of 1837, on the authorities and persons therein mentioned, shall, until further orders, be allowed to the assistant secretary to the Board of Control for the time being.

General department, the 23d May, 1838.—The Hon. the President in Council is pleased to attach Messrs C. G. Barnes and A. A. Roberts, writers, reported qualified for the public service to the north western provinces.

The Honorable the president in Council is pleased to appoint Mr. Assistant Surgeon James Innes, M. D. post-master at Barrackpore: the appointment to take effect from the 15th instant.

THE 21ST MAY, 1838.—The Hon the Deputy Governor of Bengal has been pleased to make the following appointment.

Mr. M. A. G. Shaha has been authorized to exercise the powers of joint magistrate and deputy collector in Burdwan east, until further orders

THE 25TH MAY, 1838.—The following officer has obtained leave of absence from his station

Mr. J. Curtis, civil and session judge of Hooghly, for two days, the 28th and 29th current, on private affairs.

H. T. PRINSEP,

Secy. to the Govt. of India.

BY THE GOVERNOR GENERAL.

Political department, Simla, the 14th April, 1838.—Mr. A. Campbell, M. D. has this day been appointed to be assistant to the resident at Nepal vice Mr. Ross Bell.

By order of the Right Hon. the Governor General of India.

W. H. MACNAGHTEN,

Secy. to the Govt. of India with the Govr. Genl.

Eccelesiastical.—Notice is hereby given, that the Lord Bishop of Calcutta purposes to hold his triennial visitation at the Cathedral on Friday, the 6th day of July next, and afterwards to visit and confirm at the several places following, within his Lordship's Diocese, Singapore, Malacca, Penang, Moulmein and Chittagong, and at any intermediate places requiring his Lordship's presence.

The other parts of the diocese will, on the Bishop's return, be visited by his Lordship.

In the mean time it is requested, that the respective ministers and chaplains at the places mentioned, as well as of the interior stations, within the diocese, will prepare and examine candidates for confirmation.

By order of the Lord Bishop of Calcutta, dated this 1st day of May, 1838.

W. H. ABBOTT, Registrar.

P. S. Divine service will commence at the Cathedral on the above date, at 10 o'clock, and the sermon be preached by appointment by the Venerable the Archdeacon.

Eccelesiastical.—The Right Rev. the Lord Bishop has been pleased to appoint the Reverend James Whitting, Chaplain of Meerut, a Surrogate for granting Episcopal licences of marriage at Meerut, in the room of the Reverend John Carysford Froby, returned to Europe.

W. H. ABBOTT, Registrar.

1st May, 1838

Ordination.—The Right Rev. the Lord Bishop of Calcutta will hold an ordination in the Cathedral on Trinity Sunday, the tenth day of June next.

Divine service will commence at 10 o'clock. The sermon will be preached by appointment by the Rev. William Ord Ruspini.

W. H. ABBOTT, Registrar.

1st May, 1838.

Political department, Simla, the 20th April, 1838.—A treaty having been ratified by their Highnesses the Amerees of Sindh providing for the reception of a British Resident in their territories, the Right Hon the Governor General of India has been pleased to direct the following arrangements:

Colonel H. Pottinger to be Resident in Sindh.

Captain P. M. Melvill, 7th regiment Bombay native infantry, to be assistant to the resident in Sindh, ordinarily stationed at Hyderabad, and to be British agent for the navigation of the lower course of the Indus.

By order of the Right Hon. the Governor General of India.

Political department, Simla, the 23d April, 1838.—Ensign G. M. Bees, of the 65th Regt, N. I. was appointed on the 21st inst., to be 2d subaltern to the 1st regiment of infantry of the Oude auxiliary force, vice Ensign M. E. Sherwill.

Lieutenant (and Local Brevet Major) J. Loughton, of the Bengal engineers serving with the British detachment in Persia has obtained leave to visit India, for a period of six months, commencing with the 22d of October, 1837.

By order of the Right Hon. the Governor General of India.

Political department, Simla, the 10th May, 1838.—Mr. Assistant Surgeon W. Laurie, M. D., of the Madras establishment has this day been appointed to the medical duties of the residency at Hyderabad, vice Mr. Surgeon Veitue.

Simla, the 10th May, 1838.—Mr. Assistant Surgeon W. Brydon, of the 4th light cavalry, has this day been appointed to the medical charge of the 2d regiment of infantry in the Oude auxiliary force, vice Assistant Surgeon H. Taylor, whose appointment is cancelled at his own request.

By order of the right Hon. the Governor General of India.

W. H. MACNAGHTEN,

Secy. to Govt. of India with the Govr. Genl.

BY THE GOVERNOR GENERAL FOR THE N. W. PROVINCES.

General Department, Simla, the 10th April, 1838.—The following officers have obtained leave of absence:

Revenue.—Mr. H. Rose, officiating deputy collector of Cawnpore, on medical certificate, to visit the hills, for seven months, from the 26th ultimo, the date on which he made over charge of his office to Mr. Wemyss

Judicial and Revenue.—Mr. E. H. C. Monckton, officiating magistrate and collector of Futehpoor, on medical certificate, to the 1st January next, for the purpose of proceeding to the hills. Mr. S. J. Becher, the officiating joint magistrate, is authorized to take charge of the offices of magistrate and collector, and to act in those capacities till Mr. Armstrong rejoins his station.

Revenue.—Mr. J. C. Wilson, with reference to his appointment of 30th August 1836 to be joint magistrate and deputy collector of Cawnpore, to conduct the revenue as well as the magisterial duties of Cawnpore.

Mr. H. Unwin to officiate as deputy collector for the investigation of claims to hold lands exempt from payment of revenue in the Agra division, during the absence of Mr. C. W. Kinloch on leave, or till further orders.

Judicial and Revenue.—Mr. W. Muir to be an assistant under the commissioner of the Allahabad division.

Mr. M. R. Gubbins to be joint magistrate and deputy collector of Muttra; but to continue to officiate with the powers of a joint magistrate and deputy collector in charge of the Ferozpoor pergunnahs of the Goorgoon district, till further orders.

Mr. E. F. Tyler to be magistrate and collector of Mynpoory, to have effect from the date on which Mr. A. Cumming embarked for Europe.

Mr. M. F. Muir to exercise the powers of a joint magistrate and deputy collector at Mynpoory.

Mr. G. H. M. Alexander to be joint magistrate and deputy collector of Allahabad.

The 12th April, 1838, Revenue.—Mr. J. Browster to be a deputy collector for the investigation of claims to hold lands exempt from payment of revenue in the districts of Bareilly and Shahje hanpoor.

Judicial and Revenue.—Mr. F. S. Head to exercise the powers of a joint magistrate and deputy collector at Cawnpoor.

J. THOMASON,

Offg. Secy. to the Govr. Genl. N. W. P.

General department, Simlah, the 18th April, 1838, judicial and revenue.—Mr. P. C. Trench, officiating magistrate and collector of Delhee, has obtained leave of absence, for four months, from the 5th of June next, preparatory to applying for permission to proceed to Europe on furlough.

Mr. A. R. Bell is appointed to be magistrate and collector of Goorgoon. On Mr. P. C. Trench leaving Delhee, preparatory to his departure on furlough, Mr. Bell will proceed thither and relieve him from the offices of magistrate and collector of Tehlee; and he will officiate in those capacities, till further orders.

General.—Mr. G. F. Christopher is appointed to be civil assistant surgeon at the station of Meerut.

The 21st April, 1838.—Ecclesiastical.—The Rev. C. Parker, district chaplain of Neemuch, has obtained leave of absence from his station for two months, for the purpose of proceeding to Bombay on medical certificate, and from thence for two years to Van Dieman's Land, for the recovery of his health.

General department, Simla, the 25th April, 1838.—judicial and revenue.—With reference to the appointment, under date the 10th instant, of Mr. G. H. M. Alexander, to be joint magistrate and deputy collector of Allahabad, that gentleman is authorized to postpone his departure from Buelundshuhur till the 1st June next. In the mean time, Mr. Alexander will continue to exercise the powers of joint magistrate and deputy collector at Buelundshuhur.

General Department, Simla, the 30th April, 1838.—Lieut. J. M. Tarabull is appointed to officiate as post-master at Hansi during the absence of Lieutenant J. Skinner, on leave obtained by him from His Excellency the Commander in Chief, from 30th April to 30th November next, to visit the hills, on medical certificate.

General department, Simlah, the 2d May, 1838, Revenue.—Lieutenant T. Hutton, assistant revenue surveyor, has obtained leave of absence for six months, to visit the hills, on his private affairs.

The 4th May, 1838, judicial and revenue.—The following provisional appointments by the commission of the Saugor division are sanctioned until further orders:

Mr. D. T. McLeod to officiate as principal assistant at saugor, during the absence of Captain M. Smith on sick leave

Lieutenant C. R. Browne to officiate as first junior assistant at Seonee, during the absence of Mr. McLeod.

Lieutenant R. W. C. Doolan to officiate as first junior assistant at Domb, during the absence of Lieutenant Browne.

General Department.—Simla, the 7th May, 1838.—Judicial and Revenue.—The leave of absence granted to Capt. C. Thoresby, superintendant of the Bluntlee territory, under orders of 10th March last, is to commence from the 15th instead of the 2d April, and extend to the 20th instead of the 15th November next.

The 11th May, 1838.—Revenue.—Mr. A. D'Crux and Mahomed Daood are appointed to be Deputy Collectors in Zillah Agre, under the provisions of Regulation IX of 1838.

J. THOMASON,

Offg. Secy. to the Govr. Genl. N. W. P.

MILITARY.

BY THE PRESIDENT IN COUNCIL.

Fort William, 7th May, 1838.—No 62 of 1838—The Hon the President in Council is pleased to make the following promotions and alteration of rank.

Regiment of artillery.—Lieutenant colonel and brevet col. John Peter Boileau to be colonel, Major George Everest to be lieutenant colonel, captain and brevet major Thomas Timbrell to be major, 1st lieutenant and brevet captain Frederick Brind to be captain, and 2d lieutenant Charles Stewart to be 1st Lieutenant, from the 25th April 1838, in succession to colonel (major General) Clements Brown, c. s., deceased.

Supernumerary 2d Lieutenant Henry Lewis is brought on the effective strength of the regiment.

1st Lieutenant and brevet captain John Lealand Mowatt to be captain, vice Captain Henry Clark deceased, with rank from the 25th April 1838, vice captain and brevet major Thomas Timbrell promoted.

2d Lieutenant Charles Boulton to be 1st lieutenant, from the 25th April 1838, vice 1st lieutenant and brevet captain John Lealand Mowatt promoted.

15th regiment native infantry.—Lieutenant William Innes to be captain of a company, ensign John William Carnegie to be lieutenant, from the 1st April 1838, in succession to captain George Abbott deceased.

Ensign John Inells to be lieutenant, from the 15th April 1838 vice lieutenant George Sharp deceased.

47th regiment native infantry.—Lieutenant and brevet captain George Croxon Armstrong to be captain of a company, and Ensign Andrew Giddart Reed to be lieutenant, from the 15th April 1838, in succession to captain Henry Tilman Raban deceased.

Regiment of artillery.—Captain F. Brind, to rank from 20th April 1838, vice H. Clerk deceased.

1st Lieutenant C. Stewart, to rank from 20th April 1838, vice F. Brind promoted.

Lieutenant Edward Darvall, of the 57th regiment native infantry, is promoted to the rank of captain by brevet, from the 1st May, 1838.

Mr. Henry Hopkinson is admitted to the service in conformity with his appointment by the Hon the Court of Directors, as a cadet of infantry on this establishment, and promoted to the rank of ensign, leaving the date of his commission for future adjustment.—Date of arrival at Fort William, 2d May, 1838.

Lieutenant George O'Brien Otley, of the 6th regiment native infantry, is permitted to proceed to Europe on furlough, on medical certificate.

Lieutenant colonel William Gordon Mackenzie of the 6th regiment native infantry, is permitted to proceed to the Cape of Good Hope and eventually to Europe on furlough, on account of his private affairs.

Native Doctor Bhyroo Sing, attached to the Sebundy corps at Gowahatty, is placed at the disposal of His Excellency the Commander in Chief for employment in the north western provinces.

No. 64 of 1838.—Assistant Surgeon George Rae, at present doing duty under the orders of the superintending surgeon at Barrackpore, is placed at the disposal of the Hon. the Deputy Governor of Bengal, with a view to his being appointed to the temporary charge of the medical duties of the civil station of Hooghly, during the absence of Dr. Wise.

The following appointments were made in the judicial and revenue department under date the 11th ultimo:

Assistant surgeon James Pagan, to the medical duties of the civil station of Gyoh, vice assistant surgeon Henry Taylor.

Assistant surgeon John Wood, to the medical duties of the civil station of Rungpore, vice assistant surgeon Pagan.

Lieutenant Henry Siddons, of Engineers, revenue surveyor at Chittagong, obtained in the judicial and revenue department, under date the 21st ultimo, leave of absence for six weeks on private affairs.

Lieutenant J. R. Abbott, of the 12th regiment native infantry, junior assistant to the commissioner of Arrakan, obtained in the judicial and revenue department, under date the 37th ultimo, leave of absence for one month, to visit the presidency, on private affairs.

J. STUART, Lt. Col.,

Offg. Secy. to the Govt. of India Mily. Dept.

GENERAL REGISTER.

Fort William, 14th May, 1838.—No. 67 of 1838.—The following War Office Circular, dated 30th December 1837, on the subject of the mode of realizing the effects of officers and soldiers dying in Her Majesty's service, is published for general information:

Circular No. 823, War Office, 30th December, 1837.

Sir,—With reference to the provisions made in the articles of war for securing and realizing the effects of officers and soldiers dying in Her Majesty's service, I have the honor to acquaint you, for your future guidance that the practice of offering for sale by a non-commissioned officer or soldier in selling by auction, such of the effects as are not otherwise disposed of, is to be adhered to only in cases in which it shall appear to be most advantageous for the estate of the deceased, and that

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when much trouble and responsibility shall have been thrown upon a non-commissioned officer or soldier in consequence of being so employed, commission, payable out of the effects, at a rate varying from £2 to £5 per cent. on the amount of the produce of the sale, according to the greater or less degree of trouble and responsibility thereby caused, may be paid to him and charged in the statement of the accounts of the deceased, annexing the man's receipt for the amount, and your certificate that his employment as auctioneer was most beneficial for the estate; and that the duties imposed on him thereby justify the remuneration charged.

I have the honor to be, &c.

(Signed) HOWICK.

The officer commanding regiment of—

No 70 of 1838.—The undermentioned men of Her Majesty's service are permitted to reside in India, as out-pensioners of Chelsea Hospital, and draw their pay at the stations specified opposite to their respective names, according to the 55th article of the pension warrant of the 14th November 1829, pending a reference to the Horse Guards as to the amount of their pensions:

11th dragoons.—Serjeant Robert Foster, Ghazee-pore; privates John McKenzie, Peter Browne, William Dalton, Benjamin High, George Salt, Thomas Ferguson, James Yarrall, Joseph Chapman, and Richard Wilkins, Meerut, and John Gooding, Agra.

16th lancers.—Serjeant Samuel Rodgers; privates John Haylett, Hugh Brown, Henry Dixon, Joseph Griffiths, and Thomas Simmonds, Meerut; Joseph Prucell Calcutta, and Thomas Smith, Meerut.

Fort William, 14th May, 1838.—No 71 of 1838.—The services of assistant surgeon Ponker are placed at the disposal of the Hon the Deputy Governor of Bengal, for the medical duties of the civil station of Tippera, vice Dr T. W. Wilson, who is, at his own request, placed under the orders of His Excellency the Commander in Chief.

Fort William 21st May, 1838.—No. 73 of 1838.—The Hon. the President in Council is pleased to make the following Pro-motions.

57th regiment native infantry.—Lieutenant and brevet captain George Moyle Sherer to be captain of a company, and ensign James Watson to be lieutenant, from the 8th of July 1836, in succession to captain William Abraham Smith retired

Lieutenant and brevet captain Edward Darvall to be captain of a company, and ensign William Brownrigg Lumley to be lieutenant, from the 4th of August 1836, in succession to captain Alban Thomas Davies retired.

N. B. The rank of captain by brevet, assigned to Lieutenants Sherer and Darvall, in general orders No. 247 of the 26th December 1836, and No. 62 of the 7th instant, is cancelled.

71th regiment native infantry.—Ensign George Ryley to be Lieutenant, from the 30th of April 1838, vice lieutenant William Thomas Birge deceased.

Lieutenant Samuel Athill Lyons, of the 34th regiment native infantry, is promoted to the rank of captain by brevet, from the 17th May, 1838.

Lieutenant William Joseph Martin, of the 6th regiment native infantry, has returned to his duty on this establishment, without prejudice to his rank, by permission of the Hon. the Court of Directors.—Date of arrival at Fort William, 10th May, 1838.

Mr. Andrew George Calebrooke Sutherland having satisfied Government on the points of qualification prescribed by existing regulations, is admitted to the service as a cadet of infantry on this establishment, agreeable to instructions from the Hon the Court of Directors.—Mr. Sutherland is promoted to the rank of ensign, leaving the date of his commission for future adjutment.

Ensign Samuel Arden, of the 27th regiment native infantry is permitted to proceed to Europe on furlough, on medical certificate.

The following arrangement was made by the Deputy Governor of Fort William on the 16th instant:

Assistant apothecary G. Oliver, doing duty in the garrison dispensary, is permanently appointed to fill the existing vacancy in that establishment, vice Fleming deceased. This appointment to have effect from the 19th ultimo.

No. 74 of 1838.—The Hon. the President in Council is pleased to make the following appointment:

Lieutenant John Gilmore, of the corps of engineers, is placed under the orders of lieutenant colonel G. W. A. Lloyd, employed on special duty on the north eastern frontier for the purpose of superintending the construction of roads in the vicinity of Dargeling.

The leave of absence granted to lieutenant Nathaniel Vecey, of the 4th regiment native infantry, in general orders No. 69, dated the 14th March, 1836, is extended to the 7th instant.

Fort William, 21st May, 1838.—No. 75 of 1838.—The Hon. the President in Council is pleased to make the following appointment.

Ensign Frederick Moffat Baker, of the 65th regiment native infantry, to do duty with the Aracan local battalion.

J STUART, Lieut. Col.

Offy. Secy. to the Govt. of India Mtly. Dept.

BY THE GOVERNOR GENERAL.

Simla, 20th April, 1838.—The following appointment was made in the general department, north western provinces, under date the 18th instant:

Assistant surgeon G. E. Christopher, of the 2d light cavalry, to the medical duties of the civil station of Meerut.

Simla, 24th April, 1838.—The following appointments are made in the department of the quarter-master general of the army:

Captain J. Paton, deputy assistant quarter-master general of the 1st class, to be an assistant quarter-master general.

Lieutenant H. Kewney deputy assistant quarter-master general of the 2d class to be deputy assistant in the 1st class.

Lieutenant R. P. Alcock, officiating deputy assistant quarter-master general, to be a deputy assistant in the 2d class.

Political department, Simla, the 1st May, 1838.—A treaty having been concluded between His Highness Ram Singh Muba of Kota and Raj Rana Muddun Singh, hereditary minister of that state on the one part, and the Hon. the East India Company on the other part, whereby the Raj Rana Muddun Singh, in consideration of his receiving in perpetual conveyance the districts noted in the margin* heretofore forming a portion of the principality of Kota (the revenues of which portion are estimated to amount to about 12 lacs of rupees per annum) agrees to the annulment of the supplementary article dated the 20th February 1818 of the treaty with Kotah, which provides that the "entire administration of the affairs of the principality shall be vested in the Raj Rana Zalum Singh, and after him on his eldest son Koonwar Madho Singh, and his heirs in regular succession in perpetuity." It is hereby notified for general information, that the said Raj Rana Muddun Singh has assumed the Government of the tract ceded to him by the present treaty, under the title of Maha Raj Rana Muddun Singh, rajah of Jhalwur.

* Cheechat. Sukeit.

Jhahre Pritun, commonly called Oormal. Reenchwa. Bukanee. Deilunpoor. Kola Bhatta. Sarreera. Rutlat. Munohur Thanna. Phool Baroda. Checharnee. Kokoornee. Chippa Baroda.

The portion of Sergurh, beyond, or East of the Parwya or Newuj and Shahabad.

Fuchpahar. Ahore. Dukut. Gungtar.

Simla, 2d May, 1838.—The Right Hon. the Governor General of India has much pleasure in publishing to the army, the following paragraphs of a letter from the Hon. the Court of Directors, in the military department, to the address of the Governor General of India in Council, No. 7 of 1837, dated the 29th of November last.

"Reply to military letter, dated 14th February, 1837. (No. 20.)"

Submit for courts favorable consideration, five memorials from officers of the Bengal army, praying that for the reasons stated, the court will recall their orders of 6th June 1798, requiring from an officer, about to retire on pension, a declaration on oath, that he had not received, and would not receive any pecuniary or other gratification or compensation for so retiring. Government consider, that the practice which has for some time obtained, although now for the first time brought to notice of inducing time-expired officers, under the rank of Lieutenant Colonel, to retire from the service, must conduce to the contentment of the officers, and to the efficiency of the army

Para. 1. The memorials now submitted to us arise out of the memorial of Lieut Colonel Powell, of the Bombay army, the important subject of which we informed the Government of Bombay, we would notice in our correspondence with the Government of India.

2 We now desire, that you will cause Lieutenant Colonel Powell to be informed, through the Government of Bombay, in reply to that part of his memorial which indicates a wish for line promotion in certain cases below the rank of major, that we cannot contemplate the possibility of sanctioning any measure which would infringe upon the integrity of a regimental officer, and, in reply to the remainder of his memorial, that we see no necessity for interfering with the arrangements which the junior officers, of a regiment may make in individual cases, for adding to the comforts of a senior officer, on his retirement from the service upon the pension to which he may be entitled.

3. The Regulation of 1798, requiring officers upon retirement to make oath, that they have received no pecuniary consideration for quitting the service, has not been enforced by us in any single case of retirement in England, during the period nearly forty years which has since elapsed. It was established chiefly upon financial grounds, to prevent (as observed by Lord Cornwallis, when recommending other rules for the same object) "an unreasonable load of pensions." This presumed necessity for the rule has however not yet been felt; on the contrary, additional facilities have been required and have been given, for enabling officers to retire upon full pay: "we shall therefore continue to suspend the operation of the rule, and officers retiring from time to time will not be called upon to make the declaration, unless the financial necessity to which we have referred (and of which due notice shall be given) shall at a future period be fully realized."

Political Department, Simla, the 3d May 1833—Lieutenant John Stubbs, of the 49th regiment native infantry, has this day been appointed to be 2d in command of the Joudpore legion. By order of the Right Hon the Governor General of India

Simla, 4th May, 1833.—Lieutenant T. Hutton, assistant revenue surveyor, has obtained leave of absence, in the revenue department, for six months, to visit the hills on his private affairs.

Simla, 4th May, 1833.—The following appointment was made on the 3d instant, in the political department:

Lieutenant John Stubbs, of the 49th regiment native infantry, to be 2d in Command of the Joudpore legion.

Simla, 10th May 1833.—The Right Hon the Governor General is pleased to make the following appointments:

Colonel James Cook, of the 51st native infantry, to the general staff of the army, with the rank of brigadier general, from the 25th native, vice Major General C. Brown, C. B. deceased

Colonel G Pollock, C. B. of the artillery regiment, to be a brigadier on the establishment, vice Penny embarked for Europe on furlough.

Colonel A. Lindsay, C. B. of the artillery regiment, to be a brigadier (temporarily) during the absence, on leave, of Major General Richards, C. B. or until further orders.

Wm. CASEMENT, M. G.,

Secretary to the Govt. of India Milly. Dept. with the Rt. Hon. the Govr. Genl

Fort William, Legislative Department, the 21st May, 1833.—The following act is passed by the Hon. the President of the Council of India in Council on the 21st May 1833, with the assent of the Right Hon. the Governor General of India, which has been read and recorded.

Ordered, that the act be promulgated for general information Act No. XII, of 1833.

It is hereby enacted, that from the first day of July 1833, all powers vested by Regulation XI. of 1833, of the Madras Code in sillah or assistant judges, shall be vested in every principal and sudder ameen within the territories subject to the Government of

the presidency of Fort St. George, in respect of all hidden treasures of any of the kinds specified in section II of that regulation, which may be found within his jurisdiction; and all rules applicable to sillah or assistant judges, shall be applicable to every such principal sudder ameen in respect of such treasure.

The following act is passed by the Hon the President of the Council of India in Council on the 21st May 1833, with the assent of the Right Hon. the Governor General of India, which has been read and recorded.

Ordered, that the act be promulgated for general information.

Act No. XIII of 1833.

I. It is hereby enacted, that it shall be competent to the Governor General of India in Council, by an order in Council, to extend any part of the provisions of Regulation XII. of 1833, to the Court of any principal sudder ameen, sudder ameen or Moonsiff.

II And it is hereby enacted, that it shall be lawful for the Governor General of India in Council to delegate the power given to him by section I of this act to the Governor of Bengal, and to the Lieutenant Governor of the N. W. Provinces, or to any functionary exercising the authority of Government in the N. W. Provinces,

BY THE COMMANDER IN CHIEF.

Head quarters, Simla, 16th April, 1833.—The leave of absence granted in general orders of the 4th of December last, to Lieutenant A. W. V. Frase, of the invalid establishment, is cancelled at his request.

Meer Fuhut Alee, native doctor, is removed from the 24th to the 29th regiment native infantry, at Bandah, and directed to be sent to join.

If a pay Drummer Christopher Woodfield, of the European regiment, is transferred to fill a vacancy, as a drummer, to the 54th regiment of native infantry.

The undermentioned officer has leave of absence:

3d regiment light cavalry—Captain G. C. Smyth, from 13th February to 1st December in extension, to remain at Mussorrie on medical certificate.

By order of His Excellency the Commander in Chief.

Head quarters, Simla, 17th April, 1833.—The undermentioned officers have leave of absence:

37th regiment native infantry—Lieutenant Infr and Qr. Mr. J. W. Curtis, from 16th March to 24th March, in extension to, enable him to rejoin.

47th regiment native infantry.—Lieutenant J. G. B. Paton, from 15th April to 15th October, to visit Neemach, on private affairs.

Head quarters, Simla, 18th April, 1833.—The Benares division order of the 9th instant, directing assistant surgeon T. Smith, M. D. of the 8th light cavalry, to proceed to Ghazepore, and do duty with Her Majesty's 44th regiment, is confirmed.

The Agra garrison and station order of the 6th instant, directing Assistant Apothecary T. Absalom, lately arrived with a detachment of recruits, to do duty with the European regiment, is confirmed.

His Excellency the Commander in Chief is pleased to make the following removals and postings in the regiment of artillery:

Captain T. Sanders, from the 3d company 6th battalion to the 2d company 2d battalion.

Captain T. Hickman, from the 2d company 2d battalion to the 1st company 3d battalion.

Captain A. Abbott, from the 1st company 3d battalion to the 2d company 6th battalion.

Lieutenant Vincent Eyre, from the 3d company 1st battalion to the 1st troop 2d brigade horse artillery.

Quarter Master Sergeant Barry Tarlton, is appointed sergeant major to the 16th regiment native infantry, vice Fairlie, promoted, in the ordnance commissariat department.

Head quarters, Simla, 19th April, 1833.—Major A. Hervey's regimental order of the 27th ultimo, appointing Lieutenant C. I. Harrison, to act as interpreter and quarter-master to the 65th re-

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giment of native infantry, during the absence, on duty, of Lieutenant Whiteford, is confirmed.

The leave of absence granted in general orders of the 21st ultimo, to Lieutenant Colonel J. Hobson, of the 4th regiment of native infantry, is cancelled at his request.

The leave of absence granted in general orders of the 5th ultimo, to Captain T. O. O'Brien, of the 23th regiment of native infantry, is cancelled at his request.

The appointment, in general orders of the 9th ultimo, of Ensign J. S. Knox, of the 42d, to act as interpreter and quartermaster to the 26th regiment of native infantry, is cancelled at his request.

Ensign W. H. O'Kea, of the 45th regiment of native infantry having been declared by the examiners of the College of St. William, to be qualified for the duties of interpreter, is exempted from further examination.

Drummer Charles Peters, of the 9th, is transferred, to fill a vacancy in the 70th regiment native infantry.

Half-pay Drummer John Pickett, of the European regiment, is transferred, as a drummer, to the 17th regiment of native infantry.

The undermentioned officers have leave of absence:

6th regiment native infantry.—Lieutenant Colonel T. Dundas from 5th March to 10th June, to remain at the presidency, on medical certificate.

N. B. This cancels the leave granted to Lieut. Colonel Dundas, in general orders of the 10th ultimo.

1st regiment local horse.—Lieutenant and Adjutant J. Skinner, from 10th April to 10th November, to visit the hills north of Deyrah, on medical certificate.

By order of His Excellency the Commander in Chief,

Head quarters, Simla, 21st April, 1834.—Referring to general orders of the 24d ultimo, which named Agra as the place of assembly for certain soldiers returning from furlough, His Excellency the Commander in Chief, on a representation from the Brigadier commanding the Malwah field force, is pleased to authorize command officers of corps at Malwah, to use their discretion in fixing Bandah or Mizapore as the place for assembly.

The men to whom Bandah may be assigned, must be ordered to assemble there by the 4th October, and to march thence on the 6th of that month, and likewise for whom Mizapore may have been selected, must be instructed to meet at that station on the 21st, and to march from it on the 23d September, both parties under the command of the senior native officer.

The officers commanding at those stations will require tents, from the store rooms of the corps under their orders, to be pitched for the accommodation of the furlough men, so long as they may remain, and they will cause intimation to be given of their march to the civil authorities of the districts through which their route may lie, to ensure supplies for them on the road.

Should the number of men proceeding from either of the above stations be considerable, a native doctor belonging to the post, with a suitable supply of medicines, must be sent with the party.

With the sanction of Government, the stipends of the pensioners of the Nusserie battalion are henceforward to be disbursed by the adjutant of the corps, who will forward the usual acknowledgment rolls to the pension paymaster at Meerat.

In order to guard as much as possible against any attempt at imposition, the pensioners are to be invariably paid by the adjutant, in person, after a minute examination of each individual, and of the documents he possesses.

The Sirhind division order of the 18th instant, removing Shaik Wahidullah, native doctor, from the 21st to the 27th regiment of native infantry, and Manick Ram, from the latter to the former corps, is confirmed.

The leave of absence, for six months, granted to Lieutenant and Brevet Captain H. T. Raban, of the 47th regiment of native infantry, in general orders of the 12th of February last, is cancelled at his request.

The undermentioned officers have leave of absence:

54th regiment native infantry.—Captain W. F. Beaton, from 25th April to 25th October, to visit Mussoorie and Simla, on private affairs.

49d regiment native infantry.—Ensign J. S. Knox, from 15th March to 15th November, to visit the hills, north of Deyrah, on medical certificate.

General staff.—Lieutenant R. P. Alcock, officiating Deputy assistant quartermaster general of the army, from 1st May to 30th June, to visit Kamptee, on private affairs.

Head quarters, Simla, 25th April, 1834.—The Sangor division order of the 6th instant, removing Doedaur Bakhsh, native doctor, from the artillery at Sangor, and appointing him to the 33d native infantry at Jubbahore, vice Meer Abdulwahab, native doctor, who is transferred from the latter to the former corps, is confirmed.

The following removals and postings will take place in the regiment of artillery:

Captain W. Goddard (on furlough) from the 1st company 5th battalion to the 2d company 1st battalion.

Captain A. Wilson, (officiating assistant adjutant general of artillery) from the 2d company 1st battalion on the 1st company 5th battalion.

1st Lieutenant Z. M. Mallock, (on furlough) from the 1st company 4th battalion to the 8th company 7th battalion.

1st Lieutenant R. Walker, from the 2d company 2d battalion to the 4th company 2d battalion.

His Excellency the Commander in Chief is pleased to make the following removals and postings:

Assistant surgeon H. Maclean, (on furlough) from the Mhair warrah local battalion to the 6th regiment of native infantry.

Assistant Surgeon A. Mackean, from the 9th regiment of light cavalry to the Mhairwarrah local battalion.

The leave of absence granted in general orders of the 20th February last, to Lieutenant and Adjutant R. Troup, of the 63d regiment native infantry, is cancelled at his request.

The undermentioned officers have leave of absence:

6th regiment native infantry.—Lieut. Col. W. G. Mackenzie, from 5th April to 5th May, in extension, to remain at the presidency, on medical certificate.

57th regiment native infantry.—Lieut. Colonel R. Chalmers, from 15th April to 15th October, in extension, to visit the upper provinces, on medical certificate.

Invalid establishment.—Major J. Buelow, from 17th April to 17th October to remain at Kurran, on private affairs.

By order of His Excellency the Commander in Chief,

J. R. LUMLEY, Major General,

Fort William, 30th April, 1834.—No. 61 of 1834.—The Hon. the President in Council is pleased to make the following promotion:

41st regiment native infantry.—Ensign Samuel John Saunders, to be lieutenant, from the 22d April, 1834, vice lieutenant and Brevet Capt in William Tinton, deceased.

Ensign J. P. M. Biggs, of the 88th regiment native infantry, Madras establishment, is permitted to proceed thence to Singapore, on medical certificate, for eight months.

The leave of absence granted in general orders No. 34 dated the 5th March last, to Ensign William Montland Roberts, of the 30th regiment native infantry, is cancelled at the request of that officer.

No. 61 of 1834.—Brevet Captain John Bracken, of the 29th regiment native infantry, is permitted to proceed to Europe on furlough, on medical certificate.

J. STUART, Lieut. Col.

Offg Secy to the Govt. of India Milly. Dept.

Head quarters, Simla, 30th April, 1834.—The detachment order of the 10th instant, by Captain A. Stewart, appointing Corporal George Howitt, to act as sergeant, and Private Henry Taunton, as corporal, in the room of Hugh Dodds, deprived of his temporary rank for misconduct, is confirmed.

The leave of absence, for six months, granted to Lieutenant Colonel J. W. Hoberden, of the 1st regiment of light cavalry, to visit Simla, on his private affairs, is to be calculated from the 2d of March, instead of February.

The undermentioned officers have leave of absence:

Sappers and Minners.—2d Lieut. J. S. Broadfoot, from 15th March to 15th Nov. to visit Mussoorie, on medical certificate.

17th regiment native infantry.—Ensign J. S. D. Tulloch, from 1st April to 1st October, to visit Shajchanpore, on private affairs, and rejoin his regiment at Loodiana.

GENERAL REGISTER.

56th regiment native infantry.—Lieutenant B. W. D. Cooke, from 1st April to 30th June, in extension, to remain at Cherra Poonjee, on medical certificate.

Head-quarters, Simla, 1st May, 1838.—Under instructions from the Right Honourable the Governor General, His Excellency the Commander in Chief is pleased to direct officers commanding stations, at which there may be no person already appointed by Government to discharge the duties of postmaster, to place themselves immediately in communication with the postmaster general on the subject, offering, at the same time, the name of an officer from under their command, for the duties of the situation.

The appointment will be promulgated in Government general orders, it will have effect from the date of the officer's taking charge, and will continue while the corps remains at that station, and the duties are satisfactorily discharged.

Pending the result of this reference, an officer is to be appointed in station orders to the charge of the post office, and it has been communicated to His Excellency, that a certified copy of that order, countersigned by the post master general, will be held a sufficient voucher by the civil auditor, to enable him to pass the authorized allowance to the party performing the duty.

In the event of a sudden vacancy in the office of postmaster at any military station, a temporary successor is to be appointed in station orders, in the same manner as directed in the case above stated, pending a reference to the postmaster general.

It is to be clearly understood, that the appointment of postmaster at any military station, is not to interfere with any of the duties to which the officer nominated may otherwise be liable; and no one is to be selected, who, in the ordinary performance of regimental duty, would be subject occasionally to be detached from the station.

His Excellency the Commander in Chief is pleased to direct, that all officers absent from their corps, or detachments, on leave of absence, or on duty, shall, if stationary, report monthly to the adjutant general of the army their places of residence; and if moving, a report of their progress is to be made also monthly, or as often as opportunities offer for the transmission of letters.

These reports are to be sent direct to head quarters.

Ensign F B Bosanquet, of the 16th regiment native infantry, is appointed to act as adjutant to the Hurriannah light infantry battalion, during the absence, on leave of Lieutenant and Adjutant Colebrooke, or until further orders.

The undermentioned officer has leave of absence:

Hurriannah light infantry.—Lieutenant and Adjutant T. E. Colebrooke, from 15th May to 15th October, to visit Allahabad, on private affairs.

By order of his Excellency the Commander in Chief,

J. H. LUMLEY, Major General,

Adjutant General of the Army.

Head-quarters, Simla, 2d May, 1838.—The Lucknow station order of the 5th ultimo, directing Assistant Surgeon J. V. Leese, of the 10th regiment of native infantry, to perform the medical duties of the presidency and the Tungjuli, in addition to his present charge, consequent on the departure, on leave of Assistant Surgeon W. Stevenson, is confirmed, as a temporary arrangement.

Head-quarters, Simla, 3d May, 1838.—The Mysnoric station order of the 7th February last, appointing Lieutenant R. R. W. Ellis, acting interpreter and quarter master to the 28th regiment native infantry, to act as station staff, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointment:

26th Regiment native infantry.—Lieutenant R. R. W. Ellis, of the 2d Regiment native infantry, to act as Interpreter and quarter-master.

Hospital apprentice J. H. Bowser, at present attached to the general hospital, is to be paid up and discharged the service, from the date of publication of this order at the head-quarters of the presidency division.

Half-pay Drummers Thomas Anderson and James Anderson, of the European regiment, are transferred to the 33d native infantry, as drummers, to fill existing vacancies; and will proceed and join on the 1st of October next.

The undermentioned officers have leave of absence:

61st regiment native infantry.—Captain R. A. McNaughten, from 1st June to 10th November, in extension, to remain at the presidency, on private affairs.

69th regiment native infantry.—Lieutenant E. Garrett, from 20th June to 15th October, on private affairs, to visit Simla.

Invalid establishment.—Captain G. Gale, from 1st June to 1st November, to visit Mussoorie, on private affairs.

By order of his Excellency the Commander in Chief,

J. H. LUMLEY, Major General,

Adjutant General of the Army.

Fort William, 4th May, 1838.—No. 65 of 1838.—The Hon. the President in Council is pleased to direct, that the following paragraphs of a military letter from the Hon. the Court of Directors No. 10, dated 26th January 1838, and its enclosure, be published in general orders.

Para 1. With reference to our military letter of the 30th August 1837, we have now to apprise you, that at the public examination which was held at the military seminary on the 11th Dec last, Mr Henry Price de Teissier was found to have rendered himself worthy of the distinction of receiving an Honourary certificate which was presented to him accordingly.

2. We forward for your observation and also for publication in general orders, a copy of the report of the public examination, the merits of Mr De Teissier, who was selected for the artillery and stationed to your presidency.

REPORT OF MAJOR GENERAL SIR ALEXANDER DICKSON, K. C. B.,

18th December, 1837.

I am happy to state that the following gentleman has received an honourary certificate on the present occasion, for which I was enabled to recommend him, on account of his progress, diligence, and unvaried good conduct at the institution, viz.

Mr Henry Price de Teissier.

No 66 of 1838.—The following paragraphs of a military letter No. 4, dated the 24th January 1838, from the Hon. the Court of Directors, are published for general information:

Para. 2. "We have granted the following officers an extension of leave, viz.

Lieutenant Colonel John Home, and Lieut. Henry Stone, for six months.

Lieut. G. Warren Stokes, to remain till March next.

3. We have permitted the following officers of your establishment to retire from the Service, viz.

Captain Alban T. Davies; the vacancy has effect from the 4th August 1836.

Captain W. A. Smith, from the 6th July 1836."

No. 68 of 1838.—The Hon. the President in Council is pleased to make the following promotion and appointment:

47th regiment native infantry.—Ensign Robert Renny, to be lieutenant, from the 16th April 1838, vice Lieutenant James George Brown Paton, deceased.

Captain Simon Fraser Hannay, of the 40th regiment native infantry, to be second in command of the Assam light infantry, vice Captain Charlton, resigned.

Lieutenant Thomas David Colyear, of the 7th regiment light cavalry, is promoted to the rank of captain by brevet, from the 8th May 1838.

The undermentioned gentlemen are admitted to the service in conformity with their appointment by the Honourable the Court of Directors, as cadets of infantry and an assistant surgeon on this establishment; the cadets are promoted to the rank of ensign, leaving the dates of their commissions for future adjustment.

Infantry.—Charles Sheppard Reynolds, Frederick Thomas Paterson, Henry John Edwards, Rowland Rees Mainwaring, date of arrival at Fort, William, 10th May, 1838, and George Edward Ford, John Palmer Caulfield, ditto ditto 12th ditto ditto. Medical department.—Mr. James Alexander Dunbar, 12th May 1838.

The leave of absence granted to brevet captain John Raithby Revell, of the regiment of artillery, in general orders No. 18, of the 15th January 1838, is commuted to a furlough to Europe, on medical certificate.

Captain John Villiers Forbes, of the 15th regiment native infantry, is permitted to proceed to New South Wales, via the Isle of France, on medical certificate, and to be absent from Bengal on that account for two years.

Sergeant George Mayhoo, magazine sergeant, is admitted to the benefits of the pension sanctioned by Minutes of Council of the 11th January 1797, and general orders dated 5th February 1820, subject to the confirmation of the Hon. the Court of Directors, with permission to receive his stipend at Calpee.

The Hon. the President in Council has been pleased to make the following promotions in the Calcutta native militia.

GENERAL REGISTER.

Jemadar Rohim Khan to be subdar, and **Havildar Nurkoo Shanto**, to be jemadar in succession to subdar **Allad Raut**, deceased.
J. STUART, Lieut Col.
Off. Secy. to the Govt. of India Milg. Dept.

Head-quarters, Simla, 5th May, 1838.—The Dinapore station order of the 15th ultimo, directing assistant Surgeon **G S Cardew**, to do duty with Her Majesty's 31st regiment, is confirmed.

His Excellency the Commander in Chief is pleased, with the sanction of the Right Hon. the Governor General, to appoint **Mr. William McDormont** to do duty, as a veterinary surgeon, with the horse artillery at Ludianah, on a monthly allowance of 200 ruppes, from the date on which he shall join the troop at that station, until he may be permanently admitted into the service (as notified in despatch from the Court of Directors, of the 15th of October last,) or until further orders.

The following individuals, who were appointed hospital apprentices in general orders of the 9th of October last, having failed to report themselves to the superintending surgeons, within whose circles of superintendence they are residing, are struck off the list of subordinate medical servants:

George Martin, Thomas Murphr, Richard William Clive, James A. Cockburn, Alexander Mood and Francis Dabraz.

Head-quarters, Simla, 7th May, 1838.—The Lucknow station order of the 13th of March directing the provision of an extra, doolie and set of bearers, for the temporary use of the city guards, is confirmed.

The Dinapore station order of the 22d ultimo, appointing **Lieutenant Y. Lamb**, acting interpreter and quarter master to the 51st regiment native infantry, to officiate as station staff, during the absence, on duty of the assistant adjutant general of the division, is confirmed.

Major G. Youne's regimental order of the 24th ultimo, appointing **Lieutenant G. P. Bronke**, to act as adjutant to the 68th native infantry, during the absence, on leave of **Lieutenant Bryant**, is confirmed.

Assistant Surgeon E. Fosker, at present serving under the orders of the superintending surgeon at Dinapore, is directed to proceed and join Her Majesty's 44th foot at Ghazepore.

Assistant Surgeon T. Smith, M. D. of the 8th light cavalry, now doing duty with the former corps, will, on being relieved by **Mr. Fosker**, rejoin the regiment to which he belongs at Sulthanpore. **Assistant Surgeon M. Nightingale**, will proceed and do duty under the orders of the superintending surgeon at Cawnpore.

Ensign F. Maitland, of the 4th, is appointed to act as interpreter and quarter master to the 60th regiment of native infantry, at Mirzapore.

Cornet F. N. Edmonstone, who was brought on the effective strength of the army in Government general orders of the 2d ultimo, is posted to the 4th regiment of light cavalry, at Kurnaul, and directed to join.

Half-pay Drummer John Wilkins, of the European regiment is transferred to the 24th regiment of native infantry, as a Dragoon, to fill an existing vacancy.

By order of His Excellency the Commander in Chief.

J. R. LUMLEY, Major General,
Adjutant General of the Army.

Head-quarters, Simla, 4th May, 1838.—The Sylhet station order of the 10th ultimo, directing Surgeon **S. Atkinson**, of the 70th native infantry, to afford medical aid to the 72d regiment during the absence, on duty of assistant Surgeon **Guise**, is confirmed.

The presidency division order of the 19th ultimo, appointing assistant Apothecary **George Oliver**, now at the general hospital, to officiate as assistant apothecary in the garrison dispensary, is confirmed.

The Meerut station order of the 21st ultimo, directing assistant Surgeon **J. Murray, M. D.** of the artillery, to perform the medical duties of the 71st regiment of native infantry, in the room of assistant surgeon **A. C. Duncan, M. D.** medical store-keeper is confirmed.

The Commander in Chief is pleased to order the following removals and postings:

Colonel William Henry Kenn, new promotion, and on furlough, to the 62d regiment of native infantry.

Lieutenant Colonel William Gordon Mackenzie, from the 6th native infantry to the right wing European regiment.

Lieutenant Colonel James Eckford, new promotion, to the 6th regiment of native infantry.

Surgeon John Smyth, M. D. new promotion, is posted to the 4th regiment of native infantry at Futtchgurh, and directed to

join after the detachment with which he now doing duty shall have reached its destination.

Assistant Surgeon George Rae, now doing duty under the orders of the superintending surgeon at Barrackpore, is directed to join and do duty in the hospital of Her Majesty's 9th foot.

Amree Khan, native doctor, lately appointed to do duty under the orders of the civil surgeon at Agra, having proved himself unworthy to remain in the service, is to be paid up and discharged, from the date of the publication of this order at that station.

The undermentioned officers have leave of absence:

18th regiment native infantry—**Ensign T. C. Richardson** from 15th May to 15th October, to visit the presidency, on private affairs.

58th regiment native infantry—**Ensign A. Campbell**, from 1st May to 1st July, to visit **Bardwan**, on private affairs.

63d regiment native infantry.—**Surgeon D. Hutter, M. D.** from 1st May to 15th June, in extension, to remain in the neighbourhood of **Benares**, on medical certificate.

Head-quarters, Simla, 5th May, 1838.—The undermentioned officers have leave of absence:

31 battalion artillery—**Captain W. J. Macritchie**, from 1st December 1837 to 18th December 1837, to enable him to join.

3d company 5th battalion artillery.—**2d Lieutenant J. Rogers**, from 24th April to 10th November, to visit **Simla**, on medical certificate.

3d regiment native infantry.—**Lieutenant interpreter and quarter master G. Toit**, from 15th May to 15th October, to visit **Hazareebagh**, on private affairs.

19th regiment native infantry—**Ensign D. C. Shute**, from 15th April to 15th June, to visit **Poorie**, on medical certificate.

23d regiment native infantry.—**Lieut. and Brevet Captain Lord Henry Gordon**, from 15th April to 15th November, to visit the hills, north of **Deyrah**, on medical certificate.

N. B. This cancels the unexpired portion of the leave on private affairs, granted to this officer in general orders of the 29th December last.

71st regiment native infantry.—**Captain J. S. Marshall**, from 15th April to 15th May, in extension, to remain at the presidency, on medical certificate.

By order of His Excellency the Commander in Chief,

J. R. LUMLEY, Major General,
Adjutant General of the Army.

Head-quarters Simla, 11th May 1838.—**Brigadier General J. Cock**, is appointed to the command of the **Benares** division.

Brigadier G. Pollock, C. B. will command the **Dinapore** division, during the absence, on leave of **Major General Richards, C. B.** or until further orders.

Brigadier A. Lindsay, C. B. is appointed temporarily to the command of the troops at **Barrackpore**.

The above officers are directed to join their respective commands at their earliest convenience.

Lieutenant George Ramsay, of the 25th regiment native infantry, is appointed aide-de-camp to **Brigadier General Cock**.

2d battalion artillery.—**Captain T. Sanders**, from 10th May to 31st October, to remain at **Delhi**, on private affairs.

73d regiment native infantry—**Captain E. A. Cumberlege**, from 17th April to 1st July, to visit the presidency, on private affairs.

By order of His Excellency the Commander in Chief.

R. TOURENS, Major Genl.

Adj. Genl. to her Majesty's Forces in India.

Head-quarters, Simla, 14th May, 1838.—The Meerut division order of the 1st instant, appointing assistant Surgeon **C. McKinnon, M. D.** of the 2d brigade horse artillery, to the medical charge of the station and division staff at Meerut, vice assistant Surgeon **Christopher**, is confirmed.

The Saugor division order of the 17th ultimo, directing **Captain R. D. White**, of the 6th regiment of native infantry, to officiate as deputy judge advocate general, vice **MacGeorge**, appointed to officiate in the Meerut division, is confirmed.

The regimental order of the 16th ultimo, by **Colonel J. Skinner, C. B.** commanding the 1st local horse, directing local **Lieutenant J. Turnbull**, to act as adjutant to the corps, during the absence of **Lieutenant Skinner**, on leave, is confirmed.

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The 31st division order of the 5th instant, directing Shakh Golom Chous, native doctor, attached to the hospital of the 21st regiment of native infantry, to proceed to Hanoi, and do duty with the 1st local horse, during the absence, on leave, of Munnoo, native doctor of that corps, is confirmed.

The Neemuch station order of the 25th ultimo, directing Govind Lall, native doctor, of the 30th regiment of native infantry, to proceed to Saugor with the 1st wing of the 3d local horse, during the absence, on duty, of Ahydroollah Khan, native doctor of that corps, is confirmed.

Bhondoon, a native dresser, employed at head-quarters, is appointed a native doctor, from the 11th instant, and directed to proceed in Kurnaul, and do duty under the superintending surgeon at that station.

The undermentioned officers have leave of absence:

25th regiment native infantry.—Lieutenant G Ramsay, from 10th April to 30th April, to remain at Jubulpore, on medical certificate.

26th regiment native infantry.—Lieutenant T. H. Hunter, from 1st May to 1st October, to visit the hills, north of Deyrah, on private affairs.

27th regiment native infantry.—Captain P. Hopkins, from 30th June to 31st December, on private affairs, to visit Simla and the presidency, preparatory to submitting an application for furlough.

Subordinate medical department.—Assistant Apothecary R. Bean, attached to H. M. 10th lancers, from 1st May to 1st November, to proceed to the hills north of Deyrah, on medical certificate.

Head-quarters, Simla, 15th May 1838.—The leave of absence for six months granted to Captain K. Campbell, of the 45th regiment native infantry, in general orders of the 12th ultimo, is to commence on the 29th April, and terminate on the 29th October, instead of the dates therein specified.

The leave of absence granted in general orders of the 12th ultimo, to Lieutenant H. D. Van Dierburgh, the 43rd regiment native infantry, is cancelled at his request.

Shrik Bhairam, native doctor, of the 45th regiment native infantry, having been reported unworthy of being retained in his present situation, is to be discharged the service from the date of promulgation of this order at the head-quarters, his regiment.

Drummer Simon Lyons, of the invalid pension establishment having been pronounced by a medical committee to be fit for active service, is transferred to the 44th regiment native infantry, and directed to be sent to join.

The undermentioned officers have leave of absence:

1st company 1st battalion artillery.—Captain E. Day, from 26th April to 15th July, to remain at Benares, on private affairs, and to enable him to rejoin his company.

20th regiment native infantry.—Lieutenant C. Bartray, from 3d May to 30th November, to visit Simla, on medical certificate.

55th regiment native infantry.—Lieutenant S. D. Agar, from 1st October 1837 to 29th November 1837, to visit the presidency, on medical certificate, preparatory to submitting an application for furlough.

34th regiment native infantry.—Lieutenant A. C. Dewar, from 15th May to 19th October, to visit the hills, north of Deyrah, on private affairs.

Head-quarters, Simla, 16th May 1838.—The presidency division order of the 28th ultimo, appointing native doctor Kissen Chunder to the Arracan local battalion, is confirmed.

The Agra garrison and station order of the 2d instant, directing hospital apprentice W. H. Johnstone, arrived from presidency, with a detachment of recruits, to do duty in the artillery hospital, is confirmed.

The Allypore station order of the 16th ultimo, appointing Lieutenant interposer and quartermaster W. P. Campbell, of the 64th regiment of native infantry, to act as station staff, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointment:

7th regiment of native infantry.—Lieutenant F. C. Brooke, to be adjutant, vice Revell, promoted.

Our Corporal Martin Scantling, of the Ramgarh light infantry battalion, is promoted to sergeant, and appointed quartermaster sergeant to the corps, vice Cooper.

By order of His Excellency the Commander in Chief,

J. LUMLEY, Major General,
Adjutant General of the Army.

GENERAL ORDERS TO THE QUEEN'S TROOPS.

Head-quarters, Simla, 19th April, 1838.—No. 122.—The Commander in Chief has been pleased to make the following appointments and promotions until Her Majesty's pleasure shall be known:

3d light dragoons.—Captain G. H. Lockwood, to be major, without purchase, vice Andrews, deceased, 3d April 1838.

Lieutenant M. Jones, to be captain, vice Lockwood, promoted, 3d April 1838.

Cornet J. Wyld, to be lieutenant, vice Jones, promoted, 3d April 1838.

8d Foot.—Ensign William Duncan Hilton, from the 9th foot, to be Ensign, vice Dorehill, promoted, 10th March 1838.

9th Foot.—Ensign D. M. B. Thune, to be lieutenant, without purchase, vice Cook, deceased, 21st March 1838.

13th Foot.—Ensign the Hon. E. J. W. Forester, to be lieutenant, without purchase, vice Shakespeare, deceased, 9th April 1838.

The leave of absence granted in extension, by His Excellency Lieutenant General Sir P. Maitland, K. C. B., to Lieutenant R. Hawkes, 4th foot, to the 31st August next, is confirmed.

The undermentioned officers have leave of absence:

16th lancers.—Captain P. T. Robinson, from 10th April to 10th November, to Simla, on medical certificate.

19th light infantry.—Surgeon D. Murray, M. D. from 1st May to 15th November, ditto do.

By order of the Commander in Chief.

Head-quarters, Simla, 26th April, 1838.—No. 123.—Her Majesty has been pleased to make the following promotions and appointments in the regiments serving in India:

4th foot.—Major William Betham, from half pay, unattached, to be major, vice James Henry Phelps, promoted, 10th November 1837.

Ensign Frederick Charles Evelyn, to be Lieutenant by purchase, vice Prase, appointed to the 2d dragoon guards, 10th November 1837.

William Mark Campbell, gent. to be ensign by purchase, vice Evelyn, 10th November 1837.

7th foot.—Major Charles John Deshon, from the 20th foot, to be major, vice George James Romney, who retires upon half pay, unattached, receiving the difference, 10th November 1837.

631 foot.—Captain D'Arcy Wentworth, to be major by purchase, vice Briggs, who retires, 3d November 1837.

Lieutenant John Hudson Fearon, to be captain, by purchase, vice Wentworth, 3d November 1837.

Ensign Conan Hopton, to be Lieutenant by purchase, vice Pratt, by purchase, vice Fearon, 3d November 1837.

William Kenny, gent. to be Ensign by purchase, vice Hopton, 3d November 1837.

MEMORANDUM.

The Christian name of Ensign, Postlethwaite, of the 26th foot, is Henry James Willson.

The Commander in Chief has been pleased to make the following promotion until Her Majesty's pleasure shall be known:

17th Foot.—Ensign T. O. Rutledge, to be Lieutenant by purchase, vice De Burgh, who retires, 23d April 1838.

His Excellency the Commander in Chief has been pleased to direct the publication of the following Government general order for the information of Her Majesty's forces serving in India:

The Commander in Chief in India, has been pleased to grant to Captain James Brown, of the 67th foot, who had served fifteen years, and upwards as a subalter, previously to his promotion to company, the rank of captain, by brevet, in the East Indies only, from the 11th of June 1830.

The committee of paymastership in Her Majesty's 63d regiment, consisting of Lieutenant Colonel Fairlough, Major Baylee, and Captain Mahon, appointed to act during the absence of paymaster R. Lane, and of Lieutenant Crompton, to continue to perform the duty, on the responsibility of that committee, is confirmed.

GENERAL REGISTER.

The regimental order by the officer commanding 9th foot, dated 30th ultimo, directing the officers, named in the margin to proceed Lieut. Metcalfe to Calcutta, by water, on general Court-martial duty, in compliance with a division order, and to return to Chusurah in the same manner after its completion, is confirmed.

The division order by Major General Sir Willoughby Cotton, C. B. and K. C. B., dated 6th April, granting leave of absence to Ensign W. Shelton, 43d foot, to proceed to England, for two years from the date of embarkation, on medical certificate, is confirmed.

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The undermentioned officer has leave of absence:

13th light infantry.—Lieutenant Colonel Drennie, C. B., from the date of his leaving the regiment to 1st December 1838, to Musorie, on medical certificate.

By order of the Commander in Chief.

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Head quarters, Simla, 3d May 1838.—No. 116—Assistant Surgeon Knox, 3d light dragoons, is appointed to the medical charge of H. M. 13th light infantry, during the absence of Surgeon Murray, on medical certificate, and assistant Surgeon Meuzier, 16th foot, to be attached to, and to be duty with H. M. 3d light dragoons, during the absence of assistant Surgeon Knox.

The leave of absence granted to Lieutenant Fitzgerald, 16th foot, in the general order of the 25th January last, No. 98, to proceed to Landour, on private affairs, is cancelled.

His Excellency the Commander in Chief has been pleased to promote the undermentioned officer to the rank of captain, by brevet, in the East Indies only.

63d foot.—Lieut. C. D. C. O'Brien, from the 25th March 1838

The undermentioned officers have leave of absence:

3d light dragoons.—Lieutenant S. Fisher, for one month from 10th April, to enable him to rejoin.

16th lancers.—Lieutenant Colonel W. Perce, from 5th May to 1st October next, to Landour, on private affairs.

Head quarters, Simla, 10th May 1838.—The Commander in Chief has been pleased to make the following promotions until Her Majesty's pleasure shall be known:

2d foot.—Lieutenant H. D. Keith, to be captain without purchase, vice Jackson, deceased, 29th June 1837.

Ensign G. N. Kr A. Youge, to be lieutenant, vice Keith, promoted, 29th June 1837.

Ensign G. Piercy, to be lieutenant without purchase, vice Dalway, deceased, 15th April 1838.

54th foot.—Ensign M. Barbauld, to be lieutenant without purchase, vice Harvey, deceased, 14th April 1838.

The Commander in Chief in India, has been pleased to appoint Colonel J. Thackerwell, R. N., of the 3d light dragoons, to take rank as major general by brevet, in the East Indies only; commission to be dated 10th January 1837.

The appointment of Ensign Sims, 62d foot, to act as adjutant to that corps during the absence, on leave of Lieutenant and Adjutant Motfield, is confirmed, from the 3d March inst.

Bl. Capt. Kerr.
— Baines.
Lieut., Metcalfe.
— Dimes.
— Robinson,
acting adjutant.

The regimental order by the officer commanding 9th foot, dated 14th April, directing the officers, named in the margin, to proceed to Fort William, by water, on Court martial duty, and to return in like manner, after its completion, is confirmed.

Surgeon McCreary, H. M. 9th regiment, doing duty with H. M. 16th lancers, will proceed to Chinsurah, and assume the medical charge of the corps to which he belongs.

The regimental order by the officer commanding H. M. 9th regiment, dated 18th April, appointing assistant Surgeon Harvey, to the medical charge of that Corps, vice assistant Surgeon Robertson, (30th regiment) deceased, as a temporary appointment until the arrival of Surgeon McCreary, is confirmed.

Assistant Surgeon Ross, 16th lancers, will assume the medical charge of the corps, until further order.

By order of the Commander in Chief,
R. TORRENS, Major General,
Adj. Gen. to Her Majesty's Forces in India.

SHIPPING INTELLIGENCE.

ARRIVALS AT KEDGEREE.

April 29th.—English ship *Sandaway*, Nacods, from Bombay 12th, and Commanche 26th March; English barque *Burong*, R. Gordon, from Bombay 3d, Felcherry 9th, and Alceper 13th April; American ship *Oyago*, W. Heintz, from Philadelphia 26th December.

30th.—English ship *Dolph Scott*, R. Spence, from London 26th November, Cape 22d February, and Madras 25th April; English ship *Justus*, G. C. Young, from London 12th December; French ship *Hughly*, Robin, from Bourbon 22d March.

May 1st.—English ship *Favorite*, T. Robinson, from Liverpool 25th October, and Madras 26th April; English barque *Frankland*, I. Webb, from Liverpool 27th December; English ship *Margaret Cornal*, D. Morris, from Greenock 16th December; English ship *Forth*, W. Baxter, from Greenock 25th November.

2d.—English ship *Mary Anne Webb*, R. Boyd, from Liverpool 8th January; American ship *Mary and Susan*, W. F. Parratt, from Portsmouth 4th December, Rio de Janeiro 8th February, and Madras 28th April.

6th.—English ship *Waterloo*, J. Cow, from Sydney 11th March, and Madras 1st May.

7th.—English barque *Raj Rane*, J. H. Harding, from the Mauritius 9th March; English barque *Kyle*, T. Fletcher, from London 14th December.

8th.—English ship *Indian Oak*, R. Rayne, from Port Louis 6th March, and Madras 1st May; English seaman *John Hepburne*, B. Robertson, from Moulmein 15th, and Rangoon 24th April.

9th.—English ship *Malcolm*, J. Eyles, from London 19th December, and Madras 3d May; English barque *Princess Victoria*, J. Lee, from London 27th August.

11th.—English barque *Donna Carmelita*, T. Foss, from the Mauritius 12th March, and Pointe Galle 1st May; English barque *Eamont*, N. Burtall, from Moulmein 1st April.

13th.—English barque *Mary*, Munyard, from Hobart Town 3d March.

15th.—English barque *Edward*, S. Morton, from Portsmouth 4th December, and Madras 9th May.

15th.—English ship *Forth*, J. P. Lenders, from the Mauritius 9th January, and Rangoon 3d May.

23d.—English ship *Larkins*, C. Ingram, from London 16th January, and Madras 13th May; English barque *Isabella*, C. Muaro, from Portsmouth 10th January, and Madras 17th May.

24th.—English ship *Bolton*, Young, from London 13th January

25th.—English barque *Susanna*, J. P. Ridley, from the Mauritius 24th April, Pointe Galle 14th, and Madras 20th May; English brig *Preck*, J. W. Smout, from the Mauritius 24th April.

26th.—English barque *Cuba*, A. Gray, from the Mauritius 26th April, and Madras 2d May, and Dutch barque *Maas*, from Batavia 2d May.

ARRIVALS OF PASSENGERS.

Per Burong, from Bombay: Mrs. Wilson and Mrs. Hennessey; Mr. William Fawcett; P. M. Fawcett, Esq.

Per Oyago, from Philadelphia: Thos. Ryan, Esq., merchant; Messrs. Joseph Caldwell and J. Caldwell, missionaries.

Per David Scott, from London: Mrs. Cuingie; Mr. and Mrs. Whitmore, and Mr. and Mrs. Taylor, B. C. S.; Ensign Shaw, H. M. 31st; Ensign Pottlethwaite, H. M. 26th, Nr. Hopkinson, cadet; Mr. Oakes; Graham, private 26th regt.—*From Madras:* W. R. White, Esq., H. M. 16th Lancers; Capt. Sheenan.

Per Waterloo, from New South Wales: Mrs. Vicamy and child; Mrs. Rose, Lieut. Vicamy, 4th N. I., and Rev. Mr. Rose.

Per Kyle, from London: Dr. J. A. Dunbar, assist. surg. M. D. H. C. S., and John P. Caulfield, cadet, ditto.

Per Raj Rane, from Port Louis; Monsieur, Pardin.

Per Indian Oak: Mrs. Rayne and child, and Misses Rayne and Anna Clapperton.

Per John Hepburne: Mr. A. Nicol, mariner, from Rangoon.
Per Malcolm, from London: Mrs. Malan, Mrs. Jns. Ousoley and Mrs. Longdon; Misses Wall, Barlow, and A. Wilson; two Masters Malan; S. G. Majan, B. A. Professor, Bishop's College, Calcutta; Messrs. F. T. Paterson, H. J. Edwards, E. S. Meynolds, R. H. Mainwaring, and G. E. Ford, cadets.—*From Madras:* Mrs. Ellerton, Capt. Birch and Martin, B. N. I., and John Hall.

GENERAL REGISTER.

Per Mary, from Hobart Town : Mrs. Carter and Mrs. Gordon ; Misses J. Gordon, C. Gordon, M. Gordon, L. Gordon, and G. Gordon ; E. Carter and A. Gordon, Esqs. ; Master F. Gordon ; F. Webber Smith, Pilot ; H. M. 4th regt. ; Messrs. H. Warwick, Thompson, and Ferguson. — Willmouth, from Portland Bay ; and Louis, a servant.

Per Edward, from London . Miss L. Young, Mrs. Morton and Mr. Kelly, steerage passenger. — *From Madras* : Miss Dean

Per Forth, from Mauritius. — Wm Barnhard, Esq., merchant. — *From Rangoon* : Capt. Cowasjee Shopoojee.

The Maltabangah. Accommodation vessel in tow of the *Thames*, steamer, arrived at "Lawrye," about 6 miles distant from the Jamma ghaut, on the afternoon of the 9th inst. Bonts were immediately despatched by the agent to convey the cargo to Allahabad.

List of passengers arrived at Allahabad : E. Watson, Esq. Lieuts. Fisher and Woolten, and Mr. Clive and 3 children.

Per Iarkins, from London — Mrs. Fyler ; Capt. Fyler, 16th Lancers, Messrs. Mills, Lockett, and Smalpage, cadets ; and Messrs Milner, Bedford, and Ross — *From Madras* : Mrs. Williamson ; Miss Stafford ; Lieuts. Haufenford and Walker, H. C. artillery, and Mr. Winsor.

Per Isabella, from London : Misses Isabella Morgan and Sarah Mason ; Charles Morgan and John M. D. Massou, Esqs. merchants ; and Wm. Rhodes, steerage passenger.

Per Bolton, from England . Major Richard Benson, 11th regt. B. N. I. ; M. Gwynne, Thos F. Powell, and F. C. Trower, cornets, H. M. 16th Lancers, F. Crossman, R. R. Bruce, Thos. W. Gordon, E. Nepon, E. D. Vanreuen, A. J. Vanreuen, cadets ; Robt. Lyall, Esq., merchant, and Mr. William Young.

DEPARTURES FROM CALCUTTA.

May 2d. — *Launter*, Aubin, for the Mauritius.

3d. — *Rob Roy*, J. McKinnon, for Singapore and China.

9th. — *Theresa*, White, for China.

10th — *Frederick Huth*, J. Toby, for the Mauritius ; *Sabanzer Provie*, Nacoda, for Penang.

13th — *Wm. Gray*, Bartoll, for Boston ; *Deiscy*, T. J. Suffield, and *Saltina*, J. Pace, for Bombay.

15th. — *Hooghly*, Rawlins, for Bourbon.

17th. — *Chrebon Packet*, C. Kourish, for Batavia.

20th. — *Alfred*, Thos Jameson, for London.

21st. — *Indoo*, John McGill, for Liverpool, and *Novelle Louise*, Le Fleck, for Havre.

23d. — *Lady Clifford*, R. Grainger, for London.

24th. — *Edward*, J. H. Cheynee, for Philadelphia.

DEPARTURES OF PASSENGERS.

Per Water Witch, for China : Mrs. Reynell and A. A. DeMello, Esq.

Per Cowasjee Family, for Singapore and China : Mrs. Pearson, Mrs. Lewis, and children. Captain Pearson, Lewis, Esq. ; Captain Stavers, and Mr. Fraser.

Per Roberts, for London : Mrs. and Miss Shakespear, and two children ; Mr. and Mrs. Walters and child, Mr. and Mrs. Peter and 3 children ; Major and Mrs. Hamilton ; Captain Bracken and child ; Mr. Buce ; Miss Strought ; Lieuts. Lamb and Ottery ; Messrs Farmer and Fraser, and Master Amos.

Per Sultana, for Bombay : Capt. White, Horse Artillery.

DOMESTIC OCCURRENCES.

BIRTHS.

At Muttra, on the 6th April, the lady of Captain Free, 10th Light Cavalry, of a daughter.

At Paltoonoor Factory, on the 9th April, the wife of Mr. Edward F. Greenway, of a son.

At Bamunhar Factory, Tithoot, on the 19th April, the lady of James Cosserat, Esq., of a son.

At Dinapore, on the 22d of April, the lady of C. C. Fussell, Esq., of Lohisra Factory, Tithoot, of a daughter.

At Paton, on the 27th of April, the lady of J. S. Dumergue, Esq., Civil Service, of a daughter.

In Fort William, on the 29th April, the lady of Major Mountain, Camerons, of a daughter.

At Chandernagore, on Sunday the 29th April, the wife of Mr. W. Wilson, Schoolmaster, of a daughter.

At Calcutta, on the 2d May, Mrs. J. L. Carran, of a son

At Calcutta, on the 4th May, the lady of F. J. Hallday, Esq. of a daughter.

At Monghyr, on the 28th April, the lady of George Batty, Esq. of a son.

At Obseerpore, on the 28th April, the lady of Lieutenant T. A. Souter, of Her Majesty's 44th Regiment, of a daughter.

At Meerut, on the 30th April, at the residence of W. H. Beau son, Esq., the lady of Captain T. A. Scott, 38th Regiment Native Infantry, of a son.

At Benares, on the 1st May, at the residence of G. Manwaring, Esq., the lady of A. P. Currie, Esq., Civil service, of a daughter.

At Calcutta, on the 6th May, the lady of A. D. Kemp, Esq. Attorney at Law, of a son.

At Calcutta, on the 6th May, Mrs. R. Z. Shireore, of a daughter.

At Calcutta, on the 11th May, Mrs. W. Greenway, of a son

At Musoorie, on the 30th April, the lady of Captain Thomas Roberts, Invalid Establishment, of a son.

At Penang, on the 20th of March, the wife of Mr. Sub-Conductor M. Connor, of a son.

At Simla, on the 2d May, the lady of J. Thomason, Esq., Civil Service, of a son.

At Buxar, on the 4th May, the lady of A. Matthews, Esq., of a daughter.

At Benares, on the 4th May, the lady of A. K. Lindsay, Esq., Civil Surgeon, of a daughter.

At Chittagong, on the 6th May, the lady of Adam S. Ananid, Esq., of the Civil Service, of a daughter.

At the Residence, Hyderabad, on the 6th of May, the lady of Major J. A. Motte, of a daughter, which survived only a few hours ; At Hingolce, on the 7th May, the lady of Capt. Edward Raynsford, of a son.

At Hazaree Banch, on the 8th May, the lady of Lieutenant C. B. P. Alcock, Buzal Engineer, of a son.

At Barrackpore, on the 14th May, the lady of Captain William Alexander Troup, of the 15th Regiment Native Infantry, of a son and heir.

At Calcutta, on the night of the 12th May, the lady of J. A. Lewis, Esq., of a son.

At Calcutta on the 13th May, Mrs. P. K. Elphinstone, of a son.

At Chowringhee on the 16th May, the lady of J. P. Giant, Esq., of a daughter.

At Landour, on the 8th May, the lady of W. J. Conolly, Esq. Civil Service, of a daughter.

At Delhi, on the 11th May, the lady of Lieutenant Colonel Mosley, commanding the 35th regiment, of a son.

At Arrah, on the 12th May, the lady of G. D. Wilkins, Esq., of the Civil Service, of a daughter.

At Jamsalpoore, on the 14th May, the lady of Captain Carleton, 36th Regiment Native Infantry, of a son.

At Nessalpoore Factory, Jessore, on the 15th May, the lady of P. Durand, Esq., of a son.

At Calcutta, on the 19th May, Mrs. James Eede, of a daughter.

At Calcutta, on the 21st May, at the Ballygunge Tannery, Mrs. W. Scott, of a son.

At Calcutta, on the 22d May, Mrs. C. Lefever, of a son.

At Calcutta, on Wednesday, the 23d May, the wife of Mr. F. Swaris, of a son.

At Chowringhee, on the 24th May, the lady of William Mackenzie, Esq., of a daughter.

MARRIAGES.

At St. Peter's Church, on Thursday, the 26th April, by the Reverend W. O. Ruzpini, M. A., Mr. R. Norris, an Assistant in the Sudder Dewanny Adawlut, to Mrs. C. Steward.

GENERAL REGISTER.

At the Cathedral, on the 30th April, by the Rev. H. Fisher, W. S. Betts, Esq. H. M. 26th or Cameronians, to Anna Margaret, third daughter of the late Jos. ph. Thompson, Esq., Indigo Planter.

At Calcutta, on the 1st May, by the Reverend J. Denbury Author Newberry, to Louisa Leary.

At Calcutta, on the 2d May, at the Roman Catholic Church o' Boitacannah, and subsequently at the Cathedral, by the Reverend H. S. Fisher, Mr. Felix Hyde Hart, to Miss Anna Maria Pinto.

At Cawnpore, on Tuesday the 4th April, Mr. Assistant Apothecary John Hanby, to Miss Jane Kerwan, daughter of Conductor Kerwan.

At Cawnpore, on Tuesday the 8th April, Mr. Conductor Kerwan, of Ordnance Department, to Miss Elizabeth Riley.

At Cawnpore, on Tuesday the 8th April, Mr. Frederick Jacobitz Miss Powers.

At Cawnpore, on Tuesday the 8th April, hospital apprentice Parren Charles Oakley, of the Medical Depot, to Miss Jane Winefield Waterfield, of H. M.'s 16th Regiment.

At Vizianagaram, on the 19th April, by the Rev. Vincent Shottland, Lieut. Josiah Wilkinson, 44th N. I. to Emma, third daughter of the late Lieut. Col. Elphinstone, and grand daughter of Major General Welch, Commanding the Northern Division.

At Calcutta, on the 8th instant at St. John's Cathedral, by the Rev. W. O. Ruspini, Edward Taylor Trevor, Tug, Bengal Civil Service, to Catherine Elizabeth, eldest daughter of the late Lieutenant Colonel John Hunter, B. N. I.

At Calcutta, on the 11th May, at the Cathedral by the Reverend H. S. Fisher, Mr. John Vallette, Assistant Arsenal, Fort William, to Mrs. Sarah Taunton.

On the 12th May, at the Cathedral, by the Rev. H. Fisher Archibald Campbell, Esq., 58th Regt. N. I. to Maria Estuar Atkinson, only daughter of the late Capt. Thomas Jasper Atkinson.

At Calcutta, on the 12th May at the Roman Catholic Church of Bontacannah, Mr. G. F. Bowbear, an Assistant in the Sudder Board of Revenue, to Miss Mary Echard, eldest daughter of the late Mr. George Echard, Trader.

At Secundrabad, on the 2d May, by the Reverend J. McEvoy, Captain J. W. Boardman, of His Highness theizam's Service to Miss Caroline O'Leary.

At Bareilly, on Monday, the 7th May, by the Reverend George Ward, A. B., Mr. George Thomas Smith, to Miss Louisa Finucan.

At Agra, on the 8th May, A. U. C. Plowden, Esq., Bengal Civil Service, to Ellen, second daughter of the late Captain John Camia Carnie of the Honourable Company's Bengal Artillery.

At the Cathedral, on the 24th May, by the Rev. G. U. Withers, M. A. Bagnell, Esq. to Sophia Amelia, daughter of the late Robert McClintock, Esq.

At Calcutta, at the Principal Roman Catholic Church, Mark Luckeisteen, Esq., to Miss Rosa DaCosta.

At Budwan, on the 15th May, by the Rev. Mr. Weithbrecht, Mr. Felix D'Rozario, Catechist of the Church Mission Society, to Miss Jane Egan, formerly a ward of the European Female Orphan Asylum.

At Allahabad, on the 17th May at the house of Colonel O'charl, commanding the station, by the Rev. A. Pratt, A. B. Capt. Alister Stewart, Hon'ble Company's European Regt. G. Harriett, second daughter of Capt. Hamilton, of Hamilton Lodge Staffordshire, and Barrackmaster, Gibraltar.

DEATHS.

At Girgaum, on the 15th April, of Cholera, Captain William Durant, of the Ship *Good Success* of this Port, aged 31 years.

At Agra, on the morning of the 16th April, Captain Raban 47th N. I. of Cholera.

At Cawnpore, on the 19th April, Emily Charlotte, the youngest daughter of Mr. C. C. Greenway, aged 11 months and 23 days.

At Agra, on the 20th April, Felix Erasmus, the infant child o' R. Gordon, Esq., of the Accountant's Office, aged 1 year and 1 day.

On Monday morning, the 3d of April, at the house of her brother Mr. Stephen Birch, of Futtighur, Mrs. Anne Printzling, in the 62d year of her age, deeply regretted by all her relations and friends.

At Calcutta, on the 23rd April, Mrs. Mary Huhn, aged 37 years, 4 months, and 16 days.

At Midnapore, on the 28th April, after a lingering and painful illness of upwards of a year, the wife of Mr. I. Jones, Head Clerk Superintending Engineer's Office, South Western Provinces, aged 29 years.

At Calcutta, on the 28th April, Mrs. Anna Nicholas, relict of the late Mr. Nicholas, aged 62 years.

At Calcutta, on the 29th April, of cholera Caroline, the infants daughter of Mr. and Mrs. George Brown, aged 3 years, 3 month and 14 days.

At Calcutta, on the 29th April, Mrs. Anna Maria Morrison, lady of the Rev. J. H. Morrison, aged 24 years, 2 months, and 15 days.

At Calcutta, on the 30th April, Master Henry Richard Martindell, son of Henry Martindell, Esq., Attorney at Law, aged 14 days.

At Calcutta, on the 30th April, Mrs. Eliza Danvers Elze, widow of the late Mr. John Preston Elze, of the Honourable Company's Marine, aged 24 years and 2 months.

At Dacca, on the 1st May, Eliza Ann, the beloved child of A. G. Glass, Esq., aged 11 months and 12 days.

At Calcutta, the General Hospital, on the 2d May, Mr. Robert Thomson, of 101, Dhurramtollah, aged 37 years.

At Fort William, early on the morning of the 3d May, the only of Major Mountain, H. M. 26th Regt. o' Cameronians.

At Calcutta, on the 3d May, Mr. Daniel Francis Wood, aged 8 years.

At Calcutta, on the 3d May, of Cholera, Master John Pereira, junior, eldest son of Mr. and Mr. John Pereira, aged 12 years, 11 months, and 10 days.

At Nusseerabad, on the 13th April, in the 50th year of her age, the lady of Lieutenant Colonel R. Birch, and daughter of the late Lieutenant Colonel Frederick French; an afflictive loss to her only.

On the 19th April near Kotah, Lieutenant J. G. B. Paton, of the 4th Native Infantry, who accidentally met his death by the discharge of his fowling piece. His remains were interred at Kotah.

At Agra, on the 25th April the Reverend George Ward, aged 9 years, 9 months, and 5 days.

At Khabna, Jessore, on the 25th April, Mr. J. G. Aviet, Indigo Planter, aged 45 years.

Lately at Kurrani, Lieutenant W. F. Shakespear, of Her Majesty's 13th Regiment Light Infantry.

At Jaunpore, on the 1st May, George, the youngest child of Assistant Surgeon J. T. Peniston, aged 3 years and 9 months.

At Calcutta, on the 5th May, Master William Moore Sengrove, who was unfortunately drowned whilst bathing with some of his school-fellows, in a tank, situated at the back of the huts, which are Fenwick's Buildings Lindsey Street, Chowringhee, in the seventeenth year of his age.

At Calcutta, on the 5th May, of Cholera, Mr. Phillip Robam, of the Preventive Service, aged 27 years, 4 months, and 18 days.

At Monghyr, on the evening of the 5th May, James Andrew, son of Mr. Conductor J. Thompson, Invalid Pension Establishment, aged 17 years and 24 days.

At Sualdah, on the 6th May Mrs. Mary Jane Hawkins, aged 60 years.

At Calcutta, on the 7th May, Miss Betsy Crips, aged 20 years and 10 months.

At Calcutta on the 8th May, Mrs. Martha Crosby, lady of Thomas Kibber Cro-by, Esq., aged 23 years.

At Calcutta, on the 10th May, Mr. T. Jones, of the Police Office, aged 64 years, 6 months, and 11 days.

At Fatally, on the 11th May, aged 23 years, Harriet Elizabeth, the beloved wife of Mr. Thomas Hendry Ely, Librarian, *Harkara Press*.

At Calcutta, on the 11th May, James Nicholson, Esq., late Attorney of the Supreme Court, aged 45 years.

At Calcutta, on 11th May, Jas. Cook, Esq., aged 38 years.

At Akyah, on the 21th April, Ensign Rivers, of the 67th Regt. N. I.

At Secroor, on the 15th April, of Cholera, Mrs. Mary Ann Griffiths, relict of the late Mr. Thomas Griffiths, Pensioned Deputy Assist. of Commissary of Ordnance, aged 60 years.

At Nyazoon, 12 miles West of Bouleie, in the camp of the Governor General's Agent, for the States of Rajpootana, on the 1st of April, by an attack of Cholera Morbus, Lieut. Wm. Thos. Briggs, of the 74th Regt. N. I. Assistant to the General Superintendent for the Suppression of Burgers, and Officiating Assistant to the Rajpootana Agency, deeply and most deservedly regretted, on account of his amiable and honourable qualities, by the officers of his corps and by all who had enjoyed his intimate acquaintance. By the death Lieut. Briggs, his friends have sustained a most distressing bereavement and the Government the loss of a tried and most promising public officer.

At Altygurh, on the 2d May, Colma Anne, the daughter of Lieutenant W. F. Campbell, 4th Native Infantry, aged 7 months and 10 days.

At Mussoorie, on the 4th May, the lady of George Gibson, Esq. New Poria Midnapore, on Tuesday the 5th May, Farquhar Campbell, Esq., Superintendent of Saltchokias in that District.

At Calcutta, on the 5th May, Mr. P. A. Chatter, aged 80 years.

At Calcutta, on the 11th May, the infant child of Mr. J. Pole.

At Calcutta, on the 11th May, Mr. John Cox, Assistant Messrs. Jenteth and Co., aged 23 years.

At Dacca, on the 12th May, Mrs. Catherine M. Simeon, the lady of Marquis Simeon, Esq., Zemindar of Duckusabazo poor, aged 18 years and 5 months.

At Calcutta, on the 12th May, Mr. Pether D'Costa, Register of the Special Court of Commission, aged 46 years and 10 months.

At Calcutta, Free School, on the 12th May, Jane, the infant daughter of Mr. John Lindsay, Heat Master, Free School, aged 3 months and 28 days.

At Calcutta, on the 23th May, Mrs. Ann Eliza Greenway, relict of the late Joseph Greenway, Esq., aged 47 years.

At Calcutta, on the 15th May, of Cholera, the eldest son of Montieur and Mademoiselle Philippe, aged 9 years.

At Calcutta, on the 16th May, Mr. H. G. A. Howe, Head Assistant, Military Accountant General's Department, aged 61 years and 9 months.

At Calcutta, on the 16th May, Mrs. Mary Robinson, lady of the Rev. W. Robinson, aged 40 years.

At the residence of Mr. Hampton, Howrah, on the 18th May, Ensign S. M. Hampton, 57th Regt. N. I., aged 27 years and 6 months.

At Calcutta, on the 19th May, Mrs. Marian Rose, wife of Mr. Abraham Rose, of the firm of Messrs. Hunter and Co., aged 37 years and 5 days.

GENERAL REGISTER.

At Kamtee, on the 25th April, the infant son of Lieutenant and Mrs George Briggs.
 At Hurrah Factory, on the 21st May, the eldest daughter of Mr. and Mrs. Dasser, of Nainpotta Factory, aged 13th months and 19 days.
 At Ootacamund, on the 3d May, the infant son of Lieutenant W. H. Atter.
 At Dinapore, on the 7th May, the beloved wife of C. C. Russell, Esq., of Loll Sannh Factory, Thiboot, aged 29 years, 7 months and 3 days.
 At Meerut, on the 10th May, Honor, the beloved daughter of Lieut and Mrs Lacy, of H. D. 3d Buffs, aged 20 months and 18 days.
 At Calcutta, near Chaudney Choke, on the 18th May, Mrs. Mary Wickins, widow of Mr. John Martin Wickins, aged 50 years.
 At Calcutta, General Hospital, on the 10th May, Captain George Daniel Barker Kirby Deputy Post master, Diamond Harbour, aged 37 years.

At Calcutta, in Cossitollah Street, on the 19th May, Mrs. Jane Adams, relict of the late Capt. Walter Adams, aged 60 years.
 At Calcutta, on the night of the 21st May, after an illness of 24 hours, Mrs. G. M. Morton, wife of Mr. J. S. Morton, Veterinary surgeon.
 At Calcutta, on the 21st May, Mrs. A. Pratt, aged 36 years and 21 days.
 At Calcutta, on the 21st May, Mr. Edward Jones, of the Fire Engine Department.
 At Allipore, on the 23d May, Mrs Mary Nicholson, relict of late James Nicholson, Esq., Attorney at Law, aged 39 years.
 At Calcutta, on the 24th May, Robert H. S. Reid, Esq., aged 33 years.
 At Calcutta, on the 26th May, Mr. George Cleimont, aged 24 years, 11 months, and 9 days.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, May 29.)

1836-0—There have been two public sales this week, the first at the 22d instant of about 300 chests of inferior Ooth, held at the Loll Bazar Mart; the sale was very thinly attended, and scarcely a lot was sold, in consequence of the proprietors fixing high prices. The second sale was held yesterday at the New Mart, the quantity put up consisted of about 132 chests, up country produce, and although the attendance was thin, more than 75% met with purchasers, but at rather low prices, the remainder was subsequently sold by private contract at fixed rates.

Accounts during the week from the Factories in Thiboot, Malda, and, with very few exceptions, in Moorsshedbad and Kishnaghar, are still of a very unfavorable nature, whereas those from Jessore and Dacca are better.

Advices from Hobe by the Overland mail to the 21d March represent the market inactive. A few small parcels were disposed of at 2d. to 4d per lb. below the January sale prices.

The stock in London on
 1st March, 1838, was chests 21,699 against the stock, on
 1st March, 1837....., 20,930

Shewing an increase of.... 3,760 Chests.

And the deliveries in Feb. 1838, amounted to chests 1,106
 Against the deliveries in Feb. 1837....., 1,212

Shewing a decrease of chests 106

The shipments up to last evening are

To Great Britain.....	Fy. mds.	77,903
France.....	"	17,527
Stockholm.....	"	108
North America.....	"	1,763
Bombay, Persian Gulph and other places in India.....	"	4,614
		1,01,950

RAW SILK.—Continues in fair enquiry for the English market, and the prices of some of the assortments have slightly advanced.

Accounts from Enrighd state, East India knots were firmly held, and China quoted rather higher with a fair demand.
 COTTON.—A few parcels have changed hands during the week for shipment to China per the *Mary Ann Webb* at steady prices.

Orders at present from China are limited, but several parties anticipate negotiations regarding purchases by the next arrival.

Aspects in the interior are the same as stated before.
 SUGAR.—Operations in Corahs to a considerable extent are reported for the English market, but we have no particular change in prices to notice.

Accounts from Hobe by the Overland Mail are of a less favorable nature than we had expected. Corahs were about 2 to 7 1/2 per cent lower than in December, good qualities weighing full 13 oz. were quoted from 18s. to 19s 6d. Choppids and Bananas were not very brisk, and were quoted 16s. 6d to 17s 6d.

SUGAR.—Purchases since our last have been to a limited extent, and prices may be quoted without alteration.

Accounts from London represent the article to have pressed on the market, and was consequently dull of sale, and at a decline in prices.

SUGAR.—Continues in fair enquiry, but without any change in prices.

Advices from London report the Bengal produce in limited demand, good middling to very good white at 59s. 6d to 61s. per cwt. In Siam or Manila there was nothing doing, and the market became heavy, without buyers, particularly of the soft and inferior kinds, except at reduced prices, but holders, were not disposed to accede to any decline.

SHELL LAC.—Very little doing for the English market, and prices have a tendency to a decline.

Accounts from London and Liverpool are very unfavourable, and stocks are reported heavy.

LAC DYK.—A few parcels have been taken up for the English market at steady prices. Accounts from Europe state this article more favorable.

SAFFLOWER.—Some purchases of the new crop have been reported for the English market, but we observe no particular change in prices.

GRAIN.—Nothing doing for Europe, a few purchases of Moonghyr Rice, for the Mauritius are the only transactions reported since our last at former prices.

OPHIUM.—Very little continues to be done in this Drug, excepting a few chests for shipments per the *Aitaraan* for China, and our quotations may be reported nominal.

The quantity in the Company's godown up to last evening amounted to

	@ Patna.	Benares.	Total.
Old.....	255	90	345
New.....	1,101	735	1,916

MONEY MARKET.

GOVERNMENT SECURITIES.

Stock Paper	Transfer Loan of 1835	36, interest payable in England.....	Sa. Rs.,	Prem. 15 8 11	[SELL] 0 p. ct.
	From No. 1200 1/2 to sell.	15200 according to Numbers.....	par a pm	3 0 "	3 8 "
	5 per Cent.....	Disc't. Co.'s Rs-2	3 0 2	8 "	10 "
	4 per Cent.....	Disc't. Co.'s Rs-2	3 0 2	10 "	

Stock Paper	Transfer Loan of 1835-36, interest payable in Eng-land.....	Sa. Rs.	Prem. 15 0 14 0 p. ct.
Second	From No. 1200 a 15200 1/2 to sell.	par a pm	3 0 "
5 pr. ct.	according to Numbers	to buy pm	0 4 a " 3 4 "
Third	5 per Cent.....	prem.	3 0 2 " 8 "
	4 per Cent.....	Disc't. Co.'s Rs-2	3 6 2 10 "

GENERAL REGISTER.

Second	From No. 1200 a 15200 } to sell. par a pm 3 0 ,,	5 pr. ct.	according to Numbers } to buy pm. 0 4 a ,, 3 4 ,,
Third		5 per Cent. prem. 2 12 2 4 ,,	4 per Cent. Disc. Co's Rs- 2 6 2 10 ,,

Spanish Dollars..... Co. Rs-	220 8 0 a 221 0 0 per 100
Dubloons	32 8 0 a 33 0 0 each.
Joes or Pezazas	19 11 0 a 20 0 0
Sovereigns	10 3 0 a 10 5 0
Bank of England Notes	10 8 6 a 10 10 8
Gold Mohurs	18 8 a 18 10 0
China Gold Bars.....	12 0 0 a 14 10 8 per sa wt.
Sycee Silver	102 4 0 a 104 8 3 p 100 sa wt

Stock Paper	Transfer Loan of 1835-36. } Sa Ra.	interest payable in Eng. } Prem. 15 0 14 0 p. ct.
Land		

Second	From No. 1200 a 15200 } to sell. par a pm 3 0 ,,	5 pr. ct.	according to Numbers } to buy pm 0 4 a ,, 3 4 ,,
Third		5 per Cent. prem. 2 12 2 4 ,,	4 per Cent. Disc. Co's Rs- 2 4 2 8 ,,

COURSE OF EXCHANGE.

BUY]				SELL.
s. d.	s. d.		s. d.	s. d.
2 1 1/2 a	2 2	On London, 6 months' sight	2 2 1/2 a	2 3
102 0 a	102 8	On Madras, 30 days' sight	98 0 a	98 8
102 8 a	103 0	On Bombay 30 days' sight	98 0 a	98 8

BANK SHARES.

BENGAL BANK (Co.'s Rs- 4,000) prem. Co.'s Rs-	2,800 a 2,700
UNION BANK.. (Co.'s Rs- 1,000) ,, ,,	250 a 200

BENGAL BANK (Co.'s Rs- 4,000) Prem. Co.'s Rs.	2,800 a 2,700
UNION BANK.. (Co.'s Rs- 1,000) ,, ,,	250 a 200

BENGAL BANK (Co.'s Rs- 4,000) Prem. Co.'s Rs-	2,800 a 2,700
UNION BANK.. (Co.'s Rs- 1,000) ,, ,,	250 a 20

BENGAL BANK (Co.'s Rs- 4,000) Prem. Co.'s Rs-	3,000 a 2,900
UNION BANK.. (Co.'s Rs- 1,000) ,, ,,	200 a 150

PRICE OF BULLION.

Spanish Dollars Co.'s Rs-	220 0 0 a 220 8 6 per 1 0
Dubloons.....	32 8 0 a 33 0 0 each.
Joes or Pezazas	19 11 0 a 20 0 0
Sovereigns	10 5 0 a 10 6 0
Bank of England Notes..	10 8 6 a 10 10 8
Gold Mohurs	18 6 0 a 19 7 0
China Gold Bars.....	12 0 0 a 14 10 8 per sa. wt.
Sycee Silver.....	102 4 0 a 104 8 3 p 100 sa wt.

s. d.	s. d.		s. d.	s. d.
2 1 1/2 a	2 2	On London, 6 months' sight	2 1/2 a	2 3
102 0 a	102 8	On Madras, 30 days' sight	98 0 a	98 8
102 8 a	103 0	On Bombay 30 days' sight	98 0 a	98 8

RATES OF INTERESTS AND DISCOUNTS.

BANK OF BENGAL.

Discount	{ On Government Bills and Salary Bills... 5 per cent.
Interest	{ On Loans on Government Papers... 6 1/2 ditto.
	{ On Goods

UNION BANK.

Discount	{ Charged on Govt. and Salary Bills . 5 per cent.	
		{ Charged on Private Bills, 1 month ... 9 ditto.
		{ Charged on ditto ditto, 2 ditto 10 ditto.
		{ Charged on ditto ditto, 3 ditto 11 ditto.
Interest	{ Allowed on Deposits for 3 months certain 5 ditto.	
	{ Charged on Company's Paper Loans.. 8 ditto.	
	{ Charged on Deposits of Goods..... 9 ditto.	

ADMINISTRATIONS TO ESTATES.

- Daniell, William.....Registrar Supreme Court.
- Earls, Mary, Widow.....Francis Cook.
- Glazbrook, Henry.....Registrar Supreme Court.
- Shairp, George, Lieutenant, 15th N. I.Registrar Supreme Court.
- Tomlin, John.....Registrar Supreme Court.
- Hurn, Frederick William.....John Jackson.
- Oakley, Richard Cater.....Registrar Supreme Court.
- Powers, John.....Elizabeth Powers.
- Abbott, George, Captain, 16th N. I.....Registrar Supreme Court.
- Anundmoye Biswas.....Biswanath Biswas.
- Campbell, F. Superintendent of Salt Chokies of Midnapor.....A. Gordon.
- Dobbs, A. E., Master in Equity and Accountant Genl of the S. C. Registrar Supreme Court.
- Hunter, William, Joint Magistrate and Deputy Collector of the Zillah of Ghazepore.....Registrar Supreme Court.
- Bazet, M. A. F.....Fresamanges.
- Chater, P. A.....Registrar Supreme Court.
- Daniell, W.....Registrar Supreme Court.
- Howe, H. C. A.....T. M. Howe.
- Reid, R. H. S.....E. Mackintosh and A. F. Smith.

GOVERNMENT NOTIFICATIONS.

&c. &c. &c.

BY THE PRESIDENT IN COUNCIL.

Fort William, general department, the 13th June 1838.—The Hon. the President in Council is pleased to place the services of Mr. W. C. S. Cunningham, at the disposal of the Right Hon. the Governor General, for the north western provinces, from the 16th May last.

Mr. T. P. Biscoe, of the civil service, lately employed in the north western provinces, is transferred to the Government of Bengal, from the 29th ultimo.

Fort William, general department, 20th June, 1838.—The Hon. the President in Council is pleased to grant to Mr. J. F. M. Reid, post-master general, leave for fifteen days, or such further period as will enable him to return by the route of Singapore, in extension of the leave granted to him on the 5th February last.

The Hon. the President in Council is pleased to attach Mr. C. Whitmore, of the civil service, to the Bengal presidency.

H. T. PRINSEP,
Sec. to the Govt. of India.

BY THE DEPUTY GOVERNOR OF BENGAL.

Political department, Simla, 13th of May, 1838.—Mr. M. P. Edgworth, assistant to the political agent at Umballa, has one month's leave of absence from the 10th instant, on his private affairs.

By order of the Right Hon. the Governor General,
W. H. MACNAGHTEN,
Sec. to the Govt. Genl N W P.

Judicial and revenue department, the 22d May, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointment:

Bahoo Madah Choudry Mallick, the deputy collector under the provisions of Regulation IX. of 1833, in Dacca.

Fort William, Ecclesiastical department, the 23d May, 1838.—The Hon. the Deputy Governor of Bengal is pleased to permit the Rev. William Palmer, junior presbytery chaplain, to remain at Nussacabad for a period of six months, on medical certificate.

Fort William, general department, the 26th May, 1838.—The Hon. the Deputy Governor of Bengal is pleased to permit Mr. H. D. H. Ferguson, writer, leave of absence from the 29th instant to the 29th July next, to visit Junnampore, on urgent private affairs.

Legislative department, the 28th May, 1838.—The Hon. the President of the Council of India in Council has been pleased to appoint Mr. T. H. Maddock, to officiate as secretary to the Government of India in the legislative, judicial and revenue departments, until further orders. Mr. Mangla will continue to officiate as secretary in the abovementioned departments until relieved by Mr Maddock.

ROSS D. MANGLES,
Offy. Sec. to the Govt. of India.

Fort William, judicial and revenue department, the 26th May, 1838.—The Hon. the Deputy Governor of Bengal having had under his consideration a report submitted by the officiating Judge of the 24-pergunnahs, and the proceedings of the Court of Sudder Dewanny Adawlut, on a charge of official misconduct preferred against Hafizezodeen Ahmad, principal sudder ameen in the 24-pergunnahs, and being of opinion that Hafizezodeen Ahmad is unworthy of further confidence as a judicial officer, has dismissed him from the office of principal sudder ameen in the said district.

The 28th May, 1838.—Errata.—In the notification of the 8th May, inserted in the *Calcutta Gazette* of the 20th idem, for Moulavee Ashraf Ali, moonsiff of Juggoraauth Diggy, in Tipperah, read Moulavee Asaf Ali, moonsiff of Cusbah Noornuggur, in ditto.

Also omit the names of Mahomed Arsheed, moonsiff of Kendraparrah, in Cuttack, and Bindrabau Mullick, moonsiff of Rajarampore, in Dinagepore.

FRED. JAS. HALLIDAY,
Offy. Secy. to Govt. of Bengal.

Judicial and revenue department, the 28th May, 1838.—The Hon. the Deputy Governor of Bengal has been pleased, with the sanction of the Supreme Government to appoint Mr. E. D. Mangla, a temporary member of the sudder board of revenue, vice Mr. H. Walters,

Mr. F. J. Halliday is appointed secretary to the Government of Bengal in the judicial and revenue departments; vice Mr. Mangla.

Mr. E. Currie is appointed secretary to the sudder board of revenue, vice Mr. Halliday.

Judicial and revenue department, the 28th May, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointment:

Mr. G. F. Brown to be commissioner of revenue of the 12th or Bhaugulpore division, in take effect from the 3d March last, the date on which Mr. C. Harding resigned the service.

The following officers have obtained leave of absence from their stations:

May, 29 1838.—Moor Dad Ullee Khan Bahadour, deputy collector under Regulation IX. of 1833, in Bardwan, for six weeks.

Separate department, the 30th May, 1838.—The Hon. the Deputy Governor of Bengal is pleased to make the following appointments:

Mr. R. S. Maling to be superintendent of Midnapore salt chokies, vice Mr. F. Campbell deceased.

Mr. J. A. Terranceau to be superintendent of salt chokies at Jessore, in the room of Mr. R. S. Maling promoted.

The 30th May, 1838.—Messrs. G. C. Barnes and A. A. Roberts, writers, attached to the north western provinces, have been permitted to remain at the presidency until the departure of the June steamer for Allahabad, viz. from the 9th to the 18th proximo.

Fort William, political department, dated 30th May, 1838.—Major Richard Benson to be resident at Ava, with the rank of colonel.

Captain William McCleod to be assistant to the resident at Ava.

Mr. G. T. Bayfield, late assistant to the resident at Ava, will remain in separate charge at Rangoon, under the orders of the resident at Ava.

General Department, the 30th May, 1838.—The Hon. the President in Council is pleased to notify the re-admission by the Hon. the Court of Directors of Mr. J. H. Thornhill, to the Bengal civil service, in cancellation of his retirement on the pension allowed to servants of the late Charus establishment.

The Hon. the President in Council is pleased to appoint the following gentlemen to be post masters at the stations set against their names respectively:

Lieutenant T. Branson, at Muttra; lieut. G. M. Hill, at Loo-dheemah, to take effect from the 8th instant; and lieut. N. A. Staples, at Dacca, to take effect from the 21st instant.

Fort William, separate department, the 30th May, 1838.—The salt agent of Bahalore is hereby vested with joint jurisdiction with the collector of Midnapore for the trial of persons charged with offences against the laws for the protection of the salt revenue who are made over by the superintendent of the salt chokies of Jessore, Danoon and Kalkopore, appointed under the Act No. IX. of 1835, and the said salt agent of Bahalore shall and hereby empowered to exercise in respect to such cases, the powers described in sections XCVI. and CLX. and other provisions of Regulation X. 1819, of the Bengal code.

Fort William, general department, the 30th May, 1838. Government notice.—Post office.—The Hon. the President in Council authorizes the commanding officers of stations and posts, and the station staff to frank letters containing Chelsea and pensioners declaration certificates under the rule of Clause LL. of post office rules for franking soldiers or sepoys letters.

H. T. PRINSEP,
Secy. to the Govt. of India.

May, 31 1838.—Mr. C. Grant, officiating joint-magistrate and deputy collector of Neacoly, for one month, on medical certificate. Mr. T. Young will officiate in those capacities until further orders.

Mr. A. R. Young, Assistant to the magistracy of Tirhoot, for one month, on private affairs.

Mr. Wm Bell has been authorized to exercise the powers of joint magistrate and deputy collector at Noacolly, instead of at Chittongong as directed on the 15th instant.

The 4th June, 1838.—The following officer has obtained leave of absence from his station:

Mr. J. Pagan, the assistant surgeon lately attached to the civil station of Runzopore, for six months, to proceed to Darjeeling, on medical certificate.

The 5th June, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. M. Johnston to be deputy collector of Calcutta, in succession to Mr. C. Francis deceased.

GENERAL REGISTER.

The 8th June, 1838.—Mr. A. Littledale to be assistant to the magistrate and collector of Dacca.

Judicial and revenue department.—The following officers have obtained leave of absence from their stations :

June 5, 1838.—Mr. R. Finney, deputy collector under Regulation IX of 1833, in zillah Midnapore, an extension of two months leave of absence from the 19th ultimo.

Fort William, general department, the 6th June, 1838.—The Hon the Deputy Governor of Bengal is pleased to make the following appointments :

Mr. William Balhetchet to be assistant to the resident councillor at Singapore, vice Mr. R. F. Wingrove proceeded to Europe
Mr. William Thomas Lewis to be assistant to the resident councillor at Penang, vice Mr. Balhetchet.

Mr. J. B. Westerhout to be assistant to the resident councillor at Malacca.

The extension of leave granted under the orders of Government, dated the 28th February last, to Mr. J. W. Salmon, president councillor at Prince of Wales' Island, on the 6th of April, is cancelled from the 28th March, the date on which he resumed charge of his office.

The leave of absence granted under the orders of Government dated the 9th August, 1837, to Mr. Samuel Garing, resident councillor at Malacca, for six months, is cancelled from the 20th April last, the date on which he resumed charge of his office.

Separate department.—The Hon. the Deputy Governor of Bengal is pleased to make the following appointments :

Mr. John Trotter to be temporary member of the board of customs, salt and opium, and of the maine board.

Mr. H. S. Lane to be opium agent of the Benares division, vice Mr. J. Trotter.

Ecclesiastical department.—The Hon. the Deputy Governor of Bengal is pleased to permit the Rev Charles Rawlins, officiating district chaplain at Patna, to proceed to the hills for a period of one year, on medical certificate.

Leave for one month has been granted to the Rev. Richard Arnold, district chaplain at Cuttack, by the Right Rev. the Lord Bishop of Calcutta, to take effect from the 2d instant.

June, 8, 1838.—Bahoo Eynath Sen, second principal sudder ameen in Jessore, for a fortnight, from the 14th instant, on private affairs.

June 12, 1838.—The Hon. the deputy Governor of Bengal has been pleased to make the following appointments :

Moulavee Nujmool Huk, to be sudder ameen of Moorshedabad, vice Moulavee Mohumund Khonrad.

Shank Obedoolah, to be principal sudder ameen in Chittagong, vice Mr. G. Doucet, deceased.

Moulavee Ashraf Alee, to be sudder ameen in Chittagong, vice Shank Obedoolah.

Roy Ratha Govind Soom, to be principal sudder ameen of the 24 pergunnahs, vice Hafeezooddeen Ahmed dismissed.

The following officers have obtained leave of absence from their stations.

Mr. G. N. Cheek, assistant surgeon, attached to the civil station of Burdwan, for four days, for the purpose of visiting the presidency, on private affairs.

Judicial and Revenue department, the 12th June, 1838.—The Hon. the deputy Governor of Bengal has been pleased to make the following appointments :

Hussain Ali Khan Behadoor, to be deputy collector under Regulation IX of 1833, in zillah of Hidgelice

Bahoo Omachurn Bhattacharjee to be ditto ditto under ditto, in ditto.

Mahomed Irfan Khan Behadoor, to be ditto ditto under ditto, in ditto.

Bahoo Radhanath Gangoolce, to be ditto ditto under ditto, in ditto.

Mr. J. R. B. Bennett, to be ditto ditto under ditto, in ditto.

Bahoo Harveehur Dutt, to be ditto ditto under ditto, in ditto.

Bahoo Rogonath Bose, to be ditto ditto under ditto, in zillah Chittagong, vice Moulavee Bushurwoolla resigned.

Bahoo Issur Chunder Sen, to be ditto ditto under ditto, in ditto, vice Bahoo Goluckchunder Boll resigned.

Bahoo Doorgaprassad Ghose, to be ditto ditto under ditto, in ditto

Bahoo Ram Chunder Bitter and Bahoo Oomacaunt Sen, deputy collectors under Regulation IX. of 1833, have exchanged districts, the former having been transferred to Mymensing; and he left to the 3d pergunnahs.

Mr. W. N. O'B. D. Ashehey, a ditto ditto under ditto, in Jessore, has been placed under the commission of the Sunderbuns, and

Mr. G. Herklotz, a ditto ditto under ditto transferred to Jessore under Mr. F. Lowth.

The following officers have obtained leave of absence from their stations :

Mr. John FitzPatrick, assistant revenue surveyor, in charge of Balasore survey, for two months, on private affairs.

June, 15, 1838.—Mr. G. A. G. Plowden, officiating deputy secretary to the Government of Bengal, in the judicial and revenue department, has been permitted to proceed to Singapore, on medical certificate, and to be absent on that account for six months, for the restoration of his health.

FRED. JAS. HALLIDAY.
Secy. to the Govt. of Bengal.

Political department, 13th June, 1838.—Colonel Pedro Jose DaCosta Pacheco has been appointed by the Brazilian Government to be Brazilian (consul) General in the British dominions in Asia, and under the orders of the Hon. Court of Directors, the authorities of the several presidencies in India are hereby requested to recognize the said Consul General as representing the said Government of Brazil accordingly.

General department, 13th June, 1838.—Mr. William Brown unaccounted deputy collector at Balasore, is appointed ex officio post master at that station.

W. T. PRINSEP.
Secy to the Govt. of India.

June 18th, 1838.—Tarnceppersaud Pundit, first sudder ameen of east Burdwan, for two months, on account of ill health.

June, 19th 1838.—The Hon. the deputy Governor of Bengal, has been pleased to make the following appointments :

Mr. G. P. Leicester, has been authorized to exercise temporarily the powers of joint-magistrate and deputy collector in zillah Hooghly.

Mr. T. C. Trotter, has been authorized to exercise similar powers of zillah Magistrate, until further orders.

The following officers have obtained leave of absence from their stations :

Mr. T. Young, officiating joint-magistrate and deputy collector of a Noncolly, for one month, on private affairs, from the 1st proximo.

Fort William, general department, 20th June, 1838.—Sir Charles Metcalf Oberterton, Bart., having passed an examination on the 15th instant, and being reported qualified for the public service by proficiency in two of the native languages, the order issued on the 9th ultimo, for that gentleman's return to England, is cancelled.

Mr. H. Aubert is appointed to officiate, vice Mr. William Adam, for Mr. J. B. Marler, as clerk to the committee for controlling the expenditure of stationery.

June, 22nd, 1838.—Mr. Staniforth, special deputy collector of Kanchahy &c for 1½ years, on medical certificate, to proceed to the Cape of Good Hope, and eventually to New South Wales.

Mr. G. A. C. Plowden, officiating deputy secretary to the Government of Bengal, in the judicial and revenue department, has reported his departure on the *Sphinx*, to Singapore on the 18th instant, the date on which the pilot left the vessel at sea.

FRED. JAS. HALLIDAY,
Secy. to Govt. of Bengal

BY THE GOVERNOR GENERAL.

Political department, Simla, the 22d May, 1838.—Mr. Assistant Surgeon M. M. Rind, of the 69th (regiment) native infantry, was appointed on the 21st instant, to the medical charge of the political agency at Mundaiaisi, vice assistant surgeon A. W. Stewart promoted.

By order of the Right Hon the Governor General of India, **Political department, Simla, 4th June, 1838.**—Lieutenant John Maitland, of the Madras artillery, has this day been appointed to be an assistant to the commissioner for the Government of the territories of his Highness the Rajah of Mysore.

Lieutenant R. Cannon, of the 10th (regiment) Madras native infantry, to be ditto to ditto ditto.

Political department, Simla, 11th June, 1838.—Lieutenant W. F. Eden, the 3d assistant to the resident at Indore, joined his station on the 15th ultimo.

H. TORRENS,
Dep. Sec. to the Govt. of India, with the Govr. Genl.

BY THE GOVERNOR GENERAL FOR THE N. W. P.

General department Simla, the 16th May, 1838.—Separate.—revenue.—Mr. G. H. Smith, collector of customs, N. W. frontier, is vested with the powers of a deputy opium agent under clause 1, section xix, Regulation VII. of 1824, in the districts of the Delhi and Meerut divisions.

Revenue.—Mr. J. Thornton, settlement officer in zillah Allyghur, has obtained leave of absence, on medical certificate, from the date on which he left his station, under leave granted by the officiating commissioner, to the 1st November next, for the purpose of proceeding to the hills.

Judicial, 19th May 1838.—Mr. A. Reid, civil assistant surgeon of Boolundshahr, has obtained leave of absence, on his private affairs, for one month, from the 1st proximo.

Judicial and Revenue.—Mr. W. C. S. Cunningham, is appointed to officiate as joint-magistrate and deputy collector of Ghazeepoor.

General department, Simla, the 31st May, 1838.—Revenue.—Mr. M. P. Edgeworth is appointed to be a deputy collector for the investigation of claims to hold land exempt from payment of revenue, in the district of Moozuffernuggur.

GENERAL REGISTER.

The 26th May, 1838—*Judicial* Khudim Hossain Khan, sudder ameen of Cawnpore, has obtained leave of absence on his private affairs, for two months, commencing from the 18th March last.

General department, Simla, the 28th May, 1838—Judicial—The following officers have obtained leave of absence from their stations:

Mr G W Bacon, judge of Saharanpore, for fifteen days, on his private affairs. Mr. Bacon has been authorized to make over charge of his office to Mr. E. Thomas, who will conduct the current duties thereof during Mr. Bacon's absence.

Mokund Sing Puchoree, principal sudder ameen of Agra, for four days.

29th May, The 1838—Mr. T. P. B. Biscoe, is placed at the disposal of the Hon^{ble} the deputy Governor of Bengal.

Simla, June, 1838—Judicial and Revenue.—The Right Hon the Governor General having been pleased to revise the list of officers exercising the powers of joint magistrate and deputy collector, has resolved, that a certain number of them shall constitute a lower grade of joint magistrates and deputy collectors, with the salaries formerly allotted to head assistants. The following officers are accordingly appointed joint magistrates and deputy collectors of the second grade, at the stations noted below:

Mr. F. Williams	Barilly.
Mr. T. H. Simpson	Bijnore.
Mr. J. A. Craigie	Budaon.
Mr. H. C. Tucker	Azamgarh.
Mr. E H O Monkton	Shajehanpore.
Mr. H St. G. Tucker	Jaunpore.
Mr F R Davidson	Benares.
Mr S. J. Becher	Futtehpore.
Mr. R. Alexander	Aza.
Mr E Thomas	Saharanpore.
Mr J Maberly	Moorshuruggur.
Mr. H S Ravenshaw	Panepout.

General department, Simla, 6th June, 1838—Revenue.—Hoo Manick Chund, deputy collector under Regulation IX. of 1834, in Goruckpore, has obtained leave of absence for fifteen days, from the 23rd April last, on his private affairs.

J. THOMSON,

Offy. Secy. to the Govr., Genl. N. W. P.

MILITARY.

BY THE PRESIDENT IN COUNCIL.

Fort William, 26th May, 1838—No 76 of 1838—The following lists of rank of cadets of artillery and infantry, and of an assistant surgeon, appointed for the Bengal presidency, are published for general information:

No. 1 of 1838.—List of rank of cadets for the Bengal artillery and infantry.

For the artillery.—To rank from the 11th December, 1837, the day on which they passed their public examination, and in the following order, provided the ships by which they proceed sail from Gravesend on or before the 11th March, 1838.

Henry Price de Telesier, and Robert Robertson Bruce.

For the infantry.—To rank from the 11th December 1837, the day on which they passed their public examination, and in the following order, provided the ships on which they embark sail from Gravesend on or before the 11th March, 1838.

Edward William Salushury; George Ogle Jacob; William Bailie, John Lambert, John Arthur Howard Gorzes; Donald Macleod; Humphrey Thomas Repton; Edward John Bouleau, Robert Reynolds; William Frederick Newton Wallace; Charles Samuel John Tertot; William Spiller Perria; Edward Donald Ventronee; Francis Geach Crossman; James Metcalfe Lockert; William Campbell; Charles Metcalfe Sheld; Robert Campbell; Charles Newton; Edward Newton Dickenson.

To rank from the 12th December 1837, agreeable to the resolution of Court of the 4th December, 1833, and in the following order; viz.

Crawford Trotter Chamberlain, Appd. 4th Oct. 1837, Roberts, sailed 26th Oct. 1837.

Henry Hopkinson, Appd 8th Nov. 1837, David Scott, sailed 26th Nov. 1837.

To rank from the date of the sailing from Gravesend of the Ship by which he proceeded.

John Palmer Canfield, *Kyle*, sailed 12th Dec. 1837.

To rank from the date of the sailing from Gravesend of the ship by which the paragraph announcing his appointment, was despatched; viz.

Andrew George Colaprouke Sutherland, (abroad,) para. per *Justina*, sailed 12th December, 1837.

To rank from the date of the sailing from Gravesend of the Ship by which they proceeded, and in the following order; viz.

George Edward Ford, *Malcolm*, sailed 21st December, 1837.

Frederick Thomas Paterson, ditto, ditto.

Roland Rees Walwaring, ditto, ditto.

Charles Shepard Reynolds, ditto, ditto.

Henry John Edwards, ditto, ditto.

(Signed) PHILIP MELVILL,
Secy. Milly. Dept.

East India House, 5th January, 1838.

(A true copy)

(Signed) JAMES C. MELVILL, Secy.

East India House, London, the 16th January, 1838.

No 1 of 1838

List of Rank of an assistant surgeon for Bengal.
To rank from the date of the sailing from Gravesend of the ship by which he proceeded.

James Alexander Dunbar, M. D., *Kyle*, sailed 12th Dec. 1837.
(Signed) PHILIP MELVILL,
Secy. Milly. Dept.

East India House, 5th January, 1838.

(A true copy)

(Signed) JAMES C. MELVILL, Secy.

East India House, London, the 16th January, 1838.

No. 77 of 1838.—The Hon. the President in Council is pleased to direct that the following circular letter from the war office, dated 13th December, 1837, on the subject of the wills of soldiers of Her Majesty's service, dying in hospital, be published for general information:
Circular, No. 822.

War Office, 13th December, 1837.

Sir,—There being reason to believe that the wills of soldiers dying in hospital are sometimes obtained in favour of their comrades by undue means, I am directed to request G. 86,513, that you will give the necessary instructions, that, in addition to any other witnesses, the surgeon or assistant surgeon shall in every instance, when practicable, be present at the execution of the wills of soldiers in hospital, and that he affix a declaration to such wills, stating whether the parties were in a fit state of mind at the time to execute the same.

I am further instructed to request that whenever a will not containing such a declaration, shall in future be transmitted to this office, you will annex thereto an explanation of the circumstances, and will withhold all payments at the regiment arising thereon until the decision of the secretary at war be notified.

The soldiers serving in the regiment under your command must be apprized of the adoption of these regulations, and their substance must be stated in written, or printed notices, to be struck up in conspicuous places in the different hospitals.

I have, &c.
(Signed) L. SULIVAN.

Officer commanding
Regt. of ———

No. 78 of 1838.—The following paragraphs of military letters, Nos 18 and 28, dated the 21st February and 14th March 1838, from the Hon. the Court of Directors to the address of the Governor of Bengal, are published for general information:

Letter from Court, No. 18, dated 21st February, 1838.

“ Para 3. We have granted additional leave to the following officers, viz.

Brevet colonel George Hunter, and lieutenant colonel John Anderson, for six months.

Major A. F. Richmond, to postpone his departure until 1st September, 1838.

Captain Robert Taylor, lieutenants W. S. Pillans, Thomas Goddard and William Innes, ensign Frederick Adams, and superintending surgeon Tweeste, for six months.

4. We have placed lieutenant G. C. S. Goodday on the retired list. This vacancy has effect from the 30th July, 1838.

5. We have permitted to retire captain John Holtman to retire from the service. This vacancy has effect from the 19th Aug. 1837.

6. Assistant surgeon Julius Jeffreys, of the Invalid establishment at your presidency, has been placed on the retired list.

7. Surgeon Alexander Scott, of your establishment, has been permitted to retire from the service. This vacancy has effect from the 8th July, 1836.”

Letter from Court, No. 28 dated 14th March, 1838.

“ Para. 2. We have granted additional leave to the following officers, viz.

Lieutenant colonel P. M. Hay, for six months.

Ditto D. Hawthorne, ditto.

Surgeon Andrew Murray, M. D., asst. surg. Ebenezer Mitchell and Ensign Robert Hay, for six months.”

No. 79 of 1838.—In conformity with the instructions of the Hon. the Court of Directors, the following paragraphs of their military letter, No. 29; dated the 14th March, 1838, are published in general orders:

“ 1. We have the satisfaction to announce to you that Her Majesty has been graciously pleased to nominate and appoint major general Sir Henry Worsley, K. C. B., to be a knight grand cross of the most hon military order of the Bath, in the room of major general Sir John W. Adams, deceased; and major general Donald Macleod, C. B., to be a knight commander of the above order, in the room of major general Sir Henry Worsley.

2. You will be pleased to publish this dispatch in general orders.”

No. 80 of 1838—Lieutenant Charles Boulton, of the 47th regiment native infantry, is promoted to the rank of captain by brevet, from the 23d May, 1838.

Major Richard Benson, of the 11th regiment native infantry, has returned to his duty on this establishment, without prejudice to his rank, by permission of the Hon. the Court of Directors, date of arrival at Fort William, 24th May, 1838.

The undermentioned gentlemen are admitted to the service in conformity with their appointment by the Hon. the Court of Directors, as cadets of artillery and infantry, on this establish-

GENERAL REGISTER.

ment, and promoted to the rank of 2d lieutenant and ensign respectively, leaving the dates of their commissions to be adjusted hereafter:

Artillery.—Mr. Robert Robertson Bruce, date of arrival at Fort William, 24th May, 1838.

Infantry.—Messrs. Thomas Wilkinson Gordon, Francis James Smalpage, Evan Philip Titchman Noyan, James Metcalfe Lockett, and Arthur Samuel Mills, date of arrival at Fort William 24th May, 1838; Augustus Jacob Vanrenon, and Edward Donald Vanrenon, ditto 25th ditto.

Mr. James Goodlad Wollen having satisfied Government on the points of qualification prescribed by existing regulations, is admitted to the service as a cadet of infantry on this establishment, agreeably to instructions from the Hon. the Court of Directors, Mr. Wollen is promoted to the rank of ensign, leaving the date of his commission for future adjustment. Mr. Wollen reports his arrival to the town major of Fort William on the 10th May, 1838.

Ensign Charles Gustavus Walsh, of the 14th regiment native infantry, is permitted to proceed to Europe on furlough, on account of his private affairs.

Gunner DaPonte of the artillery, was appointed on the 14th instant, an assistant overseer in the department of public works on the salary allowed for that rank, and placed at the disposal of the superintending engineer north western provinces.

Fort William, 28th May, 1838.—No. 82 of 1838.—The Hon. the President in Council is pleased to direct, that the following extract of a military despatch from the Honourable the Court of Directors to the Government of Fort St. George, No. 17, dated 21st February, 1838, the directions contained in which are declared to be equally applicable to this presidency, be published in general orders:

Esclair military letter to Fort St. George, No. 17, dated 31st February, 1838.

Reply to letter dated 30th March 1837.
(No. 15.)

19. We observe that you had permitted an officer, (Lieutenant Pearson) to retire in India upon half pay. No authority to permit of such retirements has yet been given by us to the local Governments; and as we think it undesirable that officers whose health requires them to return to Europe should be granted a pension on retirement except upon their satisfying us at the close of their furlough that their health will not permit their continuing to serve in India, we desire that you will not again grant a similar permission.

No. 83 of 1838.—The Hon. the President in Council is pleased to direct, that the following extract paragraph 34, of a military letter from the Hon. the Court of Directors, No. 33, dated 14th March, 1834, be published in general orders:

Letter No 30 dated 14th March, 1834.—Para 34. We take this opportunity of apprising you, that Colonels of regiments who have succeeded to old reckonings, may be permitted to reside in India unemployed in the same manner and with the same allowances as major generals similarly circumstanced.

Fort William 14th June, 1838.—No. 84 of 1838.—The Hon. the President in Council is pleased to make the following promotions and alterations of rank:

Regiment of artillery.—2d Lieutenant Alfred Cooper Hutchinson, to be 1st Lieutenant, vice 1st Lieutenant and Brevet Captain John Holtham, retired, will rank from the 26th April, 1838; vice 1st Lieutenant and Brevet Captain John Lealand Mowatt, promoted.

Left wing European regiment.—Ensign John Fagan, to be Lieutenant, vice Lieutenant George Christopher Smith Goodday, retired, with rank from the 5th March, 1838, vice Lieutenant Alister Stewart, promoted.

Medical department.—Assistant Surgeon Robert Rankine, to be Surgeon, vice Surgeon Alexander Scott, retired, with rank from the 17th March, 1838, vice Surgeon Robert Tytler, M. D., deceased.

ALTERATION OF RANK.

Regiment of artillery.—1st Lieutenant J. G. Richardson, to rank from 19th Aug 1837; vice J. Holtham, retired; do. M. Mackenzie, do. 14th Oct 1837; do. W. Amberg, promoted; do. W. Turnbull, do. 16th Oct 1837; do. J. Turtin ditto; do. W. K. Warner, do. 17th Nov. 1837; do. A. Cardow, deceased; do. C. Stewart, do. 20th Feb 1838; do. G. J. Cookson, ditto; and do. C. Boulton do. 30th April 1838; do. F. Bird, promoted.

Left wing European regiment.—Lieutenant D. Benton, to rank from 29th July 1838, vice G. O. S. Goodday, retired; do. E. Bagnay, do. 15th Nov. 1837; do. W. Shortree, promoted; and do. H. A. Warner, do. 11th Nov 1837; do. T. Lysight, ditto.

Medical department.—Surgeon J. F. Stewart, M. D., to rank from 8th July 1836, vice A. Scott, retired; do. A. McK Clark do. 11th Nov. 1836; do. J. Clarke, deceased; do. J. Colvin, M. D. do. 25th Dec. 1836; do. W. A. Venour, retired; do. W. Stevenson, Sr. do. 1st Feb. 1837; do. N. Maxwell, M. D., do.; do. W. Bell, do. 5th March 1837; do. J. Tytler deceased; do. J. G. G. do. 21st March 1837; do. J. W. Paterson, ditto; do. J. S. Sullivan, do. 1st May 1837; do. H. Graham, invalided; do. J. W. Grant, do. 3d May 1837; do. Joseph Duncan, deceased; do. R. Shaw, do. 13th July, 1837; do. J. R. Newton, ditto; do. A. W. Steer, do. 30th July 1837; W. P. Muston, ditto; do. C. C. Berger, M. D., do. 1st Aug. 1837; do. W. Thomas, retired; do. J. Menzies do. 31st Dec. 1837; do. J. Swiney, M. D., ditto; do. D. Wilson, do. 19th Feb, 1838; do. J. M. Todd, deceased; do. S. McGaveston,

do. 1st March 1838; do. T. M. Munro retired; do. J. Smyth, M. D., do. 1st March, 1838, do. J. Turner ditto.

No. 86 of 1838.—Mr. Francis Geach crossman, is admitted to the service in conformity with his appointment by the Hon. the Court of Directors, as a cadet of infantry on this establishment, and promoted to the rank of ensign, leaving the date of his commission for future adjustment.—Date of arrival at Fort William, 26th May, 1838.

2d Lieutenant Townsend James William Hungerford, of the regiment of artillery, has returned to his duty on this establishment, without prejudice to his rank, by permission of the Hon. the Court of Directors.—Date of arrival at Fort William, 26th May, 1838.

Lieutenant Edward Pinckard Bryant, of the 68th regiment native infantry, is permitted to proceed to Europe, on furlough, on account of his private affairs.

The leave of absence granted to Captain Richard Courteay Johnson, of the 50th regiment native infantry, in G. O. No. 44 of the 22d February, 1836, to visit Van Dieman's Land, is extended to twenty-nine days beyond the period therein stated.

The Hon. the President in Council is pleased to make the following promotions in the Calcutta native militia: Jemadar Hussain Doss and Motee Sing, to be subadars, vice Seewal Sing and Kamaul Sing, transferred to the invalid establishment.

Havildars Radhay Doss and Maharaj Maut, to be Jemadars, in succession to Hussain Doss and Motee Sing, promoted.

Fort William, 11th June, 1838. No. 87 of 1838.—The following appointment was made by the Hon. the President in Council, in the secret and separate department, under date the 3th ultimo.

Major Richard Benson of the 11th regiment native infantry to be resident at Ava, with the official rank of colonel.

The undesignated officers are promoted to the rank of captain by brevet, from the date expressed opposite to their names:

Regiment of artillery.—1st Lieutenants Francis Dashwood, George Campbell, William Soltan Pillans, George Henry Swinley, William Edward John Hodgson, George Ellis, Francis Rudolph Bazely, James Abbott, and Francis Burton Bolton, 6th June, 1838.

Mr. Thomas Pottinger having satisfied Government on the points of qualification prescribed by existing regulations, is admitted to the service as a cadet of infantry, on this establishment, agreeably to instructions from the Hon. the Court of Directors. Mr. Pottinger is promoted to the rank of ensign, leaving the date of his commission for future adjustment. Mr. Pottinger reports his arrival to the town major of Fort William, on the 7th June, 1838.

No. 88 of 1838.—A special committee of inquiry, composed of the officers hereinafter named, will assemble at Benares, as soon as may be practicable, for the investigation of such matter as will be communicated to the president, with full instructions by the chief secretary to the Government of India in the military department.

President.—Major J. Thomson, 31st regiment native infantry.

Members.—Captain Leves assistant commissary general, and Captain Hutz, 1st regiment native infantry.

The deputy judges advocate general of the Dinapore and Benares divisions will attend the committee and conduct the proceedings under the instructions to be conveyed to the president by the officiating military secretary to the Government of India.

Fort William, 12th June, 1838.—No. 90 of 1838.—Lieutenant Hamilton Verch, of the 51st regiment native infantry, is promoted to the rank of captain by brevet, from the 16th June 1838. Surgeon George Smith of the medical department, is permitted to proceed to New South Wales, for the recovery of his health and to be absent from Bengal, on that account for two years.

Captain Alexander McKinnon, of the 42d regiment native infantry, is permitted to retire from the service of the East Indian Company, on the pension of a major, from the date of sailing of the ship on which he may embark for Europe.

Brevet Captain and Lieutenant F. Dashwood, of the regiment of artillery, assistant secretary to the military board, is permitted, in anticipation of the leave applied for through his Excellency the Commander-in-Chief, to proceed to Singapore, on urgent private affairs, and to be absent on that account for six months.

No. 91 of 1838.—The following papers, of military letters from the Hon. the Court of Directors to the Governor of Bengal, are published for general information:

Letter No. 39, dated 10th April, 1838.

2. Additional leave has been granted to the following officers viz

Captains R. E. Ludlow and William Hunter, Lieutenants Charles Lowth and F. W. Cornish, for six months. Lieutenant H. Barry, for three months.

3. The following officers have been permitted to retire from the service from the dates specified, viz

Major Alexander Horsburgh, from the 1st March 1838. Captain G. S. Bajerrie, from the 20th February 1838. Ensign Cosmo A. Hepburne, from the 28th February 1838.

Letter No. 41, dated 11th April, 1838.

We have permitted Surgeon Thomas Stodart, of your establishment, to retire from the Company's service; his retirement will take effect from the 31st April 1838.

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No. 93 of 1838.—The Hon the President in Council is pleased to rescind the existing regulations for the supply of the equipments prescribed for mounted horses, in general orders of the 13th August 1801, and in lieu thereof to direct that in future the provision and repair of such equipments, together with the supply of medicines, muzzles, shoes, &c. shall be vested in the commissariat department.

Superintendents or officers in charge of stables will, at as early a period as possible in every year, appraise the deputy commissary general, of the number of horses likely to be passed into the service at their respective studs by the next ensuing committee, and that officer will on receiving such intimation take measures to have the equipments prepared and ready on the spot, for the use of the horses as when they are delivered over to the officer receiving charge of them.

These equipments are not to be of an expensive description, but to be sufficiently good to serve during the match of the horses to their corps, when they will of course be supplied with the appointments of the horses they replace, as writing to complete, when horses may be supernumerary, appointments for them will be provided by the commissariat on regular indentations prepared by officers commanding corps.

J STUART, Lieut. Col.
Offy. Sec. to the Govt. of India Mil. Dept.

ECCLIASTICAL.

Pursuant to public notice, at the ordination held by the Right Reverend the Lord Bishop, at the Cathedral on Sunday, the tenth instant, being Trinity Sunday.

The Rev. Solomon Cesar Malan, M. A., of Saint Edmond's Hall Oxford, Professor of Bishop's college, was ordained Deacon to whom the Lord Bishop has since granted his License to officiate as the Collegiate Chaplain of Bishop's College.

The Lord Bishop has also licensed the Rev. James Bowyer, to officiate as missionary minister at Howrah, in the archdiocese and diocese of Calcutta.

By or of the Lord Bishop, dated at Calcutta this 10th day of June, 1838.

W. H ABBOTT,
Registrar and Secretary

Fort William, 10th June 1838.—No 91 of 1838.—The Hon the President in Council is pleased to direct, that the following extract of a military letter from the Hon. the Court of Directors to the Government of Bengal, No. 38 dated 10th April 1838, be published in general orders:

"Para 26. In our military letter to Bombay, of the 10th April 1838, (No 13) Para 5 We stated, that we would convey to you our reply to the memorial of Major Moore, the deputy military auditor general at that presidency, relating to his claim to an extra house rent or regimental tentage, and we take the present opportunity of fulfilling that intention.

"21. We learn from that memorial and its accompanying proceedings that three different systems obtain in respect to the house rent of house-ent in different parts of the staff officers stationed at the capitals of each of the three presidencies. Those stationed at Madras draw regimental tentage and regimental house-ent, whilst those at Calcutta and Bombay draw no tentage but those at Calcutta receive a superior rate of house rent, and those at Bombay draw house rent according to regimental rank.

"22. The Bengal system was established on the principle of giving to staff officers at the presidency house rent exceeding by 50 per cent. the rates previously drawn by them. This principle we received on sanction, and we now direct that it be extended to the staff officers stationed, at the capitals of the three presidencies.

"23. In our letter to Bombay of the 2d May 1827, we directed that officers holding stationary staff appointments should not be allowed to draw tentage; that being an allowance intended solely to cover the expense of providing tents and tent-carriage to which such officers were not liable. This order has not yet been extended to Madras but we now desire that it may be made applicable to that presidency also."

Fort William, 25th June, 1838.—No 95 of 1838.—The following lists of rank of cadets of infantry, and of assistant surgeons appointed for the Bengal presidency, are published for general information:

No. 2 of 1838.

List of Rank of Cadets for the Bengal Infantry.

To rank from the date of sailing from Gravesend of the ships by which they proceeded, and in the following order, viz.

Edward Leith, *Duke of Northumberland*, sailed 11th January 1838.

Francis James Smalpage, *Larkins*, sailed 11th January 1838.

Arthur Samuel Mills, ditto, ditto.

Augustus Jacob Vanreuen, *Bolton*, sailed 14th January 1838.

Thomas Wilkinson Gordon, ditto, ditto.

Ivan Philip Tilghman Nepean, ditto, ditto.

Graeme Mercer Brodie, *Abberton*, sailed 11th February 1838.

To rank from the date of the transmission by the overland mail of the paragraph announcing his appointment.

James Goodlad Wollen, (abroad) 7th February 1838.

To rank from the date of the sailing from Gravesend of the ships by which they proceeded, and in the following order, viz.

Francis Hardwick Warren, *Lady Raffles*, sailed 18th February 1838.

Frederick Turner Wroughton, ditto ditto.

William Lumsden, *Lisander*, sailed 21st February 1838.

William Louis Mosheim Bishop, ditto, ditto.

To rank from the date of the sailing from Portsmouth of the ship by which he proceeded.

John James Macdonald, *Lady Raffles*, sailed 18th February 1838.

(Signed) PHILIP MELVILL,
Sec. Mil Dept.

East India House, 28th February 1838.

(A true copy)
JAMES C. MELVILL,
Secretary.

East India House, London, the 3d March 1838

No. 2 of 1838

List of Rank of Assistant Surgeons for Bengal.

To rank from the date of the sailing from Gravesend of the ships by which they proceeded, and in the following order, viz.

Richard William Faithful, *La Belle Allance*, sailed 10th February 1838.

Edmund Boulton, *Abberton*, sailed 11th February 1838.

Henry Charles Eddy, *Lady Raffles*, sailed 18th February 1838.

Memo.—Mr. Egerton Baines having returned to this country to complete his appointment is to be struck out of the list of rank No. 1 of 1837.

Luke Kelly, M.D. having been appointed an assistant surgeon to Her Majesty's forces, his name is to be struck out of the list of rank No. 1 of 1837.

(Signed) PHILIP MELVILL,
Sec. Mil Dept.

East India House 28th February, 1838.

(A True copy)
(Signed) JAMES C. MELVILL,
Secretary.

East India House, London, the 3d March, 1838.

No. 96 of 1838.—The Hon. the President in Council is pleased to make the following promotions and alterations of rank:

10th regiment native infantry—Lieutenant Edward Rowland Mann warranting to be captain of a company, and Ensign Frederick Bernard Bousquet to be lieutenant, from the 20th February 1838 in succession to Captain Cortland Skinner Barberie, ret'd.

46th regiment native infantry—Captain William Bolton Girdlestone to be major, Lieutenant Henry Walker Burt to be captain of a company, and Ensign Richard Athelstun Herbert to be lieutenant, from the 1st March 1838, in succession to Major Alexander Housburgh, ret'd.

47th regiment native infantry—Lieutenant and Brevet Captain Charles Bolton to be captain of a company, vice Captain and Brevet Major Benjamin Blake, deceased, with rank from the 15th April 1838, vice Captain Henry Tilman Raban, deceased.

Ensign Arthur Henry Cole Sewell to be lieutenant, vice Lieutenant and Brevet Captain Charles Boulton, promoted with rank from the 14th April 1838, vice Lieutenant James George Brown Paton, deceased.

N. B. The rank of captain, by brevet, assigned to Lieutenant Charles Boulton, in general orders, No. 80, of the 25th ultimo, is cancelled.

Medical Department—Assistant Surgeon William Stevenson, M. D. (junior) to be surgeon, from the 5th April 1838, vice Surgeon Thomas Stoddart, retired.

ALTERATION OF RANK.

47th regiment native infantry—Captain G. C. Armstrong, to rank from 12th March, 1838, vice B. Binke, deceased.

Lieutenant A. G. Reid, ditto 12th March, 1838, ditto G. C. Armstrong, promoted.

Lieutenant R. Atany, ditto 15th April, 1838, ditto C. Bolton, promoted.

Lieutenant George Salter, of the 4th regiment native infantry, is promoted to the rank of captain, by brevet, from the 29th June 1838.

Lieutenant William Cumberland, of the 11th regiment native infantry, has returned to his duty on this establishment, without prejudice to his rank, by permission of the Hon. the Court of Directors. Date of arrival at Fort William, 21st June, 1838.

The undermentioned gentlemen are admitted into the service in conformity with their appointment by the Hon. the Court of Directors, as cadets of infantry, on this establishment, and promoted to the rank of ensign, leaving the dates of their commissions for future adjustment.

Infantry.—Messrs William Louis Mosheim Bishop, William Fraser, and Robert Campbell, date of arrival at Fort William, 31st June 1838.

Mr. Robert Charles Stevenson, ditto 3d ditto

No. 97 of 1838.—Lieutenant John Loughton, of the corps of engineers, is appointed to survey and improve the road from Cachar to Manipore, under the direction of Lieutenant Guthrie, vice Lieutenant J. G. Allardye, whose state of health compels him to give up the appointment. Lieutenant Loughton is directed to join the 5th company of sappers and miners at Luckipore.

The undermentioned individuals are appointed overseers in the department of public works, on the salaries allowed for that

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rank to fill existing vacancies and are placed at the disposal of the superintending engineer, lower provinces.

Juggat Doolub Majeomdar.

Corporal D. Ratray, of the Hon. Company's European regiment.

Assistant overseer W. Nicoll, is removed from the department of public works.

BY THE GOVERNOR GENERAL.

Simla, 15th May, 1838.—The following appointment was made in the political department, under date the 10th instant :

Assistant surgeon W. Brydon, of the 4th light cavalry, to the medical charge of the 2d regiment native infantry, in the Oude auxiliary force, vice assistant surgeon H. Teylor, whose appointment is cancelled at his own request.

Simla, the 23d May, 1838.—The following appointment was made on the 21st instant, in the political department :

Mr Assistant Surgeon M. M. Rind, of 68th regiment native infantry, to the medical charge of the political agency at Moudlaar, vice, assistant surgeon A. W. Stewart, promoted.

Simla, 5th June, 1838.—Lieutenant J. R. Lumley, of the 9th regiment native infantry, has been placed in the political department, at the disposal of His Excellency the Commander-in-Chief.

In continuation of general orders dated camp, Meerut, 9th of February last, the Right Hon. the Governor General has much pleasure in publishing the under mentioned names of forty eight native officers of the Bengal establishment, who have been selected for admission, from the 1st May 1837, into the second class of the "order of British India," with the title of "Bahadour."

2. The names of two more officers, to complete the number to fifty, will be published hereafter.

On lascars, 2d battalion artillery, subadar Ramjann ; ditto, 3d ditto, subadar Curceene ; ditto, 4th ditto, subadar Behriow Khan ; ditto, 5th ditto, subadar Etwarrie ; ditto, 1st ditto, Jemadar Mungion, 3d light cavalry, subadar major Shaick Hussan Ali ; 3d ditto, subadar Shaick Emaan Bux ; 3d ditto, subadar Nadjooban ; 5th ditto, subadar major Mirza Munoor Beg ; 6th ditto, subadar major Sahib Sing ; 8th ditto, subadar Ameer Sing ; 9th ditto, subadar Meer Yacoub Ali ; 10th ditto, subadar major Buxee Sing ; 6th native infantry, subadar Fakhon Sing ; 8th ditto, subadar major Luchman Sing ; 14th ditto, subadar major Shaick Ead Allie ; 14th ditto, subadar major Kamper-and Pandey ; 15th ditto, subadar Moutsee Miasur ; 18th ditto, subadar Gunkapersand, 19th ditto, subadar major Seetull Sing ; 20th ditto, subadar major Rambikus Sing ; 21st ditto, subadar Nerevaund Sing ; 22d ditto, subadar Shekh Chaud ; 24th ditto, subadar major Jewell Doobey ; 32d ditto, subadar major Kulliau Sing ; 33d ditto, subadar Ramperswan Sing ; 34th ditto, subadar major Ramjeeo Khau ; 36th ditto, subadar major Koshun Khan ; 42d ditto, subadar Byjoo Sing ; 43d ditto, subadar Bhoondoo Sing ; 44th ditto, subadar major Allad Sing ; 45th ditto, subadar major Drahb Khan ; 47th ditto, subadar major Ramgool A. Subroo, 48th ditto, subadar major Choop Tewary ; 50th ditto, subadar major Shaick Kadar Bux ; 56th ditto, subadar major Myee Sing ; 57th ditto, subadar Hooda-Gyudhee ; 58th ditto, subadar Major Shieck Kadar Allie ; 60th ditto, subadar major Mirza Husein Ullee ; 62d ditto, subadar Huttun Sing ; 63d ditto, subadar major Bahul Khan ; 64th ditto, subadar major Sewdeen Sing ; 65th ditto, subadar Munnoo Tekoor ; 70th ditto, subadar Shaick Khan Mahomed ; 73d ditto, subadar Adveer Pandey, 2d local horse, reissaidar Mirza Fozil Beg ; 3d ditto, reissaidar Ghulam Mahomed Khan ; 5th Reissaidar Kabeer Ali Khan.

WM CASEMENT, M. G.

Secy. to the Govt of India
Milly Dept with the Rt. Hon. the Govr. Genl.

BY THE COMMANDER IN CHIEF.

Head-quarters, Simla, 17th May 1838.—The Benares division order of the 26th ultimo, directing all reports of the division to be made to Colonel J. Shelton, of Her Majesty's 44th foot, consequent on the demise of major general G. Brown, &c. is confirmed.

Drummer Charles Allen, of the 48th, is transferred to the 13th regiment of native infantry, and directed to be sent to join.

The undermentioned officers have leave of absence :

60th regiment native infantry.—Captain G. Cox, from 2d January to 2d July, to visit Mussingabad, on private affairs.

48th regiment native infantry.—Captain D. Sheriff, from 29th February to 20th August, to remain at the presidency, on medical certificate.

Head-quarters, Simla, 18th May, 1838.—Lieutenant S. J. Saunders, of the 41st regiment native infantry, and Ensign F. B. Bosanquet, of the 19th native infantry, are appointed to do duty with the Hurliannah light infantry battalion.

Ensign Henry Nicoll, of the 37th regiment native infantry, is appointed to do duty with the Ramgurh light infantry battalion.

Hospital apprentice J. B. Hanly, is discharged from the service, at his own request.

The following individuals are appointed hospital apprentices, to fill existing vacancies in the subordinate medical department, and directed to report themselves within two months from this date, to the nearest superintending surgeon :

John Barker, James Price, William Jonson, Henry Lascelles, Robinson, George Matthews, William John Gash, George William Hayward, John Hopper, Joseph Passos, George Cawood, John Richard Higgins, Peter Paribv Blaney, and John Tierney.

After these youths shall have served six months in any European hospital, special reports of their talents and acquirements are to be made to head quarters by the superintending surgeon of the division in which they may be employed, and should it appear that any of them are not likely to become efficient subordinate medical attendants, such individuals as may be so considered will either be discharged the service, or disposed of as His Excellency the Commander-in-Chief may hereafter determine.

This is to be distinctly explained to the apprentices on their joining an hospital.

Head-quarters, Simla, May 21, 1838.—The Benares division order of the 8th instant, directing assistant Apothecary W. G. Carrison, attached to the artillery hospital at Benares, to join and do duty with Her Majesty's 48th regiment, is confirmed.

The Cawnpore division order of the 11th instant, directing gunner Elias Lovegrove, of the 4th company 5th battalion of artillery, to proceed to Allahabad, for the purpose of being employed as a labouratory man in the magazine at that station, is confirmed. The leave of absence granted to Ensign A. Campbell, of the 58th regiment native infantry, in general orders of the 4th instant, is cancelled at his request.

The undermentioned officers have leave of absence :

3d regiment light cavalry.—Lieutenant colonel A. Warde, from 15th May, to 1st January 1839, to visit the hills, north of Deylah, of medical certificate.

25th regiment native infantry.—Captain J. D. Kennedy, from 25th June to 1st November, to visit Cawnpore, on private affairs.

36th regiment native infantry.—Ensign C. H. Wake, from 2d July to 31st January 1839, to visit Allahabad and the presidency preparatory to applying for furlough.

6th regiment native infantry.—Lieutenant S. Nation, from 1st July to 30th October, to visit Agra, on private affairs.

Right wing European regiment.—Lieutenant colonel W. G. Mackenzie, from 5th May to 5th June, in extension, to remain at the presidency, on medical certificate.

By order of His Excellency the Commander in Chief

Head-quarters, Simla, 23d May 1838.—The following removals and postings will take place in the regiment of artillery.

Colonel J. P. Boileau, (new promotion) to the 3d brigade horse artillery.

Lieutenant Colonel G. Everest, (new promotion, and on staff employ) to the 3d brigade horse artillery.

Major T. Timbrell, (new promotion, and on staff employ) to the 7th battalion.

Captain R. Roberts, (on furlough) from the 4th company 3d battalion to the 4th troop 2d brigade horse artillery.

Captain H. P. Hughes, (on leave to the Cape) from the 1st company 4th battalion to the 1st company 1st battalion.

Captain E. F. Day, from the 1st company 1st battalion to the 3d company 5th battalion.

Captain F. Briand, (new promotion) to the 1st company 4th battalion.

1st Lieutenant J. Abbott, (on staff employ) from the 3d company 1st battalion to the 4th company 2d battalion.

1st Lieutenant E. Buckle, (on staff employ) from the 1st troop 1st brigade horse artillery to the 2d company 2d battalion.

1st Lieutenant K. J. White, (on furlough, from the 2d company 1st battalion to the 3d company 7th battalion.

1st Lieutenant W. K. Warner, (new promotion) to the 1st company 5th battalion.

1st Lieutenant C. Steward, (new promotion) to the 1st troop 1st brigade horse artillery.

1st Lieutenant C. Boulton (new promotion) to the 4th company 7th battalion.

2d Lieutenant T. J. W. Hungerford, (on furlough) from the 3d company 7th battalion to the 3d company 1st battalion.

2d Lieutenant J. Elliot, (brought on the effective strength) to the 1st company 4th battalion.

2d Lieutenant J. Mill, (brought on effective strength) to the 1st company 1st battalion.

2d Lieutenant H. Lewis (brought on the strength) to the 4th company 1st battalion.

Ensign T. E. Ogilvie, at his own request, transferred from the 30th to the 15th regiment native infantry, as junior of his rank.

Head-quarters, Simla, 24th May, 1838.—The Agra garrison and station order of the 12th instant, placing the services of hospital apprentice William Henry Johnstone, doing duty in the artillery hospital, at the disposal of the civil surgeon at Agra, in the room of hospital apprentice E. Ensor, is confirmed.

Bombardier John Hugh O'Neil, of the 2d company 3d battalion of artillery, is promoted to sergeant, and transferred to the town major's list, for the purpose of filling an existing vacancy in the non-commissioned staff of the garrison of Fort William.

By order of His Excellency the Commander-in-Chief,

Head-quarters, Simla, 24th May, 1838.—The Haul station order of the 15th instant, appointing ensign F. B. Bosanquet to act as station staff, during the absence, on leave, of Lieutenant Colabrooke, or until further orders, is confirmed.

The undermentioned officers have leave of absence :

5th regiment native infantry.—Lieutenant H. Dowson, from 1st June to 1st September, to visit Calcutta, on private affairs.

GENERAL REGISTER.

70th regiment native infantry—Lieut. and brevet captain E. J. Betts, from 1st May to 1st June, to remain at Cherra Poonjee, on medical certificate.

Subordinate medical department.—Hospital steward W. Priestley, B. M. 19th foot, from 1st June to 30th September, to proceed on the river.

Head-quarters, Simla, 25th May.—The presidency division order of the 19th instant, appointing Ensign H. Hopkinson, recently admitted to the service, to do duty with the 15th regiment native infantry at Barrackpore, is confirmed.

The Agra garrison and station order dated the 26th March last, directing the provision of two extra doolies, with bearers, for the removal of their respective hospitals, of men on duty in the fort, who may be attacked with cholera, is confirmed.

Assistant surgeon J. A. Stair, at present doing duty with the troops in Arracan, is posted to the Arracan local battalion, of which he will receive medical charge.

Sergeants Henry Read, of the 1st company 5th battalion and Thomas Wallace, of the 1st company 2d battalion of artillery, are transferred to the town major's list, and appointed quarter master sergeants, the former to the 6th regiment of native infantry at Secrole, Benares, vice Dalton transferred to the Nasseerabad battalion, and the latter to the 48th regiment of native infantry at Delhi, vice Murphy appointed sergeant major to the 35th regiment.

Sergeant James Hunt, of the European regiment, is transferred to the town major's list, and appointed quarter master sergeant to the 5th regiment of native infantry at Dinspore, vice Malton appointed sergeant major to the 65th native infantry.

By order of His Excellency the Commander in Chief

Head-quarters, Simla, 26th May 1838.—1st Lieutenant F. A. Miles, interpreter and quarter master to the 7th battalion of artillery, is removed in that situation to the 6th battalion vice Mowat promoted.

1st Lieutenant J. H. Campbell, of the 1st company 3d battalion, is appointed interpreter and quarter master to the 7th battalion, vice Miles removed to the 6th battalion.

Lieutenant Miles will continue with the 7th battalion, until relieved by Lieutenant Campbell.

1st Lieutenant A. M. Sappings, of the artillery, now doing duty with the Assam light infantry battalion, is permitted, at his own request, to rejoin his regiment.

Assistant surgeon Henry Taylor is posted to the 33d regiment native infantry at Jubbulpore, and directed to join.

The permission granted in general orders of the 5th March last, to conductor R. Sault, of the invalid pension establishment to reside and draw his stipend at Agra, is cancelled at his request. Drum major George Flynn, of the pension establishment, is, with the sanction of Government, transferred to the veteran company at Chunar, on his present pay and allowances.

The undermentioned officers have leave of absence.

51st regiment native infantry.—Major J. Trevelyan, from 20th June to 20th October, to visit the presidency, on private affairs.

70th regiment native infantry.—Lieut. C. L. Edwards, doing duty with the Arracan local battalion, from 8th March to 8th June, on medical certificate, to visit the presidency.

By order of His Excellency the Commander in Chief,

Head-quarters, Simla, 30th May, 1838.—His Excellency the Commander in Chief is pleased to make the following removals and postings of field officers.

Lieutenant-colonel H. L. White, on furlough, from the 36th to the 67th regiment of native infantry.

Lieutenant colonel W. G. Mackenzie, proceeding on furlough from the right wing European regiment to the 86th regiment of native infantry.

Lieutenant-colonel R. Chalmers, from the 67th to the right wing of the European regiment.

The undermentioned officers have leave of absence.

35th regiment native infantry.—Ensign C. H. Jenkins, from 30th May to 30th November, to proceed to Mussoorie, on medical certificate.

60th regiment native infantry.—Ensign A. B. Fenwick, from 9th December 1837 to 7th June, to remain at the presidency, on medical certificate.

Head-quarters, Simla, 31st May, 1838.—The Agra garrison and station order of the 18th instant, appointing corporal A. Blakeley of the European Regiment, to act as church clerk, during the absence of sergeant Rivett, is confirmed.

Ensign W. E. Mulcaster, of the 24th, is, at his own request, removed to the 64th regiment native infantry, as junior of his rank. The undermentioned officers have leave of absence.

30th regiment native infantry.—Captain T. McSherry, from 1st June to 15th November, to visit Nussacabad, on private affairs. 48th regiment native infantry.—Captain W. T. Savary, from 15th May to 15th November, on medical certificate, to visit the presidency, preparatory to submitting an application for leave to proceed to sea.

By order of His Excellency the Commander in Chief.

Head-quarters, Simla, 1st June, 1838.—Assistant Surgeon J. J. Boswell, on furlough, is removed from the 2d to the 3d regiment of native infantry.

Assistant Surgeon T. W. Wilson, R. D., who was placed at the disposal of the Commander-in-Chief, in Government general orders, No 71, of the 14th ultimo, is posted to the 32d regiment of native infantry at Dacca.

Head-quarters, Simla, 2d June, 1838.—The presidency division order of the 16th ultimo, directing the undermentioned En-

signs, lately admitted into the service, to join and to duty with the corps specified opposite their names, is confirmed.

Ensign G. E. Ford, with the 58th regiment native infantry, at Barrackpore.

Ensign F. T. Paterson, with the 66th regiment native infantry, at Barrackpore.

Ensign C. S. Reynolds, with the 65th regiment native infantry, at Barrackpore.

Ensign R. R. Manuaring, with the 16th regiment native infantry at Secrole, Benares.

Ensign H. J. Edwards, with the 15th regiment native infantry, at Barrackpore.

Ensign J. P. Cuffield, with the 56th regiment native infantry, at Berhampore.

The undermentioned officer has leave of absence:

3d local horse.—Captain G. A. Barber, 2d in command, from 30th November 1837 to 4th December 1837, in extension, to enable him to join.

By order of His Excellency the Commander in Chief,

Head-quarters, Simla, 5th June, 1838.—The following removals and postings will take place in the regiment of artillery:

1st Lieutenant E. P. Master, from the 1st company 2d battalion to the 2d company 1st battalion.

1st Lieutenant K. J. White, (on furlough) from the 3d company 7th battalion to the 4th company 1st battalion.

1st Lieutenant L. Smith, from the 4th company 4th battalion to the 1st company 2d battalion.

Major J. Barclay, of the invalid establishment, is permitted to reside in the hills north of Deyrah, and to draw his pay and allowances from the Meerut pay office.

The leave of absence granted in general orders of the 7th ultimo, to Lieutenant G. Post, interpreter and quarter master of the 3d regiment of native infantry, is cancelled at his request.

Assistant Surgeon W. J. Lamb, now doing duty with the 4th regiment of native infantry, is directed to proceed to Allahabad, and to afford medical aid to the 64th regiment of native infantry. By order of His Excellency the Commander-in-Chief.

Head-quarters, Simla, 8th June 1838.—Whenever a casualty occurs of a native officer (whether of the effective branch of the service, or on the invalid establishment), holding rank in either the 1st or 2d class of the order of British India, the same is to be immediately reported to the adjutant general of the army, for the information of his Excellency the Commander-in-Chief.

His Excellency the Commander-in-Chief is pleased to make the following appointment.

8th reserve light cavalry.—Lieutenant George Murray, to be adjutant, vice Moore, who is permitted to resign the appointment.

The general order of the 18th ultimo, appointing Ensign H. Nicoll, of the 50th regiment native infantry, to do duty with the Raughur light infantry battalion, is cancelled at his request.

The undermentioned officer has leave of absence.

3d company 2d battalion artillery, 2d Lieutenant T. Bromham, from 1st June to 1st November, to proceed to the hills, north of Deyrah, on medical certificate.

By order of His Excellency the Commander-in-Chief,

J. R. LUMLEY, Major General,
Adjutant General of the Army.

GENERAL ORDERS TO THE QUEEN'S TROOPS.

Head-quarters, Simla, 17th May, 1838.—No 128.—Her Majesty has been pleased to make the following promotions and appointments in the regiments serving in India.

39th Foot.—Captain Horatio Walpole to be Major, by purchase vice Smith, who retires, 17th November, 1837.

Lieutenant Robert Spencer Boland to be captain by purchase vice Walpole, 17th November, 1837.

Cancel his promotion. Ensign Edward Croker to be lieutenant, by purchase, vice Boland, 17th November 1837.

George Kinlay, gent. to be ensign, by purchase, vice Croker 17th November, 1837.

44th Foot.—Ensign Robert Stuart to be Lieutenant, without purchase, vice Halliday deceased, 11th June, 1837.

Ensign Augustus Halifax Ferryman, to be lieutenant, without purchase, vice Halliday appointed to the 3d light dragoons, 30th June, 1837.

Gentleman cadet, Henry Cadet, from the Royal Military College, to be ensign, vice Ferryman, 28th November, 1837.

67th Foot.—Gentleman Cadet John Ahmuty, from the Royal Military College, to be ensign, without purchase, vice Morgan deceased, 17th November, 1837.

62d Foot.—Lieutenant Valentine Langmead Lewes to be captain, by purchase, vice Gwynne, who retires, 28th November 1837. Cancel his promotion. Ensign John Grant to be lieutenant, vice Buchanan, by purchase, vice Lewes, 28th November 1837.

Charles Young, gent. to be ensign, by purchase, vice Grant, 28th November 1837.

The commander in chief has been pleased to make the following promotion until Her Majesty's pleasure shall be known:

62d foot.—Ensign Arthur M. Herbert to be lieutenant, without purchase, vice Buchanan promoted, 15th May 1838.

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The leave of absence granted to assistant surgeon Grant, 4th light dragoons, to proceed to England, for 2 years from date of embarkation, on medical certificate, is confirmed.

The appointment by His Excellency lieutenant-general Sir P. Maitland, K. C. B., of assistant surgeon Moran, 54th regiment, to the medical charge of the 57th, during the absence of surgeon Macdonnell, on medical certificate, is confirmed.

The appointment of lieutenant I. R. Nairne, 57th regiment, to act as adjutant to that corps, from the 9th June 1837 to the 17th March 1837, is confirmed.

The undermentioned officers have leave of absence:

15th light dragoons.—Major Long, in extension, from 1st December 1837 to the 22d April 1837.
3d foot.—Captain G. I. Christie, from 5th May to 10th November, to Simla, on medical certificate.

By Order of the Commander in Chief,

Head quarters, Simla, 24th May 1838.—No. 129.—His Excellency the Commander in Chief is pleased to direct the publication of the following letter from the Adjutant General Hesse Graun, together with the copy of the 5th Clause of the Act of Victoria the 1st, Cap. 90th, therein referred to.

Horse Guards, 16th December, 1837.

Sir,—I have the honor, by desire of the general commanding in chief, to transmit to you a copy of the 5th Clause of the Act 1st Victoria, Cap. 90, from which it will be perceived it is enacted, "That from and after the commencement of the act it shall not be lawful for any court to direct that any offender shall be kept in solitary confinement for any longer periods than one month at a time, or than three months in the space of one year."

Although the proceedings of Courts Martial do not appear to have been intended to be included within any of the provisions of the act in question yet as the sense of the legislature has been expressed, in the 5th Clause, as to the extent to which solitary confinement may lawfully be carried, and the manner in which it should be restricted, I am now to signify to you His Majesty's desire, that Courts Martial in future, in any sentence in which solitary confinement is included, shall conform to the limitations in that respect laid down by the clause above mentioned.

I have, &c.

(Signed) JOHN MACDONALD,
Adjutant General.

5th clause of the Act 1st Victoria, Cap. 90.

"And whereas by the laws now in force it is lawful for the court before whom any person shall be convicted of certain offences for which imprisonment or imprisonment with hard labour may be awarded, to direct, that the offender shall be kept in solitary confinement for the whole or any portion or portions of such imprisonment, or of such imprisonment with hard labour, as to such court in its discretion should seem meet, it is hereby enacted, that from and after the commencement of this act it shall not be lawful for any court to direct that any offender shall be kept in solitary confinement for any longer periods than one month at a time, or than three months in the space of one year."

The leave of absence granted by major general Sir Willoughby Cotton, K. C. B. & K. C. H., to captain L'Estrange, 4th foot, to proceed to England, for 2 years from date of embarkation, on medical certificate, is confirmed.

The leave of absence granted by His Excellency lieutenant-general Sir P. Maitland, K. C. B., to the following officers, are confirmed:

13th light dragoons.—Colonel H. Hamilton, to England, for 18 months from date of embarkation, on private affairs.
55th foot.—Lieutenant S. B. Lamb, from 20th May to 20th September next, to Bengal on private affairs.

Lieutenant J. S. Short, 4th foot, has leave to proceed to England, for 2 years from date of embarkation, on private affairs.

Head quarters, Simla, 25th May, 1838.—No. 130.—Her Majesty has been pleased to make the following promotions and appointments in the regiments serving in India:

13th light dragoons.—Lieutenant Denis Hanson, from the 17th light dragoons, to be lieutenant, vice Bardett, who exchanges, 20th December, 1837.

2d foot.—Lieutenant Robert Manners Sparks, from the Cape mounted riflemen, to be lieutenant, vice Peghall, who exchanges, 26th December, 1837.

9th foot.—Robert H. Hill, gent. to be assistant surgeon, vice Griffin deceased, 29th December, 1837.

17th foot.—Lieutenant John Brady, from the 22d regiment of foot, to be lieutenant, vice Kelly, who exchanges, 8th December, 1837.

Cancels the promotion 30th Foot.—Ensign John Fitz of Ensign Croker to this Roy Dalrymple to be lieutenant, vacancy, and that of Ensign Smith, vice D. Werge, 8th December, 1837.

William Hercules Lockhart, gent. to be Ensign, by purchase, vice Dalrymple, 8th December, 1837.

Gentleman cadet Thomas Serjeant Little, from the Royal Military College, to be ensign, without purchase, vice Lockhart appointed to 78th foot, 9th Dec. 1837.

40th Foot.—Lieutenant John Willock, from the 45th regiment of foot, to be lieutenant, vice Stanley appointed to the 19th regiment of foot, 6th December, 1837.

6th Foot.—Major Sir Edmund Sanderson Pridoux, Bart. from the halpays, unattached, to be major, vice D'Arcy Wentworth, who exchanges, 31 December, 1837.

Captain Arthur Cunliffe Pole, to be major, by purchase, vice Pridoux who retires, 1st December, 1837.

Lieutenant Joseph Samuel Adamson to be captain, by purchase, vice Pole, 1st December, 1837.

Cancels his promotion, Ensign Gustavus Nicolla Harrison, vice Keirough, deceased, to be lieutenant, by purchase, vice Adamson, 1st December, 1837.

William Frederick Carrier, gent to be ensign, by purchase, vice Harrison, 1st December, 1837.

The Commander in Chief has been pleased to make the following promotion until Her Majesty's pleasure shall be known.

6th Foot.—Ensign E. Croker to be lieutenant, by purchase, vice Werge promoted, 23d May, 1838.

His Excellency the Commander in Chief has been pleased to promote the undermentioned officer to the rank of captain, by brevet, in the East Indies only:

4th Foot.—Lieutenant Thomas Gibson, from the 16th May, 1834.

By order of the Commander in Chief,

Head quarters, Simlah, 31st May, 1838.—No. 131.—Surgeon White, 16th lancers, having reported his return from Madras to Calcutta, will proceed to Meerut by dawk, and on his arrival will assume the medical charge of the regiment.

The division order by major general Sir W. Cotton, K. C. B. and K. C. H., dated the 14th May, adding the name of lieutenant Barnes, of light dragoons, to the detachment of that corps, which embarked from Calcutta for the upper provinces, on the 11th February last, under the command of lieutenant Dalrymple, is confirmed.

The appointment, on the 10th January, 1837, of captain O'Neill, 4th regiment, commanding a detachment of that corps, of sergeant Brian to act as sergeant major, and of sergeant Dodd, to act as quartermaster sergeant to the same, during its progress from Calcutta to Gaze pore, is confirmed.

The leave of absence granted to captain Meldrum, 2d foot, to proceed to England, for 2 years from date of embarkation, on medical certificate, is confirmed.

The leaves of absence granted by His Excellency Lieutenant General Sir P. Maitland, K. C. B., to the following officers, are confirmed:

55th foot.—Captain C. B. Duubeney, to England, for 2 years from date of embarkation, on medical certificate.
Ditto.—Captain A. Sharpin, ditto ditto.

The undermentioned officer has leave of absence:

16th lancers.—Colonel H. D. Swetenham, from 23d May to the 10th November next, to proceed to Landour, on medical certificate.

R. TORRENS, *Maj. Genl.*
Adj. Genl. to Her Majesty's Forces in India.

Head quarters Simlah, June 4, 1838—No. 183.—At a general court martial held in Fort William, on Monday the 24th day of April, 1838, Private John Mealy, No. 787, Her Majesty's 9th regiment of foot, was arraigned on the following charges:

Charges.—"1st. With having been drunk and out of harness after hours, at Chinsurah on or about the night of the 21st March 1837, this being the eleventh instance of drunkenness within six months, after a conviction for habitual drunkenness, had, at Chinsurah, on the 30th of October 1837,—viz on the 27th December 1837, 1st January, 7th January, 11th January, 21st January, 11th February, 14th February, 19th February, 25th February, 10th March 1834, and the present instance, and thereby constituting another act of habitual drunkenness.

"2d.—With mutinous and insubordinate conduct, about ten o'clock on the morning of the 22d March 1839, when leaving the orderly room after the case of drunkenness detailed in first charge, had been investigated by the commanding officer, in having struck with his clenched fist, No. 672, Sergeant Maurice Fitzgerald, Her Majesty's 9th regiment, his superior officer, a violent blow on the head which knocked him down."

Upon which charges the Court came to the following decision: *Finding*—"The court, upon the evidence before them, are of opinion, that the prisoner Private John Mealy, No. 7, of Her Majesty's 9th regiment of foot, is guilty of the charges preferred against him.

Sentence.—"The court sentence the prisoner Private John Mealy, No. 787, Her Majesty's 9th regiment of foot, to be transported, as a felon, for the term of his natural life."

Disapproved.

The court are required to revise their finding and sentence because they are illegal, as found under the 11th article of war, as intimated by the decision of the court, noted on the proceedings. The offence of the prisoner comes under the 70th article.

(Signed) H. FANE, *General,*
Commander-in-Chief, East Indies.

21st April 1838.

GENERAL REGISTER.

Revised Finding.—"With much deference to the opinion of the Commander-in-Chief, the court beg to observe, with regard to their finding, that it appears, the prisoner broke from his escort violently struck his superior officer, Sergeant Fitzgerald, threatening that he would take his life; and declaring, that the sergeant was 'the whole cause of his being in so much trouble.' The act, therefore, in the opinion of the court was one of extreme insubordination directed against Sergeant Fitzgerald, intentionally in his capacity of the prisoner's superior officer, whose vigilance on duty had caused him annoyance, and if necessary to the court to bear a highly mutinous tendency, short only of the actual offence of mutiny by the circumstance of the sergeant not having been on duty at the time. The court therefore respectfully adhere to their finding.

Revised sentence.—"Under the decision given by his Excellency the Commander-in-Chief, that the offence of the prisoner comes under the 70th article of war, the court cancel their former sentence, and do now sentence the prisoner Private John Wealy, No 787, of Her Majesty's 9th Regiment of Foot, to suffer solitary imprisonment for twelve (12) calendar months, in such place as his Excellency the Commander-in-Chief may be pleased to direct; and to be deprived of one penny a day of his pay for two

years, over and above any former forfeitures of liquor money, or of pay, which the prisoner is now undergoing, provided that the total forfeitures not exceed the amount of three pence per diem."

Confirmed,
(Signed) H FANE, General,
Commander-in-Chief, West Indies.

30th May 1838.

REMARKS BY HIS EXCELLENCY THE COMMANDER-IN-CHIEF.

I entirely agree with the court in their opinion as to the serious nature of the prisoner's offence, and as to the punishment he deserves, and I would gladly have approved the first sentence passed had it been legal.

I cannot assent to the distinction the court desire to draw between mutiny and mutinous conduct, and therefore I am of opinion, that the court has erred in adhering to its original finding.

(Signed) H. F.

By order of the Commander-in-Chief,
R TORRENS, Major Genl.
Adjt Genl. to Her Majesty's Forces in India.

SHIPPING INTELLIGENCE.

ARRIVALS AT KEDGERU.

- May 26th.—English barque *Victoria*, H. M. Potter, from Rangoon 4th May.
- 27th.—English brig *Moulmein*, R. J. Morris, from Moulmein 19th May.
- 30th.—English barque *Bengal Packet*, J. M. Steward, from China 1st and Singapore 24th April.
- 31st.—English barque *Brainin*, Clark, from Moulmein 20th May.
- 1st.—English ship *Inogen*, Geo. Riley, from Liverpool 1st January; English ship *Antonio Pereira*, W. Christie, from China 29th April and Singapore 11th May; English ship *Seymour*, W. J. Ferris, from Moulmein 20th May; English barque *Scipio*, Thos. Viell, from China 11th April and Singapore 13th May; English ship *Ann Lockerby*, J. Burt, from Liverpool 29th December; English barque *Annuadekuader*, O. S. Jones, from Moulmein 10th May.
- June 2d.—English barque *Starkat*, Jellcoat, from Moulmein 13th May; American ship *Garthar*, A. Ferry, from Boston 23d Feb.
- 3d.—English barque *Rosalind*, Little, from Liverpool 13th January; French brig *Mappe Monde*, Bondias, from Nantes 4th December and Bourbon 23d April.
- 4th.—English barque *Falcon*, D. Anstruther, from Glasgow 31st January.
- 6th.—English ship *Ernaad*, J. Hill, from Judda 13th April and Mocha 6th May; English brig *Diatem*, J. Walker, from Lubrairie 12th and Colombo 24th May; American ship *Gulton*, L. G. Tollis, from Boston 24th January.
- 6th.—English ship *Mesmaid*, J. Roche, from Rangoon 30th May.
- 9th.—English brig *Scrah*, J. Lyster, from Rangoon 13th May; English barque *Dorothy Gales*, G. Moore, from the Mauritius 11th May.
- 10th.—H. M. ship *Rattlesnake*, Capt. Johnson, from Madras 3d June; English barque *Seymour*, G. J. Dore, from the Mauritius 17th May.
- 11th.—English brig *Mary Mallaby*, J. Grey, from the Mauritius 16th May.
- 12th.—English brig *Samuel Baker*, R. Wild, from the Mauritius 11th May; English ship *Lord Auckland*, J. Willis, from the Mauritius 12th May, and Madras 7th June.
- 14th.—English barque *Clyde*, J. Kerr, from the Cape of Good Hope 27th April; H. C. ship *Ankerst*, R. Jump, from Bombay 7th May, and Madras 10th June.
- 16th.—English barque *Ire*, H. Ludlow, from Liverpool 6th February; H. C. steamer *Ganges*, J. M. Dickey, from Moulmein 2d June.
- 18th.—English barque *Lysander*, W. Currie, from London 25th February.
- 19th.—English ship *Tamerlane*, D. McKenzie, from London 8th March; English barque *Janet*, P. H. Holmes, from Penang 8th May, and Archeon 1st June; English barque *Addingham*, J. Sedgwick, from Madras 11th June; English barque *Standard*, J. Peile, from Demerara 6th February; English barque *Vergint*, C. Whiffen, from Ganjam 3d February.
- 20th.—English barque *Gallardon*, J. Rapson, from Sydney 30th April; English barque *Haidie*, A. Syners, from the Mauritius 13th May, Pondicherry (no date) and Madras 13th June; English brig *Courier*, A. S. Smith, from Liverpool 25th February; English ship *Katser*, J. Pickering, from Liverpool 25th February.
- 21st.—English ship *Bombay*, G. Waugh, from Amherst 17th May.

- 22d.—English barque *John Panter*, J. Elsdon, from the Mauritius 15th May; English ship *Herefordshire*, H. S. H. Isaacson, from Madras 17th and Ganjam 20th June; English brig *Liverpool*, E. Row, from Liverpool 6th February.
- June 25th.—The English barque *Ariadne*, Geo. McLeod, from Greenock 22d March, the English ship *Abbeston*, H. Shuttleworth from London 17th Feb., Cape of Good Hope 13th May, and Madras 21st June; the English brig *Ann*, McGowan from China 14th May; the English brig *Mary Eliza*, R. Patterson, from Mauritius 24th May; the English schooner *Margaret*, D. Tapley, from Rangoon 30th June; and the English schooner *Tom Thomb*, J. Mettill, from Penang 6th June.
- 26th.—English ship *Upton Castle*, S. Williams, from Sydney 18th April and Madras 21st June; English barque *Augustina*, W. Perry, from Newcastle 23d December, Cape of Good Hope 30th April, Mauritius 28d May, and Madras 21st June.
- 28th.—English ship *Patriot Queen*, W. Hoodless, from Liverpool 24th March.
- 29th.—English brigantine *Lynher*, H. Browae, from London 10th January and Mauritius 1st June.
- John Panter* arrived off Calcutta on the 23d; *Fisher* on the 25th, *Ann*, *Mary Eliza*, and *Liverpool* on the 26th; and *Nouvelle Louise* on the 29th June.—*Barong* arrived off Cooley Bazar on the 25th ditto.

ARRIVALS OF PASSENGERS.

- The *Mattabangah*, in tow of the *Thames* steamer, arrived from Allahabad on Sunday with the following passengers, from Mirzapore: E. Stirling Esq.—From *Bhangulpore*: Miss Hayward.
- The *Rhogurutt* in tow of the steamer *Lord William Bentinck*, arrived from Allahabad on Wednesday evening, with the following passengers, via *From Mirzapore*: H. T. Stewart, Esq. *From Benares*: Lieut. Richardson. *From Monghyr*: W. H. Young, Esq., C. S. *From Seehpore*: Mrs. Steer and 3 children. *Per Ganges*: Mrs. Johnston; Capt. Johnston and Welshman; Capt. Robertson, M. army. *Per Inogen, from Liverpool*: Mr. Henry, cadet; Ensign H. M. 44th regt. *Per ship Neptune*: Charles Moore, from Hobart Town. *Per Antonio Pereira*: A. Loughran. *Per Syph*, from Singapore: Mrs. Francis, son and child; Mrs. Viell, and Mr. Syant, masiner. *Per Annuadekuader*: Mr. C. B. McCubber, merchant. *Per Starkat*: Lieut. R. Gibson, F. E. Schoele, and J. Grant, H. M. 62d regiment. *Per Krishna, from Arracan*: Captain Barney; Lieut. Rainford, Abbot, and Kaye; Master McLean; Mrs. Keelan, steerage passenger; Corporal Hay; 2 subadars and 6 sepoys. *Per Mermaid*: Mrs. Roobe. *Per Lysander, from England*: Lieut. Cumberland and Lady; Mr. Alexander Geo. Coles; Messrs. W. L. M. Bishop and William Fraser, cadets; Mr. James Graham. *Per Tamerlane*: Robert Campbell and Robert C. Stevenson, cadets. *Per barque Janet*: Mrs. Gregory; Mrs. Holmes and child; Major W. Gregory, Gk regt B. N. I.; M. McLeod, Esq. free merchant; Master J. H. Invis; Mary and John Yates, children. *Per barque Addingham*: Mr. Audibert and Mr. G. F. Lumbert from Madras. *Per Herefordshire, from Madras*: Mrs. Isaacson; Miss Conways; Chas. C. Hyde, Alexander Grant, and James H. Young, Esqrs. civil service, and Mr. Brown.

GENERAL REGISTER.

Per Liverpool - P. S. McLeod, Esq., merchant.
Per Bombay - Mrs. Waugh.
Per Abertree, from London - Mrs. Shuttleworth and child; Mr. C. Marshall, solicitor; Mr. Edward Stone, merchant; Mr. Edward Bond, assist. surgeon H. E. I. C. S.; Mr. G. M. Brodie, medic. ditto; Mr. W. T. Low, Mr. Thos. Blackae, H. E. I. C. S.; Mr. George McWhittor, steerage passenger.
Per Tom Thamb, from Penang - Mr. P. A. Peterson, clerk.
 The *Soomra*, in tow of the *Magna* steamer, arrived from Allahabad on Friday, with the following passengers: J. Trotter, Esq., Mr. and Mrs. Dickson and Child; Mrs. E. Ryan and Child, Brigadier and Mrs. Lindsay, Colonel Tuttle, and Mr. Davidson.

DEPARTURES FROM CALCUTTA.

May 26th - *Washington*, L. F. Thurber, for Philadelphia; *Favorite*, W. G. Glass, for Boston.
 27th - *New Globe*, W. Johnston, for London; *Favorite*, Robertson, for Madras.
 29th. - *William Gray*, W. Bartoll, for Boston; *John Hepburne*, B. Robertson, for Moulinea and Rangoon.
 30th. - *Barrong*, R. Gordon, for Moulinea.
 June 1st. - *Clasper*, N. Pool, for Boston; English schooner *Attaran*, H. Jackson, for Singapore and China.
 4th - *Indian Oak*, R. Rayne, for Mauritius.
 6th - *Tatua*, W. Graham, for Liverpool.
 7th. - *Margaret Canal*, D. Morris, for Greenock.
 15th - *Antonia Pereira*, W. T. Christie, for China; *Waterloo*, John Cow, for London.
 June 16th - *Cuba*, A. Gray, for the Mauritius.
 17th. - *Victory*, W. B. Blakely, for Liverpool.
 19th - *Naas*, M. Veltoven, and *Cherabon Packet*, C. Kemp, for Batavia.

DOMESTIC OCCURRENCES.

BIRTHS.

May 14. At Agra, the lady of J. D. D. Bean, Esq. of twin daughters.
 17. At Hussingabad, the lady of J. H. Chowne, Esq. of the 60th regt. N. I. of a son.
 - At Nusseerabad, the lady of Major Spens, 74th N. I. of a daughter.
 19. At Boolundshuhur, the lady of G. H. M. Alexander, Esq. civil service, of a daughter.
 20. At Cuttack, the lady of the late Mr. J. W. Pritchard, assistant in the salt department, of a son.
 - At Dinapore, the lady of Edward Lugard, Esq., Her Majesty's 31st regiment, of a daughter.
 - At Allyghur, the lady of Captain F. Knyvett, 64th native infantry, of a son.
 22. At Balasore, the lady of W. S. Dicken, Esq., civil surgeon, of a daughter.
 - At Calcutta, the wife of Mr. R. Jacob, of a daughter.
 25. At Entally, the lady of Captain D. Sheriff, 48th regiment native infantry, of a daughter.
 27. At Calcutta, the wife of Mr. F. Lavellette, of a daughter.
 - At Calcutta in Middleton-Row, the lady of Charles Lyall, Esq., of a daughter.
 28. At Calcutta, Mrs. Rayne, of a daughter.
 - At Purneah, Singhehsar Factory, the lady of William Duff, Esq. of a daughter.
 29. At Calcutta, the wife of Mr. J. Gash, assistant to Cook and Co. of a daughter.
 31. At Calcutta, the lady of A. A. Apcar, Esq., junior, of a son.
 - At Calcutta, Mrs. W. P. Madge, of a son.
 June 1. The lady of George Alexander Esq., civil service, of a son.
 2. At Calcutta in Chowringhee, the lady of W. Linton, Esq., of a daughter.
 3. Mrs. F. Dormeux, junior of a son.
 - At Garden Reach, Mrs. James Low, of a daughter.
 - At Calcutta, Mrs. B. F. Harvey, of a son.
 4. At Calcutta, Mrs. R. Wood, of a son.
 5. At Ilngolee, the lady of Major George Twem-

21st. - *Searle You*, R. S. Heron, for China; *Justina*, C. C. Young, for London.
 June 25 - The English ship *Ernaad*, J. Hill, for Bombay; and the English brig *Elizabeth*, starting for Swan river
 27th - *Mary and Susan*, W. F. Parrott, for Boston.
 29th. - *Mappe Monde*, Boridias, for Bourbon.

DEPARTURES OF PASSENGERS.

The *Soomra*, in tow of the *Magna* steamer, left for Allahabad on the 28th instemt, with the following passengers, viz. for *Allahabad* - Colonel and Mr. Cheape; Miss Plowden and Mr. Young. - For *Benares* - Miss Deane, two children and Ensign Mainwaring. - For *Ghaseepore* - Miss Young, and Mr. and Mrs. Vitay.
Per Mary Ann Webb, for Singapore and China. Ensign Beggs, Madras N. I. and Okford, Esq. merchant.
Per Hannu, for Bombay - Mrs. Frazer, Lieutenants Shakerpeare and Smith
Per Waterloo, from London Lieut. Col. Mackenzie; Lieuts Scobell and Gibson, H. M. 62d.
 The *Mallahanga* in tow of the *Junn* steam vessel, left Calcutta for Allahabad on Monday, with the following passengers, viz for *Allahabad* - Miss Wall, Captain and Mrs. Flyer, Mr. C. Barnes, Ensign Bennett, Cornet Powell, Cornet Gwynne, Mr. A. Roberts, and Mr. Oakes - For *Mysapore* - Captain R. C. Johnson, 50th regiment N. I. - For *Benares* - Ensign Smallpage. - For *Ghizeepore*. - Ensign Cadot - For *Calyong* - Mr. Davidson. - For *Berhampore* - Lieutenant McLeod.
Per Kyle, for London - Mrs. Sewell and 2 children.
Per Larkins, for London - Mrs. Brint; Miss Tucker; Capt. McKinnon - Lieut. Briant, 68th N. I. - Pearce, Esq.; J. Wanser, Esq.; Ensign C. H. Walsh, 14th regt. N. I., H. Making, Esq. - For *the Cape* - J. Stanforth, Esq., C. S.

low, (captain, Bengal artillery) commanding Illogolee division, nizam's army, of a son.
 7. At Monghyr, the wife of J. W. Caston, Esq., merchant, of a daughter.
 9. At Serampore, the wife of Mr. N. J. Gantzer, of a daughter.
 - At Calcutta, the lady of the late H. F. King, Esq., of a son, still-born.
 - At Tirhoot, Shahpore, the lady of George Drummond, Esq., of a daughter.
 - At Calcutta in Chowringhee, the lady of E. Maenaghten, Esq., of a daughter.
 10. At Calcutta, Mrs. G. E. Rodgers, of a son.
 11. At Calcutta in Chowringhee, the lady of James Colquhoun, Esq., of a daughter.
 12. At Bowring Factory, the lady of Geo. Rogers, M. D., of a daughter.
 14. At Calcutta, the lady of W. Trevor Taylor, Esq. civil service, of a daughter.
 18. At Calcutta, the wife of Mr. Samuel Webb, in charge of the Governor General's stud, of a son.
 20. At Parua, Mrs. M. Hinton, of a son.
 21. At Chinsurah, the lady of the Rev. W. Morton, of a daughter.
 - At Kurnaul factory, Tirhoot, the lady of John Howell, Esq., of a son.
 22. At Rungpore, the lady of H. C. Metcalfe, Esq., C. S., of a son.
 26. At Madnapore, the lady of T. C. Trotter, Esq., C. S. of a daughter.
 27. At Garden Reach, the lady of W. F. Douron, Esq. of a child, still-born.
 30. At Calcutta, the wife of Serjeant John Tratt, of the town-guard, of a daughter.
 April 10. Europe. - At Dartford, the wife of Mr. Thomas Place, superintending engineer, E. I. C. steam department, Bengal, of a son.

MARRIAGES.

Feb. 25. At Macao, John Smith, Esq., (late of Calcutta) of the firm of Markwick and Smith, Canton, to Miss Barrados.
 April 17. At Malacca, by the Rev. Josiah Hughes, assistant Apothecary Patrick Crummey, of the Madras

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medical establishment, to Miss Hannah Smith, only daughter of Mr. conductor John Smith, of the Bengal ordnance commissariat department.

May 14. At Mhow, in Malwa, Captain George Lawrenson, Bengal horse artillery, to Charlotte Bowen, niece of brigadier Herbert Bowen, commanding Malwa field force.

15. At Simla, at the house of General Sir Henry Fane, G. C. B. Commander-in-Chief, Captain Michel, nephew and aid-de-camp to his Excellency, and eldest son of General Michel, of Dulish in Dorsetshire, to Louisa Anne, only daughter of Major General Churchill, quarter master general of her Majesty's forces in India. The ceremony was performed by the Reverend C. Wimberley, chaplain to the Governor General, and was attended by Lord Auckland, the Misses Eden and the friends of the families.

17. At Cawnpore, the Rev. J. J. Carshore, A. B. of Trinity College, Dublin, to Hannah Maria, eldest daughter of the Rev. R. P. Brooke, B. A., officiating joint chaplain of that station.

23. At Calcutta, at the Cathedral, Captain Edward A. Cumberlege, of the 73d native infantry, to Charlotte, third daughter of the late Captain George Hunter, S. A. commissary general.

24. At Chandernagore, Monsieur F. Debois de Saran, to Mademoiselle Lise Terine Saubolle, daughter of Doctor Saubolle, of that place.

26. At Calcutta, license, at the Old Church, by the Rev. the Archdeacon, Mr. D. Wilson, to Mrs. Mary Mandy.

29. At Calcutta, at the Cathedral, by the Rev. H. Fisher, Lieut. T. C. H. Birch, 31st N. I. to Dorothy, youngest daughter of James Curtis, Esq., civil service.

— At Burdwan, James Thornhill Mellis, Esq., civil service, to Jane, youngest daughter of George Stedman, Esq., of Kinross, Scotland.

30. At Calcutta, at the Cathedral, by the Reverend H. Fisher, Mr. Conrade Christopher Kabeholm, unconvicted assistant in the salt department, to Miss Louisa Duchosoin.

June 2. At Calcutta, at the Principal Roman Catholic Church, by the most Rev. Dr. Olliff, D. D., Mr. Richard Rebello, to Miss Mary Philippina Skinner, the only daughter of the late Wm. Skinner, Esq., officer in charge of the Hon'ble Company's powder magazine, at Moyapore.

2. At Mynpoorie Park, at the residence of Colonel Everest, surveyor general of India, Captain G. C. Smyth, 3d cavalry, to Miss Jane Ross.

4. At Calcutta, at the Cathedral, by licence, Capt. Joseph Grimwood, to Caroline, relict of the late Capt. Daniel Steiling.

— By the Rev. Mr. Charles, Edward Francis Barker, Esq., to Miss Hannah Lish.

— At Calcutta, at the Cathedral, by the Reverend H. Fisher, Mr. Joseph Jacob Grimwood, to Mrs. Caroline Sterling.

8. At Calcutta, St. James' Church, by the Reverend R. B. Boswell, Philip D'Ormeux von Sireng, Lieutenant H. M. 13th light infantry, to Mary Catherine, youngest daughter of the late Major General Carnegie, Bengal artillery.

11. At Calcutta, at the Circular Road Chapel, by special license, by the Reverend W. Yates, Mr. S. G. Wyatt, to Miss S. Gallagher.

14. At Calcutta, at the Cathedral, and afterwards at the Principal Roman Catholic Church, Charles C. Bruce, Esq., to Miss Louisa Du Bois de Jancigny.

— At Calcutta, at the Old Church, by the Venerable Archdeacon Dealtry, William Clode Braddon, Esq., to Margaret Selina, eldest daughter of the late Capt. John Wogan Patton, Bengal native infantry.

15. At Calcutta, the Cathedral, Mr. R. W. Chew, to Miss L. S. Newton.

— At Dum-Dum, by the Rev. H. Hutton, A. B.

Lieut. Robert Walker, artillery, to Mary, the only surviving daughter of the late William Curling, Esq. of Sandwich, Kent.

16. At Calcutta, at the Cathedral, by the Reverend H. S. Fisher, Captain William Tilden, to Miss Amelia Jane Smith.

— At Calcutta, at the Cathedral, by the Reverend H. S. Fisher, Mr. Edward Johnson, of the firm of Ranken and Co., to Miss Eliza Mary Bennett.

18. At Calcutta, at the Cathedral, by the Reverend H. S. Fisher, Mr. Emil Von Deiff, to Miss Anna Matilda Read.

23. At Calcutta, at the Cathedral, by the Rev. H. Fisher, Mr. William Hawkesworth, assistant to Messrs. Burn and Co., to Miss Flora Sanchez.

25. At Calcutta, at the Cathedral, by the Rev. H. Fisher, L. T. Watson, Esq., assistant surgeon H. C. service, to Miss Margaret Julia Dove.

— At Calcutta, at the Cathedral, by the venerable Archdeacon T. Dealtry, Mr. Henry Peter Caspersz, to Miss Caroline D'Roziario.

DEATHS.

March 1. At sea, on board the *Ermouth*, Alexander William, the son of Captain Watt, D. A. C. G. aged 6 years, 11 months and 22 days.

April 16. At Moulmein, Mr. Francis Lopez, late of the firm of Phillips and Lopez, of that place, aged 33 years.

21. At Singapore, Mary, the beloved wife of W. M. Diron, Esq. of the Beggal civil service.

29. Between Penang and Malacca, on his passage to Singapore, Charles Francis, Esq. deputy collector of Calcutta, aged 45 years and 4 months.

May 4. At Agra, of small-pox, at the residence of W. M. Woollaston, Esq. Agra college, Miss Olivia Maria Pierce, eldest daughter of Mr. and Mrs. F. W. Pierce, of Sehore, in Bhopal Malwa, aged 9 years, 9 months and 7 days.

16. At Meerut, the wife of Mr. George Simmonds, assistant apothecary in the hospital of Her Majesty's 3d regiment of Buffs, aged 24 years, sincerely and deeply lamented.

18. At Futebgruh, Margaret, the beloved daughter of Lieut. and Mrs. Chiene, aged 1 year, 8 months and 14 days.

21. At Rajeshey, Poolsoorah Factory, the infant son of Mr. A. C. Monnier, aged 2 months and 5 days.

— At Calcutta, Duncan MacNaught Liddell, Esq. merchant, aged 36 years.

23. At Calcutta, in the fever hospital, Mr. Thomas Stone, aged 32 years.

24. At Calcutta, in the fever hospital, Mr. William Gilbert, aged 34 years.

— At Cawnpore, Mrs. A. Hay, the wife of T. W. H. Hay, Esq. of Cawnpore, aged 64 years.

— At Agra, spasmodic cholera, Susan Lucretia, the youngest daughter of Major W. R. Pogson, commanding the 47th regiment native infantry, aged 1 year and 11 months.

26. At Calcutta, James Calder, the beloved child of Mr. and Mrs. R. J. Rose, aged 3 years and 7 months.

— At Howrah, J. Thomas, Esq. aged 50 years, 3 months and 11 days.

27. At Calcutta, in Russell-street, Miss Georgiana Thompson, daughter of G. P. Thompson, Esq. of the Bengal civil service, aged 10 months and 23 days.

— At Calcutta, Sophia Jane, fourth daughter of Mr. Robert Campbell, aged 8 months and 22 days.

— At Calcutta, Maria Zella Chill, wife of Mr. Robert William Chill, aged 22 years 4 months and 5 days.

— At Calcutta, in Sooterki's lane, Mr. John Hobbs, aged 29 years.

— At Immeerpore, Henry Berrenger, the infant son of G. Wood, Esq. aged 14 months.

28. At Calcutta, at Colvin's ghaut, John Dugate Watt, Esq. surgeon of the ship *Justina*, aged 25 years.

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29. At Calcutta, at Chaudney Choke 2d lane, Miss Matilda Pereira, daughter of the late Mr. Pereira, aged 21 years, 3 months and 18 days.

— At Calcutta, at the fever hospital, Mr. Wm. Wood, mariner, aged 36 years.

30. At Calcutta, at the residence of her father, Mr. W. Bason, Catherine, the beloved wife of Mr. C. B. McNeale, aged 18 years, 1 month and 14 days.

— At Mizapore, of inflammatory fever, William Barlow, Esq., aged 38 years, deeply and deservedly lamented by his family and friends,

31. At Calcutta, at Taltollah, Mrs. Clara Goldsmith, aged 65 years.

June 1. At Patna, Monsieur L. H. Carville, an old and respected inhabitant of that city, deeply and sincerely regretted by all who knew him.

1. At Cawnpore, Charles George, the youngest son of Conductor J. Vyall, ordnance department, aged 1 year, 5 months and 14 days.

2. At Calcutta, Mrs. E. E. Stanley, wife of the late Mr. T. Stanley, late indexer of the general department, aged 50 years, 6 months and 5 days.

— At Murtra, at the house of W. H. Tyler, Esq., D. H. Crawford, Esq., C. S., deeply regretted.

— At Kurnaul, of fever, in the 41st year of her age, Mrs. R. Hanland, wife of sub-conductor R. Hanland, of the army commissariat.

5. At Calcutta, Mrs Ann Lidiard, aged 65 years.

— At Calcutta, in the police hospital, Mrs. Sally Bagnell, aged 25 years.

— At Assam, in Gowhatty, Mr. Charles Moore, senior, aged 49 years and 9 months.

6. At Monghyr, Thomas John Caston, second beloved son of J. W. Caston, Esq., merchant, aged 7 years, 7 months and 17 days.

— At Calcutta Mr. Elizabeth Gash, the wife of Mr. J. Gash, aged 45 years.

— At Banda, of convulsions, John Gill Killien, son of Sub-Conductor R. Killien, ordnance department, Sau-

gor magazine, aged 4 years and 4 months, deeply regretted by his relatives.

10. At Jubbulpore, Caroline, daughter of Lieut. Wheatley, 5th light cavalry.

12. At Burisaul, Rose Jessie, second daughter of A. Smelt, Esq., of the civil service, aged 18 years and 8 months.

— At Calcutta, Miss Caroline Margaret, daughter of Mr. John Elloy, aged 5 years, 2 months and 27 days.

— At Calcutta, in Cossia Bagaun, Mrs. Eliza Smith, the wife of Henry Smith, Esq., merchant, aged 35 years.

— At Mhow, in Valwah, 1st Lieutenant W. E. J. Hodgson, of the Bengal horse artillery, aged 33 years, deeply regretted.

14. At Calcutta, Mr. Joba Williams, aged 34 years, from the police hospital.

15. At Midnapore, Charlotte Ann, the beloved wife of W. F. Pennyngton, Esq., aged 28 years and 3 months.

— At Bhauglepor, Angelina, the beloved wife of Felix Lopes, Esq., indigo planter, aged 28 years and 10 months.

— At Dinapore, Ann, the affectionate wife of Mr. James Duhan.

18. At Benares, William Henry, the infant son of Lieut. and Mrs. Burkinyoung, aged 3 months and 3 days.

20. At Calcutta, Mrs. Ellen Gallagher, wife of Wm. Gallagher, Esq., aged 26 years.

22. At Calcutta, Loll Bazar, Mr. Richard Parker, assistant to Messrs. Peters and Co., aged 38 years.

At Moosanuggur, suddenly, while in the execution of public duty, R. E. Loane, Esq., assistant collector of Humeerpore, aged 26 years, 8 months and 9 days.

At Calcutta, No. 80, Dhurumtollah, Miss Wilhelmina Josephina Siret, daughter of Mr. T. Siret, conservancy department, aged 8 years, 2 months and 9 days.

At Sealdah, Mr. James Blaquiere, aged 19 years.

Sept. 9. Evnore.—2d Lieutenant Richard Henry Chapman, of the engineers.

Dec. 10. At No. 6, Wellington-Place, Leith, Mr. George Anderson, late architect there.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, June 30.)

INDIGO.—From the accounts received during the week from Kishnagur, Dacca, Jessore, and some other districts, the prospects of the growing crop are not so favourable, by a good deal as they were a week ago, a continuance of the rains for 10 day, more, would cause a great reduction in the expected out-turn of the season. The rivers are everywhere rising rapidly, and in some districts have compelled the planters to commence operation sooner than it was intended. In our opinion, appearances now indicate a crop certainly under the average of the last several years, and nothing but weather like that, experienced from this time, till the close of last season, can give more than an average.

As to the market here, there is really nothing doing, and very little remains on the spot.

The exports up to last evening, amount as below :

To Great Britain.....	Py. Mds. 84,216
France.....	ditto 17,522
Stockholm.....	ditto 168
North America.....	ditto 2,247
Bombay, Persian Gulph, and other places in India.....	ditto 4,734
Total Py. Mds.	108,832

RAW SILK.—Several parcels have changed hands during the week for the English market, at prices about 3 to 4 annas per seer, below last week's rates.

SILK PIECE GOODS.—The demand continues for Corahs, and several purchases, viz. large size Corahs for English market and small size for America, are reported with the occurrence of the week. The prices of the assortments remain without any change since our last.

COTTON.—Accounts per the Amu, from China state, that there had been a fall of 4 to 5 wazee pea pecul, in consequence of the

arrival (in China) of the *Sulimany* and *Sir Charles Malcolm*, but not actual sales had taken place.

Considerable purchases continue to be made here and at Mizapore, but we have no particular change in our last quotations to notice.

SALTPETRE.—The operations during the week are reported for the English and American markets, and the prices of the dry show a small improvement on Chaprah.

SUGAR.—The market for this article may be reported steady, both as to demand and prices. The purchases reported are principally for England.

LAC.—The purchases of shell lac are for the English and American markets, and that of lac dye for the latter place. The prices of both remain without change since our last.

DRY GINGEE.—Without transaction, and remains at our last currency.

HIDES AND HORNS.—Are in limited operation, and remain at former prices.

OILSEEDS.—Without purchase since our last. The prices of the day show a shade of improvement on linseed.

SAFFLOWER.—Also without purchase, but is quoted at a reduction.

GRAIN.—Purchases continue to be made of moonghee rice, wheat and gram, for the Mauritius; and the prices of the day exhibit an improvement on moonghee rice, and a fall on wheat and gram.

OPIMUM.—The accounts per the Amu, from China of a rise in price are purely accidental, it was in consequence of the departure of a judge for Peking, which afforded an opportunity to smuggle, and also in consequence of a Malwa speculator having sold on expectation of supplies, which not coming, forced him into a bare market, these intelligences have been the cause of a considerable rise on the price of the drug here.

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A public sale was held yesterday by the Honourable Company at the Exchange-Rooms, of 2,249 chests Patna, and 1,458 chests Benares, and the following is the result:

	Chests	Highest	Lowest	Average	Proceeds
Patna	2,249	1,040	965	981 0 6	2,224,333
Benares	1,458	980	970	913 1 0	1,331,345

The average of this sale shows a considerable rise on the average price of the last viz. of Co.'s Rs. 246 per chest on Patna, and Co.'s Rs. 360 15 per chest on Benares. The accounts put Ann. seem to have exercised a much greater influence than they ought to have done, and prices have rated considerably higher than was expected by parties in China.

MONEY MARKET.

GOVERNMENT SECURITIES.

	BUY]	SELL.
Stock Paper	Transfer Loan of 1835-36, interest payable in England..... } Prem. 16 0 a	15 0 p.ct.
Second 5 p. ct.	From No. 1200 a } to sell, par 0 0 a pm 2 12	15200, according to } to buy, 0 4 a - 3 4
Third 5 per cent.	..... premium 2 12 a	2 4
Fourth 4 per cent.	..... Dist. Co.'s Rs. 2 8 a	2 12
Stock Paper	Transfer Loan of 1835-36, interest payable in England..... } Prem. 16 0 a	15 0
Second 5 p. ct.	From No. 1200 a } to sell, par 0 0 a pm 2 12	15200, according to } to buy, 0 4 a - 3 4
Third 5 per cent.	..... premium 2 12 a	2 4
Fourth 4 per cent.	..... Dist. Co.'s Rs. 2 8 a	2 12
Stock Paper	Transfer Loan of 1835-36, interest payable in England..... } Prem. 15 0 a	14 0
Second 5 p. ct.	From No. 1200 a } to sell, par 0 0 a pm 3 0	15200, according to } to buy, 0 8 a - 3 8
Third 5 per cent.	..... premium 3 0 a	2 8
Fourth 4 per cent.	..... Dist. Co.'s Rs. 2 12 a	3 0

BANK SHARES.

	Co.'s Rs. 1,000	Prem. Co.'s Rs.	1,300 a 3,000
Bengal Bank	(ditto 1,000)	ditto	250 a 200
Bengal Bank	(ditto 1,000)	ditto	1,700 a 3,000
Union Bank	(ditto 1,000)	ditto	250 a 200
Bengal Bank	(ditto 4,000)	ditto	3,100 a 3,000
Union Bank	(ditto 1,000)	ditto	300 a 25
Bengal Bank	(ditto 4,000)	ditto	3,100 a 3,000
Union Bank	(ditto 1,000)	ditto	300 a 250

COURSE OF EXCHANGE.

BUY.]	SELL.]
s. d.	s. d.
102 1/4	a 2 2 on London, 6 months' sight
102 0	a 102 8 on Madras, 30 days' sight
102 8	a 103 0 on Bombay, 30 days' sight
2 1/4	a 2 2 on London, 6 months' sight
102 0	a 102 8 on Madras, 30 days' sight
102 8	a 103 0 on Bombay, 30 days' sight
2 1/4	a 2 2 on London, 6 months' sight
102 0	a 102 8 on Madras, 30 days' sight
102 8	a 103 0 on Bombay, 30 days' sight

PRICE OF BULLION, &c.

Spanish Dollars	Co's Rs. 220 8 0 a	221 0 0 per 100
Dubloons	32 8 0 a	31 0 0 each
Joes or Pezazas	19 11 0 a	20 0 0
Sovereigns	10 3 0 a	10 5 0
Bank of England Notes	18 8 6 a	10 19 8
Gold Mohurs	18 8 0 a	18 10 0
China Gold Bars	12 0 0 a	14 10 8 per sa. wt.
Sycee Silver	102 4 0 a	104 8 3 pr 100 sa. wt.
Spanish Dollars	220 8 0 a	221 0 0 per 100
Dubloons	32 8 0 a	33 0 0 each
Joes or Pezazas	19 11 0 a	20 0 0
Sovereigns	10 3 0 a	10 5 0
Bank of England Notes	18 8 6 a	10 19 8
Gold Mohurs	18 8 0 a	18 10 0
China Gold Bars	12 0 0 a	14 10 8 per sa. wt.
Sycee Silver	102 4 0 a	104 8 3 pr 100 sa. wt.
Spanish Dollars	220 8 0 a	221 0 0 per 100
Dubloons	32 8 0 a	33 0 0 each
Joes or Pezazas	19 11 0 a	20 0 0
Sovereigns	10 3 0 a	10 5 0
Bank of England Notes	18 8 6 a	10 19 8
Gold Mohurs	18 8 0 a	18 10 0
China Gold Bars	12 0 0 a	14 10 8 per sa. wt.
Sycee Silver	102 4 0 a	104 8 3 pr 100 sa. wt.

RATES OF INTEREST AND DISCOUNT.

BANK OF BENGAL.

Discount	on Government Bills and Salary	5 per cent.
Interest	on Private Bills, 3 months	10 ditto
Interest	on Loans on Government Papers	6 1/2 ditto
Interest	on Goods	8 to 10 ditto
Discount	on Government Bills and Salary	5 per cent.
Interest	on Private Bills, 3 months	10 ditto
Interest	on Loans on Government Papers	6 1/2 ditto
Interest	on Goods	8 to 10 ditto

UNION BANK.

Discount	charged on Govt. and Salary Bills	5 per cent.
Discount	ditto on Private Bills, 1 month	9 ditto
Discount	ditto on ditto ditto, 2 ditto	10 ditto
Discount	ditto on ditto ditto, 3 ditto	11 ditto
Interest	allowed on Deposits, for 3 months certain	5 ditto
Interest	charged on Company's Paper Loans	8 ditto
Interest	ditto on Deposit of Goods	9 ditto
Interest	ditto on Govt. and Salary Bills	5 per cent.
Discount	ditto on Private Bills, 1 month	9 ditto
Discount	ditto on ditto ditto, 2 ditto	10 ditto
Discount	ditto on ditto ditto, 3 ditto	11 ditto
Interest	allowed on Deposits, for 3 months certain	5 ditto
Interest	charged on Company's Paper Loans	8 ditto
Interest	ditto on Deposit of Goods	9 ditto

ADMINISTRATION TO ESTATES.

Cock, James	W. F. Gibbon.
Mackenzie, H., Major	Mrs. M. L. Mckenzie.
Oakley, R. C.	Registrar Supreme Court.
Wickins, J. M.	Registrar Supreme Court.
Blako, B., Major 47th N. I.	Registrar Supreme Court.
Francis, C.	Mrs. R. C. Francis, Widow.
King, H. F., Merchaut.	Mrs. H. King, Widow.
William, George, Indigo Planter.	Registrar Supreme Court.
Chater, F. A.	Registrar Supreme Court.
Doorkaprasud Doss	Syremully Goluckmooey, Dossre.
Gomaney Khanum, Behee	Mirzah Goorbar Ally, Merchaut.
Mehtaub, Behee	Mrs. M. A. Downton and H. Downton, Esq.
Sobnocurrun Doss	Registrar Supreme Court.
Habonau, H., Senior	Mrs. Maria Bobonau.
Dumming, H. a	Registrar Supreme Court.
Fowles, W.	Registrar Supreme Court.
Godrich, H. A.	Registrar Supreme Court.
Hille, George, 67th N. I.	Registrar Supreme Court.
Johnson, J.	George Ure Adam.
Moss, J.	Registrar Supreme Court.
Shamlol Tagore	Registrar Supreme Court.

GOVERNMENT NOTIFICATIONS.

&c. &c. &c.

BY THE PRESIDENT IN COUNCIL.

Political department, 27th June, 1838—The Hon. the President in Council directs, that the following extract from a despatch from the Hon. the Court of Directors, No. 20, dated the 29th September 1837, and the resolution of Government of this date, be published for general information :

Para. 15.—Some misunderstanding appearing to have arisen on the subject of our orders, that the next pay of military officers in civil situations shall merge in the consolidated allowance, we think it necessary to state, that the allowance may be drawn for either in one bill or in two bills, according to convenience ; but our intention is, that the net military pay shall be debited to the military, and the remainder of the allowance to the political department."

Resolution.—In order to give effect to the instructions contained in this paragraph, it is hereby notified, that the officers of the different military establishments of the three presidencies, who may now be holding, or may hereafter be appointed to civil situations, on account of which they may draw a consolidated civil salary, shall be paid the monthly salary, that may fall due to them for the month of July and subsequently upon separate bills drawn in the forms annexed. The bill in the first of the annexed forms shall be submitted for audit to the civil auditor of the presidency under which the officer may be serving, who will audit it with the deduction for military pay according to rank in cases of antedated promotion when there is back pay, or a superior rank to be paid to an officer, the adjustment between the civil and military departments shall be made in account, without requiring from the officer fresh pay abstracts. The adjustment of subscriptions to military funds, &c., consequently on such promotion will be made in the audit of subsequent pay abstracts. The other bill for military pay must be submitted to the military auditor of the presidency to which the officer may belong, and by that officer will be audited, subject to deductions for funds and other usual or prescribed retrenchments according to the military rules of the presidency. The bill so audited will be payable in part of the allowances of the civil situation at the treasury of the place, unless otherwise desired by the officer, and authorized by the Government. The *military pay bill*, if discharged from a civil treasury at a different presidency, will, of course, be credited in account as a remittance to the presidency to which the officer may belong.

The officers of account at the three presidencies will adjust in their accounts the salaries drawn by military officers in civil employ since the 1st May last, on the same principle as is above prescribed for salaries drawn after the 1st July.

FORM A.

<p><i>Consolidated salary, 2,600 0 0</i> <i>Deduce military pay of Lieut. Colwell, 240 0 0</i> <i>Passed for Co.'s Rs. 1,760 0 0</i> <i>Payable at</i></p>	<p><i>A. B. Civil Auditor.</i></p>	<p><i>Honorable Company</i>..... Dr</p> <p>To my consolidated civil salary as for the month of July, 1838, .. 2,000 0 0</p> <p>Deduct military pay drawn in separate bill in military departments as Lieutenant Colonel, ... 240 0 0</p> <hr/> <p>Received from Civil Department, 1,760 0 0</p> <p>Errors Excepted,</p>
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FORM B.

Pay abstract for the rank according to the forms in use at the presidency to which the officer belongs.

General department, the 27th June, 1838—Captain T. J. Taylor, of the Madras 7th light cavalry, late secretary to the post office and customs committee, is appointed agent of the Government of India for conducting special enquiries in the post office department, and is authorized to correspond and receive letters free of postage charge from all officers of Government and from individuals on the same being superscribed with the words "post office service."

Messrs A. Grant and J. H. Young, members of the Tanjore commission, reported their arrival at Calcutta on the 20th instant, consequently upon the adjournment sine die of the sittings of the Tanjore Commission at Fort St. George.

These Gentlemen are attached to the Bengal presidency for employment under the Deputy Governor of the Government of India.

The 4th July, 1838—The Hon. the President in Council is pleased to place the services of Mr. Henry Vausittart at the disposal of the Right Hon. the Governor General for the north western provinces.

General department, the 4th July 1838.—M. C. C. Hyde, of the civil service, is permitted to proceed to Europe on furlough.

Mr. E. M. Wyllly, writer, reported his return to the presidency from the Sandheads on the 29th ultimo.

Ecclesiastical department, the 4th July, 1838—The Hon. the Deputy Governor of Bengal is pleased to appoint the Reverend H. S. Fisher, to officiate for the Reverend T. Dealtry, as Chaplain of the old church of Calcutta, while the Reverend Mr. Dealtry may be officiating as domestic chaplain to the Lord Bishop of Calcutta.

General department, 18th July, 1838—Mr. T. H. Maddock, assumed charge of the office of secretary to the Government of India in the legislative, judicial and revenue departments on the 9th instant.

Mr. H. J. Chippindall, member of the Tanjore commission, reported his arrival at Calcutta on the 4th instant, consequently upon the adjournment sine die of the sittings of the Tanjore Commission at Fort St. George.

Mr. Chippindall is attached to the Bengal presidency for employment under the Deputy Governor or of the Government of India.

The Hon. the President in Council is pleased to place the services of Mr. J. J. Ward at the disposal of the Right Hon. the Governor General for the north-western provinces.

Judicial and Revenue department, the 12th July, 1838—The following officer has obtained leave of absence from station :

Mr. J. J. Ward, exercising the powers of joint magistrate and deputy collector in Backergunge, to visit the presidency, for one month, on medical certificate.

The 13th July, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointment :

Mr. F. B. Kemp has been removed from Zillah Tipperah, and appointed to be a joint magistrate and deputy collector in Chittagong.

Mr. A. S. Anand has been removed from Chittagong, and appointed to exercise the powers of joint magistrate and deputy collector in Tipperah.

Legislative department, the 16th July, 1838.—The following act is passed by the Hon. the president of the council of India in council on the 16th July, 1838, with the assent of the Right Hon. the Governor General of India, which has been read and recorded.

Ordered, that the act be promulgated for general information.
ACT No. XIV. of 1838.

It is hereby enacted, that it shall be competent to the governor in council of Fort St. George, by an order in council, to extend the provisions of regulations III of 1829 and IX of 1831, to the articles of Ganjah and Bang.—the quantity of Ganjah and Bang, which each person shall be allowed to have in his possession without a license, within the limits specified in any such order, shall not exceed one half viss.

The following act is passed by the Honorable the president of the council of India in council on the 16th July, 1838, with the assent of the right honorable the governor general of India, which has been read and recorded.

Ordered, that the act be promulgated for general information.
ACT No. XV. of 1838.

It is hereby enacted, that clause I, Section XXXV. Regulation XII. of 1827, of the Bombay code, be repealed.

Political department, Fort William, the 18th July, 1838.—The Nuzah Nazim of Moorsheadabad being about to proceed by water on the "Jellinghee" Steamer, on a visit to Allahabad,

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and thence to Bepares, on the 9th proximo, the Hon. the Deputy Governor of Bengal is pleased to direct that the officers, civil and military, of the districts and stations visited by His Highness, shall be careful to comply with any requisition they may receive from him, connected with the object of his journey, and to show him every appropriate mark of attention and respect. Officers commanding military stations, will cause a salute of 19 guns to be fired on His Highness's arrival at and on the occasion of his departure from the station.

18th July, 1838.—Captain W. H. Sleeman, general superintendent of measures for the suppression of thuggee, resumed charge of his duties at Jubbalpoor on the 1st December last.

H. T. PRINSEP,
Secy. to the Govt. of India.

The 19th July, 1838.—The following officer has obtained leave of absence from his station :

Mr. A. E. Campbell, deputy collector under regulation IX. 1833, in the 24-Pargunnas, an extension of leave for one month, from the 1st May last.

FRED. JAS. BALLIDAY.
Secy. to the Govt. of Bengal.

Legislative department, the 23d July, 1838.—The following act is passed by the Hon'ble the President of the Council of India in Council, on the 23d July 1838, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded.

Ordered that the act be promulgated for general information.
Act No. XVI. of 1838.

I. Clause 1st.—It is hereby enacted, in modification of the rules contained in Chapter VIII. Regulation XVII. of 1827, of the Bombay code, that in the territories subject to the presidency of Bombay, all suits in regard to tenures, and the nature and extent of the interest and advantage which in virtue thereof should be enjoyed by the parties concerned, and all suits in which the right to possession of land, or of the wutums of hereditary district or village officers is claimed shall be brought in the courts of adawlut and the courts subordinate thereto, and not in the courts of revenue.

Clause 2d.—Provided nevertheless, that it shall be lawful for the revenue courts to give immediate possessions of all lands premises, trees, crops, fisheries, and of all profits arising from the same, to any party dispossessed of the same or of the profits thereof, provided application be made to them by such party within six months from the date of such dispossession. And in order to the due execution of such power, it shall be lawful for the revenue courts to determine the facts of such possession and dispossession:—and the party to whom the revenue courts shall so give immediate possession, shall continue in possession, until ejected by a decree of a court of adawlut.

Clause 3d.—Provided also, that nothing contained in this act shall be held to interfere with the jurisdiction defined in Clauses 8. 4, and 5 of Section XXXI. Regulation XVII. of 1827, of the aforesaid code, which shall continue to be exercised by the revenue courts.

II. And it is hereby enacted, that if a suit be presented in the court of a judge or collector, which such judge or collector shall not deem within his jurisdiction, the party presenting such suit shall be referred by the court in which it may be first presented to that in which, in the opinion of such court, the jurisdiction lies, and the latter court shall in the event of its doubting its jurisdiction in the case, refer the question of jurisdiction to the Sudder Dewanny Adawlut, whose decision on the point shall be final.

III. And it is hereby enacted, that if a suit be presented in any court subordinate to the court of a judge or collector, which suit such subordinate court shall not deem to be within its jurisdiction, such subordinate court shall submit the case to the judges or collectors' court to which such subordinate court is subordinate, and if the superior court to which the case is so submitted shall be of opinion that such subordinate court has jurisdiction in the case, such superior court shall direct such subordinate court to proceed with the case, and if such superior court shall be of opinion that such subordinate court has not jurisdiction in the case, such superior court shall proceed in the manner directed in the last preceding section.

IV. And it is hereby enacted, that whenever a court of adawlut, or a revenue court shall have entered on its file, under this Act, a suit in which it has no jurisdiction, it shall be competent to the Sudder Dewanny Adawlut, either on a reference from the judge or collector, (as the case may be), or on application from the parties, to direct that the suit be transferred, with all the proceedings which may have taken place therein up to the period of transfer, to the court possessing jurisdiction which shall proceed therewith as if the suit had been originally filed in that court.

V. And it is hereby enacted, that when any court trying an appeal finds that the action was originally brought and decided in a revenue court, when it ought to have been brought and decided in a court of adawlut, or a court subordinate thereto, or that the action was originally brought and decided in a court of adawlut, or a court subordinate thereto, when it ought to have been brought and decided in a revenue court, the court trying the appeal shall, instead of quashing the whole proceedings, annul only the decree and refer the suit to be tried in the court to which the jurisdiction properly belongs, without farther costs of stamps to the parties, except on now exhibits, if any such should be allowed to be filed; and the court trying any such case referred under the foregoing section shall take further pleadings, exhibits, and evidence, only if it deem such necessary, and shall pass a new decree; but if an appeal be made from such new decree by the party originally bringing the appeal, then the decree of the court trying such new appeal shall be passed without the cost of a new stamp on the petition of appeal to that party.

VI. And it is hereby enacted, that all original suits and appeals relating to any of the subjects enumerated in Clause 1st, Section I. of this act, which may be depending in the revenue courts, shall be forthwith transferred to the courts of adawlut; and in all cases where the right of appeal may now be open, the appeal shall be brought to the court to which, under the rules of this act, such appeal shall lie.

T. H. MADDOCK,
Offy. Secy. to the Govt. of India.

BY THE DEPUTY GOVERNOR OF BENGAL—

Judicial and revenue department.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments :

The 19th June, 1838.—Synd Jaffer Aleo to be deputy collector under regulation IX. of 1833, in the central division of Cuttack.

Syd Ooddeen to be ditto ditto under ditto, in ditto.

Ullee Buksh Khan to be ditto ditto under ditto, in ditto.

Amcer Buksh to be ditto ditto under ditto, in ditto.

Abdool Hynd Khan to be ditto ditto under ditto, in ditto.

Ruggoonaath Bose to be ditto ditto under ditto, in the southern division of Cuttack.

Mowajib Oollah to be ditto ditto under ditto, in ditto.

Raghoonund Doss to be ditto ditto under ditto, in ditto.

Gooroopersaud Bose to be ditto ditto under ditto, in ditto.

Junardun Bose to be ditto ditto under ditto, in ditto.

Neelmony Birhm to be ditto ditto under ditto, in ditto.

The 19th June, 1838.—Bahoos Doorjoonund Doss and Furmanund Doss to be deputy collectors under Regulation IX. of 1833 in Zillah Balasore; the latter's appointment to have effect from the 27th March last.

The 26th June, 1838.—Bahoo Ram Churn Surma to be deputy collector under Regulation IX. of 1833 in zillah Mymensing.

The following officer has obtained leave of absence from his station :

Bahoo Gour Kishore Roy, deputy collector under Regulation IX. of 1833 in Chittagong, for one month, on private affairs.

The Hon the Deputy Governor of Bengal has been pleased to make the following appointments :

The 30th June, 1838.—Mr. Assistant Surgeon A. Donaldson, M. D., to perform the medical duties of the civil station of Sarun vice Mr. Assistant Surgeon R. Rankine promoted.

The 26th June, 1838.—Mr. W. N. Garrett to be additional judge in zillah Shahabad, vice Mr. H S Lane.

The following officers have obtained leave of absence from their stations :

Mr. F. B. Kemp, deputy collector of Tipperah, for twenty days, on private affairs, in extension of the leave for one month granted to him on the 15th ultimo.

Mr. A. Grote, exercising powers of joint magistrate and deputy collector in Midnapore, for a fortnight, from the 1st proximo, on private affairs.

For William, financial department, the 27th June, 1838.—The Hon. the Deputy Governor of Bengal directs, that the following extract from a despatch from the Hon the Court of Directors, in the financial department, dated the 28th March 1838, be published for information :

1. Relates to application from Messrs. Bruce, Shand and Co for advance upon goods consigned to Liverpool, the bills being payable in London, which was refused. 5. In or despatch to Bombay in this department dated the 6th July 1836, a copy of which was forwarded for your information, we authorized the Bombay Government so far to relax the regulations for effecting remittances as to make advances on goods consigned to Liverpool, in consideration of its being almost exclusively the part of the great cotton district of England, but with the proviso that the bills must

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in all cases be made payable in London, and we shall not object to sanction a similar relaxation of the regulations at your presidency. You will distinctly understand however that no modification of this kind can be permitted without previous reference to us, and in case of such reference becoming necessary, we desire that you will furnish us with any information which you may be able to obtain as to the probability of an extensive or permanent demand for remittance to the proposed port, in order that our judgment may be assisted in deciding upon arrangements with which considerable trouble and expense are connected for local management and superintendence.

6. Glasgow being the chief port for the cotton district of Scotland, as is Liverpool for that of England, we shall not object to advances on goods consigned to that port—such extension must take place upon the same conditions in every respect as those which we have laid down with regard to Liverpool.

General department the 27th June, 1838.—Mr. C. C. Hyde, of the civil service, reported his return to this presidency from the Cape of Good Hope on the 25th instant.

Political Department, 27th June 1838.—Mr. Assistant Surgeon John Thomas Pearson to be Assistant Surgeon in medical charge of Darjeeling.

H. T. PRINSEP, Secy. Govt. of India.

The 28th June 1838.—Lieutenant J. R. Abbot, officiating junior assistant to the commissioner of Arrakan, on extension of the leave of absence to remain in Calcutta and to enable him to rejoin his station from the 25th instant to 1st August next, on private affairs.

Lieutenant H. Siddons, revenue surveyor in Chittagong, an extension of leave of absence for twelve days.

Judicial and Revenue Department, the 29th June, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to appoint Mr. J. H. Young to officiate, until further orders, as deputy secretary to the Government of Bengal in the judicial and revenue department.

Judicial and revenue department, the 30th June, 1838.—The Hon. the Deputy Governor of Bengal was pleased on the 21st November 1838, to appoint Messrs. S. Smith, J. Muller, J. Rowe, W. Davis, W. Smith and T. Wilson, as an honorary committee of conservancy within the Intally division for the following purposes:

To report from time to time to the civil architect, the state of the roads and drains of Intally, and offer such suggestions as may appear proper for keeping them in a state of repair and cleanliness throughout the year.

To ascertain from time to time if any, and what, encroachments, have been made, or are making upon the public roads and drains, to remonstrate with the parties encroaching, and if unsuccessful in inducing them to remove the same, to report the facts to the civil architect, whose duty it will be to apply to the proper authorities on the subject.

To report all public nuisances within the limits of their superintendence, to the civil architect, and to suggest to him, means for their abatement and to assist him in effecting the same.

Vacancies occurring in the committee will be reported by them to the civil architect, who in communication with the committee will nominate a person or persons to fill the same for the approval of the Hon. the Deputy Governor (or the Governor of Bengal, as the case may be.)

The committee is to be considered experimental, and is constituted for one year from 21st November 1837, when it may be renewed or dissolved as the Government may think proper.

All matters not mentioned in the above rules will remain as therefore provided for.

The 2d July, 1838.—Notification.—The Hon. the Deputy Governor of Bengal has been pleased, at the recommendation of the Sadar Dewanny Adawlut, to raise the personal allowances of the undermentioned moonshis, from 100 to 150 rupees per mensem:

- Rudachurn, moonshiff of Seetakoond in Chittagong.
- Kassim Aliche, ditto of Gya in Behar.
- Hrut Hussain, ditto of Goudwarrah in Purneah.

The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments:

The 3d July, 1838.—Moulree Mueendeen Sadfar to be sudder ameen in Zillah Rungpoor.

- Mr. J. Dunsmure to be ditto ditto in Bancoora.
- Baboo Hara Chunder Ghose to be ditto ditto in Hooghly.

The following officers have obtained leave of absence from their stations:

Mr. D. Cunliffe, assistant to the Collector of Patna, for one month on medical certificate, in extension of the leave of absence granted to him by the Commissioner of the 11th division.

Mr. S. M. Chitt, deputy collector under Regulation IX of 1833 in Balasore, for one month, on medical certificate, in extension of the leave of absence granted to him on the 24th ultimo.

The Hon. the Deputy Governor of Bengal is pleased to determine that Omrow Sing, late Sherahbadar of the office of the collector of Shahabad, who has been convicted and sentenced to imprisonment for bribery and corruption shall, under Section IV. Regulation II. of 1813, be declared incapable of serving Government in future in any public capacity.

Political department, 11th July, 1838.—The Hon. the Deputy Governor of Bengal has been pleased to confirm Captain J. W. J. Onseley in the situation of superintendent of the affairs of the Mysore princes, retaining for the present, his appointments of secretary to the Madrasa of Calcutta and to the law examination committee.

Judicial and Revenue department.—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointment.

The 17th July, 1838.—Mr. J. Ried to exercise the powers of Joint Magistrate and Deputy Collector in Zillah Behar.

The 19th July, 1838.—Mr. C. Whitmore to be assistant to the Magistrate and to the Collector of Beerbhoom.

The following officers have obtained leave of absence from their stations:

The 24th July, 1838.—Mr. D. Cunliffe, assistant to the Collector of Patna for two years, on medical certificate, to enable him to proceed to New South Wales.

The 25th July, 1838.—Mr. Thomas Young late officiating Joint Magistrate and Deputy Collector of Nonchilly, for twenty days, to remain at Calcutta, on private affairs, in extension of the leave granted to him on the 19th ultimo.

Mr. T. C. Trotter, exercising the powers of Joint Magistrate and Deputy Collector in Midnapore, for six months, to visit the Cape of Good Hope, on private affairs, to have effect from the 6th proximo, the date on which the leave granted to him by the commissioner will expire.

General department, the 25th July, 1838.—Mr. William Crawford of the civil service, embarked for England on board the ship "Bussorah Merchant," which ship was left by the pilot at sea on the 2th instant.

The 25th July 1838.—The Hon. the President in Council is pleased to place the services of Mr. W. J. Morgan at the disposal of the Right Hon. the Governor General for the north western provinces.

H. T. PRINSEP,

Secy. to the Govt.

The 27th July, 1838.—The orders of the 11th instant, appointing Mr. Assistant Surgeon H. Taylor to the temporary charge of the medical duties at the civil station of Gya, have been cancelled.

FRED. JAS. HALLIDAY,

Secy. to the Govt. of Bengal.

BY THE GOVERNOR GENERAL.

Political department, Simla, the 14th June, 1838.—Lieutenant H. Marsh Interpreter and quarter-master of the 3d regiment of light cavalry, was on the 12th instant, appointed to be an assistant to the general superintendent of the operations for the suppression of thuggee, vice Lieutenant W. T. Briggs deceased. By order of the Right Hon. the Governor General of India.

H. TORRENS,

Deputy Secy. the Govt. of India, with the Govr. Genl.

Simla, 15th June, 1838.—The Right Hon. the Governor General was pleased to appoint, in the political department on the 12th instant, Lieutenant H. Marsh, Interpreter and quarter-master of the 3d regiment light cavalry, to be an Assistant to the general superintendent of operations for the suppression of thuggee, vice Lieutenant W. T. Briggs deceased.

The Right Honorable the Governor General is pleased to appoint Captain T. S. Burt, of Engineers to act in the room of Lieut.

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tenant Willis, as Executive Engineer in the 5th or Benares division, department of public works, until further orders.

Wm. CASSEMENT, M. G.

Secy. to the Govt. of India Milly. Dept.

with the Rt. Hon'ble the Govr. Genl.

Political department, Simla, the 30th June 1838—Captain D. A. Malcolm, 3d regiment Bombay native infantry and assistant to the general superintendent of thugs, has been appointed to be assistant to the resident at Hyderabad, vice Major Cameron deceased.

By order of the right honorable the Governor General of India,

Political department, Simla, the 9th July, 1838—Lieutenant J. Laughton, of the Bengal Engineers, lately serving with the British Detachment in Persia, has this day been placed at the disposal of His Excellency the Commander in Chief of India.

Political department, Simla, the 9th July 1838—Mr. Assistant Surgeon J. Pagan, attached to the civil station of Rungpore, has this day been appointed to the medical charge of the 2d regt. of infantry in the Oude auxiliary force, vice Mr. Assistant Surgeon W. Bradon resigned.

A. H. TORRENS,

Depty. Secy. to the Govt. of India,

with the Govr. Genl.

BY THE GOVERNOR GENERAL FOR THE N. W. P.

General department, Simla the 18th June 1838—*Judicial and revenue*.—Mr. J. B. Mill to officiate as joint magistrate and deputy collector at Bhooldshulur

Mr. G. C. Barnes to be an assistant under the Commissioner of the Rohilkhand division.

Mr. A. A. Roberts to be an assistant under the Commissioner of the Benares division.

Judicial—The Right Hon. the Governor General has been pleased to invest Lieut. C. E. Mills, assistant to the general superintendent of the operations for the suppression of thuggee, with the general powers of a joint magistrate in zillah Meerut; to be exercised by him under the direction of the magistrate of that district, in addition to the special powers which he now exercises under the direction of the superintendent of the operations for the suppression of thuggee.

General department, Simla, the 19th June, 1838—*Judicial*.—Mr. W. De H. Routh is appointed to take charge of the Judge's office of Zillah Allypore in the room of Mr. Neave; and to conduct the current duties thereof, till further orders.

The 20th June, 1838—*Judicial and revenue*.—Mr. C. T. LeBas Assistant under the Commissioner of Agra division has been placed, by the officiating commissioner, under the orders of the collector and magistrate of Muttra.

Judicial—The leave of absence granted to Khadim Hossain Khan, Sudhur Ameen of Cawnpore, on the 26th May, is to commence from the 18th April, instead of the 18th March.

The 22d June, 1838—*Judicial*.—Mr. W. H. Benson, officiating Judge of Meerut, has obtained leave of absence for ten days, on his private affairs. Mr. Benson has been authorized to make over charge of the Judge's office to Moulvee Syed Mohommud Koolo, Principal Sudder Ameen, who will conduct the current duties thereof during Mr. Benson's absence.

The 23d June, 1838—*Judicial and revenue*.—Mr. A. R. Bell to be magistrate and collector of Delhi.

Mr. C. Lindsay to be magistrate and collector of Goorgnan Mr. Lindsay will continue to officiate as Judge of Delhi, till further orders.

Mr. H. W. Dean to be magistrate and collector of Moolzurnugger; with effect from the date on which Mr. W. Crawford may leave the residency.

Mr. W. E. Simms to be magistrate and collector of Budaon, with retrospective effect from the 2d March last.

Mr. F. Williams to be joint magistrate and deputy collector of Pilibheet, with retrospective effect from the 2d March last.

General—The Right Hon. the Governor General is pleased to place Mr. E. Stirling at the disposal of the Hon. the Deputy Governor of Bengal.

General department, Simla, the 26th June 1838—*Judicial*.—Mr. H. Swetenham, Judge of Furruckabad, has obtained leave of

absence for five days on his private affairs. Mr. Swetenham has been authorized to make over charge of the judge's office to Mr. J. Mercer, principal sudder ameen; who will conduct the current duties thereof, during Mr. Swetenham's absence.

The 27th June, 1838.—Mr. C. Lindsay, officiating judge of Delhi, has obtained leave of absence for one month, on his private affairs. Mr. Lindsay has been authorized to make over charge of the judge's office to Moulvee Sudder Ooddeen, principal sudder ameen; who will conduct the current duties thereof during Mr. Lindsay's absence.

The 30th June, 1838—*Revenue*.—Mr. M. P. Edgeworth, deputy collector for the investigation of claims to hold land exempt from payment of revenue in the district of Mozniffurnagar, has obtained leave of absence, on medical certificate, for six months, in order to visit the hills.

J. THOMASON,

Offg Secy. to the Govr. Genl. N. W. P.

Fort William, general department, the 4th July 1838—Captain G. T. Marshall is appointed secretary to the College of Fort William, vice Captain J. W. J. Ouseley.

Separate Department—Mr. W. T. Taylor is appointed to act as assistant to the Secretary to the board of customs, salt and opium

General department, the 11th July, 1838—Mr. E. Stirling, of the civil service, lately employed in the north western provinces, is transferred to the Government of Bengal, from the 23d ultimo.

The Hon. the President in Council is pleased to place the services of Mr. H. G. Astell, at the disposal of the Right Hon. the Governor General for the north western provinces.

H. T. PRINSEP,

Secy to the Govt. of India.

Judicial and revenue department—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments:

The 26th June, 1838.—Mr. H. Thompson to be Deputy Collector under Regulation IX 1831 under Mr. Special Deputy Collector Taylor in Zillahs Hooghly, Burdwan, Banarona and Peerbhoom.

Mr. J. W. Sutherland to be Deputy Collector under Regulation IX. of 1831 in Jessore.

The 6th July, 1838.—Mr. W. Crocroft to officiate, until further orders, as Special Commissioner under Regulation III. of 1828 for the division of Moorshedabad, vice Mr. T. H. Muldock

Mr. T. P. Biscoe to officiate as Civil and Session Judge of the 24 Pergunnahs, vice Mr. Crocroft.

The 9th July, 1838—The following officer has obtained leave of absence from his station.

Mr. A. R. Young, assistant to the magistrate of Tinnool, for one month, on private affairs, in extension of the leave granted to him on the 31st May last.

The 10th July, 1838—The Hon. the Deputy Governor of Bengal has been pleased to make the following appointments

Mr. W. M. Dixon to officiate as magistrate and collector of Rajshahye.

Mr. C. K. Hudson to be deputy collector under Regulation IX. of 1831 in the province of Assam.

The 11th July, 1838.—Mr. Assistant Surgeon H. Taylor to perform the medical duties of the civil station at Gaya, during the absence of Mr. Assistant Surgeon Pagan, on medical certificate.

The 12th July, 1838—The following officers has obtained leave of absence from his station:

Bahoo Bijnanath Sen, second principal Sudder Ameen in Jessore, for one week, from the 9th instant.

FRED. JAS. HALLIDAY,

Secy. to the Govt. of Bengal.

MILITARY.

BY THE PRESIDENT IN COUNCIL.

Fort William, 25th June, 1838.—No. 98 of 1838.—Assistant Surgeon Allen Webb is directed to attend on the Lord Bishop of Calcutta during the tour of visitation about to be undertaken by His Lordship.

GENERAL REGISTER.

Assistant Surgeon William Broke O'Shaughnessy, M. D. was appointed on the 16th October last, secretary to the committee on the Indian materia medica.

Fort William, 2d July, 1838—No. 99 of 1838—It having been resolved in the political department, that a Local Sibundee corps of sappers and Miners shall be raised for the settlement of Darjeeling, the Hon. the President in Council is pleased to direct, that it shall consist of two companies and be of the following strength, viz.

2 Soobadars, 2 jemadars, 10 havildars, 10 naicks, 2 buglers, 180 privates.

Staff—1 native doctor; 1 dhill havildar, 1 dhill naick, 2 pay havildars, non-effective.

Establishment—1 Tent askar, 1 bistee, per company.

An European serjeant and corporal being deemed indispensable necessary will be allowed to each company.

The native commissioned and non-commissioned officers, buglers and privates will receive the scale of pay drawn for the same grades in the Assam Sibundee corps.

The European non-commissioned officers will be entitled to the pay and allowances of the corresponding ranks in the corps of sappers and miners.

The corp will be armed with fuzils and have black leather appointments.

The clothing to be the same as the Assam Sibundee corps.

A monthly allowance of (25) twenty five rupees per company for the repair of arms and accoutrements; and for writers and stationery will be granted to the officer in charge of the companies.

A staff serjeant's tent for the European non-commissioned officers of each company, will be allowed.

WM. CUBITT, Major.

Assist. Secy. to the Govt. of India Mtly. Dept.

No. 100 of 1838—With a view of dispensing with the alleged necessity of supplying treasure chests to regimental purveyors of Her Majesty's regiments at the public expense, the Hon. the President in Council is pleased to direct, that the provisions of general orders No. 150, of the 3d July 1828, for the advance of officers receiving advances for public purposes, shall be extended to those functionaries attached to corps on this establishment.

No. 101 of 1838—The Hon. the President in Council is pleased to make the following promotions and alteration of rank.

Regiment of Artillery—Lieutenant Colonel and Brevet Colonel William Sanson Whish to be Colonel, from the 25th April 1838, vice Major General Clements Brown, C. B., deceased. This rank is the promotion of Lieutenant Colonel and Brevet Colonel John Peter Brinkau, published in general orders No. 62, of the 7th May last.

Major Thomas Chadwick to be Lieutenant Colonel, from the 25th April 1838, vice Lieutenant Colonel, and Brevet Colonel William Sanson Whish promoted.

Captain George Blake to be Major from the 25th April 1838, vice Major Thomas Chadwick promoted.

1st Lieutenant and Brevet Captain the Hon.ble Harry Burrard Dalzell to be Captain, from the 15th April 1838, vice Captain George Blake, promoted.

2d Lieutenant Henry Appery to be 1st Lieutenant, from the 25th April 1838, vice 1st Lieutenant and Brevet Captain the Hon. Harry Burrard Dalzell promoted.

2d Lieutenant Michael Dawes to be 1st Lieutenant, from the 12th June 1838, vice 1st Lieutenant and Brevet Captain William Edward John Hodgson deceased.

Alteration of rank—Lieut. Col. G. Everest to rank from 7th March 1838, vice J. P. Bollen deceased; Major T. Timbrell, do. 7th March 1838; G. Everest promoted; Captain P. Brind, do. 7th March 1838; T. Timbrell promoted; Captain W. L. Mowatt, do. 20th April 1838; H. Clerk deceased; 1st Lieut. C. Boulton, do. 7th March 1838; P. Brind promoted; 1st Lt. A. C. Hutchinson, do. 20th April 1838; J. L. Mowatt promoted.

The undermentioned Gentlemen are admitted to the service in conformity with their appointments by the Hon. the Court of Directors, as a cadet of infantry and as an Assistant Surgeon, on this establishment. The cadet is promoted to the rank of Ensign, leaving the date of his commission for future adjustment:

Infantry—Mr. Graeme Mercer Brodie, date of arrival at Fort William, 27th June 1838.

Medical department—Mr. Edmund Bault, ditto ditto, 27th June 1838.

The furlough to Europe granted to Lieutenant William Smith, of the 19th regiment native infantry, in general orders No. 10, dated the 15th January last, is commuted to one year's leave of absence to the Cape of Good Hope on the same account.

Fort William, 2d July, 1838—No. 102 of 1838.—The Hon. the President in Council is pleased to make the following appointments:

Lieutenant Henry Rigny, of the corps of Engineers, to officiate as executive engineer, 17th division, department of public works in the room of Lieutenant W. H. Graham, who has leave of absence on medical certificate, for six weeks, from the 1st proximo, to visit the presidency, preparatory to applying for permission to proceed to the Cape of Good Hope.

Assistant Surgeon John Thomas Pearson to the medical charge of Darjeeling.

The leave of absence granted to Major William Gregory, of the 61st regiment native infantry, in general orders No. 195, dated the 7th September 1835, is extended to the 21st ultimo.

Fort William, 2d July, 1838—No. 103 of 1838—Assistant Surgeon H. H. Taylor is placed at the disposal of the Hon. the Deputy Governor of Bengal with a view to his being appointed to perform the medical duties of the civil station of Ghazipur, during the absence of Assistant Surgeon Pagan, on medical certificate or until further orders.

Fort William, 2d July 1838—No. 104 of 1838—His Honor in Council is pleased to confirm the undermentioned officers in their provisional appointments to the Talain corps, authorized to be raised in the Fencible Provinces, viz.

Captain Williams, 3d Madras native infantry, to be Commandant.

Ensign Smith, 13th Madras Native Infantry, to be Adjutant.

Erratum—In general orders No. 97, dated 25th ultimo, publishing lists of rank of cadets, &c. opposite to the name of cadet John James Macdonald, for the *Lady Raffles*, sailed 15th February 1838, read "26th" February 1838. The Order Books to be corrected accordingly.

J. STUART, Lieut. Col.

Offg. Secy. to the Govt. of India Mtly Dept.

Ecclesiastical—The Right Rev. The Lord Bishop has granted permission to the Venerable the Archdeacon of Calcutta to accompany his Lordship, and to officiate as the Bishop's chaplain on his visitation as far as Singapore, in his Lordship's Diocese.

The Rev. Henry Fisher and the Rev. Henry Sanderson Fisher, as the two Cathedral chaplains for the time being, have been appointed to act in consequence as the Bishop's commissaries under the seal during the absence of Archdeacon Davitt from Calcutta.

By order of the Lord Bishop, dated at Calcutta, the 6th day of July, 1838.

W. H. ABBOTT, Registrar.

Fort William, 9th July, 1838—No. 05 of 1838—The Hon. the President in Council is pleased to make the following promotions and appointment.

48th regiment native infantry—Lieutenant and Brevet Captain Richard Rahou to be Captain of a company, and Ensign Christopher Havel to be Lieutenant, from the 30th June 1838, in succession to Captain David Sheriff deceased.

Lieutenant Francis Claude Bernett, of the regiment of artillery, to officiate as assistant secretary to the military board, during the absence on leave of Brevet Captain and Lieutenant F. Dashwood, or until further orders.

Mr. Humphrey Thomas Repton is admitted to the service in conformity with his appointment by the Hon. the Court of Directors, as a cadet of infantry on this establishment, and promoted to the rank of Ensign, leaving the date of his commission for future adjustment.—Date of arrival at Fort William, 3rd July, 1838.

Lieutenant Robert Edward Turnour Richardson, of the 62d regiment native infantry, is permitted to proceed to Europe, on furlough, on account of his private affairs.

Captain William Tausia Savary, of the 46th regiment native infantry, is permitted to proceed to Singapore, and eventually to New South Wales, on medical certificate, and to be absent from Bengal on that account for two years.

Assistant Surgeon Archibald Donaldson, M. D., was appointed in the judicial and revenue department under date the 28th ultimo, to perform the medical duties of the civil station of Baharawalpur, vice Rankine promoted.

The retirement from the service of conductor David Wheeler, of the ordnance commissariat department, published in general orders No. 16, dated the 29th January last, is to take effect from the 1st ultimo, instead of from the date of his sailing for Europe as therein stated.

GENERAL REGISTER.

No. 106 of 1838.—At the recommendation of the Commander in Chief, 2d Lieutenants R. Pignu and C. B. Young, of the corps of Engineers, are placed at His Excellency's disposal for regimental duty, and directed to join the head quarters of the sappers and miners at Delhi without delay.

Fort William, 16th July, 1838.—No. 107 of 1838.—The undermentioned Gentlemen are admitted to the service, in conformity with their appointments by the Hon. the Court of Directors as Cadets of Infantry and Assistant Surgeons on this establishment.—The Cadets are promoted to the rank of Ensign, leaving the dates of their commissions for future adjustment:

Infantry.—Messrs. Richard John Meade, Joseph McCance, Langston Peter Faddy, Martin Dunsford, Harry Burnett Lumsden, Powell John Comyn, and George Remington Cookson. Date of arrival at Fort William, 11th July, 1838.

Messrs. John Robert McMullin, and George Holroyd, ditto 12th July, 1838.

Medical Department.—Messrs. Henry Hawkins Bowling, William Veal, and Andrew Paton, ditto 12th July, 1838.

The undermentioned officers have returned to their duty on this establishment without prejudice to their rank, by permission of the Hon. the Court of Directors:

Lieutenant James Thomas Gordon, of the 15th regt. N. I. and Ensign Frederick Hill Hawtry, of the 37th regt. N. I. date of arrival at Fort William, 12th July, 1838.

Sergeant Michael O'Grady Gorman, of the Horse Artillery who was appointed in General Orders No. 84, of the 30th March 1835, an Assistant Overseer in the department of public works is removed from the department and remanded to his corps.

No. 108 of 1838.—The Hon. the President in Council is pleased to make the following promotions:

16th Regiment Native Infantry.—Ensign Thomas James Gardiner to be Lieutenant, from the 30th June 1838, vice Lieutenant William Henry Balders deceased.

42d Regiment Native Infantry.—Lieutenant and Brevet Captain Thomas Dalryell to be Captain of a company, and Ensign John Samuel Knox to be Lieutenant, from the 6th July 1838, in succession to Capt. Alexander McKinnon retired on the pension of a Major.

The undermentioned officers of the infantry are promoted to the rank of Captain by Brevet, from the dates expressed opposite to their names.

51st Regt N. I.—Lieut. Charles Baseley, 10th July 1838.

55th Do. do. Lieutenants Charles Graham and Edward Meade; 42d Do. do. Lieut. William Baring Gould; 50th do. do. Lieut. Joseph Hampton Hampton; 41st do. do. Lieut. James William Virtue Stephen, 36th do. do. Lieut. William Lisle Hall; 9th do. do. Lieut. George Bruce Nichell; 17th do. do. Lieut. John Howard Wakefield; 54th do. do. Lieut. Henry Hunter; 12th do. do. Lieut. Henry Kirke; 41st do. do. Lieut. Henry Alpe; 73d do. do. Lieut. Robert Mackellar Hunter; 63d do. do. Lieut. William Francis Grant; 14th do. do. Lieut. Francis Gresley; 51st do. do. Lieut. Charles Cheape; 28th do. do. Lieut. Ralph Smith, 11th July 1838.

Surgeon Joseph Langstaff, 1st Member of the Medical Board, is permitted to retire from the service of the East India Company, under the rules published in General Orders of the 11th November 1831. Surgeon Langstaff's retirement is to have effect from the 23d instant, or from the date of sailing of the ship on which he may embark for Europe.

No. 109 of 1838.—The following Lists of rank of Cadets of Cavalry and Infantry, and of Assistant Surgeons appointed for the Bengal presidency, are published for general information.

No. 3 of 1838.

List of rank of Cadets for the Bengal cavalry and infantry. For the Cavalry.

To rank from the date of the transmission by the overland mail of the paragraph announcing his appointment; viz.

William Young, (abroad,) 17th March, 1838.

For the Infantry.

To rank from the date of the sailing from Gravesend of the ship by which the paragraph announcing his appointment was dispatched; viz.

Thomas Fottluger, (abroad,) para. per *Kellie Castle*, sailed 1st March, 1838.

To rank from the date of the sailing from Gravesend of the ships by which they proceeded and in the following order; viz.

George Holroyd, *Kellie Castle*, sailed 1st March, 1838.

Powell John Comyn, ditto, ditto.

George Remington Cookson, ditto, ditto.

Harry Burnett Lumsden, ditto, ditto.

Langston Peter Faddy, ditto, ditto.

Martin Dunsford, ditto, ditto.

Joseph McCance, ditto, ditto.

Richard John Meade, ditto, ditto.

John Robert McMullin, ditto, ditto.

Robert Charles Stevenson, *Tamerlane*, sailed 9th March, 1838.

George Douglas Boyar, *John Fleming*, sailed 11th March, 1838.

Frederick Peter Layard, ditto, ditto.

Henry Garden Barnester, ditto, ditto.

Edward John Rickards, *Frances Smith*, sailed 27th March, 1838.

Edward Curae Scott, *Asia*, 24th April 1838.

Thomas Fourness Wilson, ditto, ditto.

(Sd.) PHILIP MELVILL,

East India House, 9th May, 1838. Secy. Milly Dept.

(A True Copy.)

JAMES C. MELVILL.

East India House, London, the 12th May, 1838.

No. 3 of 1838.

List of Rank of Assistant Surgeons for Bengal.

To rank from the date of the sailing from Gravesend of the ships by which they proceeded, and in the following order; viz.

William Veal, *Kellie Castle*, sailed 1st March, 1838.

Henry Hawkins Bowling, ditto, ditto.

Andrew Paton, ditto, ditto.

Alexander Greig, M. D., *Dauntless*, sailed 10th March, 1838.

To rank from the date of the sailing from Portsmouth of the ship by which he proceeded; viz.

Thomas Nutry, M. D., *Asia*, sailed 6th May, 1838.

(Sd.) PHILIP MELVILL,

Secy. Milly Dept.

East India House, 9th May, 1838.

(A True Copy)

(Sd.) JAMES C. MELVILL.

East India House, London, the 12th May, 1838.

No. 111 of 1838.—Assistant Apothecary J. Tynan, of the Subordinate Medical Department, is appointed to officiate as an Apothecary on board the Hon. Company's Bark *Antherast*, intended to be stationed on the Coast of Attacan, and is to be borne on the establishment of that vessel.

J. STUART, Lt.-Col.

Offy. Secy. to the Govt. of India Milly. Dept.

Fort William, 23d July, 1838.—No. 112 of 1838.—Major Henry Chambers Murray Cox, of the 58th regiment native infantry, is permitted to proceed to Europe on furlough, on medical certificate.

Captain Hugh Johnson, of the 26th regiment native infantry, and assistant commissary general and 1st assistant to the supervisor of the Hissar establishment, has leave of absence from the 25th July to the 5th October next, to visit Mussoorie, on private affairs.

Major Charles Farquharson Urquhart, of the 54th regiment native infantry, having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the invalid establishment.

The retirement from the service of Surgeon Joseph Langstaff, 1st member of the Medical Board, published in general orders. No. 108, of the 16th instant, is to have effect from this date.

Sergeant Major William Smart, of the 61st regiment native infantry, is admitted to the benefits of the pension sanctioned by minutes of council of the 11th January, 1797 and general orders dated 6th February, 1820; subject to the confirmation of the Hon. the Court of Directors, with permission to receive his stipend at Meerut.

No. 113 of 1838.—Mr. Owen Greene is appointed an assistant overseer in the department of public works, on the salary allowed for that rank, to fill the vacancy caused by Mr. Nicolls' removal from the department. Mr. Greene is placed at the disposal of Lieutenant Alcock, superintendent of the Benares and Burdwan roads.

J. STUART, Lieut.-Col.

Offy. Secy. to the Govt. of India Milly. Dept.

GENERAL REGISTER.

BY THE GOVERNOR GENERAL.

Simla, 29th June, 1838 —The Right Hon. the Governor General is pleased to appoint Captain F. Simalpage, of the 8th regiment of light cavalry, to be commandant of the 3d local horse, vice Major Hawkes, permitted to resign that situation.

The Right Hon. the Governor General directs the following augmentation to be made to the native army on the Bengal establishment :

To each infantry regiment of the line, ten privates per company.

To the 2d, 3d, and 4th corps of local horse, one duffadr and nineteen sowars per resallah, and to the 5th corps of local horse, one additional resallah.

2. His Excellency the Commander-in-Chief will be pleased to issue such orders as may be necessary, for giving early effect to this measure.

The Right Hon. the Governor General directs the publication of the following paragraphs of a letter from the Hon the Court of Directors, in the military department, to the address of the Governor General of India in Council, No 3 of 1838, dated 11th April last

" Para 1. The Government of Madras have forwarded to us several memorials from officers of the European regiment at that presidency, bringing to our notice the consequences entailed upon them, as to rank and certain pecuniary advantages, by the arrangement of the year 1829, under which the two regiments of European infantry, of 5 companies each, were incorporated into one regiment of 8 companies, but the officers still remained for purposes of promotion as they stood before the incorporation; viz. in two separate corps or wings.

2. A memorial, on the same subject, was preferred to us by officers of the Bombay European regiment, in the year 1832, to which we replied on the 24th October, 1832, through the government of Bengal, in the following terms: " We concur in opinion with the Governor General, (as expressed in his minute of the 7th November 1831) that no supercession, properly so called, has been the result of the new form given to our European regiments, by the orders of your government of the 2d November, 1829; and that no argument can be founded upon a fortuitous irregularity of promotion among the officers attached to the two wings of those regiments, for setting aside an arrangement which has reduced the expense and improved the efficiency of these corps."

3. We still adhere to these sentiments; but we are of opinion that, for the satisfaction and contentment of the officers, measures should be taken which will have the effect of obviating prospectively, the suppression in regimental duties of one officer by another in the same regiment.

4. With this view, we now direct, that officers of the European regiment hereafter promoted in any one wing, shall not be entitled to regimental rank, in virtue of that promotion, unless they were previously the senior of their rank in the regiment; but that, so long as they serve with the regiment, their rank so obtained shall be brevet only, and not regimental. They will not withstanding be entitled to the pay and allowances of their advanced rank, and to its full advantages for his promotion.

5. With a view to the adoption of an eventual arrangement, by which all such questions shall be avoided, we further direct, that no vacancies amongst the Ensigns in one of the wings, (either the right or left, as you may think most expedient) be hereafter filled up, but that as vacancies for Ensigns occur in it, appointments of an equal number be made to the remaining wing. When all the Ensigns now attached to the wing to be reduced shall have been promoted, future vacancies of Lieutenants in it will not be filled in that wing, but by promotions in the wing which is retained and so on in the other ranks. The establishment of officers in the European regiment will thus eventually be, 2 Lieutenant Colonels, 2 Majors, 10 Captains, 16 Lieutenants, and 8 Ensigns, with 1 Colonel. The number of Colonels in the infantry branch of the service, (calculated as including 2 for the European regiment) to remain as at present, the junior of them being unattached.

6. The number of companies may in future be fixed at 10, instead of 8, with 65 privates each."

7. The arrangement detailed in the foregoing paragraphs, will be adopted, simultaneously, at the three presidencies, on the 1st of September next, from which date effect will be given to the orders of the Hon. Court, in regard to the commissioned officers of the Company's European infantry regiments; those of the left wing of regiments, respectively, being gradually absorbed, in the manner prescribed by the Court, as casualties shall hereafter occur in that wing.

3. From the same date, the regiments above specified will be formed into 10 companies each, of 4 Sergeants, 4 Corporals, 2 Drummers, and 65 Privates per company.

Simla, 3d July, 1838 —With reference to the second para of general orders dated the 5th ultimo, the undersigned native officers of the Bengal establishment, have been selected for admission, from the 1st May, 1847, into the second class of the " Order of British India," with the title of " Bahadur." No. 49. 4th Troop 1st brigade horse artillery, subadar Tumman Singh.

50. 4th local horse, Ramsaid or Shaik Noorbux.

Simla, 10th July, 1838 —The Right Hon. the Governor General is pleased to appoint Captain F. V. McOrath, of the 6th regiment native infantry, and 2d in command of the Arracan local-battalion, to be commandant of that corps, vice Captain G. Burney, permitted to resign the situation.

WM. CASEMENT, Major General,

Secy. to the Govt. of India Milly. Dept.,

with the Rt. Hon'ble the Govr. Genl.

BY THE COMMANDER-IN-CHIEF.

Head-quarters, Simla, 14th June, 1838 —At a general court martial held at Nermuch, on Thursday the 3d day of May, 1838, Mobaruk Shah Khan, Mahomed Yar Khan, Kurrum Ally, Sadoola Khan, Ahmed Yar Khan, Mustapha Khan, and Kabeer Khan troopers, of the 8th troop of the 3d local horse, and Goolam Hyder Khan, camp-follower, were arraigned on the following charges:

Charges — 1st charge. For having, at Ferrovia, on the 19th March, 1838, murdered Shaik Goolam Hassan, trooper, of the same troop, by fracturing his skull with clubs

" 2d charge. For having, at the same time and place, severely wounded Shaik Goolam Ushroot and Shaik Peer Bukah, troopers, of the same troop."

Findings — " The court is of opinion, from the evidence that has been laid before it that, " on the first charge, the prisoners Kurrum Ally and Sadoola Khan are guilty, but that it has not been proved against the other prisoners, and does therefore acquit them

" On the second charge, the prisoners Kurrum Ally and Sadoola Khan are guilty, but that it has not been proved against the other prisoners, and does therefore acquit them.

Sentence. — " The court having found the prisoners Kurrum Ally and Sadoola Khan guilty of the charges preferred against them, sentences each; viz. Kurrum Ally, and Sadoola Khan, to be hanged by the neck until he be dead, at such time and place as His Excellency the Commander-in-Chief may be pleased to direct."

Approved.

(Signed) H. FANE, General

Commander in Chief,

East Indies.

11th June, 1838,

But I commute the awarded punishment of death into transportation beyond the sea, for the remainder of the convicts' lives.

They are to be made over to the nearest civil authority between Nermuch and Allahabad, to be dealt with in the spirit of regulation 4 of 1820, as if the parties had been sentenced in a civil court.

REMARKS BY HIS EXCELLENCY THE COMMANDER IN CHIEF.

The convicts Kurrum Ally and Sadoola Khan are justly deserving of the full punishment awarded for their crime; but the general good behaviour of the local horse in Bengal has been such, as to induce the Commander in Chief to spare these men's lives. They will however be transported from their native country for the remainder of their existence to expiate, in banishment and chains, the crime they have committed.

The remaining prisoners Mobaruk Shah Khan, Mahomed Yar Khan, Ahmed Yar Khan, Mustapha Khan, and Kabeer Khan, having been acquitted, are to be released from confinement, and sent (under proper compend) to rejoin their regiment; and the camp-follower, Goolam Hyder Khan, is to be released from confinement.

The Commander in Chief apprehends, that several of these men were acquitted only from the absence of sufficient evidence, and not for the absence of guilt; and he desires that their commanding officer will impress on them, and his corps, the great evils which arise from pugny feuds in a regiment where all comrades ought to be friends; and caution them, to take example by the fate which awaits the two convicts named in the first paragraph.

The preceding order is to be read to the troops on parade, in every garrison and cantonment in the presidency of Bengal.

Head-quarters, Simla, 15th June, 1838 —The Dinapore Division order of the 23d ultimo, directing all reports of the division to be made to Colonel T. Newton, of the 40th regiment native infantry, is confirmed as a temporary arrangement.

Major E. Biddulph's artillery brigade order of the 2d instant appointing 1st Lieutenant R. H. Kinleade to act as Adjutant and quarter-master to the 3d brigade of horse artillery, vice Brind promoted, is confirmed.

GENERAL REGISTER.

Head-quarters, Simla, 16th June, 1839.—The undermentioned officers have leave of absence:

7th regiment native infantry—Ensign C. Crossman, from 25th June to 24th October, to visit Poona on private affairs.

66th regiment native infantry—Ensign H. J. W. Carter, from 25th May to 1st July, to remain at Jubbulpore on medical certificate.

71st regiment native infantry—Ensign P. G. Robertson, from 10th June to 1st November, on private affairs, to visit Sultan pore, Oude.

By order of His Excellency the Commander in Chief,

J. R. LUNLEY, Major General,
Adjutant General of the Army.

BY THE COMMANDER IN CHIEF.

Head-quarters, Simla, 18th June 1839.—The Neemuch station order of the 2d instant, directing Lieutenant J. Smith, of the 49th regiment of native infantry, to resume his duties as officiating Interpreter and Quarter Master to the 1st regiment of light cavalry, is confirmed.

Head-quarters, Simla, 19th June, 1839.—His Excellency the Commander in Chief is pleased to make the following appointments:

2d regiment light cavalry.—Cornet E. K. Money to be interpreter and quarter master.

The undermentioned officers have leave of absence:

34th regiment native infantry.—Lieutenant W. C. Carter, from 20th July to 20th Jan. 1839, to visit the presidency, on private affairs.

35th regiment native infantry—Ensign R. A. Ramsay, from 11th June to 1st December, to proceed to the hills north of Deyrah on medical certificate.

49th regiment native infantry.—Ensign H. A. Sandeman, from 5th June to 5th July, to remain at Benares on medical certificate.

Head-quarters, Simla, 19th June, 1839.—Captain A. M. L. Maclean's regimental order of the 10th ultimo, appointing Lieutenant H. Price to act as Adjutant to the 67th regiment of native infantry, during the absence, on leave, of Lieutenant Rainsford, is confirmed.

The Arracan district order dated the 16th ultimo, appointing Lieutenant H. Price, acting Adjutant to the 67th regiment native infantry, to officiate as district and station staff, vice Rainsford, is confirmed.

The undermentioned officers have leave of absence:

Garrison Staff.—Lieutenant-General B. Marley, Commandant of Allahabad, from 15th July to 1st January 1839, in extension to remain at the presidency, on private affairs.

63d regiment native infantry.—Surgeon D. Butler, M. D., from 14th June to 1st November, in extension, to proceed to the presidency, on medical certificate.

2d company 6th battalion artillery.—2d Lieutenant M. Dawes from 10th June to 1st November, on medical certificate, to visit the hills north of Deyrah.

Head-quarters, Simla, 20th June, 1839.—The Presidency division order of the 30th ultimo, appointing the undermentioned Ensigns, lately admitted to the service, to join and do duty with the corps specified opposite their respective names, is confirmed:—
Ensign A. G. C. Sutherland, . . . 3d regt N. I. at Barrackpore.

- " J. G. Wollen, ditto ditto
- " A. J. Vanden, 12th ditto ditto
- " E. D. Vanden, ditto ditto
- " T. W. Gordon, 15th ditto ditto
- " F. C. Crossman, ditto ditto
- " J. M. Lockett, 56th ditto ditto
- " A. S. Mills, 56th ditto at Berhampore.
- " E. P. T. Nepean, ditto ditto.
- " F. J. Sinalpage, 50th ditto at Mirzapore.

The district order by Brigadier J. H. Littler, commanding the eastern frontier dated the 17th ultimo, directing Lieutenant E. R. Lyons, 2d in command 58th light infantry battalion, to receive charge of the 5th company of sappers and miners, during the absence, on medical certificate, of 2d Lieutenant J. G. Allardyce, is confirmed.

Corporal Patrick Kelly and Private Michael Toole, of the European regiment, being in a state of mental derangement, are to be sent to the presidency, by the first favorable opportunity, and delivered over to the Town Major of Fort William, for the purpose of being placed in the Lunatic asylum, or being sent to Europe, as may appear advisable on their arrival.

The undermentioned officer has leave of absence:

Sappers and Miners.—2d Lieutenant J. G. Allardyce, from 17th May to 17th September, to visit the presidency on medical certificate.

By order of His Excellency the Commander in Chief.

Head-quarters Simla, 23d June, 1839.—The following extract of a despatch from the Hon. the Court of Directors, to the address of the Supreme Government, is published for the information of those who concurred in the memorial of Colonel W. C. Faithfull, C. B., praying that command allowance may be granted to Colonels of regiments, who are shewers in the off-reckoning fund, whilst serving with their corps:

Extra t of a military letter from the Hon. the Court of Directors, No. 31, dated 14th March 1838.

Letter date 26th June, 1837.

No. 63.
Forward, for Court's consideration copy of a memorial from Colonel W. C. Faithfull, C. B. of the 17th native infantry, praying, on behalf of himself and other officers whose names are attached to it, that command allowance may be continued to Colonels of regiments when serving with their corps, notwithstanding they may be shewers in the off-reckoning fund.

Para. 33. We must decline to alter the established regulations which limit the grant of regimental command allowances to officers who are not already in receipt of allowances of equal amount from the off-reckoning fund as Colonels of regiments.

34 We take this opportunity of apprising you, that Colonels of regiments, who have succeeded to office generally, may be permitted to reside in India unemployed, in the same manner and with the same allowances as Major Generals similarly circumstanced.

His Excellency the Commander in Chief considering the practice which prevails in some divisions of the army, when ordering the assembly of a general court martial for the trial of an officer, of mentioning, in the order convening the court, the name of the individual to be arraigned, to be objectionable, is pleased to direct its discontinuance, and to require, in future, when a general court martial is assembled for the trial of a commissioned officer, that the order forming the court be framed generally, the name of the party to be arraigned being omitted, and a notification given that the court is to be assembled for the trial of all such prisoners as may be duly brought before it.

The Presidency division order of the 9th instant, directing Ensign F. J. Sinalpage, at present attached to the 50th regiment, to join and do duty with the 11th native infantry at Saugor, is confirmed.

The undermentioned officers have leave of absence:

3d troop 2d brigade horse artillery.—Captain G. G. Dennis, from 10th July to 10th January 1839, to visit Massoorie, Allahabad, and the Presidency, preparatory to submitting an application for permission to proceed to Europe on furlough.

3d company 1st battalion artillery.—2d Lieutenant J. W. Kaye, from 20th May to 20th November, to visit the Presidency, on medical certificate.

3d regiment light cavalry.—Riding Master G. Harding, from 15th June 1838 to 1st December 1839, to visit the hills north of Deyrah, on medical certificate.

By order of His Excellency the Commander in Chief.

Head-quarters, Simla, 27th June, 1839.—The Allahabad garrison order of the 15th instant, directing surgeon J. Johnstone, M. D., of the 31st, to afford medical aid to the 6th regiment of native infantry, on the departure of Assistant Surgeon Hind, is confirmed.

The Dinapore division order of the 11th instant, appointing Hospital Steward G. Hardman, a supernumerary with Her Majesty's 31st to do duty with Her Majesty's 19th regiment, is confirmed.

The presidency division order of the 7th instant, directing Ensign A. G. C. Sutherland to do duty with the 15th instead, of the 3d regiment of native infantry is confirmed.

The Barrackpore station order of the 9th of March last, directing all reports of the station to be made to Lieutenant Colonel J. Frushard, of the 58th regiment of native infantry is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointment:

51st regiment of native infantry—Lieutenant Y. Lamb to be interpreter and quarter master, vice W. Lamb, who has proceeded on furlough.

GENERAL REGISTER.

Drum Major Thomas Goslin, of the pension establishment, 18, with the sanction of Government, permitted to reside and draw his stipend at Barrackpore, instead of Dinapore.

By order of His Excellency the Commander in Chief,
J. R. LUMLEY, Major General,
Adjutant General of the Army.

Head quarters, Simla, 29th June, 1838.—Sergeon R. Rankine new promotion, is posted to the 6th regiment of native infantry at Allahabad.

The undermentioned officers have leave of absence :

29th regiment native infantry.—Captain W. Wise, from 20th July to 20th November, to visit Dacca and Hooghly, on private affairs.

29th regiment native infantry.—Lieutenant and Adjutant A. Puk, from 20th July to 20th January 1839, to visit the presidency, on private affairs, and apply for furlough.

Head-quarters, Simla, 30th June, 1838—At a general court martial assembled at Meicut, on Tuesday the 15th day of May 1838, Major Charles Farquharson Uquhart of the 54th regiment native infantry, was arraigned on the following charge :

Charge.—“ For neglect of duty, and disobedience of the general orders of the 15th April 1836, and of the instructions contained in the 14th paragraph of the 20th section of infantry standing orders, while commanding the left wing of his regiment at Allyghur, in February 1838; in consequence of which, a box containing thirteen hundred and fifty-five rupees, the property of an officer, of non-commissioned officers and sepoy, and the heirs of deceased sepoy, of the said regiment, was, on the night of the 17th February 1838, stolen from the quarter guard.”

Finding.—“ The court, on the evidence before them, are of opinion, that the prisoner Major Charles Farquharson Uquhart, of the 54th regiment native infantry, is guilty of the charge preferred against him.

Sentence.—“ The court sentence the prisoner Major Charles Farquharson Uquhart, of the 54th regiment of native infantry, to be admonished.”

* A letter from the Judge Advocate General, No 115, dated head quarters, Simla, 3rd May 1838, returning the proceedings for revision, is read to the court.”

Revised Sentence.—“ The court having re-considered their sentence, in obedience to the orders of His Excellency the Commander in Chief, as contained in the letter from the Judge Advocate General of the army, annexed to these proceedings, beg, with much deference, to observe, that they see no reason to change their opinion, and therefore adhere to their former sentence.”

Disapproved,

(Signed) **H. FANE, General,**

Commander-in-Chief.

June 28th, 1838.

East Indies.

REMARKS BY HIS EXCELLENCY THE COMMANDER IN CHIEF.

His Excellency the Commander in Chief of having felt it his duty to disapprove the revised sentence of this court martial, considers it essentially necessary to call the attention of the officers of the army to the case, because he deems that unless what is due to discipline is, better considered by future courts, great injury to the army must be the result.

The case is as follows :

With a view to prevent the loss of either public or private treasure, so often necessarily entrusted to military guards, a standing order for the army, directing a certain practice to be followed in all gild rooms, was issued by the then Commander-in-Chief, in the year 1828.

The existing orders having proved insufficient, a further standing order, having the same object, was issued by the Commander-in-Chief, on the 15th of April 1826.

In the wing of the 54th regiment, which was detached, under the Command of Major Uquhart, to Allyghur, both the standing orders referred to were entirely neglected, and in consequence of that neglect, a sum of 1,355 rupees the property of officers and soldiers, was stolen from the guard-room of the wing of the regiment mentioned.

Major Uquhart, commanding the wing, having been arraigned for the breach of the two orders quoted, (which breach had led to such serious results) offered three pleas in his defence :

1st. That he did not “ know” that any treasure was in charge for the guard,

2d. That he had “ no recollection” of the order of the 15th of April 1836.

3d. That disobedience to the order of 1828 was “ an oversight.”

The court found the prisoner “ guilty” of the charge; and their sentence was, that Major Uquhart should be “ admonished,” which sentence they have adhered to on the proceedings having been returned for revision.

The Commander in Chief need hardly point out to the army, that Major Uquhart ought to have known what was in charge of his guard; because, had he exercised any of the vigilance due from the commanding officer of a body of troops, both personal inspection, and the guard reports, should have given him the requisite information.

The sentence of this court martial records, that it is the opinion of the members who composed it, that the standing orders of the army may be swerved from, or neglected, upon such pleas as having “ no recollection” of one order, and “ overlooking” another, without incurring more of culpability than is deserving of a simple “ admonition.” His Excellency feels bound to condemn such an opinion; and he informs those members, that it is the duty of every officer above the rank of a young Ensign in the army, to know, and to recollect, and not to overlook the standing orders; and that it is the duty of those whose rank places them in situations of trust, such as Major Uquhart held, to see that those orders are in all cases obeyed.

It is also the duty of a court martial, when they have found a verdict of “ guilty” of neglect of duty, and disobedience of general orders, to award an adequate punishment.

It is His Excellency’s opinion, that the members composing this court martial have taken a very erroneous view of their duty, in adhering to the inadequate sentence they had first awarded.

Major Uquhart is to be released from arrest, and directed to return to his duty.

By order of His Excellency the Commander in Chief.

Head-quarters, Simla, 30th June 1838—With a view to giving the earliest effect to the General Order by the Right Hon. the Governor General, dated the 29th instant, directing an increase of ten men per company to the infantry of the line, His Excellency the Commander in Chief is pleased to authorize officers commanding regiments to detach small recruiting parties into such districts as they may consider the best, and where men fit for the ranks are the most likely to be obtained, and it is desired by His Excellency, that immediate notice of the augmentation be given to the men now on leave from the different regiments, in order to induce them to bring candidates of unexceptionable description for the service.

His Excellency feels confident that the best exertions of commanding officers will not be wanting to complete their corps, as soon as practicable; so that the required number of recruits may join with the men returning from furlough; or, through the aid of the recruiting parties, as much earlier as circumstances permit.

Deceptive rolls of recruits, as they reach the head quarters of the corps and are passed by the surgeon, are to be forwarded direct to the Adjutant General of the army.

Officers commanding regiments are requested to take the necessary steps for subsisting the recruits on their way to join, as sanctioned in minutes of council of the 6th August 1796 and Government Generals Orders of the 4th December 1823.

Officers commanding corps of local horse mentioned in the orders above quoted, are expected to use their utmost efforts to complete their regiments, without delay, with the most efficient men and horses.

Head-quarters, Simla, 30th June, 1838—The Dinapore division order of the 15th instant, directing Surgeon W. Stevenson, senior, of the 40th regiment of native infantry, to afford medical aid to the artillery at Dinapore, is confirmed.

Lieutenant T. T. Wheeler, of the 56th regiment native infantry, is appointed to do duty with the Hamgurh light infantry battalion, and directed to join without delay.

The undermentioned officers have leave of absence :

58th Regiment Native Infantry.—Lieutenant G. W. Golding, from 25th August to 25th February 1839, to visit the presidency, on private affairs, and apply for furlough.

Medical Department.—Asst. Surg. L. T. Watson, from 11th June to 15th October, to remain at the presidency, on a subpoena from the Supreme Court.

1st Brigade horse artillery.—Major G. Brooke, from 13th Jan. to 15th September to remain at Kurnaul, on private affairs.

By order of His Excellency the Commander, in Chief.

GENERAL REGISTER.

Head-quarters, Simla, 24 July, 1838.—Captain F. Smalpage, appointment commandant of the 3d local horse by the foregoing general order, is directed to proceed forthwith and join his corps at Saugor.

Head-quarters, Simla 10th July, 1838.—His Excellency the Commander in Chief is pleased to make the following appointment.

3d Regiment light cavalry—Lieutenant R. S. Trevor, to be interpreter and quarter master, vice H. Marsh appointed to a civil situation.

Drummer William Sweetnam is transferred from the 52d to the 4th regiment native infantry, to fill a vacancy in the latter corps.

The undermentioned officer has leave of absence :

43d Regiment native infantry.—Ensign R. A. Trotter, from 1st July to 30th October, to visit Patna on private affairs.

Head-quarters, Simla 6th July 1838.—The presidency division order of the 19th ultimo, directing Ensign T. Pottinger lately admitted into the service, to do duty with the 3d regiment of native infantry at Barrackpore, is confirmed.

The leave of absence granted to Ensign P. O. Robertson, of the 71st regiment native infantry, in General orders of the 16th ultimo, is cancelled at his request.

Hospital Apprentice John K. v. at present doing duty with the artillery at Agra, is appointed to the European regiment at Agra, and ordered to be sent to join.

With the sanction of Government, and as a special case the additional invalid pay of his rank is granted to Subadar Ajah Chawber, late of the 1st regiment native infantry, from the date of his transfer to the pension establishment.

The undermentioned officers have leave of absence :

Arracan local battalion.—Capt. G. Burney, from 8th June to 8th August, to remain at the presidency, on medical certificate.

1st Brigade horse artillery—Surgeon R. B. Pennington, from 2d July to 15th November, to visit the hills north Deyrah on medical certificate.

N. B. This cancels the unexpired portion of the leave of absence, on private affairs, granted to Major Cox, in general orders of the 5th April last.

9th regiment native infantry—Lieutenant J. R. Lumley, from 15th June to 15th December, to enable him to rejoin.
By order of His Excellency the Commander in Chief.

Head-quarters, Simla, 10th July, 1838.—Ensign H. A. Sandeman, of the 32d rs, at his own request, removed to the 41st regiment native infantry, as junior of his rank.

Conductor S. Patnan, of the invalid pension establishment, is permitted to reside and draw his stipend at Chunar.

Quarter Master Sergeant Martin Byrne, of the Arracan local battalion, is promoted to Serjeant-Major, and Gun Corporal Alexander Hily is appointed Quarter-Master Serjeant to that corps, in succession to Kitten deceased.

These appointments to have effect from the 23d ultimo.

Gunner Dennis Ryan, late Key Serjeant in Fort William having been reduced to the ranks by the sentence of a garrison court martial, is to be sent to join the head quarters of the artillery, at Durn Durn.

Hussa d Buksh, lately employed in the jail hospital at Futeh pote, is admitted into the service as a Native Doctor, and appointed to fill a vacancy in the 6th battalion of artillery.

Head-quarters, Simla 11th July, 1838.—The undermentioned officers have leave of absence :

2d Troop 2d brigade horse artillery.—2d Lieutenant F. Turner, from 20th June to 31st July, to remain at Mussoorie, on medical certificate.

1st Regiment light cavalry—Lieut. Col. J. W. Roberdeau, from 3d September to 31st October, on medical certificate, to remain at Simla.

Sappers and Miners.—Captain G. Thomson, from 30th June to 30th October, to remain at Mussoorie, on medical certificate.
By order of His Excellency the Commander in Chief.

Head-quarters, Simla, 12th July, 1838.—The regimental order of the 30th ultimo, by the officer commanding the 16th native infantry, appointing Lieutenant A. Balderston to act as Adjutant, vice Bidders deceased, is confirmed.

By order of His Excellency the Commander in Chief,

J. R. LUMLEY, Major General,
Adjutant General of the Army.

GENERAL ORDERS TO THE QUEEN'S TROOPS.

Head-quarters, Simla, 14th June, 1838.—The leave of absence granted by the general officer commanding the forces, Bombay, to Lieutenant T. W. Geils, 4th light dragoons, to proceed to England, for 2 years from date of embarkation, on medical certificate, is confirmed.

The leave of absence granted by Major General Sir W. Dalhousie Cotton, C. B. & K. C. B., to Lieutenant J. Maule, 26th foot, to proceed to England, for 2 years from date of embarkation on medical certificate, is confirmed.

The undermentioned officers have leave of absence :

9th foot.—Surgeon McCreevy, to the 15th November next, from the date of his leaving Meerut, to London, on medical certificate.
13th ditto—Captain J. Keshaw, from 13th Jun. to the 15th November next, in extension, to remain at the presidency, on private affairs.

44th ditto—Lieutenant C. W. White, for two months from 11th instant, to Calcutta, to appear before a Medical Board.

49th ditto—Captain Pasley, from 25th July to 24th January 1839, on private affairs.

By Order of the Commander in Chief

Head-quarters, Simla, 21st June, 1838.—No. 137.—The Commander in Chief in India has been pleased to make the following promotion until Her Majesty's pleasure shall be known :

62d foot.—Ensign George Mackay to be Lieutenant, without purchase, vice Bouty deceased, 26th May 1838.

In conformity to the principle laid down at page 125 of Her Majesty's general regulations for the army, and in compliance with special instructions received from the General Commanding in Chief, His Excellency the Commander in Chief in India is pleased to direct, that His Majesty's regiments serving in India, shall hereafter transfer to the credit of the provisional battalions, to which the 10th company of each regiment is attached in England, one-tenth of the amount of their mess contributions, for the purpose of forming a fund in aid of the officer's mess of the provisional battalion alluded to.

This arrangement is to have effect from the 1st January 1839; and commanding officers of corps will take care, that the necessary steps may be taken, and due authority given to their respective regimental agents, to place the amount required, half yearly at the disposal of the provisional battalions.

The regimental order by the officer Commanding 9th foot, dated 21st April and 7th May 1838, directing the officers named in the margin, to proceed to Calcutta, by water, on general court martial duty, in compliance with division orders of the 20th April and 6th May last, and their return to Chunar in like manner after its completion, is confirmed.

The leave of absence granted by the general officer commanding the forces at Bombay, to Captain A. Lockhart, 17th foot, to proceed to England, for 2 years from date of embarkation, on medical certificate, is confirmed.

The undermentioned officers have leave of absence :

3d light dragoons—Lieutenant Colonel G. G. Tait, from 11th June to 11th August next, to the presidency, and thence to England, for the purpose of retiring, on half-pay.

Ditto—Major G. Slade, in extension, from 20th June to 25th October next, on private affairs.

GENERAL REGISTER.

41th foot.—Lieutenant Stuart, to England, for 2 years from the date of his leaving the regiment, on private affairs.

By Order of the Commander in Chief,

R THRENS, Major Genl.,

Adjt. Genl. to Her Majesty's Forces in India.

Head quarters, Simla 27th June, 1838.—No. 133.—Her Majesty has been pleased to make the following promotions and appointments in the regiments serving in India.

Cancels his appointment in the 26th foot 3d light dragoons—Assistant Surgeon Arthur Wool, M. D., from the 11th light dragoons, to be Asst. Surgeon, 30th March 1838.

4th light dragoons.—Cornet Arthur Scudamore to be Lieutenant, without purchase, vice Knight deceased, 18th February 1838.

Cornet Miles Mundy French, from the half-pay of the 3d Dragoon Guards, to be Cornet, vice Scudamore, 9th March 1838.

Giles Symonds, gent. to be Cornet, by purchase, vice French, who retires, 30th March 1838.

16th light dragoons.—Captain George James McDowell to be Major, by purchase, vice Mercer, who retires 4th August 1837.

Lieutenant Penson Bonham to be Captain, by purchase, vice McDowell, 23d March 1838.

Cornet Daniel Henry Mackinnon to be Lieutenant, by purchase vice Bonham, 23d March 1838.

John Ross O'Conno, gent. to be Cornet, by purchase, vice Mackinnon, 23d March 1838.

2d foot.—Henry Percy, gent. to be Ensign, by purchase, vice Kenwick, who retires, 9th March 1838.

3d foot.—Captain Robert Prescott Eason, from the half pay, unattached, to be Captain, vice McNaub, who exchanges, receiving the half pay, 5th April 1838.

Captain Samuel Fortman Cox, from the half pay of the 2d Ceylon Regiment, to be Captain, vice Robert Prescott Eason, who exchanges, 6th April 1838.

Lieutenant James Charles Rouse to be Captain, by purchase vice Cox, who retires, 7th April 1838.

Cancels his promotion vice Whitworth deceased; Ensign William John Dorchill to be Lieutenant, by purchase, vice Rouse, 7th April 1838
of Ensign Hilton in succession.

Charles William Green, gent. to be Ensign, by purchase, vice Dorchill, 17th April 1838.

16th foot.—Ensign Morris F. Ximenes to be Lieutenant, with out purchase, vice Adams deceased, 14th September 1837.

Gentleman Cadet Thomas Garrait, from the Royal Military College, to be Ensign vice Ximenes, 9th March 1838.

26th foot.—Major General Sir John Colborne, G. C. B. from the 9th foot to be Colonel, vice General Vis Earl of Dalhousie, G. C. B., deceased, 25th March 1838.

31st foot.—Lieutenant General Sir Colin Halkett, K. C. B., from the 76th foot, to be Colonel, vice Lieutenant General Sir Edward Baines, G. C. B., deceased 28th March 1838.

39th foot.—Surgeon Francis Seiwright, M. D. from the 45th regiment of foot, to be Surgeon, vice Hamilton, who exchanges, 13th April 1838.

40th foot.—Ensign Richard Armstrong to be Lieutenant, by purchase, vice Lewis, who retires, 2d March 1838.

Ensign Henry Halkett to be Lieutenant, by purchase, vice Willock, who retires, 23d March 1838.

William Irwin, gent. to be Ensign, by purchase, vice Armstrong, 2d March 1838.

James Johnston, gent. to be Ensign, by purchase, vice Halkett, 23d March 1838.

49th foot.—Lieutenant General Sir John Keane, K. C. B., from the 68th regiment of foot to be Colonel, vice General Wynyard deceased, 6th April 1838.

55th foot.—Lieutenant John Otway Cuffe, from the half-pay of the 45th regiment of foot, to be Lieutenant, vice Walker appointed to the 68th regiment of foot, 13th April 1838.

Lieutenant Joseph Rogers Magrath to be Adjutant, vice Heriot, who resigns the Adjutancy only, 19th September 1837,

62d foot.—Captain Francis J. Ellis to be Major, by purchase, vice Marr, who retires, 16th March 1838.

Lieutenant William Mathias to be Captain, by purchase, vice Ellis, 16th March 1838.

Captain Owen Wynne Gray, from the half pay of the 9th regiment of foot, to be Captain, vice Campbell appointed to the 7th regiment of foot, 13th April 1838.

Cancels his promotion vice Beauty deceased. Ensign George Mackey to be Lieutenant, by purchase vice Mathias promoted 23d March 1838.

Lennard Barret Tyler, gent. to be Ensign, vice Mackay, 23d March 1838.

Brevet.—Captain Owen Wynne Gray, of the 62d Regiment of foot, to be Major in the army, 10th January 1837.

His Excellency The Commander in Chief in India has been pleased to make the following promotions and appointment until Her Majesty's pleasure shall be known.

2d foot.—Ensign R. Herbert Gall to be Lieutenant, without purchase, vice Whitworth deceased, 26th June 1838.

Ensign William Duncan Hilton, from the 9th foot, to be Ensign, vice Brown promoted, 3d April 1838.

62d foot.—Ensign George J. Pulten to be Lieutenant, without purchase, vice Beatty deceased, 26th May 1838.

His Excellency The Commander in Chief has been pleased to make the following Promotion, by the Brevet, in the East Indies only:

9th foot.—Lieutenant W. B. Farrant, to be Captain 31st August 1823.

By Order of the Commander in Chief.

Head quarters, Simla, 28th June 1838—No. 139.—The inefficient state of some of Her Majesty's regiments in Bengal as compared with their numbers on paper, owing to the retention in the ranks of ineffective men, caused by the scruples of invaliding medical committees, has occupied the attention of the Commander in Chief.

His Excellency has communicated with the General Commanding in Chief Her Majesty's Army, on the subject and he is now pleased to direct, that the following instructions shall supersede, in the East Indies, all those of anterior date which may bear variance with them.

1. The regimental authorities (commanding officer and senior medical officer) are authorised to present to the consideration of invaliding committees the cases of all soldiers deemed by them no longer equal to their duties in India, with the view of ascertaining their actual state as to efficiency.

2. Those men who appear permanently unequal to the general duties of soldiers and are unequal to more than barrack, or other minor duties, are not to be retained in India: nor are soldiers who, though not having any palpable medical defect, still may be deemed totally unequal to, and not likely to be able to resume their duties.

3. As it not unfrequently happens that soldiers are brought forward for discharge for reasons not strictly medical, on which the invaliding medical officers do not agree with the regimental authorities, or consider that they have not sufficient grounds on which to decide the case in the manner the regimental authorities recommend, the following practice is to be followed in all such cases.

4. A Board is to be assembled (consisting of three field officers) by order of the general officer Commanding the division in which the regiment is stationed, and all the cases, in which the invaliding committee may not have agreed with the regimental authorities, are to be submitted to their consideration, for a final decision.

5. In each case a roll of the soldier, containing a certificate (see annexed Form) signed by the Commanding Officer and medical officer of the soldier's regiment, is to be laid before the board; in which certificate the nature of the disability under which the soldier may labour must be fully set forth: and it must be stated in what manner the disability may have arisen.

6. The board must use the greatest caution and circumspection, so that the decision they may give shall be borne on and confirmed on a fair consideration of all the circumstances of the case; and bear the closest subsequent scrutiny.

GENERAL REGISTER.

7. The regimental authorities must be most careful to guard against malingerers, and never bring forward a man whose case bears the smallest suspicion of having that tendency: and they, and the committees to be constituted under this order, must carefully keep in mind that men sent home, who are not discharged after arrival in England, become a burthen on their depots, and their remain to the exclusion of recruits.

8. The certificates, ordered in the 5th paragraph, are to be forwarded by each regiment, to the head quarters of their respective presidencies with the other invalid rolls for the final orders of the Commander in Chief in each.

Return of the Number of Non-Commissioned Officers and Privates composing the provisional battalion.

REGIMENTS.	Sergeants.	Drummers.	Corporals.	Privates.	Wanting to complete.		
					Sergeants.	Drummers.	Corporals.
2d Foot. . .	4	1	2	58	0	0	2
3d " " . .	3	1	3	2	1	0	1
4th " " . .	4	1	2	28	0	0	2
6th " " . .	2	1	2	16	2	0	2
9th " " . .	4	1	3	7	0	0	1
13th " " . .	4	0	0	2	0	1	4
16th " " . .	4	0	3	4	0	1	1
17th " " . .	4	1	3	25	0	0	1
26th " " . .	2	1	3	42	2	0	1
31st " " . .	4	1	1	1	0	0	3
39th " " . .	3	1	1	18	1	0	3
40th " " . .	4	1	4	37	0	0	0
41st " " . .	2	1	2	3	2	0	2
44th " " . .	4	1	3	16	0	0	1
45th " " . .	3	0	2	294	1	0	2
49th " " . .	2	0	1	3	2	1	3
54th " " . .	3	0	3	3	1	1	1
55th " " . .	2	1	2	2	2	1	2
57th " " . .	3	1	1	54	1	0	3
62d " " . .	4	1	1	29	0	0	3
63d " " . .	4	1	4	48	0	0	0
21st " " . .	4	1	4	24	0	0	0
28th " " . .	4	1	3	39	0	0	1
50th " " . .	4	1	2	41	0	0	2
80th " " . .	4	1	4	66	0	0	0
Total...	85	20	59	867	15	5	41

(Signed) G. H. Comd. the Regt.

(Signed) J. K. Surg. Regt.

(Signed) A. B. C. D. E. F. President Members.

Name and No. of the Soldier.		Roll of A. B. of Her Majesty's— Regiment of _____, who is deemed a fit subject to be brought before the special Invaliding Committee of Field Officers, ordered to be assembled at _____ on the _____ day of _____
Troop, or Company.		
Rank.		
Years.	Present Age.	Brief Summary of Previous Medical Treatment.
Months		
Years.	Service in India.	
Months		
Character, Disease, or reason for proposing his Discharge.		The decision of the Committee, and grounds of the opinion on formed.
Brief Summary of Previous Medical Treatment.		

Head-quarters, Simla, 20th June 1838.—No. 140.—His Excellency the Commander in Chief in India having received instructions from the Right Hon. the General Commanding in Chief Her Majesty's army, that steps should be adopted for completing in Sergeants, and Corporals, the depot company of each of Her Majesty's regiments in India, attached to the provisional battalion in England. His Excellency is pleased to direct, that commanding officers of regiments shall select and send home with the invalids of the season in each year, a sufficient number of each of these grades, to complete the establishment of that company.

By the return received from the Horse Guards, the numbers wanting to complete on the 1st January last, are as follows, but should commanding officers have received returns from their regimental depots of a more recent date, wherein the deficiency in Non-Commissioned Officers is greater than is herein stated, they will act by the latter.

The leave of absence granted by the Officer commanding the Benares Division, to Lieutenant J. C. L. Carter, 4th foot, for 2 months from the 16th instant, to proceed to Calcutta, to appear before a Medical Board, is Confirmed.

The undermentioned Officer has leave of absence:—
13th Light Infantry.—Ensign G. Mein, in extension, from 1st to 31st October next, to remain at Simla, on private affairs.

His Excellency the Commander in Chief is pleased to direct the publication of the following Government General Order, for the information of the out pensioners of Chelsea Hospital, residing in India, and of other parties concerned

No. 42.—Fort William, General Department, the 30th May, 1839.—Government Notice Post Office.—The Hon. the President in council authorizes the Commanding Officers of stations and posts and the station staff to frank letters containing Chelsea out pensioners' declaration certificates, under the title of Clause 1A. of Post Office Rules for franking soldiers or sepoys' Letters.

(Signed) H. T. PRINSEP,
Secy. to the Govt. of India.

By Order of the Commander in Chief,
R. TORRENS, Major Genl.

Adjut. Genl. to Her Majesty's Forces in India.

Head-quarters, Simla, 5th July 1838.—No. 141.—The Commander in Chief in India has been pleased to make the following appointments until her Majesty's pleasure shall be known.

16th Foot.—Captain Alexander D. Colley, from the 29th foot, to be Captain, vice Mylius, who exchanges, 2d July 1838.

26th foot.—Captain George Mylius, from the 16th foot to be Captain vice Colley, who exchanges, 2d July 1838.

The leave of absence granted to Lieutenant J. L. Dennis, 49th foot, in the general order of the 7th December 1837, No 84, to proceed to Meerut, is to take effect from the 5th December 1837, instead of the date therein stated.

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The undermentioned officers have leave of absence—

3d Foot.—Lieutenant H. S. Chamberlain, for 3 months from the 1st July to the presidency, and thence to England, for 2 years from date of embarkation, on urgent private affairs.

16th ditto.—Lieutenant and Brevet Captain Bell, for 24 months from the date of leaving the regiment, to Calcutta, to appear before a Medical Board.

Head-quarters, Simla, 7th July 1833.—Her Majesty has been pleased to make the following promotions and appointments in the regiments serving in India.

4th light dragoons.—Lieutenant Robert Rollo Gillespie to be Captain, without purchase, vice Elliott deceased, 6th July 1837.

Cornet John Thomas Douglass Halkett to be Lieutenant, vice Gillespie, 6th July 1837.

4th foot.—Captain William Henry Mounsey, from the 15th, regiment of foot, to be Captain, vice McLennan, who exchanges 16th February 1837.

Charles William Flint Hunter, M. D., to be assistant Surgeon, vice Parry appointed on the 21st, 19th January 1838.

6th foot.—Staff Assistant Surgeon Wm. Thompson, M. D., to be Surgeon, vice Goodrich, who retires upon half pay, 19th January 1838.

17th Foot.—Lieutenant James Willington Kyffin, from the 22d regiment of foot, to be Lieutenant, vice Powell, who exchanges, 9th February 1838.

41st foot.—Ensign John Diddop to be Lieutenant, without purchase, vice Carmichael deceased, 18th October 1836.

Ensign Thomas Jones to be Lieutenant, without purchase, vice Nutt deceased, 23d May 1837.

Ensign Thomas Burgh to be Lieutenant, without purchase, vice Diddop whose promotion of 5th June 1837, has not taken place, 5th June 1837.

Ensign Walter Lawrence to be Lieutenant without purchase, vice Burgh whose promotion of 23d August 1837 has not taken place, 23d August 1837.

Ensign Manjeduke Langdale to be Lieutenant, by purchase vice Jones, whose promotion, by purchase, has not taken place, 16th February 1838.

Sergeant Major William Buras, to be Ensign, vice Lawrence 16th February 1838.

Gentleman Cadet Charles F. Fordyce, from the Royal Military College, to be Ensign, vice Langdale, 17th February 1838.

49th foot.—Ensign Richard Augustus Seymour to be Lieutenant, by purchase, vice Robison, who retires, 19th January 1834.
Robert Blackall, gent. to be Ensign, by purchase, vice Seymour, 12th January 1838.

Cancel his promotion 57th foot.—Ensign Elphinstone Jn. vice Shadforth deceased. Now to be Lieutenant, by purchase, vice Funnell, who retires, 9th Feb. 1835.

Gentleman Cadet Warren Ahmady, from the Royal Military College, to be Ensign, by purchase, vice Junor promoted, 16th February 1838.

The Commander in Chief in India has been pleased to make the following promotion until Her Majesty's pleasure shall be known—

7th foot.—Ensign E. A. L. Lynch to be Lieutenant, without purchase, vice Shadforth deceased, 4th July 1835.

By order of the commander in chief.

Head-quarters, Simla, 12th July, 1838—No. 142.—The Commander in chief in India is pleased to make the following promotion until her Majesty's pleasure shall be known—

57th Foot.—Ensign Edward Stanley to be lieutenant, without purchase, vice Westwood deceased, 10th June 1838.

The appointment of Lieutenant J. B. Dodd, 51th foot to act as Adjutant to that corps, from the 9th ultimo, during the absence of Lieutenant and Adjutant Holt who has proceeded on leave, is confirmed.

The detachment order issued by Captain Madie, 16th Foot, dated 5th February, 1838, when in command of a detachment of convalescent men proceeding from Cawnpore to Landour, appointing Sergeant John Roughs, 16th foot, to act as Provost Sergeant to the detachment, from the date of its march, is confirmed.

The leaves of absence granted by His Excellency Lieutenant General Sir P. Maitland, K. O. B., to the undermentioned officers, are confirmed—

54th foot.—Lieutenant R. Parr, to England, for 2 years from date of embarkation, on medical certificate.

Ditto.—Surgeon T. G. Stephenson, M. D. ditto ditto

55th ditto.—Ensign W. P. Taylor, in extension, from the 20th February to the 1st November next, on medical certificate.

MEMORANDUM.

The promotion of Ensign E. Croker to be Lieutenant in the general order No. 180, of the 28th May last, is in the 39th regiment of foot, and not 63d, as therein stated.

By order of the Commander in Chief,

R. TORRENS. Major Genl.

Adj. Genl. to Her Majesty's Forces in India.

SHIPPING INTELLIGENCE.

ARRIVALS AT KEDGEREE.

June 30th.—English barque *Ariel*, W. Warden, from China 13th May, and Singapore 14th June.

July 1st.—English ship *Eliza*, M. J. Lay, from London 26th February, and Madras 25th June; English brig *Sir Archibald Campbell*, E. Cooke, from Singapore 5th June.

2d.—English ship *Cavendish Bantuck*, A. G. McKenzie, from the Mauritius 31st May; English brig *Cassiopea*, J. Werrin, from Liverpool 30th December, and the Mauritius 30th May.

4th.—English ship *William Lockerby*, J. Parker, from Liverpool 30th December, Cape of Good Hope 20th March, and the Mauritius 26th May; English ship *Mary Somerville*, J. Hooley, from Liverpool 28th March.

6th.—English brig *Patriot*, J. Marshall, from Penang 28th May, and Pondicherry 29th June; English ship *Kellie Castle*, D. Ruchan, from London 1st, and Portsmouth 8th March, and Madras 1st July.

Patriot Queen, arrived off Calcutta on the 30th June; *Ariel*, on the 1st; *Eliza*, on the 2d; *Cavendish Bantuck* and *Cassiopea*, on the 3d, and *William Lockerby* and *Mary Somerville*, on the 6th instant.

July 7th.—English barque *Apollon*, H. Langlois, from the Mauritius 3d, and Pondicherry 30th June.

9th.—English ship *Mary Sharp*, J. Gray, from Greenock 21st March,

10th.—English ship *William Lee*, J. Shepherd, from Hull 23 March.

12th.—English schooner *John Hepburn*, B. Robertson, from Moulmein 18th June, and Rangoon 1st July.

13th.—English brig *Sutpe*, W. C. Spain, from Moulmein 28th June.

Patriot arrived off Calcutta on the 8th, *Apollon* and *Mary Sharp* on the 9th, *William Lee*, on the 12th. *Kellie Castle* on the 13th and *John Hepburn* on the 14th instant.

July 14th.—English barque *Sir Edward Ryan*, H. Pybus, from China 17th May, Singapore 24th, and Penang 30th June, and English barque *Ayrshire*, H. Brown, from Rangoon 25th June.

Snipe and *Ayrshire*, arrived off Calcutta, and *Sir Edward Ryan* passed up Diamond Harbour on the 15th instant.

22d.—English ship *John Fleming*, E. Rose, from Portsmouth 15th March, and Cape of Good Hope 31st May; English barque *Water Witch*, H. Reynolds, from China 10th June, and Singapore 6th July; English brig *Sir William Wallace*, T. W. Tingate, from Penang 5th July.

24.—English barque *Christopher Rawson*, C. Edwards, from Rangoon 5th July.

25th.—English barque *Ladlow*, G. R. Thom, from the Mauritius 14th June, and Pondicherry 19th July.

26.—English brig *Vigilant*, D. Walton, from the Mauritius 30th June; English brig *Mekamuddy*, F. Duvergier, from Penang 4th July.

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27th. English ship *Fermaid*, Thos. Robinson, from Madras and Masulipatam 26th July.

Francis South and *Elizabeth*, arrived of Calcutta on the 22d; *Bengal*, on the 23d. *Vigilant* and *Lullow*, on the 27th; and *John Fleming* on the 28th inst. *Water Witch*, arrived at Couley Bazar 21st inst.

ARRIVALS OF PASSENGERS.

Per Arvel, from *China*. Mrs. Howard, Misses Howard and D. Howard, and Capt. W. Shelstone late commander of the barque *Lady Jane*. From *Singapore*: Miss A. Dixon; W. M. Dixon, Esq., B. C. S., and W. A. Cohen, merchant.

Per Keeble Castle, from *London*. Mrs. Col Frushard; Mrs. Gordon, Misses Frushard, Hedger, and Small; Lieut. J. T. Gordon, B. N. I.; Lieut. J. Farshlough, H. M. 16th foot, Mr C. Flyter, assistant surgeon H. M. S. Insa ga Hawtry, B. N. I., Messrs A. Paton Bowling, and Veal, assist. surgs. H. C. S. Messrs J. R. E. Mullen, G. R. Cookson, G. Holloway, J. Conyn, J. H. Maule, (C. B. L.) B. L. Anderson, H. Datusford, L. Paddy, and J. McCance, cadets, H. C. S.; Mr. Scott, merchant; John Clark, private, H. M. S. 6th foot; John Conolly, Esq., merchant, and Mr. Conolly, junior, for *Singapore*. From *Madras*: Mrs. Clippendall, H. J. Clippendall, B. C. S.; Lieut. Ruxton, 4 or King's own; Madame Elizabeth, Greek; Patrick Phalan; private H. M. 4th regt.

The *Soorma* in tow of the *Megua* steamer, arrived from Allahabad, on Friday, with the following passengers:

J. Trotter, Esq. Mr and Mrs Dickers and child; Mrs. E. Ryan and child; Brigadier and Mrs. Lindsay; Colonel Tuite, and Mr. Davidson.

Per Snipe Capt W Compton, R. N.

The *Matibanga*, in tow of the *Junna* steamer, arrived from Allahabad on Thursday, with the following passengers:

From Allahabad Lieut and Mrs. Campbell. From *Chazepore* Mr Duhin. From *Delapore* Mr. T. Cohen and 3 children of Mr. Duhin. From *Berhampore*: Mr. G. Gibbon.

Per Francis Smith, from *England*. Mrs. Edmonds, Misses Mising and Morton; Thos. Lyne, Esq.; and Mr. J. Richards, cadet. From *Madras* Mr Geo. Elliott.

Per John Fleming, from *London*. Mrs. Maling. Mrs. Henderson and child, Miss Paton; Captain Mahug, 68th N. I.; Messrs H. Anderson, Wilford, and Hughes, merchants; Mr. Mallet, C. S. Messrs, Layard, Gallo Lambert, Botha, Wallace, Salsbury, Fauriel, McLeod, Burmister, Georges, Newton, Dickenson, Tissue, Reynolds, and Bonnar, cadets. From *Madras*: Mrs Smith and 3 children, 2 Misses Smith; Mr. Smith; Mrs. Watts; Mr. Faithful, assistant surgeon; Mr. Shaw, 16th M. N. I.

DEPARTURES FROM CALCUTTA.

July 2d — *Cashmere Merchant*, Smeilli, for Madras and Mauritius; *Seymour*, G. J. Lane, and *Edward*, S. Morton, for Mauritius
4th — *Bussorah Merchant*, L. W. Moncrief, for London.

July 7. — *Mary Malloby* John Grey, for the Mauritius; *John Parker*, J. Eelson, for Port Louis

9 — *Victoria*, H. M. Potter, for Mauritius; *Samuel Baker*, R. Wald, for Ceylon; *Ann*, W. Grey, for China.

10. — *Ann Lockerby*, John Bart, for Liverpool.

11th — *Imogene*, T. Maxwell, for Canton, *Furth*, J. H. Landers, for Singapore.

12th — *Princess Victoria* Jas Lee, for London; *Break*, Wm. Smout, for New South Wales.

13. — *Falcon*, D. Anstruther, for the Mauritius.

July 14th — *Bolton*, R. Young, for China, and *Mary Eliza*, R. Paterson, for the Mauritius

16. — *Neptune*, W. J. Ferris, for London.

17th — *Dorothy Gales*, G. Moore, and *Rosalind*, Thos. Little, for Liverpool.

18th. — *Lord Auckland*, J. Wallis, for the Mauritius; *Haslee*, A. Symer, for Penang and Singapore.

July 24. — *Lyaker*, H. Browne, for Port Louis and Mauritius.

25th. — *Denden*, J. Walker, for Liverpool. *Standard*, John Peile, for Demarara.

26th — *Virginia*, C. Whiffin, for Singapore and China. *Rif Racer*, J. H. Harding, for Liverpool. *Sarah*, J. Lyster, for Moulinein and Kangoon

27th — *Adlingham*, J. Sedwick, for the Cape of Good Hope.

DEPARTURES OF PASSENGRS.

Per Bolton, for *Singapore*: Mrs Pattle, Mrs Wm. Pinsepp, and Mrs. Dashwood; W. Pinsepp, Esq. and Capt. Dashwood. *Per China* C. Fagan and Lee Jee, Esquires.

Per Krishna, for *Kyauk Phyo* and *Akyah*. Lieut. Edward; Ensign Baker; Ensign Lattler; two Mr Funk; Mr Brown, for gun-boat service; Messrs. French and Smith, and 50 seapoys and followers.

The *Bhagurully*, in tow of the iron steamer *Thames*, left Calcutta on Tuesday afternoon, with the following passengers:

Mrs. Melleit; Mrs Hoeg; Mrs Capt Sheriff; Mrs Harwood, Miss Skifford; Miss Maria; Mousi Thirald, J. Collye, Esq; T. Blackall, Esq; M L Mange; and Monsr, N. Fandon.

Per Abberlton, for *London*, to sail on the 1st proxima. Mrs. Shuttleworth; G. C. Hyde, Esq.; Captain Roberts, artillery, Capt George, N. I.

Per Arvel, for *China*. Mrs Ilbery; Miss Thomas, G. T. Biame, G. F. Fanning, Esquires.

The *Soorma*, in tow of the *Lord William Bentinck* steamer left Calcutta on Tuesday, for Allahabad, with the following passengers, viz: Miss Weedland, Miss Jones, Lieut. L. Maden; F. Stautforth, Esq.; R. Oakes, Esq; W. Veal, Esq; John Stott Esq.

DOMESTIC OCCURRENCES.

BIRTHS.

June 15. At Kunnal, the lady of Captain Penelather, 3d light cavalry, of a daughter
25. In camp, near Rajkote, the lady of Major A. T. Reid, 12th regt of a son.
28. At Agra, the lady of Lieutenant Russell, of the pension establishment, of a son
29. At Calcutta, the lady of the late A. E. Dubbs, Esq., of a son.
— At Sooltanpore, Cude, the lady of Captain A. R. Macdonald, major of brigade, of a daughter.
30. At Ghazepore, the lady of Lieutenant P. W. Willis, engineers, of a daughter.
— At Allahabad, the wife of Mr James McLeod, of a son.
— At Italy, Mrs. J. R. Robinson, of a son.
— At Calcutta, the wife of sergeant John Tratt, of the town-guard, of a daughter.
— At Calcutta, the lady of Capt. Jos. Manook, of a daughter
July 7. At Calcutta, Mrs James Howatson, of a son.
3. At Barrackpore, the lady of Major L. Bruce, of the 12th N. I. of a son
— At Sylhet, the lady of R. R. Sturt, Esq. C. S. of a daughter.
4. At Calcutta, the lady of Captain Caine, of Her Majesty's Cameronians, of a son.

— At Calcutta, near Fouzduary-baliacounah, the wife of Mr. F. De Meices, of a son.
5. At Calcutta, at the residence of Mr T. E. Thomson, Mrs. Wm. Perry, of a daughter.
— At Mhow, the lady of J. B. Clapperton, Esq., surgeon 6th L. C., of a daughter.
7. At Calcutta, the wife of Mr. J. A. Ryper, of the Gurrans. hutia dispensary, of a son.
10. At Howrah, the lady of the late Ensign S. C. Hampton, of the 57th regt. N. I. of a son.
— At Goruckpore, the lady of Lieut. J. Brind, artillery, assistant revenue surveyor, of a son.
11. At Serampore, the lady of H. H. Atkinson, Esq., of a daughter.
12. At Calcutta, the lady of Lieut. Charles Carter, of H. M. S. 16th foot, of a son.
— At Loudon-street, Calcutta, the lady of J. C. Grant, Esq., of a daughter.
— At Simla, the wife of Major R. Ross, 18th regt. B. N. I. of a daughter.
15. At Calcutta, the lady of John Leckersteen, Esq., of a son.
— At Monghyr, the lady of Lieut. G. Ellis, of the regt. of artillery, of a daughter.
— At Gajah, the lady of W. H. Urquhart, Esq., of a son.

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16. At Barrackpore, the lady of Major Garstin, superintendent engineer, lower provinces, of a son.
17. At Calcutta, the lady of Johannes Avidal, Esq., of a son.
— At Calcutta, Mrs. H. M. Smith, of a daughter.
— At Calcutta, the wife of Mr. R. R. Cauty, of a daughter.
18. At Jaunpore, the lady of H. St. G. Tucker, Esq., C. S. of a son.
— At Cawnpore, the lady of Lieut. C. S. Reid, artillery, of a son.
19. At Serampore, the lady of F. E. Elberling, Esq., of a son.
— At Calcutta, Mrs. J. A. Henry, of a daughter.
20. At Calcutta, Mrs. G. P. Woodlston, of a son.
21. At Calcutta, Mrs. Thornton, the wife of Mr. Henry Thornton, police constable, of a daughter.
22. At Midnapore, the lady of J. H. Crawford, Esq., civil service, of a daughter.
23. At Calcutta, Mrs. Chas. Pereira of a daughter.
24. At Calcutta, the wife of Mr. F. Lopes, of a son.
- At Calcutta, Collootollah street, the lady of Baboo Goo'oodas a Dutt, of a son.

MARRIAGE.

- May 20. At Pabna, by the Rev. Mr. Hill, of Berhampore, Mr. W. A. Leslie, of Banarsh, to Miss Jane D'Caiz.
27. At Suchandepore, Kishnachur, by the Rev. James Charles, of Calcutta, James Hills, junior Esq., to Barbara, youngest daughter of the late Archibald Hills, Esq., Edinburgh.
- June 2. At Hazarebough, by the Rev. T. E. Allen, Mr. James McIlhush, to Mrs. Jane Killayle.
— At Patna, by the Rev. Charles Rawlins, Mr. James Wright, to Miss Eliza Shovier.
7. At Calcutta, at the Cathedral, by the Rev. H. Fisher, Henry John Leighton, Esq., merchant, to Miss Mary Anne Bryce.
— At Calcutta, at the Cathedral, by the Rev. H. Fisher, R. M. Thomas, Esq. attorney at law, to Miss H. Bryce.
— At Howrah, by the Rev. Fr. Paulo Da Graillou, Mr. H. L. Vernon, to Miss E. Fleming, the only daughter of Mr. H. Fleming.
16. At Calcutta, at the Principal Roman Catholic Church and at the Cathedral, Charles T. Stapleton, to Isabella Eleanor, third daughter of Mr. T. L. Barber.
18. At Calcutta, at the Cathedral, by the Rev. H. Fisher, Mr. Henry Humphreys, H. C. marine, to Miss Ann Elizabeth Moffat, daughter of the late Andrew Moffat, Esq.
23. At Calcutta, at the Cathedral, by the Rev. H. Fisher, W. Gibbon, Esq., to Eliza, youngest daughter of the late Lieut. Col. Cuppage.
— At Simla, by the Reverend C. Wimberly, Lieut. C. O'Brien, adjutant of the muscree battalion, to Eliza, eldest daughter of Major G. Young, Judge advocate general.
25. At Calcutta, at the Cathedral, by the Rev. W. O. Kumpni, Capt. John Welchman, 10th N. I. and a-sist. adj. genl. of the army, to Harriet Alycia, youngest daughter of the late John Woodhouse Martin, Esq., II M. S.
— At Saint John's Church, Delhi, by the Reverend R. Everett, M. A. Edward Rowland Unwin Esq., 16th regiment N. I., to Georgiana Caroline, widow, of the late Lieutenant George Byron.
26. At Calcutta, at the Armenian Church, by the Rev. Ter. Antony Avas, Marthee Sunkers Owen, Esq., youngest son of the late Sunkers Owen, Esq., to Ripsimith, the only daughter of Michael Zichanah Sunkere, Esq.
— At Meerut, Captain H. Taylor, 5th regt N. I. to Eliza, youngest daughter of Captain Williams, paymaster, Her Majesty's 10th Lighters.
29. At Allahabad, by the Rev. Mr. Pratt, M. A. Mr. David Smith, to Mrs. Mary McMillan.
At Alipore, by the Rev. J. McQueen, Edward Tucker Smith Esq., head-master of Ramree School, to Miss Catharine Bowling.

DEATHS.

- April 11. At Comellah, zillah Tipperah, Mr. James Evans Lumsden, aged 41 years.
- June 4. At Agia, after a few hours' illness, Louisa Ellen, the only surviving beloved child of Mr. and Mrs. Lewis Teyou, aged 4 years, 8 months, and 16 days.
6. At Fort William, Mrs. Eliza Gray, wife of Mr. George Gray, garrison Sergeant major, aged 22 years and 7 months.
— At Calcutta, Mr. Thomas Walters, of the ship *Imogene*.
10. At Jubbulpore, Charlotte Caroline, the daughter of Lieut. Arthur Wheatly, junior, assistant to commissioner, aged 2 years and 11 months.
13. At Ajmere, by cholera, Augustus Vanzeyst, Esq., deputy asst. commissary of ordnance, aged 56 years.
18. At Asseerghur, Jessy, the beloved wife of Lieut. T. L. Jameson, 3d regt. N. I. aged 20 years.
19. At Entally, James, the only son of the late James Campbell, Esq., aged 1 year, 8 months, and 3 days.

22. At Pabna, Clara Sophia, the infant child of J. Wheeler, Esq., C. S., aged 6 months and 16 days.

23. At north road, Entally, Master Ebenezer Joseph Goodall, son of Mr. J. A. Goodall, of the secret and political department, aged 1 year and 3 days.

— At the General Hospital, Mr. George Farrow, late Assistant to Messrs. Watts and Co. aged 57 years, 3 months, and 14 days.

— At Calcutta, at the residence of Mr. John Cornelius, Mrs. Lewis Cornelius, aged 72 years, deeply and sincerely regretted by a large circle of relatives and friends.

— At Calcutta, Robert Martin, the infant son of the Rev. R. B. Boswell, aged 1 year and 4 months.

21. At Gazeepore, Benjamin, the infant son of Lieut. and Mrs. Vicary, 4th N. I. aged 3 months and 22 days.

25. At Calcutta, Master Walter Wood, son of Robert Wood, Esq., aged 21 days.

27. At Cossipore, Mrs. Abigail Calder, wife of Duncan Calder, Esq., aged 19 years.

28. At Chyebassa, Sinechoom, Quarter master Sergeant Martin Sculling, of the Ramgarh light infantry battalion, of fever.

30. At Delhi, Lieut. William Henry Badora, adjutant 16th regt. N. I. aged 36 years, deeply and deservedly lamented.

— At Alipore, Capt. D. Sherrif, 4th regt. N. I. aged 13 years.

— At Dacca, Mr. E. C. Kemp, of the firm of Kemp and Roberts, of Calcutta, aged 29 years.

— At Berhampore, on the river, Robert Charles, son of Sub-conductor Tibbory, aged 1 year and 2 months.

July 2. At Jorah fallow street, of a deep decline, Mrs. Margaret Keigia Agz, fourth daughter of the late Capt. Agz, of the Bengal engineers.

3. At Serampore, the Hon. Capt. William Hamilton, aged 45 years.

4. At Sylhet, Fenella, daughter of George Loch, Esq., civil service, aged 1 year and 9 months.

— At Muttra, Anna Maria, the beloved daughter of Dr. McGregor, horse artillery, aged 1 year and 6 months.

— At Allahabad, Mrs. Ovensen, widow of the late Assistant Commissary Ovensen, of the ordnance department, aged 36 years.

6. At Belouchiee, indigo factory, the infant daughter of T. Lloyd, Esq., aged 8 months.

— At Calcutta, Isabella, the infant daughter of Sergeant John Pratt, of the town guard, aged 5 days.

7. At Calcutta, Master Thomas Higginson, son of J. B. Higginson, Esq., indigo planter, aged 3 months and 24 days.
— At Patna, the Rev. Charles Rawlins, chaplain on the Bengal establishment, aged 43 years.

— At Calcutta, Master Harry Charles Frederick Speed, aged 12 years and 24 days, son of G. F. F. Speed, Esq.

8. At Calcutta, John O'Sullivan, aged 4 years, son of Mr. Timothy O'Sullivan, preventive officer.

— At Calcutta, Mr. Thomas Francis, of the *Patna*, aged 59 years.

12. At Calcutta, Mr. John Charles Smith, assistant military board office, aged 31 years, 2 months, and 15 days.

— At Calcutta, Mr. Alfred Myers, hotel keeper, aged 28 years.

— At Calcutta, Mr. Peter LeBlanch.

14. In Port William, John Vaughan, son of Mr. Alexander Graug, conductor, town major's Department, aged 6 years, 1 month and 22 days.

16. At Allahabad, of apoplexy, Margaret, the lady of Michael Bull, Esq., deeply and deservedly regretted.

17. At Calcutta, Miss Ann Margaret Burton, daughter of Mr. John Burton, late of the H. C. marine, aged 12 years, 8 months and 24 days.

— At Calcutta, Miss Maria Lumsdaine, daughter of James, Lumsdaine, Esq., M. D. aged 21 years and 5 months.

18. At Gazeepore, Anne, the beloved wife of Lieut. Vicary, 4th N. I. aged 23 years.

— At Dinapore, Penelope, the infant daughter of Mr. and Mrs. W. E. Tytler.

19. At Humberpore, Robert Joseph, the infant son of Mr. Robert Myers, merchant, aged 5 months and 14 days.

27. At Howrah, Virginia, the infant daughter of Mr. J. Poirel, aged 10 months.

— At Calcutta, Mary Matilda Grief, the beloved daughter of Mr. C. Grief, aged 3 years and 7 months.

Europe.—At Bromley Common, Kent, on the 26th April, Helen, eldest daughter of Wm. Ainslie, Esq., of Calcutta, aged 18 years.

At Portobello, after a long and painful illness, at the end of April, Barbara, second daughter of the late Major General James Melville MacGregor, of the Bengal cavalry, aged 30 years.

GENERAŁ REGISTER.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, July 31.)

INDIGO.—The accounts received since our last, from the north-western provinces state that to have fallen there generally, and that the result of the year might prove equal to that of last, from Benares, Allahpore, and those neighbourhoods however, so much rain had fallen, that a large portion of the new sowings had been lost, while from Ferooz, Purneah, Maldah, Janghpore, Bhanglepore, Moorshedabad, and the banks of the Bhagiratty generally, as well as from Burdwan, Jessore and the other districts around Calcutta, the accounts in regard to deficient produce, excessive rains and inundations, continue very unfavorable, hence the crop is now calculated as being likely to fall materially below the output of last year.

The following are the exports up to last evening.

To Great Britain	By Mds	87,973
France	ditto	17,527
Stockholm	ditto	108
North America	ditto	1,939
Cape	ditto	16
Bombay, Persian gulph, and pieces	"	4,741
	By Mds.	112,203

RAW SILK.—Continues to give way in prices, and very little of finer qualities is to be met with in the market. The transactions during the week are for England and Bombay.

SILK PIECE GOODS.—Medium quality of Coahs has been purchased during the week at former prices. The demand is at present limited for all descriptions of silk goods, and our last quotations are supported.

COTTON.—Is without transactions for foreign account,—the demand on the spot being wholly limited to local consumptions; were prices more moderate, shippers to China would doubtless come forward.

SALT PEEKS.—There has been no animated demand for this article for some weeks past, and the prices of the day compared with those quoted in our last, show a reduction of about two annas per maund.

STEAR.—Business continues to be done pretty freely in this article, and it maintains its former prices; but there is none of the best quality to be met with in the bazar. The transactions during the week are reported for London, Liverpool, and Bombay.

LAC DYE.—We have not heard of any transactions during the week and prices remain without alteration.

LAC DYE.—A purchase of a small parcel, second sort is reported for shipment to England at previous price.

DAY GINGER.—Has given way in price, and the purchases reported are for the French and American markets.

INDIA.—Have engaged attention during the week for principally the English markets, and considerable purchases are reported at improved prices.

INDIA.—A large purchase is reported with the occurrences of the week. The stock in the bazar being very large, tends to keep down prices.

INDIA.—Without any transaction since our last. Landed is quoted at a shade of decline.

GRAIN.—Very little has been done during the week, and the prices of several descriptions of Grain viz. Moonghy Rice, Wheat, Gram, Oats, and Barley are quoted somewhat below last week's rates.

OPICU.—Since the arrival of the *Water Witch*, with accounts of a fall in China, prices have declined here Rs 50 a 60 per chest; but as there are no other buyers so solicited at present, the rate is little more than nominal.

The following quantity remains uncleared in the Company's godown:

	Old.	New.	Total.
Patna	149	1,918	1,988
Benares	89	1,191	1,271
			3,259

MONEY MARKET.

GOVERNMENT SECURITIES.

	BY]	[SELL,
Stock	Transfer Loan of 1835-36, interest payable in England	Prem. 15 8 a
Second 5 p. ct.	From No. 1171 a to buy pm. 0 4 a pm 3 0	
	15209, according to Numbers	to sell, par 0 0 a - 2 12
Third of Bombay 5 per cent. 4 p. cent. Dist. Co.'s Rs.	premium 2 12 a 2 12 a	3 0 3 0
Stock	Transfer Loan of 1835-36, interest payable in England	Prem. 15 0 a
Second 5 p. ct.	From No. 1451 a to buy pm. 0 4 a pm 3 0	
	15209, according to Numbers	to sell, par 0 0 a - 2 8
Third of Bombay 5 per cent. 4 p. cent. Dist. Co.'s Rs.	premium 2 12 a 2 12 a	3 0 3 0
Stock	Transfer Loan of 1835-36, interest payable in England	Prem. 15 0 a
Second 5 p. ct.	From No. 1171 a to buy pm. 0 4 a pm 3 0	
	15209, according to Numbers	to sell, par 0 0 a - 2 6
Third of Bombay 5 per cent. 4 p. cent. Dist. Co.'s Rs.	premium 2 12 a 2 12 a	3 0 3 2

BANK SHARES.

Bengal Bank (Co's Rs. 4,000) Prem. Co's Rs.	3,200 a	3,100
Union Bank (ditto 1,000)	ditto	300 a 256
Bengal Bank (ditto 4,000)	ditto	3,160 a 3,000
Union Bank (ditto 1,000)	ditto	300 a 270
Bengal Bank (ditto 4,000)	ditto	3,150 a 3,100
Union Bank (ditto 1,000)	{(old)	210 a 200
	{(new)	105 a 100

COURSE OF EXCHANGE.

BY]	s. d.	[SELL,
2 1 1/2 a	2 2 on London, 6 months' sight	2 1/2 a 2 3
102 0 a	102 s on Madras, 30 days' sight..	98 0 a 98 8
102 8 a	103 0 on Bombay, 30 days' sight..	98 0 a 98 8
2 1 1/2 a	2 3 on London, 6 months' sight	2 2 1/2 a 2 3
102 0 a	102 s on Madras, 30 days' sight.	98 0 a 98 8
102 8 a	103 0 on Bombay, 30 days' sight.	98 0 a 98 8
2 1 1/2 a	2 2 on London, 6 months' sight	2 2 1/2 a 2 3
102 0 a	102 s on Madras, 30 days' sight..	98 0 a 98 8
102 8 a	103 0 on Bombay, 30 days' sight..	98 0 a 98 8

PRICE OF BULLION, &c.

Spanish Dollars.. Co's Rs.	220 8 0 a	221 0 0	per 100
Dubloons	33 0 0 a	31 8 0	each.
Joes or Peases	19 11 0 a	20 0 0	
Dutch Ducats	4 8 0 a	5 0 0	
Sovereigns	19 3 0 a	19 5 0	
Bank of England Notes	10 8 0 a	10 10 8	
Old Gold Mohurs	14 9 6 a	15 10 9	
New	17 7 6 a	17 8 0	
China Gold Bars	12 0 0 a	11 18 9	per sa wt.
Silver	102 4 0 a	104 8 8	per 100 sa wt.
Gold Dust	12 0 0 a	15 0 0	per sa wt.
Spanish Dollars	520 8 0 a	221 0 0	per 100
Dubloons	34 0 0 a	33 8 0	each
Joes or Peases	19 11 0 a	20 0 0	
Dutch Ducats	1 9 0 a	5 0 0	
Sovereigns	10 0 0 a	10 2 0	
Bank of England Notes	10 8 6 a	10 10 8	
Old Gold Mohurs	14 9 6 a	15 10 9	
New	17 7 6 a	17 8 0	
China Gold Bars	12 0 0 a	11 18 9	per sa wt.
Silver	102 4 0 a	104 8 8	per 100 sa wt.
Gold Dust	22 0 0 a	15 0 0	per sa wt.

RATES OF INTEREST AND DISCOUNT.

BANK OF BENGAL.		
Discount	on Government Bills and Salary	5 per cent.
	on Private Bills, 4 months	10 ditto
Interest	on Loans on Government Papers	6 1/2 ditto
	on Goods	8 to 10 ditto
Discount	on Government Bills and Salary	5 ditto
	on Private Bills, 3 months	10 ditto
Interest	on Loans on Government Papers	6 1/2 ditto
	on Goods	8 to 10 ditto

UNION BANK.		
Discount	charged on Govt. and Salary Bills ..	5 per cent.
	ditto on Private Bills, 1 month	9 ditto
	ditto on ditto ditto, 2 ditto	10 ditto
	ditto on ditto ditto, 3 ditto	11 ditto
Interest	allowed on Deposits for 3 months' certain	5 ditto
	charged on Company's Paper Loans ..	8 ditto
	ditto on Deposit of Goods	9 ditto
Discount	on Govt. and Salary Bills	5 per cent.
	ditto on ditto ditto, 1 month	9 ditto
	ditto on ditto ditto, 2 ditto	10 ditto
	ditto on ditto ditto, 3 ditto	11 ditto
Interest	allowed on Deposits for 3 months' certain	5 ditto
	charged on Company's Paper Loans ..	8 ditto
	ditto on Deposit of Goods	9 ditto

GENERAL REGISTER.

ADMINISTRATION TO ESTATES.

Becher, G., Colonel, of Cavalry.....	<i>Registrar Supreme Court.</i>
Blacko, B., Major, 7th N. I.	<i>Registrar Supreme Court.</i>
Hughes, E. C. T. B., Captain in the 4th company 2d batt. of artillery.....	} <i>Registrar Supreme Court.</i>
Moonshee Hossen Ally.....	<i>Registrar Supreme Court.</i>
Bolton, Theophilus, Brevet Major, 47th N. I.....	<i>Registrar Supreme Court.</i>
Foley, Richard.....	<i>Mary Foley.</i>
Gale, Charles, Conductor of Ordnance.....	<i>Margaret Gale, Widow.</i>
Oldpran Seat.....	<i>Registrar Supreme Court.</i>
Scotton, Francis, Captain, 67th N. I.....	<i>Miss A. M. Agg.</i>
Agg, M. K., Miss.....	<i>Registrar Supreme Court</i>
Briggs, William Thomas, Lieutenant, 24th N. I.	<i>Registrar Supreme Court.</i>
Johnson, John.....	<i>G. Ure Adams.</i>
Mary, Bebee.....	<i>Registrar Supreme Court.</i>
Reid, John, Sergeant.....	<i>Registrar Supreme Court.</i>
Breen, J.....	<i>Registrar Supreme Court.</i>
DeSilva, A., <i>alias</i> DeRozario.....	<i>Registrar Supreme Court.</i>
Myers, A.....	<i>Registrar Supreme Court.</i>
Rawlins, C., Rev.	<i>Registrar Supreme Court.</i>
Smith, John C.....	<i>Registrar Supreme Court.</i>
Stewart, R., Major General.....	<i>Registrar Supreme Court.</i>
Stewart, A., Colonel.....	<i>James Colquhoun.</i>
Daly, Mathew.....	<i>Mrs. Mary Daly.</i>
Gahan, Robert, Lieut Col.....	<i>Registrar Supreme Court</i>
Mealy, William, Major.....	<i>Registrar Supreme Court.</i>
Start, Thomas L'Enox Napier.....	<i>Registrar Supreme Court.</i>

GENERAL REGISTER.

GOVERNMENT NOTIFICATIONS,

&c. &c. &c.

Legislative department, August 13, 1839.—The following act is passed by the Honourable the President of the Council of India in Council on the 13th August 1838, with the assent of the Right Honourable the Governor General of India, which has been read and recorded.

Ordered, that the act be promulgated for general information.
Act No. XVII. of 1838

I. It is hereby enacted, that from the first day of September 1838, it shall be competent to the zillah judges, the assistant judges of auxiliary courts, and the principal sudder ameen in the territories subject to the presidency of Fort St George, to receive a summary appeal from the orders or decrees of the district moonsiffs stationed within their respective jurisdictions, in cases in which such district moonsiffs may have refused to admit any suit regularly cognizable by them, or may have dismissed on the ground of delay, informality, or other default without an investigation of the merits of the case, any such suit which they may have admitted, or any suit regularly referred to them by superior authority.

II. And it is hereby enacted, that the provisions contained in the fifth and sixth following clauses of section 5, regulation XV of 1816 of the Madras code, regarding summary appeals, shall apply to the summary appeals preferred under the authority of this act.

PORT WILLIAM, LEGISLATIVE DEPARTMENT, AUGUST 20, 1838.

The following act is passed by the Honourable the President of the Council of India in Council, on the 20th August 1838, with the assent of the Right Honourable the Governor General of India, which has been read and recorded.

Ordered, that the act be promulgated for general information

Act No XVIII of 1838.

I. It is hereby enacted, that from the 1st day of October next, in addition to the security authorised to be taken by sec. 12, regulation XV 1827, of the Bombay code, it shall be lawful for every collector or other principal officer entrusted with the collection or management of the revenues of Government, in the territories subject to the Government of the presidency of Bombay, to require security of one or more individuals, in the form of schedule A, from an officer employed under him, not being a covenanted servant or commissioned officer of the East India Company.

II. *First.* And it is hereby enacted, that the surety or sureties of such officer as aforesaid, who may enter into a bond of the form of schedule A, shall be liable to be proceeded against jointly and severally in the same manner as his or their principal is liable to be proceeded against, in case of default, and not withstanding such principal may be so proceeded against.

Second. Provided always, that no greater sum shall be recovered from the surety or sureties than is sufficient to cover any loss or damage which the Government may actually sustain by the default of the principal, as the amount which may be due from such surety or sureties under the terms of the security bond executed by him on them.

Third. And provided also, that the said surety or sureties shall, in no case, be liable to summary imprisonment in default of producing public papers or property provided he or they pay into the collectors, treasury, the whole or such part of the penalty named on the bond as may be demanded.

III. And it is hereby enacted, that the collectors or other officer as aforesaid, may, at any time after security has been given, the sanction of the superior revenue authority being first obtained, demand fresh or additional security, as may seem to him expedient.

IV. And it is hereby enacted, that any surety whether under a separate or joint bond may withdraw from his suretship at any time, on his stating in writing, to the officer to whom the bond has been given, that he desires so to withdraw; and his responsibility under the bond shall cease after sixty days from the date on which he gives such writing as to all demands upon his principal concerning monies, papers, or accounts for which his principal may become chargeable after the expiration of such period of sixty days.

V. And it is hereby enacted, that the liability of the surety or sureties shall not be affected by the death of a principal, or by his appointment to a situation different from that which he held when the bond was executed.

VI. And it is hereby enacted, that the date from which the liability of the sureties is to commence, shall be stated

in the bond, and such date shall be that of the appointment to the situation which the principal is declared in the bond to hold, or that from which any former security bond has been cancelled, or any other specific date which the officer requiring such security may determine and the party or parties executing the bond shall agree to.

SCHEDULE A.

Form of Bond.

I, A B (we A, B and C D) do hereby become security on the part of E F, holder of the office of _____ in the collectorship of _____ and bind myself (ourselves severally and jointly) to make good all demands for public money, public papers, and accounts, and all other property appertaining to Government, which may have arisen from the date from which this bond is to take effect as hereinafter mentioned, and which may arise during such period as this bond may continue in force against the said E F, and on failure to produce public accounts, papers, or other property appertaining to Government, not being money, (or we) agree to forfeit such sum not exceeding (Rs. 10,000 or as the case may be) as the collector (or other officer, as the case may be) may deem proper.

This bond is to have effect from the date of appointment of the said E F (or as the case may be.)

Executed this _____ day of _____ in the year of _____

Witness,

(Signature of Security.)

T. H. MADDOCK,

Offg. Secy. to the Govt. of India.

BY THE DEPUTY GOVERNOR OF BENGAL.

GENERAL DEPARTMENT, AUGUST 1, 1838

Mr O W. Malet, of the civil service, reported his return to this presidency from England on the 25th inst. ult.

The leave granted under the orders of Government of the 4th ultimo, to Mr C. G. Hyde, of the civil service, to proceed to Europe on furlough, has been cancelled at his own request. Mr. Hyde has been permitted to resign the East India Company's civil service from the 31st ultimo.

The Right Hon the Governor General of India was pleased under date the 18th ultimo, to appoint the medical officer attached to the political residency at Lucknow, to be post master at that station.

A QUARTER

The Hon the Deputy Governor of Bengal is pleased to grant to Mr H. D. H. Ferguson leave of absence for one month, from the 19th inst. in extension of the leave granted to him under date the 26th May last.

AUGUST 15.

Mr C. G. Hyde of the civil service, embarked for England on board the ship "Abberdon," which ship was left by the pilot at sea on the 6th inst.

The Honourable the President in Council is pleased to extend the leave granted to Mr J. P. M. Reil, post master general, on the 20th June last, to the 1st September next, to enable him to rejoin his office.

Notice is hereby given, that the salaries, and allowances of the civil and marine departments for August, instant, will be discharged by the sub-treasurer and marine paymaster respectively, on or after Saturday, the 15th proximo.

AUGUST 22.

The Honourable the President in Council was pleased on the 20th June last, to attach to the North Western Provinces, Mr Charles Metcalfe Ochterlony, Bart. writer, reported qualified for the public service.

Mr. W. J. Morgan, of the civil service, is permitted, on medical certificate, to proceed to the Sand Heads for one month.

The Honourable the President in Council is pleased to place the services of Mr Charles Grant, at the disposal of the Right Honourable the Governor General for the North Western Provinces.

Separate Department.—The Honourable the Deputy Governor of Bengal is pleased to grant to Mr. W. Bracken, deputy collector of customs, leave of absence for three months, from the 3d proximo, preparatory to his applying for furlough.

GENERAL REGISTER.

AUGUST 29.

Mr. H. R. Payne, unrenovated deputy collector at Pooree, is appointed ex officio post master at that station.

ECCLESIASTICAL DEPARTMENT, AUGUST 6.

Notice is hereby given, that with the sanction of the Honourable the President in Council, the following amended rule has this day been adopted for regulating the fees to be levied by the chaplains of this presidency, upon interments made in the public Burial grounds, provided by Government in the neighbourhood of Park-street.

In modification of the part table of the ecclesiastical fees passed by the Governor General in Council on the 20th August, and ordered to be published on the 3d September, 1833, which prescribes that eighty-two rupees should be the fee (head No. 2.) for an interment in a pukka grave. It is hereby ordered, that the total charge for interring a body in a pukka-grave shall, from this date, be fixed at 60 rupees fifty, which fee shall as heretofore be collected by the clerk of St. John's cathedral, and appropriated as provided for the benefit of the chaplains.

Ordered also, that the fees levied for monuments under heads 7, 8, and 9 of the rules above referred to, as published in the *Gazette* of the 9th September, 1833, shall hereafter be carried to the credit of Government, in replacement of the outlay incurred in the purchase of ground by Government.

AUGUST 8.

During the absence of the venerable the Archdeacon of Calcutta, from the presidency of Bengal, the letters of chaplains addressed to the Reverend B. Fisher, senior presidency chaplain, and marked "service" and likewise those transmitted under the service frank of this officer, will be passed free of postage charge.

FINANCIAL DEPARTMENT, AUGUST 15.

Mr. F. Macnaghten, the Government agent and secretary to the savings' bank, is permitted to proceed to the upper provinces, and eventually to the hills, for the recovery of his health, for a period of six months, Mr. G. P. McClintock will conduct the duties of those offices during Mr. Macnaghten's absence.

AUGUST 29

Mr. G. F. McClintock assumed charge of the Government agency office on the 25th inst.

By order of the Honourable the President in Council.

H. T. PRINSEP, *Sec. to the Govt of India.*

MILITARY DEPARTMENT, AUGUST 15

Notice is hereby given, that the pay, bounty, and other allowances for August, 1838, of the troops at the presidency, and at the other stations of the army, will be issued on or after Monday, the 14th proximo.

By order of the Honourable the President in Council,

J. STUART, *Lieut Col.*

Offy. Sec. to the Govt. of India Milly Dept

JUDICIAL AND REVENUE DEPARTMENT, JULY 23, 1838.

The following officers have obtained leave of absence from their stations

Mr. A. Smelt, civil and session judge of Backergunge, for two months, on private affairs. Mr. E. H. Stirling will officiate for Mr. Smelt during his absence.

The Hon the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. G. T. Sealy, to exercise the powers of joint magistrate and deputy collector of Backergunge.

JULY 31.

Mr. A. Brots, exercising powers of joint magistrate and deputy collector in Midnapore, for twenty days, on private affairs from the 7th instant, instead of fifteen days from the 1st idem, as granted on the 26th ultimo.

Mr. R. Finney, deputy collector under Reg. IX, of 1833 in Midnapore, a further extension of leave of absence for two months, from the 10th instant.

The Hon, the Deputy Governor of Bengal has been pleased to make the following appointment:

Mr. F. A. Lushington, to exercise the powers of joint magistrate and deputy collector in Moorshedabad.

AUGUST 1.

The following officers have obtained leave of absence from their stations.

Mr. E. Bentall, magistrate and collector of Dinagepore, for ten days, on medical certificate, Mr. A. G. Macdonald, will officiate during Mr. Bentall's absence.

AUGUST 3.

Mr. F. Stainforth, magistrate and officiating collector of Beerbhoom, extension of leave of absence from the 24th ultimo to the 10th instant.

The Hon the Deputy Governor of Bengal has been pleased to make the following appointment:

Mr. O. W. Malet, to exercise the powers of joint magistrate and deputy collector in the southern division of Cuttack.

AUGUST 4.

Mr. T. C. Trotter to exercise the powers of joint magistrate and deputy collector in Patna. The leave of absence granted to him on the 23th ultimo, to proceed to the Cape of Good Hope, has been cancelled at his request.

AUGUST 7.

Baboo Rama Pershad Race, to be deputy collector under regulation IX of 1833, in zillah, Nuddea, 21 pergunnahs and Moorshedabad.

Judicial and Revenue Department—Resolution. By the "rules" passed by the Right Hon. the Governor General in Council on the 15th March 1833, and published in the *Calcutta Gazette* of the 23d idem, commissioners of revenue and circuit were empowered, under certain circumstances, to grant to their subordinates, without reference to Government, leave of absence for periods not exceeding a month in the year.

But in consequence of the re-establishment of the office of superintendent of police, and the transfer, in almost all districts, of the criminal appeal duties, from the commissioners of circuit to the sessions judges, the subordination of most of the officers previously subject to the commissioners, has been divided, and the authority once exercised over magistrates and collectors, their deputies and assistants, by commissioners alone is now in their hands in the revenue department only, that belonging to the criminal department being held partly by sessions judges and partly by the superintendent of police.

As however the orders of 15th March 1833, have never been rescinded, and the superintendent of police has not been empowered to grant leave, but merely to forward applications to Government, considerable inconvenience has arisen, and it is obvious to the Deputy Governor that the rules in question, require modification to suit the altered circumstances of the service.

Accordingly his honour has been pleased to modify the rule of 15th March 1833, as follows:

1. All officers hitherto subordinate to the commissioners of revenue and circuit, requiring leave of absence for any term, on account of duties not urgent, will hereafter apply for leave to the government through the officers to whom they may be subordinate.
2. Officers subordinate at the same time to the commissioners of revenue and to the superintendent of police, will apply separately through both functionaries, and await their respective directions.

According to the preceding rule, a magistrate or magistrate's assistant, requiring leave of absence, will apply the latter through the magistrate to the superintendent of police, who will forward the application to Government with such opinion as he may deem proper.

In like manner, a collector or collector's deputy or assistant, will apply to the commissioner, who will forward the application with his opinion to the Soldier Board of revenue, by whom it will be submitted to Government with such remarks as the board may think fit to call for.

3. Officers holding the situations of magistrate and collector (united or separate) and their subordinates, will, in urgent cases, apply to the commissioner of revenue, who in such cases, —the urgency being, clearly set forth, will grant leave of absence for a period not exceeding one month. Every such leave granted must be without delay reported to Government by the commissioner, who will also, when the officer to whom leave is granted is subordinate wholly or in part to the superintendent of police, give intimation of the circumstance to that functionary.

Ordered, that the above resolution be published in the *Calcutta Gazette*, for general information.

AUGUST 10.

Mr. A. Grant, to officiate as an additional judge in zillah 21-pergunnahs.

AUGUST 21.

The honourable the Deputy Governor of Bengal has been pleased to appoint Mr. T. C. Loch, to exercise the powers of joint magistrate and deputy collector of Nuddea.

GENERAL REGISTER.

Mr J. H. Ogilvy has been directed to return to Burdwan, and resume charge of the offices of magistrate and collector of that zillah, from which he was temporarily relieved on the 29th May last.

The following officers have obtained leave of absence from their stations:

Mr F Stainforth, magistrate and officiating collector of Beerbhoom, an extension of leave of absence for one month, on medical certificate, in addition to the leave granted on the 3d instant.

Mr E Lactor, superintendent of khas and resumed mehals in Malda, for two months, on medical certificate, in extension of the leave of absence obtained by him from the commissioner of the division.

Syud Johab Ulee, principal sudder ameen of Rungpore, for two months and twenty days, on medical certificate, from the date on which the civil courts close for the approaching dussarah vacation.

Lieutenant J. R. Abbott, officiating junior assistant to the commissioner of Arrakan, a further extension of leave of absence from the 15th instant to the 15th proximo, to enable him to rejoin his station.

AUGUST 7

The Honourable the Deputy Governor of Bengal has been pleased to make the following appointment:

Sheik Meer Alee, Ashraff, to be deputy collector under regulation IX. of 1838, in zillah Dacca.

The following officers have obtained leave of absence from their stations:

The Honourable E Drummond in charge of porgannah Furkueah, in Monghyr, for one month, on private affairs.

Mr J. Fitzpatrick, assistant revenue surveyor in Balasore, an extension of leave of absence to the 31st instant, to enable him to join his station.

Bahoo Noheon Chunder Gossaul, deputy collector under regulation IX. of 1838, in Chitragong, an extension of one month's leave of absence from the 7th ultimo.

AUGUST 11.

Mr K Mackinnon, assistant surgeon attached to the civil station at Tirhoot, for two months, on medical certificate, to proceed on the river, for the benefit of his health.

AUGUST 14.

Mr G H. Clarke, assistant to the joint magistrate and deputy collector in Furruckpore, for twenty days, on private affairs.

Moulavee Rukhnooddeen Khan Bahadour, principal sudder ameen of Furruckpore, during the approaching dussarah vacation.

The Honourable the Deputy Governor of Bengal has been pleased to make the following appointment:

Bahoo Issurechunder Dutt, to be deputy collector under regulation IX of '38, in Midaupore.

AUGUST 21,

Judicial and Revenue Department.—The following officers, have obtained leave of absence from their stations.

Bahon Byjuath Sen, second principal sudder ameen of Jessore, from the 27th instant to the date of the opening of the courts after the dussarah vacation.

AUGUST 25.

Mr G. G. McPherson, surgeon of the civil station of Moorshedabad, to remain at the presidency for one month, on private affairs.

AUGUST 28.

Judicial and Revenue Dept.—The Honourable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr. W. Bell, to officiate as joint magistrate and deputy collector of Nudcohy, until further orders, in the room of Mr. C. Grant.

Mr. E. F. Radcliffe, to exercise the powers of joint magistrate and deputy collector in zillah Bahar.

The following officers have obtained leave of absence, from their stations:

Moulavee Mahomed Khoorshid, additional principal sudder ameen in Mymensing, during the ensuing dussarah vacation.

Ajodhya Pershad Tawaree, principal sudder ameen in Patna, during the ensuing dussarah vacation.

Mr. A. Jackson, principal sudder ameen stationed at Malda, during the ensuing dussarah vacation.

AUGUST 30.

Mr. F. Stainforth, magistrate and officiating collector of Beerbhoom, for three months, from the 1st proximo, for the purpose of proceeding to Singapore, on medical certificate, Mr. Alberton

will continue to officiate as magistrate and collector during Mr. Stainforth's absence, or until further orders.

Mr. J. S. Campbell, superintendent of Khas and resumed mehals in Tirhoot, for one month, on private affairs, commencing on or about the middle of next month.

Moulavee Futeh Ulee Khan, principal sudder ameen, Moulavee Niamut Ulee Khan, additional principal sudder ameen, and Moulavee Ashraff Hussain, sudder ameen in zillah Behar, during the ensuing dussarah vacation.

Bahoo Hurryvarain Ghose, first principal sudder ameen in Jessore, during the ensuing dussarah vacation, and ten days beyond it.

Moulavee Najmood Huk, sudder ameen in Moorshedabad, during the ensuing dussarah vacation.

BY THE GOVERNOR GENERAL.

POLITICAL DEPARTMENT, SIMLA, JULY 19.

Lieutenant W. C. Birch, of the 5th reg. N. I. and officiating assistant to the general superintendent of the operations for the suppression of thuggee, has this day been appointed to be an assistant to that officer.

By order of the Right Hon. the Governor General of India,

H. TORRENS,

*Depy. Sec. to Govt of India,
with the Govr. Genl.*

SIMLA, AUGUST.

The Right Hon'ble the Governor General of India has been pleased to confer the title of Khan Bahadour upon Moulavee Muscareh-ood deen Khan, moonshiee in the office of the secretary in the judicial, revenue, and general departments, N. W. P. as an acknowledgement of the services rendered by his father and grand father, the latter (Moulavee Najeem-ood deen Ulee Khan) having held the office of Quzee on Koozat with the title of Uzza-ool-Quozat, and the former (Moulavee Ulicem-ood deen Khan Bahadour) being principal sudder ameen of Etawah.

By order of the Right Honourable the Governor General of India.

SIMLA, AUGUST 16.

Eusign M T. Blake, of the 50th regiment native infantry, was appointed on the 15th instant, to be 2d in command of the infantry regiment in Sudda's reformed contingent.

W. H. MACNAGHTEN,

*Sec to the Govr. of India,
with the Govr. Genl.*

SIMLA, AUGUST 7.

Subadar Ramperwan Singh, Bahadour, of the 33d regiment N. I. is promoted to the first class of the "order of British India," vice Surda Bahadour Abdulillah Khan, of the 66th Regiment deceased.

W. M. CASEMENT, *Maj. Genl.*

Sec to the Govt of India, Milly Dept.

with the Rt Hon'ble the Govr. Genl.

POLITICAL DEPARTMENT, SIMLA, AUGUST 8.

Lieutenant W. F. Eden, 3d assistant to the resident at Indore, has obtained leave of absence from the 13th February to the 15th May last, to enable him to join his station.

SIMLA, AUGUST 13.

The undermentioned officers have been directed to proceed to Loodiana, and to act under such instructions as they may receive from the political department.

Colonel C. W. Hamilton, 61st regt N. I.; Captain W. Anderson, artillery; Lieutenant C. E. Mills, ditto; Lieutenant J. D. Moffat, 2d light cavalry; Lieutenant and Lt. Capt J. Christie, 3d ditto; Captain C. G. Macean, 16th N. I.; Lieutenant R. McKean, 17th ditto; Lieutenant J. K. Spence, 20th ditto; Ensign J. B. Conolly, ditto ditto; Captain J. D. D. Beas, 23d ditto; Captain J. B. Handcomb, 26th N. I.; Lieutenant P. N. K. colson 28th ditto, Captain T. McSherry, 30th ditto; Lieutenant T. A. Halliday, 45th ditto; Lieutenant C. Coddington, 49th ditto; Captain W. F. Beason, 54th ditto; Lieutenant W. Anderson, 59th ditto.

Captain D. A. Malcolm, assistant to the resident at Hyderabad, assumed charge of his office on the 18th July.

GENERAL REGISTER.

Mr. S. J. Popham, the superintendent of the Chuttedroog division in the Mysore territory, has, at his own request, been this day placed at the disposal of the Government of Fort St George.

Lieutenants J. Maitland and R. Cannon, the assistants to the commissioner for the Government of the territories of his Highness the Rajah of Mysore, joined their appointments, the former on the 13th July and the latter on the 4th June.

W. H. MACNAGHTEN, *Sec. to Govt. of India.*
with the Governor General.

BY THE GOVERNOR GENERAL FOR THE N. W. P.

GENERAL DEPARTMENT, SIMLA JULY 6.—*Ecclesiastical*—The Reverend W. Parish, district chaplain of Kurhul, has obtained leave of absence from his station from the 1st October next, for the purpose of proceeding to Calcutta, preparatory to taking his furlough.

J. THOMASON,
Offg. Sec. to the Govr. Genl. N. W. P.

POLITICAL DEPARTMENT, SIMLA, JULY 14 1839.

The Right Hon. the Governor General has this day been pleased to appoint Mr. Hervey Harris Greathead, an assistant, with special powers, to the political agent at Umballa.

By order of the Right Hon. the Governor General.

H. TORRENS,
Depty. Sec. to the Govt. N. W. P.
with the Govr. Genl.

JUDICIAL DEPARTMENT, SIMLA, JULY 19.

Conformably with the resolution of the Government of India, published in the *Calcutta Gazette* of the 7th October last, the Right Hon. the Governor General has been pleased, in communication with the Court of Sudder Dewanny Adawlut, to raise the personal allowances of the undermentioned principal sudder ameenas, from Rs. 400 to 600 per mensem, and of the undermentioned moonsifs, from Rs. 100 to 150 per mensem, to have retrospective effect, the former, from the 21st April, and the latter, from the 6th June last:

Principal sudder ameenas.—Mohammed Zuhoor, in Ghazee-pore; Mr. H. J. Berkeley, Bareilly; Mr J. Campier, Goruck-pore; Nawab Abdoolah Khan, Mynpoore; Moulvee Sudder-ood-deen, Dehlee.

One vacancy remains to be filled up, the appointment to which will hereafter be notified.

Simultaneously with these appointments, his lordship feels pleasure in publishing the following extract from the report of the Sudder Dewanny Adawlut on the claims of several candidates for promotion:

“At the same time it is due to the remaining principal sudder ameenas to mention, that several of them are highly deserving and meritorious public functionaries, and it will afford the court great pleasure to bring their claims to the favourable notice of Government, on the occurrence of fitting opportunities.”

Moonsifs.—Ruzee ood-deen, in Agra; Kishen-Dyal, purdit, Allahabad; Syud Ishaee Buksh, Azimgurh; Kurreem Oollah, Bareilly; Gholaum Ghouse, ditto; Kazee Furzund Alier, Benares; Cholam Woostupha, Bundelkand; Mohammed Moostuj qee, Cawnpore; Hoseen Buksh, Etawah; Pandit Dyanam, Furruckabad; Tuftuzool Hosen, ditto; Sheekh Kadir Buksh, Futtehpore; Dwarakanauth, Ghazee-pore; Moolvee Mohammed Moneer, Goruck-pore; Syud Fazl Azeem, ditto; Kazee Zeesh Oollah, Jounpore; Busheer Oollah, Meerut; Mohammed Huzroolla, ditto; Yar Ally Khan, Mirzapore; Maseook Ally Khan, Moradabad; Mohammed Kasim, ditto; Mr. Powell, Saharunpore.

Some vacancies remain to be filled up, the appointments to which will hereafter be notified.

GENERAL DEPARTMENT, SIMLA, JULY 16.

Judicial and Revenue.—Mr. H. G. Astell, is appointed to officiate as joint magistrate and deputy collector of Bareilly.

The leave of absence, for ten days granted by the commissioner of the Allahabad division to Mr S. J. Becher, joint magistrate and deputy collector of Futtehpore, on account of his private affairs, is confirmed.

Judicial.—Lieutenant C. Brown, assistant to the general superintendent of the operations for the suppression of thuggee, is vested with the general powers of a junior assistant to the commissioner of the Saugur division, in addition to the special powers which he now exercises under the direction of the superintendent of the operations for the suppression of thuggee.

SIMLA, JULY 19.

Revenue.—Syud Khummar Ali, is appointed to be a deputy collector in zillah Bynour, under the provisions of regulation IX of 1833.

SIMLA, JULY 21.

Judicial and Revenue.—Mr. W. De H. Routh, joint magistrate and deputy collector of Allygurh, has obtained leave of absence to visit the hills, on medical certificate, from the 20th July, 1839, to the 1st of November 1839.

Mr. G. F. Harvey, magistrate and collector of Allygurh, is authorized to receive charge of the current duties of the judge's office at Allygurh from Mr. Routh, until the arrival of Mr. M. F. Muir, at the station.

Mr. M. F. Muir to officiate as joint magistrate and deputy collector of Allygurh, in the room of Mr. Routh, and to take charge of the current duties of the judge's office.

Mr. R. T. Tucker, to officiate as joint magistrate and deputy collector of Azimgurh.

Mr. T. K. Lloyd, to officiate as joint magistrate and deputy collector of Etawah.

SIMLA, JULY 23.

Judicial and Revenue.—Mr. H. Vansittart, is appointed to be an assistant under the commissioner of the Meerut division.

JULY 21.

The following officers have obtained leave of absence.

Mr. C. Gubbins, joint magistrate and deputy collector of Rohituk, for one month, from the 10th September next, to visit the hills, on his private affairs.

Mr. F. B. Gubbins, assistant to the magistrate and collector of Bissar, has been appointed to officiate as joint magistrate and deputy collector of Rohituk, during the period of Mr. C. Gubbins' absence.

Mr. M. R. Gubbins, officiating joint magistrate and deputy collector of Goorgaon, for one month, from the 10th September next, to visit the hills on his private affairs.

JULY 25.

Revenue.—Ensign W. S. Sherwill, of the 60th regt. N. I. is appointed to be an assistant revenue surveyor, in order, that he may be employed under Lieutenant Abbott, in the approaching survey of Cawnpore.

Judicial and Revenue.—The unexpired portion of the leave of absence granted by the commissioner of Allahabad division to Mr. S. J. Becher, joint magistrate and deputy collector of Futtehpore, and confirmed by the Government under date the 6th instant, is cancelled from the 27th June last, the date on which Mr. Becher rejoined his station.

Mr. A. A. Roberts (appointed on the 18th June last, to be an assistant, under the commissioner of the Benares division, has been posted by the commissioner, as an assistant to the magistrate and collector of Benares.

JULY 29.

General.—Mr. assistant Surgeon M. Nightingale, is appointed to take charge of the medical duties of the civil station of Hummerpore.

SIMLA JULY 30

Appointments—Judicial and Revenue.—Mr. F. B. Gubbins, to officiate as joint magistrate and deputy collector of Huzar.

Revenue.—Kallub Hosen Khan, deputy collector under regulation IX. of 1833 at Allahabad, is transferred in the same capacity, to zillah Etawah.

Sheik Wuhseedoo Zuman, to be a deputy collector under the provisions of Regulation IX of 1833 in zillah Allahabad, to take effect from the 6th inst. ant.

Ecclesiastical.—The Reverend W. Sturrock, to be chaplain at the station of Futteghur.

The Reverend R. Ewing, to be chaplain at the station of Meerut.

SIMLA, AUGUST.

Separate.—Under the power reserved to the Government by schedule A, regulation X. 1829, the Right Hon. the Governor General is pleased to admit the Agra bank, to compound for the stamp duty on a certain description of promissory notes payable any days after sight, which they propose to issue on their own responsibility. This composition will remain in force for the period of one year from the present date.

SIMLA, AUGUST 7.

Revenue.—Mr. J. Maberly, to officiate as deputy collector for the investigation of claims to hold land exempt from payment of revenue in the Meerut and Moozuffernuggur districts.

Judicial and Revenue.—Mr. E. T. Colvin, placed as an assistant under the magistrate and collector of Moozuffernuggur.

Revenue.—Mr. E. B. Morgan, to officiate as collector of Mirzapore.

GENERAL REGISTER.

Judicial and Revenue.—Mr. J. J. Ward to officiate as joint magistrate and deputy collector of Huceerpore.

Mr. G. D. Baikes to be an assistant under the magistrate and Collector of Mizapor.

SILHA, AUGUST 8.

Judicial.—Mr. C. T. Le Bas, assistant to the magistrate and collector of Muttra, is invested with the special powers prescribed in Clause 3, Section 2, Regulation 111 of 1831.

SILHA, AUGUST 9.

Conformably with the Resolution of the Government of India, published in the *Calcutta Gazette* of the 7th October last, the Right Honourable the Governor General is pleased, in communication with the Court of Sudder Dewaney Adawlat, to raise the personal allowances of the undermentioned moonshis of zillah Allypore from Rs. 100 to 150 per mensem, with retrospective effect from the 5th June last.

Mohammed Hoosain Khan.
Boozorg Ally.

Judicial and Revenue.—Mr. N. B. Edmonstone, officiating magistrate and collector of Ghuzzeper, has obtained leave of absence for three months, from the 1st October next, to enable him to visit the presidency preparatory to his applying for permission to proceed to Europe on furlough.

SILHA, AUGUST 11.

Judicial.—Mr. J. S. Boldero, judge of Agra, has obtained leave of absence from the 27th instant to the 27th September next, on account of his private affairs. Mr. Boldero has been authorized to make over charge of the current duties of his office to Mr. H. Alexander, the joint magistrate and deputy collector of Agra, during the period of his absence.

J. THOMASON,

Offg. Secy to the Govr. Genl N. W. P.

MILITARY.

BY THE PRESIDENT IN COUNCIL.

Fort William, July 30, 1838.—No. 114 of 1838.—Captain Ralph Gore Roberts, of the regiment of artillery and officiating deputy principal commissary of ordnance, is permitted to retire from the service of the East India Company, on the pension of his rank from the 1st proximo.

The hon. the President in Council is pleased to make the following promotions:

Regiment of artillery.—1st Lieutenant and Brevet Captain John Rathby Revell to be captain, and 2d Lieutenant William Barr to be 1st lieutenant, from the 1st August 1838, in succession to Captain Ralph Gore Roberts retired.

5th regiment native infantry.—Captain William Ewart to be major, Lieutenant and Brevet Captain Robert Leo Burnett to be captain of a company, and Ensign Henry Weaver to be lieutenant from the 23d July 1838, in succession to Major Charles Farquharson Urquhart, transferred to the invalid establishment.

Medical department.—Assistant Surgeon William Thomson to be surgeon, from the 23d July 1838, vice Surgeon Joseph Langstaff retired.

Lieut Arthur Conolly, of the 6th regt. light cavalry, is promoted to the rank of captain by brevet, from the 30th July 1838.

Captain Christopher Smsom Maling, of the 64th regiment native infantry, has returned to his duty on this establishment with out prejudice to his rank, by permission of the hon. the Court of Directors, date of arrival at Fort William, 24th July 1838.

The undermentioned gentlemen are admitted to the service, in conformity with their appointments by the hon. the Court of Directors as cadets of artillery and infantry on this establishment, and promoted to the rank of 2d lieutenant and ensign respectively, leaving the dates of their commissions for future adjustment.

Artillery.—Mr. Henry Price de Tessier, date of arrival at Fort William, 24th July 1838.

Infantry.—Messrs. Edward John Rickards, date of arrival at Fort William, 23d July 1838; Edward John Bollen, Robert Reynolds, John Lambert, Charles Newton, and Henry Garden Burmester, ditto 24th ditto; William Bailie, Charles Samuel, John Terrot, Frederick Peter Layard, Donald Macleod, William Frederick Newton Wallace, Edward William Salisbury, and John Arthur Howard Gorges, ditto 26th ditto.

Captain James George, of the 10th regiment native infantry, is permitted to proceed to the Cape of Good Hope, on medical certificate; and to be absent from Bengal on that account for two years.

Lieutenant James Ramsay, of the 35th regiment native infantry, deputy assistant commissary general, has leave of absence from the 1st instant to the 1st of March next, to visit the presidency, on medical certificate.

Fort William, August, 6.—No. 116 of 1838.—The hon. the President in Council is pleased to assign rank to the undermentioned 2d lieutenants, cornet, ensigns, and assistant surgeons, from the dates expressed opposite to their names:

Artillery.—2d Lieutenants Henry Price de Tessier, and Robert Robertson Bruce, 11th December 1837.

Cavalry.—Cornet William Young, (not yet admitted) 17th March, 1838.

Infantry.—Ensigns Edward Wm. Salisbury, George Ogle Jacob, (not arrived) William Bailie, John Lambert, John Arthur Howard Gorges, Donald Macleod, Humphry Thomas Repton, Edward John Bollen, Robert Reynolds, William Frederick Newton Wallace, Charles Samuel, John Terrot, William Spiller Peris, (not arrived), Edward Donald Ventrone, Francis Grant Crossman, James Metcalfe Lockett, William Campbell, (not arrived), Charles Metcalfe Sneyd, (not arrived), Robert Campbell, Charles Newton, and Edward Newton Dickenson, (not arrived) 11th December 1837. Crawford Trotter Chamberlain, Henry Hopkinson, John Palmer Caulfield, and Muris George Colebrooke Sutherland, 12th December 1837. George Edward Ford, Frederick Thomas Paterson, Rowland Rees Janmarg, Charles Sheppard Reynolds, and Henry John Edwards, 21st December 1837. Edward Leith, (deceased) Francis James Smalpage, and Arthur Sam, M.D., 11th January 1838. Augustus Jacob Vamenen, Thomas Wilkinson Gordon, and Evan Philip Tighman Nepeun, 11th January 1838. Glens Merer Brodie, 11th February 1838. James Goodall Wollen, 17th February 1838. Francis Hardwick Warren, (not arrived) and Fred. Turner Wroughton, (not arrived) 18th February 1838. William Frazer, and William Louis Mosheim Bishop, 21st February 1838. John James Macdonald, (not arrived) 20th February 1838. Thomas Pottinger, George Holroyd Powell, John Comyn, George Homington Cookson, Harry Burnett Lumsden, Langston Peter Faddy, Martin Dunsford, Joseph McCance, Richard John Meade, and John Robert McMullin, 1st March, 1838. Robert Charles Stevenson, 8th March 1838. George Douglas Bonar, (not arrived) Frederick Peter Layard, and Henry Garden Burmester 11th March 1838. Edward John Richards, 27th March, 1838, Edward Corse Scott, (not arrived), and Thomas Fourness Wilson, (not arrived) 24th April, 1838.

Medical department.—Assistant Surgeons James Alexander Dunbar, M. D. 12th December 1837. Richard William Faithful, 10th February 1838. Edmund Boulton, 11th February, 1838. Henry Charles Eddy, (not arrived) 10th February 1838. William Neal, Henry Hawkins Bowling, and Andrew Paton, 1st March 1838. Alexander Greig, M. D. (not arrived), 10th March 1838. Thomas Murray, M. D. (not arrived) 6th May, 1838.

N. B. Assistant Surgeons Philip Otley Egerton Baizes and Luke Kelly, M. D. having been struck off the list of assistant surgeons, No. 1 of 1837, the rank assigned to them in Government general orders, No. 138, of the 24th July, 1837, is hereby cancelled.

No. 117 of 1838.—The hon. the President in Council is pleased to make the following promotions and appointments:

8th regiment light cavalry.—Lieutenant Robert William Hogg to be captain of a troop; Cornet William Grant Prendergast to be lieutenant, from the 24th July 1838, in succession to Captain Francis Smalpage deceased.

Supernumerary Cornet Frederick James Alexander, is brought on the effective strength of the cavalry.

Right wing European regiment.—Ensign Fletcher Shuttleworth to be lieutenant, from the 10th July 1838, vice Lieutenant Holland Watson deceased.

Surgeon Simon Nicolson to be a presidency surgeon, vice Surgeon Ranken, who has resigned that situation.

Mr. Richard William Faithful is admitted to the service, in conformity with his appointment by the hon. the Court of Directors, as an assistant surgeon on this establishment. Date of arrival at Fort William 25th July, 1838.

2d Lieutenant John William Kaye, of the regiment of artillery, is permitted to proceed to sea, on medical certificate, and to be absent from Bengal on that account for six months.

Fort William, August, 13.—No. 119 of 1838.—The hon. the President in Council is pleased to make the following promotion:

24th regiment native infantry.—Ensign Frederick Adams to be lieutenant, from the 7th August 1838, vice Lieutenant Edmund Trant Spry, deceased.

The undermentioned gentlemen are admitted to the service, in conformity with their appointments by the honourable the Court of Directors, as cadets of infantry and assistant surgeons on this establishment. The cadets are promoted to the rank of ensign, rank was assigned to them in general orders, No. 116 of the 6th instant.

Infantry.—Messrs. William Campbell, John James Macdonald, George Douglas Bonar, George Ogle Jacob, and Charles Metcalfe Sneyd, date of arrival at Fort William, 4th August, 1838.

Mr. Frederick Turner Wroughton, do, 9th do.

GENERAL REGISTER.

Messrs, William Spiller Ferris, and Francis Hardwick Warren, do. 11th do.

Mr Edward Newton Dickenson, date of arrival at Cuttack, 29th July 1838.

Medical department.—Alexander Greig, M. D. date of arrival at Fort William, 6th Aug 1838.

Henry Charles Eddy, v. E. do. 12th do.

No. 121 of 1838.—The leave of absence granted in general orders No. 226, dated 20th November last, to Captain H. Carter, of the 73d regiment N. I. paymaster of native pensioners at Barrackpore, on account of private affairs, is extended for twenty days, from the 1st instant.

Memoandum. The native commissioned and non-commissioned officers, burlers, and privates of the local Sebundy corps of sappers and miners at Darjeeling, are to receive the scale of pay ordinarily drawn for the same grades in the local infantry, corps, instead of the rates laid down in general orders No. 99, of the 2d July last.

Fort William, August 17.—No. 123 of 1838.—The furlough to Europe on private affairs, obtained by Lieutenant Robert Edward Tunour Richardson, of the 62d regiment native infantry, in general orders, No. 105, dated the 9th July last, is cancelled.

Fort William, August 20.—No. 124 of 1838.—Assistant Surgeon George Jackson Berwick, M. D. has returned to his duty on this establishment, without prejudice to rank, by permission of the Hon'ble the Court of Directors, date of arrival at Fort William, 14th August, 1838.

Lieutenant Frederick Alfred Close, of the 65th regiment native infantry, is permitted to proceed to Europe on furlough, on medical certificate.

Lieutenant Paul Wynch Willis, of engineers, executive engineer, 5th or Banares division of the department of public works has leave of absence from the 15th instant, to visit the presidency, on medical certificate, preparatory to applying for furlough to Europe.

Assistant Surgeon H. Taylor, in temporary charge of the medical duties of the civil station of Gyoh, is, at his own request, placed at the disposal of His Excellency the Commander in Chief.

The following promotions are made in the subordinate medical department

Assistant Steward James Gibson to be steward, and hospital apprentice Anderson W. Wallace to be assistant steward, from the 25th July 1838, vice Hyde dismissed, by the sentence of a court-martial.

No. 125 of 1838.—The Hon. the President in Council is pleased to make the following promotion

Left wing European regiment.—Ensign Walter Key Hallowood to be lieutenant, from the 10th August 1838, vice Lieut Henry Brooks Walker, deceased.

Lieut. Charles Henry Thomas, of the 11th regt. N. I. is promoted to the rank of captain by brevet, from the 18th August 1838.

Fort William, August 27.—No. 126 of 1838.—The Hon'ble the President in Council is pleased to make the following promotions

Cavalry.—Lieutenant Colonel and Brevet Colonel Henry Tuffin Roberts, v. E. to be Colonel, Major George John Shadwell, to be lieutenant colonel,—2d regiment light cavalry.—Captain Henry Fisher to be major, lieutenant and Brevet Captain George Couilly Pomonby to be captain of a troop, Cornet George Charles Crispin to be lieutenant, from the 19th May 1838, in succession to Lieutenant General (Colonel) Sir Thomas Brown, K. C. B. deceased.

Supernumerary Cornet John James Galloway, is brought on the effective strength of the cavalry.

29th regiment native infantry.—Captain Peach Brown to be major, Lieutenant and Brevet, Captain John Bracken to be captain of a company, and Ensign Henry Torrens Daniell to be lieutenant, from the 21st August 1838, in succession to Major John Buchwell deceased.

41st regiment native infantry.—Lieutenant and Brevet Captain John Woodburn to be captain of a company, and Ensign William Lowther Hassell to be lieutenant, from the 21st August 1837, agreeably to the Hon'ble the Court of Directors, letter No. 10 published in general orders No. 106, of the 30th May 1836, in succession to Captain and Brevet Major Sir Robert Colquhoun, Bart. deceased.

The President in Council is pleased under the peculiar circumstances of the case of Lieutenant R. E. T. Richardson, of the 124th regt. N. I. to permit that officer to avail himself of the furlough to Europe on account of private affairs, granted to him in general orders, No. 195, dated the 9th July last. The general orders No. 129, of the 17th instant, is accordingly cancelled.

Ensign Hector Alexander Sandeman, of the 41st regiment N. I. is permitted to proceed to Europe on furlough, on medical certificate

Apothecary James Winn, of the subordinate medical department, being declared incapable of further duty, is transferred to the invalid pension establishment, on the pension of his rank.

Hospital Serjeant Thomas Connors, of the 5th battalion artillery, is admitted to the benefits of the pension sanctioned by Minutes of Council of the 10th Jun 1797, and general orders dated 5th February 1820, subject to the confirmation of the honorable the Court of Directors, with permission to receive his stipend at Cawnpore.

No. 127 of 1838.—Assistant Surgeon George Rae, in temporary charge of the medical duties of the civil station of Hooghly, is placed at the disposal of His Excellency the Commander in Chief.

Assistant Overseer Thomas Fletcher attached to the 10th or Agra division of the department of public works, resigned that appointment on the 18th ultimo.

J. STUART, Lt. Col.,

Off. Sec. to the Govt. of India, Milly. Dept.

BY THE GOVERNOR GENERAL.

SIMLA, JULY 13, 1838.

The Right Hon. the Governor General is pleased to make the following appointments to have effect from the 23d of July 1838.

Surgeon J. Sowers, 3d member, to be 1st member of the medical board, vice Laustaff, whose tour will expire on the above date.

Surgeon T. Smith, 3d member of the Board, to be 2d member, vice Sowers

Superintending Surgeon C. Campbell, to be 3d member, vice Smith, Surgeon G. King to be a superintending surgeon on the establishment, vice Campbell appointed to the medical board.

SIMLA, JULY 17.

The following appointment was made in the political department, under date the 9th instant.

Assistant Surgeon J. Fagan, to the medical charge of the 3d regiment of infantry, in the Oude auxiliary force, vice Assistant Surgeon W. Brydon, resigned.

SIMLA, JULY 24.

Lieutenant W. C. Birch, of the 5th regiment native infantry, has been confirmed in the appointment of assistant to the superintendent of the operations for the suppression of thuggee, to which he was nominated as officiating in general orders. No. 19, of the 23d January, 1837.

SIMLA, JULY 27.

Ensign W. S. Sherwill, of the 66th regiment native infantry, was appointed, in the general department, North Western Provinces, under date the 25th instant, to be an assistant to Lieutenant Abbott, employed on a revenue survey of Cawnpore.

SIMLA, JULY 31.

General Department.—Assistant Surgeon M. Nightingale was appointed, North Western Provinces, under date the 28th instant, to the charge of the medical duties of the civil station of Humnecpore.

SIMLA, AUGUST 16.

The Right Hon'ble the Governor General directs that a further augmentation of one invalid, one pack, and ten privates per company, be made to the infantry regiments of the line, on the Bengal establishment.

2d His Excellency the Commander in Chief will be pleased to issue such orders as may be necessary for giving early effect to this measure.

SIMLA, AUGUST 17.

The following appointment was made in the general department, North Western Provinces, under date the 10th instant:

Assistant Surgeon A. V. Dunlop, M. D. to be civil assistant surgeon at Jaunpore, vice Assistant Surgeon J. T. Pearson.

WM. CASEMENT, Maj. Genl.,

Secy. to the Govt. of India, Milly. Dept.

with the Hon'ble the Govt. Secy.

GENERAL REGISTER.

BY THE COMMANDER IN CHIEF.

Head quarters, Simlah, July 14, 1833.—His Excellency the Commander in Chief has been pleased to direct the publication of the following extract from a military letter from the Hon the Court of Directors, to the address of the supreme Government, dated the 10th of April last, for the information of those officers who forwarded or concurred in memorials, transmitted to head quarters during the past year, praying for the adoption of a retiring fund.

“Our explicit rejection of Mr. Cornia's scheme, to which you allude, renders it unnecessary to do more than avow our undiminished conviction of the propriety of that decision.”

His Excellency the Commander in Chief is pleased to make the following appointment:

16th regiment native infantry.—Lieutenant Archibald Balderston to be adjutant, vice Balder deceased.

The undermentioned officer has leave of absence:

71st regiment native infantry.—Captain J. S. Marshall, from 16th June to 16th July, in extension, to remain at the presidency on medical certificate.

By order of his Excellency the Commander in Chief.

Head quarters, Simlah, July 17.—The following removals and postings will take place in the regiment of artillery

Captain J. Alexander, from the 2d company 5th battalion, to the 2d company 3d battalion.

Captain J. L. Mowatt, (new promotion) to the 2d company 5th battalion

1st Lieutenant F. A. Miles, (interpreter and quartermaster, 6th battalion) to the 6th company 6th battalion.

1st Lieutenant F. C. Burnett, from the 4th company 1st battalion to the 2d troop 1st brigade horse artillery.

1st Lieutenant J. H. Campbell (interpreter and quartermaster 7th battalion) to the 2d company 7th battalion.

Ensign J. Gordon, of the 59th regiment of native infantry, is permitted to pass the unexpired portion of the leave granted to him in general orders of the 19th March last, at Meerut instead of Mussorie.

Bombardier George Hulry, of the 1st company 4th battalion of artillery, is transferred to the town major's list, from the 29th ultimo, and appointed gun corporal to the Arican local battalion.

The undermentioned officers have leave of absence:

5th regiment native infantry.—Lieutenant Colonel J. Charter, from 1st October to 1st February 1839, to visit the presidency, on private affairs, preparatory to applying for permission to retire, from the service.

9th regiment native infantry.—Ensign J. Murray, from 25th July to 20th October, in extension, to remain at the presidency, on private affairs.

Head quarters, Simlah, July 18.—Assistant Surgeon W^m Brydon, who is permitted by the above general order to resign his appointment to the Oude auxiliary force, is reported to the 4th regiment of light cavalry.

Corporal George Payne, of the 2d company 5th battalion of artillery, is transferred to the Town major's list, from the 7th instant, and appointed a laboratory man in the Allahabad magazine.

Head-quarters, Simlah, July 9.—A reference having been made to the honourable the Court of Directors, on the subject of the application of certain of the provisions of his late Majesty's warrant of the 26th of May 1837, to the European soldiers of the Hon Company's service, his excellency the Commander in Chief is pleased, for more convenient reference and to ensure due attention to the subject, to republish the royal warrant, and to append the decision passed by the hon. the Court of Directors on its several provisions.

GOOD CONDUCT WARRANT.

Dated 26th May, 1837.

WILLIAM R.

Whereas it has been represented to us, that it would materially tend to the encouragement of good conduct in the army, if a reward, to be attained only by the well conducted soldier, were substituted for the additional pay granted to soldiers who have completed certain periods of service; our will and pleasure is, that all corporals, trumpeters, drummers, fiers, buglers, and private soldiers, enlisted or re-enlisted into our service on or after the 1st day of September 1836, shall have no claim to additional pay after any period of service, but that a reward of additional pay for good conduct shall be granted to such soldiers, under the following rules:

1. Soldiers who shall have completed 7 years' service shall be entitled to claim 1*l*. a day, and to wear a distinguishing mark provided their names shall not have been entered in the regimental defaulter's book for at least two years immediately preceding such claim.

2. Soldiers who shall have completed 14 years' service shall be entitled to claim a further reward of 1*l*. a day, and to wear two distinguishing marks, provided they shall have been uninterruptedly in the enjoyment of the 1*l* a day, for at least two years immediately preceding such further claim.

3. Soldiers who shall have completed 21 years' service shall be entitled to claim a further reward of 1*l*. a day, and to wear three distinguishing marks, provided they shall have been uninterruptedly in the enjoyment of the 2*d* a day, for two years immediately preceding their claim to the third penny.

4. Soldiers who shall have completed 28 years' service shall be entitled to claim a further reward of 1*l*. a day, and to wear four distinguishing marks, provided they shall have been uninterruptedly in the enjoyment of the 3*d* a day, for two years immediately preceding their claim to the fourth penny.

5. Soldiers who by their good conduct shall have obtained one or more distinguishing marks shall be entitled to have the full rate of that good conduct pay, of which they shall have been in uninterrupted possession for five years immediately preceding their discharge, added to the rate of pension, whether temporary or permanent, to which they may have a right under the provisions of our warrant of the 7th February 1833.

6. Soldiers who have been in the possession of some one or other of the rates of good conduct pay for five years uninterruptedly, but who have only been in possession of either of the higher rates for some period not less than two years immediately preceding their discharge, shall be entitled, if discharged with two distinguishing marks, to an addition of 1*l*. 7*s*.; if discharged with three distinguishing marks to an addition of 2*l*. 4*s*.; and if discharged with four distinguishing marks, to an addition of 3*l*. 4*s*., as an augmentation of the pension to which their services will entitle them.

7. Soldiers who shall have been in the uninterrupted possession of good conduct pay, for at least three years immediately preceding their discharge for disability, or by reduction, and who shall not have acquired claims to pension, or who shall be entitled only to temporary or conditional pensions, shall have their names registered at Chichester hospital, and, upon their attaining sixty years of age, shall receive, as a reward for their former good conduct, a pension of 1*l*. a day, if discharged with one distinguishing mark, and of 6*l*. a day, if discharged after having been twelve months in possession of two distinguishing marks; and this reward for former good conduct shall also be extended to soldiers who may be permitted to obtain free discharge, at their own request, as an indulgence after certain periods of service as described in the 11th article of this warrant.

8. The service requisite to entitle men to the distinction and rewards granted by this warrant, may include former service in all ranks after the age of eighteen.

9. Men discharged on reduction, or for disability, and re-enlisting within three years after the date of their discharge, may reckon their former service, provided they shall declare such former service at the time of re-enlistment; but men purchasing their discharge, or receiving free discharges, shall not reckon former service.

10. The forfeiture of service now attaching to individuals in respect of additional pay, in consequence of the sentence of a court martial, or of conviction for desertion, will equally attach to them in respect of good conduct pay.

11. Soldiers of good conduct, who may be permitted to purchase or to obtain free discharges, at their own request, shall be allowed free discharges, upon the following terms, instead of those prescribed by the warrant of our late royal brother of the 14th November 1829, and by our warrant of the 7th February 1833, but the conditions, limitations, and regulations, for granting discharges by indulgence, laid down in the said warrants, shall, in the cases of all other soldiers, remain in full force:

Cavalry Infantry.

Under 5 years' service	£30	£20
After 5 years' service, and with 2 years' absence from the defaulter's book	25	15
After 7 years' with one distinguishing mark	30	15
After 10 years service, with one distinguishing mark,	15	10
After 12 years' ditto, ditto	10	5
After 14 years' ditto, ditto	5	free.
After 16 years' ditto, ditto	Free, with the right of registry for deferred pension of 4 <i>d</i> . a day.	
After 16 years, with two distinguishing marks, having possessed the second at least 12 months,	Free with the right of registry, for deferred pension of 6 <i>d</i> . a day.	

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12. Soldiers enlisted since the 1st March 1833, who are in the enjoyment of two or more distinguishing marks, and of the good conduct pay, may obtain *pro rata* pension as an indulgence, at the rate fixed in the warrant of 7th February, 1833, two years earlier than other men who have not earned this distinction, and may further receive the same amount of good conduct pay, which would have been added to their ordinary pension, under the rules laid down in the warrant, if they had been discharged as unfit for further service or by reduction.

13. As it is our will and pleasure, that this reward shall be strictly an honourable distinction to be conferred only upon the well conducted soldier, the commanding officers of regiment, are strictly enjoined to enter in the regimental defaulters' book the name of every soldier who, in consequence of misconduct, shall have been subjected to any punishment beyond simple admonition and the commission of every offence, which shall impose upon the commanding officer the necessity of recording the soldier's name in the regimental defaulters' book, shall render the man ineligible for this reward, for two years from that date, viz. if he've already in possession of this distinction, shall deprive him of his distinguishing mark and good conduct pay for one year, and a second recorded offence with him twelve months, shall render two years of uninterrupted good conduct necessary to obtain a restoration of such reward.

14. The soldier having two or more distinguishing marks shall, in the manner, for the first, second, and third recorded offences, forfeit one distinguishing mark, and the good conduct pay allowed with it, for one year, for each offence, and if a fourth offence be recorded against him in the regimental defaulters' book, within twelve months, he shall forfeit all claim in consequence of his previous good conduct, and shall only be entitled to obtain a restoration of his honourable distinctions, by subsequently serving with uninterrupted good conduct, for two years, to obtain one distinguishing mark; for four years to obtain two distinguishing marks, for six years, to obtain three distinguishing marks, and for eight years, to obtain four distinguishing marks.

15. Any soldier who, by having been recorded in the regimental defaulters' book, shall have been adjudged to have been guilty of an offence by which he is to forfeit the whole or a part of his reward for meritorious good conduct, shall, if he denies the commission of such offence, have the right to appeal to a court-martial.

16. A soldier may, for a first offence of a serious nature, be adjudged, by the sentence of a court-martial, to forfeit all or any part of the advantages he had derived from his previous good conduct, either absolutely or for a longer or shorter period, according to the circumstances which shall have appeared in evidence.

17. The distinction and the rewards granted by this warrant, do not extend to sergeants and other non-commissioned officers above the rank of corporal and they will not be allowed, while serving any addition to their established pay, but if permitted to purchase their discharges, or to obtain free discharges, at their own request, they will be admitted to the benefits of it. If of this warrant, and if discharged to pension, they may, for peculiarly good conduct, on the special recommendation of our general commanding in chief, and by the consent of our secretary at war, communicated to the commandants of Chelsea hospital, be allowed additions of *1d.*, *2d.*, *3d.*, or *4d.* a day to their pensions, provided that the aggregate pension shall in no case exceed, for a sergeant, *1s.*, *10d.* for a quartermaster sergeant, *1s.*, *1d.*, and for a sergeant major *2s.*, *4d.* a day.

18. All soldiers now in our service, who enlisted since the 1st March 1833, but before 1st September 1836, shall have the option of relinquishing all right to the additional pay of *2d.* a day, to which they are now entitled after the completion of 14 years' infantry, or of 17 years' cavalry service, and shall then be entitled, by their good conduct, to claim the *1d.* a day after seven years' service, and shall be, in all respects, entitled to all the advantages both of good conduct pay while serving, of pension on discharge, and of deferred pension which are heretofore granted to soldiers enlisted on or after 1st September 1836.

19. All soldiers now serving, who enlisted on or before the 1st March 1833, shall, by relinquishing their right to additional pay for length of service, be entitled to claim all the advantages of good conduct pay while serving, which are hereby granted; but as the warrants which were in force at the time of their original enlistment at a higher rate of pension on discharge than those which are to be granted to men enlisted after the 1st March 1833, they will not be entitled to have their good conduct pay added to their pensions on discharge.

20. In special cases, however, of men enlisted on or before the 1st March 1833, who, by their good conduct, have obtained one or more distinguishing marks, and who, after short service, may be discharged for disabilities or by reduction, either with out pension, or with temporary, or conditional, or permanent pensions (not exceeding those granted for similar disabilities and services under our warrant of the 7th February 1833) the good conduct pay may, by the consent of our secretary at war, be added to their pensions, and such men, if not placed upon permanent pensions, may be registered at Chelsea for the deferred pension under the same rules as the men enlisted after the 1st March 1833.

21. All soldiers now serving, who enlisted on or before the 1st of September 1836, and who have completed 23 years' service, may, on relinquishing their right to additional pay, receive *4d.* a day good conduct pay, provided their names shall not have been entered in the regimental defaulters' book, for at least eight years immediately preceding the exchange.

22. Soldiers who have completed 21 years' service may, on relinquishing their right to additional pay, receive *3d.* per diem good conduct pay, provided their names shall not have been entered in the regimental defaulters' book, for at least six years immediately preceding the exchange.

23. Soldiers of less than 21 years' service, already in the receipt of additional pay, at *2d.* a day, for length of service, may, on relinquishing their right to additional pay, continue to receive the same amount, as good conduct pay, provided their names shall not have been entered in the regimental defaulters' book, for at least four years immediately preceding the exchange.

24. Soldiers who are already in the receipt of additional pay of *1d.* a day, for length of service, may, on relinquishing their right to additional pay, continue to receive the same amount, as good conduct pay, provided their names shall not have been entered in the regimental defaulters' book, for at least two years immediately preceding the exchange.

25. Soldiers not yet in the receipt of additional pay, for length of service, may, by relinquishing their right to the same, receive good conduct pay, on completing the respective periods of 7, 14, 21, and 23 years, provided their names shall not have been entered in the regimental defaulters' book, in the first case, for at least two years, in the second case, for at least four years; in the third case, for at least six years; and in the fourth case, for at least eight years immediately preceding.

26. Soldiers who were present at the battle of Waterloo, shall be allowed to reckon two years in addition to their actual service, and those who were enlisted before the 1st December 1810, shall be allowed to reckon three years for two actual service, after the age of 18 in the East and West Indies (in other than West India regiments).

27. Soldiers enlisted before 1st September 1836, shall be entitled to distinguishing marks, whether they accept or not the option of relinquishing additional pay for good conduct pay, and they shall be entitled to the same addition to their pensions for the number of distinguishing marks they may severally possess at the period of their discharge, as is allowed to men in receipt of good conduct pay.

Given at our court, at Windsor, this 26th day of May 1837, in the seventh year of our reign.

By his Majesty's command,

(Signed) HOWICK.

Decision passed by the Hon. the Court of Directors, in their letter to the address of the supreme Government, No. 33, dated the 10th of April, 1838.

1st rule	} Applicable as relating to good conduct pay and distinctive marks of merit.
2d ..	
3d ..	
4th ..	} Not applicable as relating to pensions
5th ..	
6th ..	
7th ..	
8th ..	} Applicable so far as it relates to good conduct pay and distinctive marks of merit
9th ..	
10th ..	} Not applicable as relating to the terms upon which discharges may be purchased, the Company's rates being fixed upon a separate scale applicable to India
11th ..	
12th ..	
13th ..	} Applicable.
14th ..	
15th ..	
16th ..	
17th ..	} Applicable only so far as it relates to the limits of good conduct pay to those soldiers who are of and below the rank of corporal.
18th ..	
19th ..	} Applicable so far as they relate to good conduct pay whilst in the service
20th ..	
21st ..	} Not applicable as relating to pensions.
22d ..	
23d ..	
24th ..	
25th ..	} Applicable.
26th ..	
27th ..	
28th ..	} Not applicable.
29th ..	
30th ..	} Applicable so far as it relates to distinctive marks of merit.
31st ..	

The hon. Court have likewise been pleased to determine that soldiers in their service, enlisted prior to the 1st of November 1836, and renewing their contracts, are, if they decline to avail

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themselves of the provisions of the "good conduct warrant" entitled to all the privileges conferred by the regulation of the service, which were in force at the date of their original enlistment.

Head-quarters, Simla, July 19—The presidency division order of the 28th ultimo, directing the undermentioned ensigns lately admitted into the service to do duty with the corps specified opposite their names, is confirmed:

Ensigns W. L. M. Bishop, with the 57th N. I., R. Campbell, 57th N. I., K. C. Stevenson, 57th N. I. and W. Fraser, 57th N. I. at Barrackpore.

The undermentioned officers have leave of absence:

24th regiment native infantry.—Surgeon T. Inell, M. D. from 20th September to 11st January, 1839, to visit the presidency, preparatory to applying for permission to retire from the service.

30th regiment native infantry.—Lieutenant J. S. Harris, from 8th July to 8th September, to visit Agia, on medical certificate.

60th regiment native infantry.—Surgeon B. Bell, from 1st Oct to 1st March, 1839, to visit the upper provinces, on private affairs, and to apply for furlough.

Head-quarters, Secole, July 20—The Benares division order of the 6th instant, appointing Lieutenant W. Hare, of the 18th native infantry, and selecting interpreters and quartermasters to the 8th regiment of light cavalry, to officiate as deputy judge-advocate of an European general court martial directed to assemble at Secole, Benares, is confirmed.

The Sylhet station order of the 2d ultimo, directing Lieutenant J. Hennock, of the 70th regiment of native infantry, to officiate as deputy judge-advocate at a native general court martial, directed to assemble at that station, is confirmed.

The leave of absence for four months, granted to hospital steward V. Presenty, in general orders of the 24th of May last, is to commence, from the 1st instant, instead of the 1st ultimo.

The undermentioned officers have leave of absence:

5th regiment native infantry.—Lieutenant Infr. and Qr. Mr. R. M. Miles, from 3d July to 30th September, to proceed on the river, on medical certificate.

18th regiment native infantry.—Lieut. and Adjt. C. Norgate, from 15th Oct to 15th Feb. 1839, to visit the presidency, and apply for furlough.

34th regiment native infantry.—Lieutenant W. Gibb, from 1st September to 1st March, 1839, to visit Patna and the presidency, and apply for furlough.

11th regiment native infantry.—Lieutenant Interpreter and Quartermaster G. F. Whitelocke, from 15th October to 25th February, 1839, to visit Serochee, preparatory to applying for furlough to Europe.

Head-quarters, Simla, July 21—The unexpired portion of the leave granted in several orders of the 3d of October last, to Lieutenant Colonel C. W. R. Puvoleri, of the invalid establishment, is cancelled at his request.

The undermentioned officer has leave of absence:

38th regiment native infantry.—Captain T. H. Scott, from 3d July to 3d July, 1839, to visit the hills, north of Deyrah, on medical certificate.

N. B. This cancels the unexpired portion of the leave granted to him in general orders of the 16th March last.

41st regiment native infantry.—Ensign H. A. Sindenman, from 5th July to 1st November, in extension, to proceed on the river, on medical certificate.

Head-quarters, Simla, July 23—The following removals and postings will take place in the regiment of artillery:

Colonel G. Swiney, (on furlough) from the 2d to the 3d brigade horse artillery.

Colonel W. S. Whish, (new promotion) to the 2d brigade horse artillery.

Lieutenant Colonel A. Tennant, (on leave to the Cape) from the 4th battalion to the 2d brigade horse artillery.

Lieutenant Colonel T. Chadwick, (new promotion) to the 4th battalion.

Major P. L. Pew, (on special duty) from the 2d to the 4th battalion.

Major G. Blake (new promotion) to the 2d battalion.

Captain Charles Grant, from the 4th company 3d battalion to the 2d troop 2d brigade horse artillery.

Captain the Hon. H. B. Dalzell, (new promotion) to the 4th company 3d battalion.

1st Lieutenant H. Apperly, (new promotion) to the 1st company 3d battalion.

1st Lieutenant M. Dawes, (new promotion) to the 2d company 6th battalion.

Lieutenant D. Pott, of the 47th regiment native infantry, is appointed to act as adjutant to the corps, during the absence, on leave, Lieutenant and Adjutant Corfield, or until further orders.

Sergeant J. B. Bilis, of the corps of sappers and miners, is transferred to the Town major's list, and appointed to the department of the quartermaster general of the army, to fill an existing vacancy.

Head-quarters, Simla, July 25—The presidency division orders of the 4th instant directing Assistant Surgeons J. A. Dunbar, M. D. and E. Boulle, now at the general hospital, to join and do duty the former with her Majesty's 26th, and the latter with her Majesty's 9th regiment, are confirmed.

The Neemuch station order of the 9th instant, directing Assistant Surgeon T. Hessel, of the 1st light cavalry, and in temporary medical charge of the 30th regiment native infantry, to rejoin and afford medical aid to his own regiment, during the indisposition of Surgeon Darby, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointment:

68th regiment native infantry.—Lieutenant G. P. Brooke, to be Adjutant, vice Bryant, who has proceeded to Europe on furlough.

The undermentioned officers have leave of absence:

22d regiment native infantry.—Captain G. Templer, from 15th November to 15th January, 1839, to visit Serochee, on private affairs, preparatory to applying for furlough to Europe.

General staff.—Captain J. S. D. Weston, Deputy Judge Advocate general, Meerut division, from 5th October to 5th April 1839 to visit the presidency, preparatory to submitting an application for permission to proceed to Europe on furlough.

70th regiment native infantry.—Lieut. C. L. Edwards, attached to the Arracan local battalion, from 8th June to 8th July, in extension, to enable him to rejoin the Arracan local battalion.

Head-quarters, Simla, July 26—The Landour station order of the 2d instant, appointing Lance Corporal John Napton, of Her Majesty's 3d regiment, to act as pay sergeant to the detachment of her Majesty's troops at the depot, vice Private Gibson, resigned, is confirmed.

The presidency division order of the 6th instant, directing hospital apprentice W. Jonsou, to do duty with the 1st battalion artillery at Dum-Dum, is confirmed.

Head-quarters, Simla, July 27—The Benares division order of the 11th instant, directing Ensign F. J. Smailpage, who was attached to the 11th regiment, in general orders of the 2d ultimo, to join and do duty with the 50th native infantry at Mirzapore, is confirmed.

The undermentioned officers have leave of absence:

18th regiment native infantry.—Lieutenant G. P. Austen, from 15th October to 15th February 1839, to visit Allahabad and the presidency, preparatory to applying for furlough.

4th regiment light cavalry.—Veterinary Surgeon J. Purveys from 30th September to 20th March 1839, to visit the presidency, preparatory to submitting an application for leave to proceed to Europe on furlough.

Head-quarters, Simla, July 28—The presidency division order of the 10th inst. directing the undermentioned ensigns, lately admitted into the service, to do duty with the corps specified opposite their names, is confirmed.

Ensign G. M. Brodie, with the 15th N. I. at Barrackpore.

Ensign H. T. Repton, with the 6th N. I. at Cuttack.

The Mhow station order of the 2d ultimo, directing the hire of two extra packhorses, for the use of the 2d troop 1st brigade horse artillery and 1st company 3d battalion artillery, until the setting in of the rains, is, with the sanction of Government, confirmed.

His Excellency the Commander in Chief is pleased to make the following appointment:

3d brigade horse artillery.—Brevet Captain G. H. Swinley, to be adjutant and quartermaster, vice Brind promoted.

Sergeant John Burgess, of the arsenal establishment, and Corporal Patrick Powers, of the 2d company 4th battalion of artillery, are appointed to the town major's department, for the purpose of filling existing vacancies in the non-commissioned staff of the garrison of Fort William.

Corporal Powers, is transferred to the town major's list, and promoted to the rank of sergeant.

The undermentioned officers have leave of absence:

56th regiment native infantry.—Lieutenant B. W. D. Cooke, from 1st July to 1st August, in extension, to enable him to rejoin.

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4th company 4th battalion artillery—2d Lieutenant C. Dong las, from 29th July to 30th Sept. to visit the hills, north of Deyrah, on private affairs.

10th regiment native infantry.—Surgeon J. Griffiths, from 1st December to 1st February 1839, to visit Serohce, on private affairs, and apply for furlough.

Head quarters, Simla, July 31.—The leave of absence granted to officers, to proceed to the presidency, or to stations on the frontier, preparatory to applying for furlough to Europe, on account of their private affairs is cancelled; and such of them as may have already quitted the head quarters of their respective regiments, are required to rejoin without any unnecessary delay. The undermentioned officers have leave of absence:

18th regiment light cavalry—Major A. Pope, from 29th June to 1st February 1839, to visit the hills north of Deyrah and the presidency, preparatory to applying for leave to proceed to sea on medical certificate.

2d regiment light cavalry—Lieutenant and Adjutant J. S. G. Tyler, from 20th July to 30th September, to visit Delhi, on private affairs.

Head quarters, Simla August 1.—Captain George Alexander Hoar, of the 8th light cavalry, is permitted to resign the appointment of 2d in command in the 3d local horse, and to rejoin the regiment at which he belongs.

The undermentioned officers have leave of absence:

1st company 3d battalion artillery.—Captain T. Hickman, from 11th July to 11th October, to remain at Nusserebad, on medical certificate.

Ordnance commissariat department—Conductor D. Ross, attached to the Haver magazine, from 30th May to 30th November, to visit Agra, on medical certificate.

Head quarters, Simla, August 3.—1st Lieutenant F. C. Burwell, who was in general orders of the 17th ultimo, appointed to the 3d company of the 3d brigade of horse artillery, is posted to the 4th company 1st battalion of artillery.

The undermentioned officers have leave of absence:

1st local horse.—Colonel J. Skinner, C. S., from 5th August to 23rd September, to visit Delhi and Balespore, on private affairs.

10th regiment native infantry.—Captain J. George, from 1st July to 31st October, to visit Calcutta on medical certificate.

European regiment—Lieutenant and Adjutant W. Broadfoot, from 1st August to 31st July 1839, to visit Mussoorie, on medical certificate.

Ordnance department.—Conductor D. Wheeler, from 4th April to 31st May, in extension, to remain at the presidency, preparatory to retiring from the service.

ERRATUM—In general orders of the 15th of May last, appointing certain hospital apprentices for John Barker, read "William Barker." The order books to be corrected accordingly.

Head quarters Simla, August 4.—His Excellency the Commander in Chief with the sanction of the right honorable the Governor General, is pleased to authorize commanding officers of regiments to make up breast plates for recruits entertained by the augmentation directed in Government general orders of the 29th June last.

These plates are to be prepared, under the superintendance of quartermasters, in strict conformity with the patterns now in use with corps respectively; and the expenses incurred are to be charged in contingent bills duly vouched.

The Sirkind division order of the 21st ultimo, directing Surgeon B. W. Macleod, M. D., of the 3d regiment light cavalry, to officiate as superintending surgeon to the division, vice Campbell appointed to the medical board, is confirmed.

Spoken, a dresser in the hospital of the 55th native infantry is appointed a native doctor on the establishment, and posted to that regiment at Lucknow, vice Durson invalided.

Head quarters, Simla, August 6.—The presidency division order of the 12th ultimo, directing the undermentioned ensigns lately admitted into the service, to do duty with the corps specified opposite their names, is confirmed:

Ensign M. Dunsford,	with the 12th regt N I		
" O. R. Cookson,	" 12th "	} At Barrackpore	
" J. McCance,	" 16th "		
" P. J. Conyn,	" 15th "		
" L. P. Faddy,	" 15th "		
" R. J. Meade,	" 5th "		
" J. R. McWilliam,	" 28th "		
" G. Holroyd,	" 6th "		
" H. B. Luwaka,	" 34th "	at Fateehgarh.

The Sirkind division order of the 29th ultimo, directing Assistant Surgeon W. Brydon, of the 4th, to receive medical charge of the 3d light cavalry, from Surgeon B. W. Macleod M. D., appointed to officiate as superintending surgeon is confirmed.

Lieutenant Colonel A. Roberts' regimental order of the 9th ultimo, appointing Lieutenant J. R. Ford to act as adjutant to the European regiment, vice Broadfoot, proceeding on leave of absence is confirmed.

The undermentioned warrant officer has leave of absence:

Subordinate medical department.—Assistant Steward W. H. Crawford, from 20th July to 20th October, to remain at the presidency, on medical certificate.

Head quarters, Simla, August 7.—Major J. McLaren's regimental order of the 19th ultimo directing Captain E. R. Munro, to continue to officiate as interpreter and quartermaster to the 16th native infantry, is confirmed.

Ensign J. Murray, of the 9th regiment of native infantry, having been declared by the examiners of the college of Fort William to be qualified for the appointment of interpreter, is exempted from further examination in the native languages.

Assistant Surgeons R. W. Faithful, H. C. Eddy, H. H. Bowling, and A. Poton, at present at the general hospital, are directed to proceed forthwith to Cawnpore and to place themselves under the orders of the superintending surgeon at that station.

The assistant quartermaster general of the army, stationed at the presidency, to whom they are required immediately to report themselves, will furnish them with a passage on a steamer to Allahabad.

Head quarters, Simla, August 8.—The presidency division order of the 20th ultimo, directing Assistant Surgeon W. Veal, attached to the general hospital, to proceed to Dussapore, and do duty with her Majesty's 31st regiment, is confirmed.

The Cawnpore division order of the 26th ultimo, removing Steward W. Brooks, from her Majesty's 16th regiment to the charge of the steward department in the hospital of the 5th battalion of artillery, vice Hyde dismissed the service, and appointing Assistant Apothecary C. Fermein, from the 5th battalion of artillery, to act as apothecary with her Majesty's 16th regiment, during the absence, on leave of apothecary Douglas, is confirmed.

Captain J. Alexander, of the 2d company 3d battalion, is permitted to remain and do duty with the 5th battalion artillery at Cawnpore, until the 15th of October next.

The undermentioned officer has leave of absence:

57th regiment native infantry.—Lieutenant W. B. Lunley, from 29th July to 1st November, in extension, to enable him to rejoin.

Head quarters, Simla, August 9.—The Benares division order of the 17th ultimo, directing hospital Apprentice F. Vint, attached to the garrison hospital at Chunar, to do duty with her Majesty's 4th regiment at Ghazepore, is confirmed.

Hospital Apprentice John Keau, who was directed in general orders of the 6th ultimo, to proceed and join the European regiment at Agra, is permitted to remain and do duty with the artillery at Alhoo, until the termination of the rainy season.

Quartermaster Surgeon John Fitzmaurice, of the 55th regiment native infantry, is remanded, at his own request, to the artillery, in the rank he held previous to his transfer to the town-major's list, and he is directed to be sent to join the head quarters of the regiment at Dum-Dum.

Segeant Fitzmaurice will be returned as a supernumerary with his company, until a vacancy occurs for bringing him on the effective strength.

Head quarters, Simla, August 11.—The presidency division order of the 22d ultimo, appointing Assistant Steward J. Gibson, attached to the general hospital, to act as steward to her Majesty's 26th foot, and Assistant Apothecary M. Hackerd, to officiate as apothecary to that regiment, vice Tynan, is confirmed.

The Dussapore division order of the 25th ultimo, directing Assistant Surgeon G. S. Candev, doing duty with her Majesty's 31st regiment, to proceed towards Carbar and report himself to the officer commanding the eastern frontier, is confirmed.

Colonel W. Nott is removed from the 38th to the 42d regiment of native infantry, and Colonel J. S. Harriot, (on furlough) from the latter to the former corps.

His Excellency the Commander in Chief is pleased to order the following removals and postings in the medical department:

Superintending Surgeon Samuel Ludlow, from the Agra circle to the Sirkind division, vice Campbell, appointed to the medical board.

Superintending Surgeon William Panton, from the Cawnpore division to the Agra circle, vice Ludlow.

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Superintending Surgeon George King, to the Cawnpore division vice Pantou

Superintending Surgeons Ludlow and Pantou will remain on their present stations until relieved.

Surgeon Robert Brown, of the 37th regiment of native infantry is appointed garrison surgeon at Chunar, vice King.

Quarter-master Sergeant William Oman, of the 64th regiment native infantry, is appointed sergeant-major to the 31st native in-
fantry, at Allahabad, vice Gilson transferred to the invalid estab-
lishment.

Acting Sergeant P. Kerr, of the 4th battalion of artillery, is transferred to the town-major's list, promoted to sergeant, and appointed quartermaster sergeant to the 64th native infantry at Allahabad, vice Oman.

The undermentioned officers have leave of absence :

7th regiment light cavalry—Lieutenant T. Fraser, from 1st August to 1st January 1839 to visit the presidency, on medical certificate, and apply for leave to sea.

34th regiment native infantry—Captain A. Lewis, from 26th June to 26th December, to visit the presidency, on medical cer-
tificate.

Head-quarters, Simla, August 15.—The regimental order of the 26th ultimo, by Lieutenant Colonel W. Buttrossha, com-
manding the 20th regiment native infantry, appointing Lieute-
nant W. St. L. Forrest, act as adjutant, vice Park proceeding
on leave of absence, is confirmed.

Assistant Surgeon T. C. Hunter, of the 10th light cavalry, is directed to join and do duty with the 27th regiment of native
infantry at Agra, until further orders.

Quarter-master Sergeant Patrick Baxter, of the 61st native
infantry, is appointed sergeant-major to the regiment, vice Smart
removed to the pension establishment.

File-major John Headle, of the 61st native infantry, is promot-
ed to the rank of sergeant, transferred to the town-major's list,
and appointed quartermaster sergeant to the regiment, vice
Baxter appointed sergeant-major.

The undermentioned officers have leave of absence :

2d battalion artillery.—Major O. Blake, from 25th July to 1st
September, to remain at Meerut, on private affairs.

22d regiment native infantry.—Lieutenant J. Grant, from 15th
August to 15th February 1839, to visit the presidency, on medical
certificate, and apply for furlough.

Head-quarters, Simla, August 16.—To prevent a repetition
of a misconception which has, in one instance, occurred this sea-
son, his Excellency the Commander in Chief notifies, for general
information and guidance, that the Government general order of
the 17th April 1837, granting increased rates of pensions, to cer-
tain specified periods of service, to native officers and soldiers
or unblemished character, transferred to the invalid establishment,
does not in any way supersede the provisions of the 6th paragraph
of general orders of the 6th March 1837, which directs, that "a
native commissioned or non-commissioned officer, who has not
been disabled on actual service, shall be entitled to the benefits of
the rank he may hold at the time of being invalided, unless he
shall have served in that rank for three years complete, should
he have served a shorter period he shall receive the pension un-
less he is allowed the next inferior grade, his unted service in the
rank he held when invalided, and to the next inferior grade,
amounting together to full three years."

Lieutenant Colonel A. Dudley's regimental order of the 5th in-
stant, appointing Lieutenant and brevet Captain G. St. P. Law-
rance, to act as adjutant to the 2d light cavalry, during the absence
on leave, of Lieutenant and Adjutant J. S. G. Wylcy, is confirmed.

His Excellency the Commander in Chief is pleased to make the
following appointment :

9th regiment of native infantry.—Ensign James Murray, to be
interpreter and quartermaster.

Head-quarters, Simla August 17. In publishing the foregoing
general order, authorizing a 10 per cent increase to the army, his Ex-
cellency the Commander in Chief desires to refer officers com-
manding infantry regiments of the line to the general order of
the 30th of June last, and to direct the instructions therein con-
cerning forgiving effect to the orders of the right honourable the
Governor General for completing corps to the necessary strength
to be strictly adhered to on the present occasion.

Head-quarters, Simla, August 18.—The annual commit-
tees for the purpose of castrating horses deemed unfit for the ser-
vices, are to be assembled in the present year, on the 15th
proximo.

J. R. LUMLEY, Major Genl.
Adjutant General of the Army,
Sec. to the Govt. of Bengal.

GENERAL ORDERS TO THE QUEEN'S TROOPS.

Head-quarters, Simla, July 10.—No 114.—The Commander
in Chief in India has been pleased to direct the publication
of the following circular letters received from the war office,
dated 28th February and 29th April 1838, for the information of
Her Majesty's forces, serving in India :

(CIRCULAR No. 826.)

War Office, 26th February 1838.

Sir,—With reference to the instructions in articles 170 and
209, of the explanatory directions dated 1st January 1834, for
paying into the Company's treasury in India, the sums intended
to be remitted to regimental agents in London, by
£ 86,909 living officers and soldiers, and on account of the
effects and credits of those deceased, I have the honour

to apprise you, that, with the view of effecting more
prompt and satisfactory transfers of the said sums
to the individuals to whom the same are due, every
return of remittances from living officers and soldiers, and every
casualty return of effects and credits, periodically forwarded to
this office, according to regulation, is henceforward to be accom-
panied by a receipt from the proper officer of the East India Com-
pany, for the actual amount shown by such return to have been
paid into the treasury in India, together with his certificate spec-
ifying the precise sum in British sterling money to be paid by
the Court of Directors in England on account thereof, and the
rate of exchange at which the same is calculated, being the same
rate as that at which Queen's pay for the period shall have been
issued to the troops.

I am accordingly to request, that you will take care, that such
receipt and certificate be duly procured and annexed to every
return of the above description, henceforward rendered to this
office from the regiment under your command.

You will be pleased to acknowledge the receipt of this letter.

I have, &c.

(Signed) HOWICK.

OFFICER COMMANDING—Regt. of—East Indies.

(CIRCULAR No. 83.)

War Office, 25th April 1838.

Sir,—With reference to the 407th article of the explanatory
directions dated 1st January last, I am directed to re-
quest you, that it is judged more expedient that
£ 49,099 when soldiers are transferred to other corps, should

2 the original record, forming part of the regi-
ment's register, instead of a copy thereof, shall be forwarded to
the regimental receiving officer, and that the receipt
for the record so forwarded shall be inserted in the register
in place of the original record.

A form of receipt for this purpose will be printed of the same
size with the record, and supplied on requisition, by this office.

I am further instructed to point out, that articles 326 to 328 of
the above-mentioned directions apply equally to the original re-
cord in possession of the paymaster, or acting paymaster, as to
the attestation so that in all cases that record is to be forwarded,
or annexed to the discharge as the case may be, whether it form
part of the attestation or not.

I have, &c.

(Signed) L. SOLIVAN,

OFFICER COMMANDING—Regt. of—

His Excellency the Commander in Chief has been pleased to
make the following promotion, by brevet, in the East Indies only :

4th Foot.—Lieutenant A. C. Anderson, to be captain, 9th June
1837.

The undermentioned officer has leave of absence :

3d Foot.—Captain T. H. Owen, from 11th July to 15th No-
vember next, to Mussoorie, on medical certificate.

Head-quarters, Simla, July 21.—No 115.—In compliance
with instructions received from the right hon. the General
Commanding in Chief, his Excellency the Commander in Chief in
India is pleased to direct, that whenever a culprit shall in future,
be recommended by the court martial which has tried him, to be
discharged with ignominy, the following documents from the
commanding officer of the regiment to which the culprit belongs,
will be required :

1st.—A copy of the charge (or charges) and sentence.

2d.—A detailed list of the culprit's former crimes, offences,
&c. as the same appear upon regimental record, together with a
distinct specification of the manner in which each was punished or
penal witu.

3d.—A statement of service, and description return, showing
whether the man bears the marks of corporal punishment, and
whether there is any probability of his effecting redemption into
the service, or is precluded from practising imposition in this
respect, by the effects of medical treatment, or otherwise.

GENERAL REGISTER.

The members of court martial are desired to recollect that this extreme punishment is not to be had recourse to, except in cases where the culprit has previously received corporal punishment; and if the soldier is of sufficient length of service to have claims, has been deprived of all claims to increase of pay, or of a pension, for service.

The vessel however understand, that a soldier of any standing in the service, who for he has served long enough to have claims, or not, is equally liable to be discharged with ignominy, should his offences have been of a disgraceful, or aggravated a nature as to have rendered corporal punishment necessary as an example, and his dismissal from the service expedient.

Head quarters, Simla, July 23—No. 146.—Her Majesty has been pleased to make the following promotions and appointments in the regiments serving in India :

11th light dragoons.—Major Henry Fane, from the 9th regiment of foot, to be Lieutenant Colonel, by purchase, vice Bruton, who retires 17th October, 1837.

2d foot.—Ensign John McDonald, from the 31th regiment of foot, to be lieutenant, without purchase, vice Yuckezle, cashiered by the sentence of a general court martial, 11th May, 1838.

9th foot.—Captain George Lennox Davis, to be major, by purchase, vice Fane, promoted in the 11th light dragoons, 17th October, 1837.

Lieutenant Agthur Harper to be captain, by purchase, vice Davis, 17th October, 1837.

Ensign Charles Elmurat to be Lieutenant, by purchase, vice Harper, 17th October, 1837.

George Pearson, gent. to be ensign, by purchase, vice Elmurat, 24th April, 1838.

26th foot.—Lieutenant Eyre Lynch, from the half pay of the 96th regiment of foot to be lieutenant, vice Strong appointed paymaster, 11th May, 1838.

39th foot.—Captain William Wood, from the 69th regiment of foot, to be captain, vice Thomas Harrison Kirkley, who retires up on half pay, unattached receiving the difference, 16th May, 1838.

44th foot.—Lieutenant Edward Plennell, from the half pay of 29th regiment of foot, to be lieutenant, vice Stuart, appointed to the 7th regiment of foot, 11th May, 1838.

Captain has promotion, 62d foot.—Ensign George James *vice de decessis*. Fallen to be lieutenant, by purchase, vice Edwin Scobel, who retires, 11th May, 1838.

Sergeant John Bane, from the 57th regiment of foot, to be Ensign, by purchase, vice Fulton, 11th May, 1838.

The Commander in Chief in India has been pleased to make the following promotion until her Majesty's pleasure shall be known

39th foot.—Ensign Wordsworth Smith to be lieutenant, by purchase, vice Weige promoted, 28th March, 1838.

Head quarters, Simla, July 26—No. 117.—The leave of absence granted by his Excellency Lieutenant General Sir P. Buxton, K. C. B., to the undermentioned officers, are confirmed.

4th foot.—Lieutenant J. H. H. Ruxton, from 21th June to 23d August next, to proceed to Calcutta, on private affairs.

60th foot.—Lieutenant and Adjutant F. E. Corfield, to England, for 3 years from date of embarkation, on medical certificate.

The leaves of absence granted by Major General Sir Willoughby Cotton, K. B. and K. C. B., to the undermentioned officers, are confirmed :

9th foot.—Lieutenant and Brevet Captain F. Baine, to England, for 6 months, from date of embarkation, on medical certificate. He will report his arrival to the adjutant general, horse guards.

61st ditto.—Lieutenant J. Grant, to England, for 2 years from date of embarkation, on medical certificate.

The undermentioned officers have leave of absence :

3d foot.—Lieutenant and Adjutant W. White, from 1st August to 1st November next, to Calcutta, and thence to England, for 2 years from date of embarkation on private affairs.

Ditto.—Ensign H. C. A. Clarke, from 1st August to 17th November next, to Calcutta and thence to England, for 6 months from date of embarkation, where on arrival he will report himself to the adjutant general, horse guards.

31st ditto.—Lieutenant J. C. Stock, from 1st November to 31st December next, to Calcutta, and thence to England, for 2 years from date of embarkation, on private affairs.

Head quarters, Simla, July 30.—No. 148.—At a general court-martial re-assembled at Fort William, on Wednesday

the 27th day of June, 1838, Lieutenant Edmund Fleming Akers Hartman, her Majesty's 9th regiment of foot, was arraigned on the following charges :

“ Charges — ” For insubordinate, unofficer-like, and disorderly conduct, in the following instances :

“ 1st. In having on the night of the 1st May, 1838 appeared improperly dressed at a ball given at Government House, Chandernagore, in celebration of the birth day of the King of the French

“ 2d. In having rudely refused to obey the orders of his superior officer, Captain Charles Douglas of the same regiment, not to enter the ball room, and to return to Chinsurah, in arrest.

“ 3d. In having, afterwards, taken hold of the collar of Captain Douglas' regimental jacket, and said to him in a disrespectful and menacing manner, come out here, I have something to say to you ”

Upon which charges the court came to the following decision :

“ Finding — ” The court upon the evidence before them, are of opinion, that the prisoner, Lieutenant Edmund Fleming Akers Hartman, her Majesty's 9th regiment of foot, is guilty of insubordinate, unofficer-like, and disorderly conduct in the first instance and also in the second instance of the charge.

“ The Court did the prisoner not guilty of the third instance of the charge, and do, therefore, acquit him of it.

“ Sentence.— ” The court sentence the prisoner Lieutenant Edmund Fleming Akers Hartman her Majesty's 9th regiment of foot, to be reprimanded in such manner as his Excellency the Commander in Chief may be pleased to direct ”

Approved,
(Signed) H. FANE, General,
Commander in Chief
East Indies.

July 26, 1838.

REMARKS BY HIS EXCELLENCY THE COMMANDER IN CHIEF.

This officer has been convicted of insubordinate unofficer-like, and disorderly conduct, and the evidence produced against him before the court martial, shews a degree of contumacy, which renders the crimes of which he has been found guilty, the less deserving of extenuation.

He has partly grounded the defence of his misconduct on a plea that Chandernagore (the scene of his excess) is a foreign settlement, and therefore, that he was not amenable to his superior officer, but was entitled to do as he pleased, and to be disobedient to him.

It would have been proper that the Lieutenant should have recollected that he was invited to the public entertainment at Chandernagore from the quarters of his regiment as a British officer, and that such was the character he was therefore bound to maintain.

As he had totally disobeyed the orders of the Commander in Chief, by appearing at a public assembly in the dress described in the article, Captain Douglas (the prosecutor) acted with propriety in the step he took of ordering him not to enter the public rooms; and the Captain would have neglected his duty had he failed to do so.

The Lieutenant has also pleaded his youth in extenuation of his offences, but as he has been more than two years a Lieutenant, the Commander in Chief does not admit it to be any excuse for insubordination, and apparent ignorance of the articles of war.

Had the lieutenant really doubted the competence of Captain Douglas to issue an order to him, he should have known that his proper course was to obey, and if he thought himself aggrieved, to have subsequently applied, instead of contumaciously persevering in disobedience to the orders of his superior officer.

On the whole Lieutenant Hartman's conduct has well merited the reprimand awarded by the court martial, and the Commander in Chief reprimands him accordingly.

He is to be released from his arrest and to return his duty.

Head Quarters, Simla, July 31—No. 149.—Officers commanding divisions will in the course of the ensuing month, assemble the medical committees, for the purpose of inspecting such soldiers of her Majesty's service as may be deemed fit subjects to be brought before them, under the general order of the 25th June 1838.

Captain Barr, H. M. 3d foot, will, at the period appointed proceed to Kurrual to take charge of those of 13th light infantry, and will march via Meerut, where on his arrival, he will receive those of H. M. 16th lancer and 3d foot. He will conduct them to Gurmucktear ghaut, at which place they will embark, and thence to Calcutta, by water. This officer will report in sufficient time to the officers commanding the several divisions through which he may pass, the day on which he may expect to arrive at each station, in order, that the men to be sent from regiments at each division, may be held in readiness to be made over to him.

GENERAL REGISTER.

Lieutenant and Brevet Captain Meredith, 14th Light Infantry, will do duty with these detachments, under Captain Barr.

The Brigadier commanding the Dinapore division will issue such orders as he may deem necessary, for the timely arrival of the men of the 49th Regiment at that station, so as to join the party proceeding by water, to Calcutta.

All the documents which the regulations of her Majesty's service require for men about to be discharged, together with the proceedings of the boards of officers, and medical committees, are to be made out to the officer in charge, and by him to be delivered to the brigade major of Queen's troops, on his arrival at Calcutta. Copies of the proceedings of these boards (and of those directed as boards of appeal, in the order of the 28th of June, should it prove requisite to assemble such) to be sent to the Adjutant General of Queen's troops, for the information of his excellency the Commander in Chief.

These detachments are to be put in motion so as to reach the Presidency by the 15th November.

The Inspector General of H. M. Hospital will proceed to Calcutta by water, to preside at the general visiting committee to be assembled there as soon as practicable after the arrival of the detachments.

Head quarters, Simla, August 2.—No 150.—The regimental order by the officer commanding 10th foot, dated 29th ultimo, dissolving the committee of paymasters, and appointing a new one under the 3rd clause of the aforesaid explanatory directions, composed of Major Carter and Clements, and Captain Brown, is confirmed.

The leave of absence granted by Major General Sir Willoughby Cotton, C. B. and K. C. B., to the undermentioned officers, are confirmed.

44th foot.—Lieutenant J. C. L. Carter, to England for 2 years, 11th date of embarkation, on medical certificate.

Ditto.—Lieutenant W. C. White, to New South Wales, ditto ditto.

Head quarters, Simla, August 4.—No. 151.—At a general court martial held at Beasies, on the 14th day of July 1838, Lieutenant and Brevet Captain Henry Wootton, of her Majesty's 14th Regiment of foot, was arraigned on the following charge:

Charge—“For having submitted to be grossly insulted by (or not know) Lieutenant Macartney, of her Majesty's 11th Regiment of foot dragoons, by being told to consider himself horse whip post, on board the *Bangal Merchant*, on her passage from Calcutta to England, in 1834, without having hitherto taken any proper and adequate steps for the vindication of his character.

Additional charges against Lieutenant and Brevet Captain H. Wootton, of her Majesty's 14th Regiment.

“1st. For conduct highly unbecoming the character of an officer and gentleman, in having addressed a letter to me, dated Boulogne sur mer, September 20, 1834, wherein he *falsely* accuses me of having promoted Capt. in Burslear's being his friend in an affair with Colonel Marcellus, her Majesty's 11th light dragoons.

“2d. For having falsely accused me in the same letter of having been the means (or cause) of Colonel Macartney's refusing to grant him a meeting after I had left Europe in September 1834, although, in truth, the friend of Colonel Macartney (Lieutenant Laurie, 11th light dragoons) had declared to me in July 1834, that so long a period had been allowed to transpire that if Lieutenant Wootton then made his appearance, the Colonel should not grant him a meeting.

“3d. For using towards me, his superior officer, in the above quoted letter, expressions grossly false and slanderous.

“In breach of the articles of war.
(Signed) C. E. O'NEILL,
Brevet Major 11th Regt.”

Upon which charge the court came to the following decision:

Finding—“The court find the prisoner Lieutenant and Brevet Captain Henry Wootton of her Majesty's 14th Regiment of foot.

- “On the original charge, guilty,
- “On the first additional charge, guilty,
- “On the second additional charge, *not* guilty,
- “On the third additional charge, guilty.

Sentence—“The court having found the prisoner guilty of the charges preferred against him (with the exception of the

second additional charge, of which they acquit him,) do sentence him, Lieutenant and Brevet Captain Henry Wootton, of her Majesty's 14th Regiment of foot to be cashiered.

Approved,
(Signed) H. FANE, General,
Commander in Chief
East Indies.
August 1, 1838.

Recommendation by the Court—“The court having performed their duty, in accordance with the articles of war, feel induced to bring to the notice of his Excellency the Commander in Chief, the great length of time which has elapsed between the occurrence of the circumstances on which the prisoner has been tried, and the trial, together with the very unusual description of evidence on which he has been convicted; on these grounds, and in consideration of his length of services, the court earnestly recommend him to mercy.”

REMARKS BY HIS EXCELLENCY THE COMMANDER IN CHIEF.

The Commander in Chief does not deem, that the nature of the evidence offered to the court, or the lapse of time have any weight in the case; but he is willing to give the prisoner the advantage of the recommendation of the court, and consequently he remits the sentence.

Head quarters, Simla, August 9.—No 152.—The Commander in Chief in India has been pleased to make the following promotion until her Majesty's pleasure shall be known.

39th foot.—Euseb Humphrey Gray to be lieutenant, without purchases, vice Viney deceased, 1st July 1838.

Captain Douglas
Lieut. Hummel
Lieut. Metcalf
Lieut. Burns
Lieut. Robinson
Acting Adjutant

The regimental order issued by the officer commanding the 9th foot, dated 15th June 1838, directing the officers named in the margin, to proceed to Calcutta, by water on court martial duty, and to return to Chinsurah in like manner, on that duty being performed, is confirmed.

Major Taylor
Capt Douglas
Bt. Capt Ker
Lieut. French

The regimental orders issued by the officer commanding the 9th foot, dated 23d June and 1st July 1838, directing Lieutenant Hartman to proceed to Calcutta, by water, under charges of Brevet Major Hartman, on court martial duty, and also the officers named in the margin and to return to Chinsurah in like manner, after the completion of that duty, are confirmed.

Lieut. Elmhirst
Ensign commanding
Lieut. Lister
Lieut. Cubitt
Capt. Smith

The regimental order issued by the officer commanding 3d Buffs, dated 1st August 1838, appointing Lieutenant Dobson to officiate as adjutant to the regiment, during the absence of Lieutenant and Adjutant White, on leave, is confirmed.

The undermentioned officer has leave of absence:
3d light dragoons.—Captain G. A. Malcolm, from 16th June to 1st November next, on medical certificate, and to enable him to join.

Head quarters, Simla, August 16.—No. 153.—The Commander in Chief in India has been pleased to make the following promotions and appointments until her Majesty's pleasure shall be known:

63d Foot.—Lieutenant E. S. T. Swyny to be captain, by purchase, vice Mahon, who retires 8th August 1838.

Ensign Charles Edward Fairtlough to be lieutenant, by purchase, vice Swyny, 8th August 1838.

Lieutenant William Darling to be adjutant, vice Swyny promoted, 8th August 1838.

That part of the general order of the 31st ultimo, appointing Captain Barr, H. M. 3d foot, to the charge of invalids, from Kurual to Calcutta, is cancelled.

The leave of absence granted to Lieutenant G. N. Codrington, 16th lancers, in the general order of the 23d January last, for 3 months from 1st February, to proceed to Calcutta, and thence to England, is extended from the 1st May to 31st July 1838.

The undermentioned officer has leave of absence:

13th Light Dragoons.—Lieutenant E. R. Read, to England, for 2 years from the date of embarkation, on urgent private affairs.

By order of the Commander in Chief,
R. TORRENS, Major General,
Adj. Gen. to her Majesty's Forces in India.

GENERAL REGISTER.

SHIPPING REGISTER.

ARRIVALS AT KODGEREE.

July 30th.—French brig *Etoile*, Cassire, from Pondicherry 25th July

31st.—French ship *Therece*, H. Ceillot, from Bourbon 25th June, and the Mauritius 5th July.

Aug 2d.—English ship *Junna*, Wm Huxtable from Liverpool 25th April; English bark *Robert Munro* I. Nicholson, from the Mauritius 7th July; French bark *Suffren*, J. Simon, from Nantes 12th April, Mauritius 16th June, and Bourbon 8th July

4th.—English ship *Dauntless*, W. Pinder, from London 11th March, and the Cape of Good Hope 24th June; French barque *Bouheirie*, E. Dacheux, from Bourbon 8th July; English barque *Will Watch*, W. Barrington, (particulars not mentioned)

6th.—English ship *Lady Raffles*, S. Biles, from London 18th, and Portsmouth 26th February, Rio de Janeiro 23d April, and Madras 1st August; English barque *Stirling* J. Burnett, from the Downs 31st March, and the Mauritius 12th July; English barque *Courage Family*, P. M. Stavers, from China 15th June, and Singapore 18th July.

7th.—French barque *Amphitrite*, Collet, from Bourbon 10th July.

8th.—English barque *Sir Herbert Taylor*, W. Poole from Penang 27th July.

9th.—English barque *Rob Roy*, J. McKinnon, from China 20th June and Singapore 25th July

10th.—English ship *John Woodall*, J. Mossman, from London 15th December, and Bombay 2d July.

11th.—English ship *Jura*, R. Jobling, from London 27th April, and French barque *Phoenix* E. Vidal, from Bourbon 19th May, Pondicherry 7th July, and Madras 3th August.

13th.—Dutch barque *Hermisa*, R. Limon from Padane 23d July; H. C. steamer *Ganges*, I. M. Dicey, from Moulmein 5th August.

14th.—English brig *Richard*, M. Cunningham, from Liverpool 14th April; English barque *Elen* T. Yap, from Liverpool 2d May; English snow *Ripley*, Y. Steward, from Liverpool 25th April.

16th.—English ship *Chelydra*, D. Small, from Bristol 27th April; English ship *Carnatic*, J. Richard, from the Mauritius 18th July; French barque *La Brave L'ouvriere*, Maureau, from Nantes 1st April, and Bourbon 16th July.

19th.—H. C. brig *Krishna*, J. Patterson, from Arracan 16th August.

20th.—English barque *Eleanor*, T. B. Timms, from Bombay 29th July

21st.—English barque *Bencoolen*, J. Gilbert, from Penang 3d August.

23d.—English barque *Emma Eugenia*, G. Wade, from Singapore 19th July, and Penang 6th August.

25th.—English ship *Queen Mab*, R. Ainley, from Liverpool 29th April.

27th.—English brig *Lady Cornwall*, J. Poe, from Glasgow 23d April; English barque *James Home*, W. Johns, from Liverpool 24th July; English barque *Mahamed Shaw*, D. Ovenstone, from Moulmein 1st August.

31st.—English schooner *Flora Macdonald* N. Major, from Rangoon 14th August.

ARRIVALS OF PASSENGERS.

Per *Dauntless*, from London: Mr. A. Greig, M. D. assistant surgeon.—From the Cape of Good Hope: W. Blant, Esq. C. S. J. A. Cremonesi, capt. engineers.

Per *Lady Raffles*, from London: Misses E. Christopher and S. Christopher, Messrs John Macdonald, Francis Warren, George O. Jacob, Charles Sneyd, William Ferris William Campbell, and Frederick Maughlin, cadets, Messrs Robert Haythill and Henry Eddy, assistant surgeons; and Mr. Robert Laidley; Mrs. Patterson, servant to Miss Christopher, and Mr. Stephen Williams.

Per *Java*: Mrs Jobling; Mrs Wood; Capt. Foulstone, H. M. 13th light infantry; George J. Borwick, Esq., Surgeon H. C. S.; Robt Kerr, Esq. merchant, Mr W H Long, indigo planter; Raja Ram Roy, son of the late Raja Ramoohun Roy. Steerage Passengers: Mrs Parsons and Mrs Welch.

Per *Richard*: Mr W H. Benesey.

Per *Elen*: Wm Daunt

The *Bhagventty*, in tow of the *Thames* steamer, arrived last Friday, with the following passengers, viz From *Malabar*: Lieut Fraser, 7th cavalry; Mr and Mrs Ewen, and Mrs. James—From *Bombay*: Mrs. Gore and child, Captain and Mrs Graham, and three children. From *Gazepore*: Capt. I. Carter.

Per *Khishna*, from Arracan: Lieut. Raikes, 67th N. I. and Lieut Baldwin, artillery.

Per *Emma Eugenia*, from Singapore: W. M. Westerman, Esq. and Captain J. Kelley. From *Penang*: Rajah of Delhi and 14 followers

The *Sorma*, in tow of the *Lord William Bentinck*, steamer arrived from Allahabad with the following passengers, viz.

From *Mirzapore*: Mr. C. Hamilton. From *Gazepore*: Mr. D. Picachy. From *Mowghy*: Mrs. Amund.

DEPARTURES FROM CALCUTTA.

July 28th.—*Brigand*, D. Wenys, for Madras.

30th.—*Fri*, H. Ludlow, for Liverpool; *Estout*, N. Bursall, for Bombay.

31st.—*Sir Edward Ryan*, H. Pybas, for China; *Cassiopea*, J. Winram, for the Mauritius.

Aug. 1st.—*Isabella*, C. Munro, for London.

2d.—*Ariadus*, Geo. McLeod, and *Courier*, A. S. Smith, for London; *Agostea*, Wm Parry, for the Mauritius.

3d.—*Bliza*, M. Lay, for China.

5th.—*Ariel*, W. Warden, for Singapore and China.

9th.—*Clyde*, John Kerr, for London.

11th.—*Liverpool*, E. Row, and *Gruton*, L. G. Hollis, for Boston; *Patriot*, R. J. Morris, for Penang and Singapore; *Appolon* H. Langlois, for Mauritius, and *Esther*, J. Pickering, for Liverpool.

12th.—*Tamerlane*, D. McKenzie, for London; *Wermald*, Gallic, for China; *Maipre*, W. C. Spain, for Moulmein; *John Hepburne*, B. Robertson, for Moulmein and Rangoon; *Carthage*, A. Peury, for Boston.

14th.—*Anundchander*, G. Jones, for Bombay.

15th.—*Mary Sharp*, John Gray, for the Cape and Liverpool; *Beugal*, J. Scott, for China.

17th.—*Wm. Lockerby*, J. Parker, for Mauritius.

18th.—*Mary Somerville*, J. Hookey, for Liverpool.

19th.—*Malcolm*, Eyles, and *Recovery*, T. Johnson, for London.

25th.—*William Lee*, J. Shepherd, for Hull, and *Upton Castle*, T. Williams, for London.

28th.—*Suffren*, J. Simon, for Bourbon; *Cassiopea*, J. Winram, *Vigilant*, W. A. and *La Etoile*; Cassiere, for Mauritius; *Elizabeth*, M. Thaddeus, for Rangoon; *Ludlow*, G. R. Thom, for Pondicherry and Mauritius.

29th.—*Sir Wm Wallace*, T. W. Tingate, for Penang.

GENERAL REGISTER.

DEPARTURES FROM PASSENGERS.

Per Isabella, for London—L. Carmichael, Esq.
Additional passengers per Aberton—Mrs. Trotter and child; and — Trotter, Esq., civil service.
Per Ariadne, for London.—Lieut. Carter and Captain Colington
Per Malcolm, for London—Mrs. Liddle; R. Richardson Esq., C. S.; Col Tuft, 3d dragoons; Dr. Longstaff, senior member of the Medical Board; Lieuts. Grant, 62d, and Richardson, N. I.

The Jellinghee steamer sailed on Tuesday in tow of the Megna, with the following passengers—*For Patna*—A. T. G. Trotter, Esq. *For Mungghr.*—A. R. Youne, Esq.—*For Doodapoor.*—H. Brown, Esq. *For Allahabad.*—W. F. N. Wallace, Esq. and an escort officer.

Per Kelle Castle, for Singapore—Mr. and Mrs. Staunforth; John Conally, W. Conally Jns. Gregory and D. Davidson, Esqrs. *For China*—M and Mrs. Lyall

Per Krishna, for Arracan.—Dr. Morrison, and a detachment of 6th N. I.

Per Janet for the Mauritius—Mrs. Dr. Stewart and child, and Mr. Woche.

DOMESTIC OCCURRENCES.

BIRTHS.

May 30. At Moulmein, the lady of H. T. Crompton, Esq. acting paymaster her of Major's 63d regiment, of a son.

July 10. At Delhi, the wife of Lieutenant Van Homrigh, 48th regiment of native infantry, of a son.

12. At Simla, the wife of Major R. Ross, 18th regt. B. N. I. of a daughter.

13. At Coawatty Factory, Malda the wife of Mr. W. A. Macarthur, of a son.

17. At Sutanpore Factory, Patneah the lady of A. J. Forbes, Esq., of a daughter.

— At Allahabad, the wife of Sergeant J. Moffatt, ordnance commissariat, of a son.

21. On the river, near Rajmoul, the wife of Sub-Conductor J. Harrison, ordnance commissariat, of a son.

23. At Cawnpore, the lady of Lieutenant Gascoyne, 5th cavalry, of a son.

— At Muddendary, Factory Jessore, the lady of John Oman, Esq., of a daughter.

At Serampore, the wife of Mr. Joseph Baker, paper maker, of a daughter.

27. At Calcutta, the wife of Mr. William Price, of a daughter.

— At Yelwall, Mysore, the lady of A. N. Magrath, Esq., of a son.

30. At Calcutta, the lady of E. Currie, Esq., of a son.

31. At Calcutta, the wife of Mr. C. J. Fox, of a son.

— At Agra, the lady of Lieutenant Macmillan, European regiment, of a daughter.

— At Barruckpore, the wife of Quartermaster Sergeant T. Harris, of the 65th regiment, volunteer native infantry of a son.

Aug. 1. At Calcutta, Mrs. G. Wilkinson, of a daughter.

1. At Allypore, the lady of Lieutenant W. F. Campbell, 64th native infantry, of a daughter.

2. At Dacca, Mrs. R. Etiskine, of a son.

— At Calcutta, the lady of W. D. Shaw, Esq., of a son.

— At Simla, the lady of H. Loughton, Esq., of a daughter.

4. At Calcutta, the lady of H. E. Alexander Esq., civil service, of a son.

— At Dinapore, the lady of W. Stevenson Esq., senior surgeon, 49th regiment native infantry, of a daughter.

— At Allypore, the lady of Lieutenant C. Prior, adjutant 6th native infantry, of a son.

5. At Calcutta, the wife of Mr. Edward Williams, of a son.

— In camp, on the Cugser river, the lady of Lieut. Wakefield, 17th N. I., surveyor of that river, of a daughter.

7. At Calcutta, Mrs. H. Barklayoung, of a son.

— At Dum-Dum, the lady of Captain Torckler, of the regiment of artillery, of a daughter.

— At Calcutta, the wife of H. A. Poulson, Esq., of Nandapore factory, of a daughter.

8. At Dacca, the lady of Arthur Littledale Esq., civil service, of a daughter.

9. At Benara, the lady of Louis Abadie, Esq., of a son.

10. At Agra, the lady of Capt. Chas. Griffiths, 15th regt. N. I. of a son.

— At Allahabad, Margaret, the wife of Mr. S. White, garrison schoolmaster, of a son.

12. At Mooterchare, Chumparoo, the lady of William Moran, Esq., of a daughter.

— Mrs. John Anthony, of Allahabad, of a daughter.

13. At Myspoore, the lady of Lieutenant Moir, 28th regt. N. I. of a daughter.

— At No. 11, Hastings' street, Calcutta, Mrs. John Gray, of a son.

— At Calcutta, Mr. T. P. Whittenbery, of a son.

— At Calcutta, the lady of Monsieur Dupuis, of a daughter.

14. At Calcutta, the lady of Robert Jobling, Esq., commander of the *Java*, of a daughter.

— At Calcutta, the wife of Mr. James Ellison, of a son.

15. At Neechunilpore, Kishnaghur, Mrs. Hillis, of a daughter.

17. At Serinle, Benares, the lady of Brevet Captain John Cumberlege, 41st regt. N. I., of a son.

— At Calcutta, Mrs. J. B. Bus, of a daughter.

18. At Chinnurah, the wife of Mr. A. Defegrady, of a daughter.

19. At Begwangelab, Mrs. Thomas Rose, of a daughter.

— At Calcutta, Mrs. W. K. Ord, of a son.

— At Bottomowry factory, district Pabna, the lady of Wm. Wilson, Esq., of a daughter.

21. At Oyn, the lady of Henry C. Hamilton, Esq., civil service, of a daughter.

— At Cawnpore, the lady of Captain W. R. Maidman, horse artillery, of a daughter.

— At Rungpoor, the lady of T. A. Shaw, Esq., C. S. of a son.

24. At Dacca, the lady of G. M. Gasper, Esq., of a daughter.

— At Calcutta, the lady of T. J. Phillips, Esq., of a son.

25. At Calcutta, Mrs. M. Payne, of a daughter.

26. At Calcutta, the lady of J. Maxton, Esq., of a daughter.

— At Calcutta, the wife of Mr. G. F. Pereira, of the general post office, of a daughter.

— At Calcutta, Mrs. W. E. Lowe, of a daughter.

27. At Calcutta, the lady of Major W. McKie, of a son.

28. At Calcutta, the lady of A. Colvin, Esq., of a daughter.

— At Calcutta, Mrs. Philip Delmar, of a daughter.

29. At Calcutta, the lady of Captain Watt, D., A. C. G., of a son.

— At Calcutta, the lady of Robert Swinhoe, Esq., of a son.

— At Calcutta, Mrs. O. P. Chatter, of a son.

— At Kilderpore, the lady of the Reverend John McQueen, secretary Military Orphan Society, of a son.

GENERAL REGISTER.

MARRIAGES.

June 16. At Moulineau, by the Reverend Mr. Hamilton, Mr. F. C. Cotton, of the civil commissioner's department, Tennessee provinces, to Miss Hannah, eldest daughter of Mr. H. Fox, conductor of ordinance.

25. At Delhi, by the Reverend H. Everest, at St. James's church, Mr. W. Kink, an assistant in the Delhi agency office, to Mrs. Davis, widow of the late Mr. T. Davis.

July 12. At Allahabad, by the Reverend H. Pratt, Lieut. Thomas E. Colchrooke, adjutant, Huzurmah, L. I. B., to Miss E. H. Wall.

16. At Simla, by the Reverend G. Wimberly, B. A., Mr. J. Nash, of the adjutant general department, to Miss Elizabeth Jepson.

31. At Vizianapatam, by the Reverend Vincent Shortland, adjutant Nathaniel Hobett, of the Carnatic European veteran battalion, to Harriette, eldest daughter of the late Thomas Evans, Esq., M. D., of Cashel, county Tipperary, Ireland.

26. At Cawnpore, by the Rev. J. S. Jennings, John Butt Esq., 6th light cavalry, to Elizabeth Satchwell.

27. At Colombo, St. Peter's church, by the Venerable Archdeacon Elmer, P. Anstruther, Esq., colonial secretary, to Miss Stewart Mackenzie, eldest daughter of the Governor of Ceylon.

29. At Calcutta, Mr. William Baker to Miss Charlotte Rozario.

31. At Calcutta, at the Cathedral, by the Rev. H. Fisher, Mr. Richard Latta, assistant revenue and judicial accountant's office, to Miss Caroline Thompson.

Aug. 6. At Calcutta, at the Lull-bazar chapel, by the Rev. W. Robinson, Mr. J. Yates, of Agra, to Miss J. Percin.

— At Calcutta, at the Cathedral, by the Rev. W. O. Ruspini, D. M. Cameron, Esq., her Majesty's 3d buff's to Letitia Marzari, eldest daughter of the late W. L. Grant, M. D., superintendent of surgeons Bengal establishment.

6. At St. John's chapel, Meerut, by the Rev. James Whitling, from the house of Captain Wilton, Wilmer, 10th buccors, Charles William Duffin, lieutenant, 26th N. I., to Louisa, third daughter of the late Capt. Harry Pigou, of the 3d dragoon guards.

8. At Ponnah, Lieut. H. W. Preedy, 25th regt N. I., to Louisa, Fredericka, only daughter of the late Wm. Coles, Esq. of the Bengal army.

11. At Cawnpore, by the Rev. J. J. Jennings, Lieut. Robert Hooper Kintessie, horse artillery, to Isabella, second daughter, of Major Carter, her Majesty's 10th foot.

16. At Dinapore, by the Rev. J. Vaughan, Charles Chapman, Esq., civil service, to Charlotte Emma, daughter of J. H. Matthews, Esq., paymaster of her Majesty's 1st regiment of foot.

22. By license Dacca, by the Rev. H. Shepherd, W. A. Capon, Esq. to Mary second daughter of the late J. Harwood, Esq.

— At Calcutta, at the Scotch Kirk, by the Rev. James Charles, senior chaplain, Mr. Henry Methold Sanderson to Charlotte, Jane third daughter of the late John Savage, Esq., formerly of the secret and political department.

26. At Calcutta, Symon Hyem Isaac, Esq. a respectable Jew merchant of this place, to Sarah, the youngest daughter of Daoud Haroon Gubbay Esq., also a Jew Merchant of this city.

DEATHS.

June 2. At sea, on board the *Reliance*, Brevet Major Sir D. Colquhoun, Baronet, captain in the 44th regiment B. N. I.

July 10. At Meerut, John Walter, the only son of Apothecary John Williams, her Majesty's 2d buff's.

12. At Hissar, Millicent Mary, the beloved child of A. A. McAnnally, Esq. assistant surgeon, aged 6 months, and 2 days.

13. At Calcutta, Cecilia a lingering illness, Letitia, the youngest daughter of C. Humphreys, Esq. aged 19 years.

18. At Khyouk Phyon, after a protracted illness, Frances the beloved daughter of Lieutenant J. Lumsden, 63d regiment native infantry, assistant to the commissaries of Arracan, aged 18 months.

22. At Allahabad, William, the infant son of Mr. Daniel Hall, aged 18 months.

25. At Allahabad, Anne the wife of Sergeant James Moffat, ordnance commissary, aged 26 years and 23 days.

25. At Allahabad, Julia, the wife of Mr. W. P. Murphy, aged 36 years.

27. At Calcutta, Mr. William Spence, master pilot, aged 40 years; deeply and sincerely regretted by all who knew him.

28. At Calcutta, Mrs. Mary Campbell.

29. At Calcutta, Henry William King, a ward of the free-school.

29. At Monghyr, the infant daughter of Lieut. G. Ellis' artillery, aged 14 days.

30. At Calcutta, Mrs. Harriet Trotter, lady of C. Trotter, Esq. of the Bengal civil service, aged 24 years.

30. At Dinapore, Mary Matilda, the infant daughter of James M. Mackie, Esq. aged 9 months and 8 days.

31. At Calcutta, Mr. Daniel Harris, civil engineer, aged 29 years.

31. At Cawnpore, the infant son of John and Harriet Brandmont, aged 4 months and 27 days.

Aug. 1. At Calcutta, Nathaniel John Halhed, Esq. one of the judges of the Sudder Dewanny Nizamut Adawlut, aged 69 years.

1. At Delhi, Ensign C. P. White, of the 38th native infantry, aged 17 years and 4 months.

2. At Calcutta, Richard Mannell, Esq. barrister at law and counsel for paupers, aged 52 years.

2. At Calcutta, Master James Edward Smith, son of Mr. Robert Smith, assistant military board, aged 2 years, 7 months and 8 days.

2. At Mhow, Josephine, the infant daughter of Lieutenant Boulmin, 68d regiment native infantry, aged 8 months and 23 days.

3. At Fallyguth, Mrs. Eleonora Cray, aged 60 years.

3. At Cawnpore, Maria, the beloved wife of Major J. D. Parsons.

4. At Rungpore the dear infant of Mr. and Mrs. H. C. Metcalf.

4. At Kurnaul Factory, Tibboot, Mr. Thomas Matthew Clarke, aged 32 years, 9 months and 11 days.

5. In Fort William E. B. Parker, Esq. ensign H. M. 26th or Cameronian regiment, aged 19 years 3 months and 20 days.

7. At Calcutta, Miss Emma Eleanor Marshall, daughter of Captain G. T. Marshall, 35th regiment native infantry, examiner, College of Fort William.

— At Midsapore, Lieut. and Interpreter Quarter-master E. T. Spry, 24th regiment native infantry, aged 31 years and 11 months.

8. At Calcutta, Edward Blair, the infant child of Frances Macnagten, Esq. C. S. aged 1 year and 2 months.

— At Bannudee Factory, Kishnagar, James Augustus Grant, Esq. of Spe, month.

— At Ghazepore, Frederick Lincoln Whitaker, infant son of Martin Sharpe and Maria Whitak, r. quarter master sergeant of her Majesty's 44th regiment, aged 11 months and 19 days.

9. At Calcutta, Miss Maria Isabella Rivett, aged 6 years and 8 months.

— At Calcutta, general hospital, Mrs. Ann Holloway, aged 38 years.

— At Kurnaul, Ensign W. T. Ferguson, of the 27th regiment native infantry, accidentally drowned by his brother officers.

11. At Mynshyr, Henry Frederick, the infant son of J. P. Dessa, Esq. unconvicted deputy collector at that place.

— At Cawnpore, Mr. George Rodgers Duhan, aged nearly 9 years, youngest son of Mr. William Duhan, of that place.

13. At Dum Dum, Mrs. Mary Jeoriana Torckler, the wife of Captain Torckler, of the artillery, aged 23 years.

— At Calcutta, Mary, the beloved wife of Mr. Joseph Cowley, aged 37 years.

14. At Cawnpore, Ellen Mary, the beloved infant daughter of Mrs and Mr. J. A. Campbell, aged 9 months and 25 days.

15. At Calcutta, Mr. William Bayles Duncan Fox, son of Mr. H. H. Fox, assistant secretary to the sailor's home, aged 12 days.

— At Calcutta, Mr. John Smith, proprietor of the marine registry office, aged 49 years.

— Edwin Augustus Cook, aged 4 years, 7 months, and 15 days.

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16 At Agra, Eliza Lydia, the beloved child of Captain Prole, 37th regiment native infantry, aged 14 months.
 — At Calcutta, Mrs. M^{rs}. Daly, widow of the late Mr. Matthew Daly, of the sheriff's office establishment, aged 45 years.
 18. At Calcutta, Mr H. Stagg, of the preventive service, aged 22 years
 19. At Rampore, Bauleah, J. W. Newton, Esq. aged 23 years
 20 At Chumsurah, Lewis Britts, Esq. aged 52 years
 — At Calcutta, Mrs. Charlotte Sarah Juliana Leigh, wife of Mr. Richard Lech, aged 24 years
 — At Calcutta, Mr. John Wabert, aged 49 years.
 21. At Calcutta, Miss H. E. Brown, aged 27 years
 22. At Calcutta, Mr. William Dryden, aged 11 years and 4 months
 — At Kidderpore, at his residence G. Cottell Esq. deputy registrar of the general department, aged 47 years.

23 At Calcutta, Mrs. Lawson's seminary, Miss Mary Tweedie, daughter of John Tweedie Esq. of Hazrapore, lessore, and of quarter Preeshhurst, Scotland, aged 12 years and 3 months
 26. At Calcutta, Mr. Alexander William Sharp.
 27 At Cooiy hazari, on board the ship *Java*, Mr. Charles Fuller, aged 23 years.
 28. At Calcutta, the infant son of Major W. McKie.
 28. At Calcutta, the infant daughter of A. Colvin, Esq.
 29. At Calcutta, at the residence of her brother, Mr. Geo. Gattie, Waterloo street, Mrs. Saxon, (relict of the late E. A. Saxon, Esq.) of Rampore, Beaulah, aged 43 years.
 30. At Calcutta, Captain Charles Coldstream Clerk, late of the steamer *Essex*, aged 44 years.
 1 At Calcutta, Mrs Margaret McKie, the lady of Major William McKie, aged 33 years.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, August 25.)

18th/80 — At a public sale last week, the purchases made were principally on French account, and the prices paid were about ten to fifteen rupees per maund, above the rates offered a month ago.

Another public sale was held yesterday at the new mart of 291 chests of Skinner's indigo. The prices obtained were fifteen to twenty rupees per maund, above the rates that ruled on the 1st May and June sales, the purchases were principally for the English market. The following are the particulars of the sale:

	Co's	Rs.	170 0	per fy. md.
20 chests.....			162 8	ditto
10 ditto.....			152 8	ditto
37 ditto.....			159 0	ditto
12 ditto.....			147 8	ditto
34 ditto.....			146 0	ditto
10 ditto.....			140 0	ditto
33 ditto.....			137 8	ditto
9 ditto.....				
179 chests averaging.....			150 0	ditto
22 chests washed and broken ranged at from Co's Rs- 135 down to.....			61	

The exports from the custom house entries to last evening were reported as below.

To	Fy md	91,075
Great Britain.....		
France.....		17 9 7
Stockholm.....		206
Cane.....		16
North America.....		2,291
Bombay, P. Gulph, and all other places ..		4,859
	Fy. mds	116,354

RAW SILK.—The market is nearly lost of the 1st quality of the March and April band, the purchases reported are mostly of the ordinary Manipal and Radhanagar, at prices a shade below our last quotations. A few parcels of the rany band have just arrived, and the prices demanded are rather too high to warrant shipment.

SILK PIECE GOODS.—Corahs and choppahs of first qualities are very scarce, and parcels are contracted for previous to arrival. Those offered for sale in the market, are of ordinary to inferior qualities, and prices remain as quoted in our last.

COTTON.—Purchases are limited and solely on account of vessels loading, none being obtainable on freight even at the low rate of rupee 15 per bale.

SALIPERE.—Has improved in demand, and several purchases have been made during the week, principally for England at full former prices.

WOOL.—The demand is still active for the English markets and prices are quoted at an improvement.

The recent exports being extensive, the stock of first quality in the market has greatly diminished.

The purchases of molasses reported in our present number, were made last week and shipped on the *Gallardon*, for Hobart Town and Sydney.

LAC.—A purchase of thirteen boxes of shell lac is the only transaction reported since our last, for exportation to France at our last quotation. We have heard of no purchase of 4ye, but we understand some shipments are being made by the manufacturers or the English market.

DRY GINGER.—A few purchases are reported for exports to England at unaltered price.

TEARS AND HONS.—Remain as reported in our last.

WOLLEN GOODS.—Purchases of linseed only continue to be made for England but the large supplies in the bazar, have somewhat affected the price of the article.

COTTONS.—Sales have again been limited, and the prices have sustained a slight fall of about two annas per piece on Bengal and neutral stripes and pines, consequent on the recent heavy importations.

GLAZED COTTONS.—Ginghams may be considered about three annas to six annas per piece below former prices, and in limited inquiry. Red twilled cloths have been sold to a fair extent at an advance of nine pie to one anna per yard on previous rates.

WHITE COTTONS.—The demand for long cloth has been moderate but active sales continue to be effected in cambries, jaconets, banks, and hupets at full former prices.

WHEAT TWIST.—The demand for this twist has been moderate, and the prices of the day for the assortments may be quoted as in our last.

GRAIN.—Purchases of paunchery rice for England, and of moogy rice, wheat and grain for the Mauritius have been made during the week, and the prices quoted exhibit a slight fall on moogy rice, and arise on wheat and grain.

OPHET.—Few transactions since our last, and the prices quoted are nominal at last week's currency.

ALMOND OIL, AND BEEFLAND.—Without sale, and without any change in prices.

CAMPHOR.—A sale has been effected at a reduction in price.

CASSIA, CUBEB LOVES, AND COFFEE.—Without sale, and remain at steady prices.

MADE AND NEWWOLS.—Also without sale, and prices remain without change.

PEPPER.—The moderate stock in the hands of importers have caused a slight rise on the price of this article.

BLACK TIN.—Without sale, but the metal continues to advance in price consequent on the reduced stock in the hands of importers and in the bazar.

VERMILION.—The great scarcity in the market, has caused some inquiry for this article, and the price has advanced about thirty two rupees per box on our last quotation.

TURKEY RED AND OTHER DYED YARNS.—A sale of Turkey red *English dye* has been effected at a great reduction in price, owing to the rather large supplies in the hands of importers. In other dyed yarns we have no change to report.

WOOLLENS.—A small demand still exists for medium and coarse cloths for Madras and the Burmese market, but we have hardly any change in prices to notice.

COPPER.—Sales of this metal continue limited, a few parcels of sheathing have been disposed of at our last quotation, and this at a reduction of about four annas per maund. There has been a great inquiry for bolt, of which not a maund remains at present in the hands of importers, the price has consequently advanced to Sixca Rs- 55 per maund nominally.

IRON.—There has been some inquiry during the week for nail rod, sheet, and hoop, the prices of which have advanced in a small degree. Sales of flat, square and bolt have been effected, but without any change in prices.

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STEEL.—We have not heard of any transaction during the week. Swedish steel is quoted at a small advance.

LEAD.—Without sale, unchanged at our last quotations.

SPELLER.—Also without sale, but is quoted about three annas more than before last week's currency.

TIN PLATES AND QUICKSILVER.—No sales have been reported in these, and prices remain without alteration.

BLEND.—The stock of the favourite brand of Bass' and Allsop's being nearly exhausted, and importations continuing very limited,

have caused an improvement both in the demand and prices, and we observe an advance of eighteen to twenty rupees per hoghead within the last five or six days.

WARRING SPICES.—Our market is bare of cardage and anchor which are very much inquired after, as they are plentiful and sell in small quantity, (cigar cables are also abundant and few sales effected, but with difficulty. Spices (rice) are very uncertain of sale in consequence of a large number being brought out by the Americans. Tur (Siam) is much inquired after, the article being scarce in the market, about 100 barrels imported per *J. de Wodall*, were disposed of by public auction at the exchange rooms on Tuesday last, at Co's Rs-25 per barrel.

MONEY MARKET.

GOVERNMENT SECURITIES.

		BUY	SELL
Stock Paper	Transfer Loan of 1875-76, interest payable in England	15 0 a	11 0 p et
	From No. 1151 a to buy pm	0 0 a	3 0 p
	Numbers	par a	- 2 8
Second 5 p. ct.	Bombay 5 per cent. premium	2 12 a	2 4
	4 per cent. Dist. Co's Rs-	3 0 a	3 6
	Transfer Loan of 1875-76, interest payable in England	15 0 a	14 0
Stock Paper	From No. 1151 a to buy pm	0 0 a	3 0 p
	Numbers	par a	- 2 8
	Bombay 5 per cent. premium	2 12 a	2 4
Second 5 p. ct.	Bombay 5 per cent. premium	2 12 a	2 4
	4 per cent. Dist. Co's Rs-	2 12 a	3 1

BANK SHARES.

Bengal Bank (Co's Rs-1000)	Per cent	3,150 a	3,100
Union Bank (ditto 1,000)	do	210 a	200
Bengal Bank (ditto 4,000)	do	195 a	190
Union Bank (ditto 1,000)	do	210 a	200

COURSE OF EXCHANGE.

s. d.	s. d.	s. d.	SELL
2 1/4	a 2 2	on London, 6 months' sight	2 2/4 a 2 3/4
102 0	a 102 8	on Madras, 20 days' sight	98 0 a 94 8
102 8	a 103 0	on Bombay, 30 days' sight	98 0 a 88 8
2 1/4	a 2 2	on London, 6 months' sight	2 2/4 a 2 5/8
102 0	a 102 8	on Madras, 30 days' sight	98 0 a 94 8
102 8	a 103 0	on Bombay, 30 days' sight	98 0 a 94 8
2 1/4	a 2 2	on London, 6 months' sight	2 2/4 a 2 3/4
102 0	a 102 8	on Madras, 30 days' sight	98 0 a 94 8
102 8	a 103 0	on Bombay, 30 days' sight	98 0 a 94 8

PRICE OF BULLION, &c.

Spanish Dollars	Co's Rs-	220 8 0 a	221 0 0 per 100
Doubloons		33 0 0 a	33 8 0 each
Joes or Pezcas		19 11 0 a	20 0 0
Dutch Ducats		4 8 0 a	5 0 0
Sovereigns		10 0 0 a	10 1 0
Bank of England Notes		10 8 6 a	10 10 9
Old Gold Mohurs		18 9 6 a	18 10 9
New		17 7 6 a	17 8 0
China Gold Bars		12 0 0 a	14 16 0 per 90 wt.
Sycee Silver		102 4 0 a	104 8 6 p 100 sa. wt.
Gold Dust		12 0 0 a	15 0 0 per sa. wt.
Spanish Dollars		220 8 0 a	221 0 0 per 100
Doubloons		33 0 0 a	33 8 0 each
Joes or Pezcas		19 11 0 a	20 0 0
Dutch Ducats		4 8 0 a	5 0 0

Sovereigns		10 1 0 a	10 0 0
Bank of England Notes		10 8 6 a	10 10 9
Old Gold Mohurs		18 9 6 a	18 10 9
New		17 7 6 a	17 8 0
China Gold Bars		12 0 0 a	14 16 0 per 90 wt.
Sycee Silver		102 4 0 a	104 8 6 p 100 sa. wt.
Gold Dust		12 0 0 a	15 0 0 per sa. wt.
Spanish Dollars		220 8 0 a	221 0 0 per 100
Doubloons		33 0 0 a	33 8 0 each
Joes or Pezcas		19 11 0 a	20 0 0
Dutch Ducats		4 8 0 a	5 0 0
Sovereigns		10 1 0 a	10 0 0
Bank of England Notes		10 8 6 a	10 10 9
Old Gold Mohurs		18 9 6 a	18 10 9
New		17 7 6 a	17 8 0
China Gold Bars		12 0 0 a	14 16 0 per 90 wt.
Sycee Silver		102 4 0 a	104 8 6 p 100 sa. wt.
Gold Dust		12 0 0 a	15 0 0 per sa. wt.

BANK OF BENGAL.

Discount	on Government Bills and Salaries	1/2 per cent.
	on Private Bills 3 months	3/4 ditto
Interest	on Loans on Government Papers	5/4 ditto
	on Goods	8 to 8 ditto
Discount	on Government Bills and Salaries	1/2 ditto
	on Private Bills 3 months	9/4 ditto
Interest	on Loans on Government Papers	5/4 ditto
	on Goods	7 to 8 ditto
Discount	on Government Bills and Salaries	1/2 ditto
	on Private Bills 3 months	9/4 ditto
Interest	on Loans on Government Papers	5/4 ditto
	on Goods	7 to 8 ditto

RATES OF INTEREST AND DISCOUNT.

UNION BANK.

Discount	charged on Govt. and Salary Bills	1/2 ditto
	ditto on Private Bills 1 month	8 ditto
	ditto on ditto ditto 2 ditto	9 ditto
	ditto on ditto ditto 3 ditto	10 ditto
Interest	allowed on Deposits for 3 months' certain	1 ditto
	charged on Company's Paper Loans	8 ditto
	ditto on Deposit of Goods	9 ditto
	ditto on Govt. and Salary Bills	1/2 ditto
Discount	ditto on Private Bills 1 month	8 ditto
	ditto on ditto ditto 2 ditto	9 ditto
	ditto on ditto ditto 3 ditto	10 ditto
	allowed on Deposits for 3 months' certain	1 ditto
Interest	charged on Company's Paper Loans	8 ditto
	ditto on Deposit of Goods	9 ditto
	charged on Govt. and Salary Bills	1/2 ditto
	ditto on Private Bills 1 month	8 ditto
Discount	ditto on ditto ditto 2 ditto	9 ditto
	ditto on ditto ditto 3 ditto	10 ditto
	allowed on Deposits for 3 months' certain	1 ditto
	Interest	charged on Company's Paper Loans	8 ditto
	ditto on Deposit of Goods	9 ditto

ADMINISTRATION TO ESTATES.

Colschindl Day	Bansomdary Dossee, Widow
Grimes, Edward Fellow, Lieutenant, 13th N. I.	Registrar Supreme Court
Harris, Daniel	Thomas Pitken
Kidd, Mary, Widow	Helen Kidd
Mary, Bebee	Registrar Supreme Court
Morris, Lawrence Burke, Captain	Joseph Willis
Crawford, D. H.	Mrs. G. Crawford
Hulbert N. J. Civil Service	Mrs. C. Hulbert
Humphreys, R. A.	Registrar Supreme Court
Loane, R.	Registrar Supreme Court
Myers, A.	Registrar Supreme Court
St. Paul, A.	James Clapham
Minos, Pagose	M. Minos, Widow
Nisbet John	Registrar Supreme Court
Parsons, Edward	Mary Parsons, Widow

GENERAL REGISTER.

GOVERNMENT NOTIFICATIONS,

&c. &c. &c.

BY THE PRESIDENT IN COUNCIL.

LEGISLATIVE DEPARTMENT, — 27th August 1838.

The following Act is passed by the Honourable the President of the Council of India in Council on the 27th August 1838, with the assent of the Right Honourable the Governor General of India, which has been read and recorded,

Ordered, that the Act be promulgated for general information
ACT No. XIX. of 1838.

I. It is hereby enacted, that from the First day of November, 1838, Sections XX and XXI. Regulation XX. of 1827, of the Bombay Code, be repealed.

II. And it is hereby enacted, that from the said First day of November, 1838, the following rules shall be in force with respect to vessels belonging to any of her Majesty's subjects residing within the Presidency of Bombay, and employed on the coasts of the territories subject to the Government of Bombay, or in trading eastwise as also with respect to fishing vessels and harbour craft belonging to any of the same her Majesty's subjects

III. And it is hereby enacted, that every such vessel employed as aforesaid, fishing vessel, and harbour craft shall be marked or branded with the name of the place to which she belongs, and also with a number assigned for the same, by the officer authorized to make such registry as is hereinafter mentioned, and the owner or owners of such vessel employed as aforesaid, fishing vessel, and harbour craft, shall cause such name and number to be painted in black paint upon a white ground on each quarter of such vessel employed as aforesaid, fishing vessel, and harbour craft, in English figures and letters, each figure and letter being six inches in length.

IV. And it is hereby enacted, that the name and number of every such vessel, employed as aforesaid, fishing vessel, and harbour craft, and her burthen, and also the name or names of the owner or owners thereof, shall be registered in a book, to be kept for that purpose, by the person hereinafter directed to make such registry. At Bombay, such registry shall be made by the Master Attendant, and at other places within the said territories, by the Collector of Sea Customs at such places respectively, or by such other person, as shall be appointed by the Government of Bombay to act at such places respectively, in the execution of this Act, and whenever any change shall take place in the burthen of such vessel employed as aforesaid, fishing vessel or harbour craft, or in the name or names of the owner or owners thereof, such registry shall be made again as provided, however, that it shall not be lawful to give any name to such vessel employed, as aforesaid, fishing vessel, or harbour craft, other than that by which she was first registered.

V. And it is hereby enacted, that the owner or owners of every such vessel employed as aforesaid, fishing vessel, and harbour craft, shall apply to the person authorized to make such registry in respect of the same, in order to have such registry as aforesaid made or in order to have such registry made again as aforesaid. And whenever such vessel employed as aforesaid, fishing vessel, or harbour craft, is registered at a subordinate port, information thereof, and of the number there assigned to her, shall immediately be given by the registering officer to the Master Attendant at Bombay.

VI. And it is hereby enacted, that the duty of marking or branding, and of ascertaining the burthen of, such vessels employed as aforesaid, fishing vessels, and harbour craft, at Bombay, shall be performed by the Master Attendant, and at all other places, within the territories subject to the Government of Bombay, the duty of marking or branding, and of ascertaining the burthen of, such vessels employed as aforesaid, fishing vessels, and harbour craft, shall be performed by the Collector of Sea Customs at such places respectively; or by such other persons as shall be appointed by the Government of Bombay to act at such places respectively, in the execution of this Act.

VII. And it is hereby enacted, that the owner or owners of every such vessel employed as aforesaid, fishing vessel, and harbour craft, shall apply for and obtain a certificate of registry from the person authorized to make such registry as aforesaid, and such certificate shall be in the form specified in the Schedule appended to this Act; and in the case of any certificate being lost or destroyed, a renewed certificate may be obtained in the same manner, and on payment of the fees hereinafter mentioned

VIII. And it is hereby enacted, that such certificate of registry shall be sealed with the seal of the East India Company, and shall be signed by the person authorized to make such registry.

IX. And it is hereby enacted, that such certificate shall be issued to every vessel employed as aforesaid, fishing vessel, and harbour craft as aforesaid, from the date of the expiration of the pass she is now furnished with — the regulations with respect to fishing vessels and harbour craft, to take effect from the First of November, 1838.

X. And it is hereby enacted, that the owner or owners of such vessels, employed as aforesaid, (fishing vessels and harbour craft being excepted,) — on being registered as aforesaid, shall pay—

For each certificate of registry for a vessel not exceeding 20 Bombay candles burthen, the fee of : : : : : 1 Rupee.

For each certificate for a vessel exceeding twenty such candles burthen, and not exceeding one hundred candles burthen : : : : : 5 Rupees

For each certificate for a vessel exceeding one hundred such candles burthen, and not exceeding four hundred candles burthen : : : : : 7 Rupees.

And for each certificate for a vessel of one hundred tons, or greater burthen, per ton : : : : : 2 Annas.

XI. And it is hereby enacted, that the person or persons so authorized to make such registry as aforesaid, shall receive the fees payable for the same, and shall pay such fee to such Officer as the Governor of Bombay in Council shall appoint; the same to be carried to the credit of the Government of Bombay.

XII. And it is hereby enacted, that the owner or owners or commander of every such vessel employed as aforesaid, fishing vessel, and harbour craft, shall produce, on demand thereof by any officer of the customs within the said territories, or by any officer of the Indian Navy, the certificate so directed to be applied for and obtained, in respect of such vessel employed as aforesaid, fishing vessel, or harbour craft, as aforesaid.

XIII. And it is hereby enacted, that in case any such vessel employed as aforesaid, fishing vessel, or harbour craft, shall not be so marked or branded, in all respects, as hereinbefore directed, or in case the name and number of any such vessel employed as aforesaid, fishing vessel, or harbour craft, shall not be so painted, or shall not continue so painted, on such vessel employed as aforesaid, fishing vessel or harbour craft, in all respects as hereinbefore directed; or in case any such vessel employed as aforesaid, fishing vessel, or harbour craft, shall not be furnished with such certificate as hereinbefore specified, or in case the owner or owners or commander of any such vessel employed as aforesaid, fishing vessel, or harbour craft, shall not produce such certificate on demand thereof as hereinbefore directed, the owner or owners of every such vessel employed as aforesaid, shall be subject to a fine of ten times the amount of the fees payable in respect of the certificate of registry of such vessel, the same being a vessel for the certificate of registry of which any fee is payable, and the owner or owners of such fishing vessel, or harbour craft, shall be subject to a fine of ten Rupees which fines may be recovered on conviction before any Magistrate, Justice of the Peace, or person exercising the powers of a Magistrate having jurisdiction within the said territories by sale of such vessel, fishing vessel, or harbour craft, her furniture, ammunition, tackle and apparel, and such fines shall be payable as often as the owner or owners or commander of any such vessel employed as aforesaid, fishing vessel, or harbour craft, shall make such default as aforesaid, provided every such subsequent default be made after the expiration of one month from the date of the last conviction.

XIV. And it is hereby enacted, that the Governor of Bombay in Council may direct compensation for trouble and diligence in seizing such vessel employed as aforesaid, fishing vessel or harbour craft, guns, furniture, tackle, ammunition and apparel, as last mentioned to be made, out of the proceeds of such seizure, to the person or persons who shall have seized the same, in such amount, in such manner, and in such shares or proportions, as to the said Governor in Council shall seem meet.

XV. And it is hereby enacted, that from the First day of November, 1838, a certificate from the Marine Paymaster at Bombay, or from the Boat Master at Bombay, shall not be required in order to enable any person or persons to obtain a port clearance for any vessel at the Custom House of Bombay.

GENERAL REGISTER.

SCHEDULE.

This is to certify that (here insert the names, occupation, and residence of the owners) having declared that (he or they) are sole owner or owners of the vessel (fishing vessel or harbour craft) called (the name) which is of the burthen of (number of Bombay candies) and that the said vessel (fishing vessel or harbour craft) was (where and when built) the said vessel (fishing vessel or harbour craft) has been duly registered at the port of (name of port). Certified under my hand. (Signature of Officer)

THE 27TH AUGUST 1838.

The following Act is passed by the Honourable the President of the Council of India in Council on the 27th August 1838, with the assent of the Right Honourable the Governor General of India which has been read and recorded.

Ordered, that the Act be promulgated for general information.

Act No. XX. of 1838.

I. It is hereby enacted, that from the First day of October next, Section VIII. Act XVII. 1837, be repealed.

II And it is hereby enacted, that when there is no Bhangee Post established on any line of road, letters and packets exceeding in weight 12 Toles, and not exceeding 40 Toles, shall be received by Post Masters for transmission by the Letter Post under the Rules which follow.

First If the letter or packet received for despatch be of the description specified in heads Nos. 1, 2 and 3 of the Schedule A, annexed to Act XVII. of 1837, the postage duty thereon shall be levied by rateable increase, as declared and provided in the said heads of the said Schedule, and the Post Master shall forward every such letter or packet on the same terms, the postage charge being rateably increased, as is provided in the said Act for letters and packets not exceeding 12 Toles in weight.

Second. If any packets exceeding twelve Toles in weight, and not exceeding forty Toles, when so brought for despatch along a road where there is no regular Bhangee Post established, be certified by attestation written on the cover not to contain any of the things specified as subject to rateable postage duty under heads Nos. one, two and three of the said Schedule, and further, if it be so certified that such packets do not contain any writing in contravention of Sections IX. and X. Act XVII. of 1837, every such packet shall in like manner be forwarded by the Letter Post being charged with duty as specified and prescribed in Table four Schedule A for Bhangee Parcels. Provided, however, that it shall be in the power of the Post Master at the place of delivery to proceed for the discovery of any fraud or contravention of the law in respect of all packets, so conveyed by the letter post at Bhangee postage rates, in the manner prescribed in Section XXX. Act XVII. 1837. Provided, also, that Government shall not be responsible for any loss or damage which may occur in respect of any thing entrusted to the Post Master for conveyance by virtue of this Act, and that no person employed by the Government in the Post Office Department shall be responsible for any such loss or damage unless such person has caused such loss or damage maliciously or fraudulently.

III. And it is hereby enacted, that if packets exceeding forty Toles in weight be brought for despatch by the letter post at Bhangee rates, the same may be forwarded under the rules and restrictions prescribed in the preceding Section of this Act, provided, however, that the transmission of such over weight packets shall always be discretionary with the Post Master to whom they may be brought for despatch, to forward them at such times and in such manner as may be convenient.

IV. And it is hereby enacted, that no packet brought for despatch by Bhangee Post shall be returned to any Post Office on the ground that the Bhangee Post has not been made for the whole distance to the place of delivery.

V. And it is hereby enacted, that, except as hereinafter is mentioned, if any person wilfully certify or cause to be certified by writing on any letter, cover or packet delivered at any Post Office for conveyance by Post what is not true in respect of such letter or packet, or in respect of its contents, for the purpose of defrauding the Post Office revenue, every such person shall on conviction be subject to a fine of fifty Rupees for every such offence.

VI. And it is hereby enacted, that whoever shall send or cause to be sent by the Government Post any packet under the provisions of this Act of the description mentioned in Table 2 of Schedule A, Act No. XVII. A. D. 1837, which shall contain any writing whatever other than writing which is necessarily part of the documents which such packet is stated to contain by attestation on the cover of such packet, knowing that it contains any writing not necessarily part of the documents which such packet is stated to contain by attestation on the cover, shall be punished with a fine of 50 Rupees.

VII. And it is hereby enacted, that whoever shall send or cause to be sent by the Government Post, under the provisions of this Act, any packet of the description mentioned in Table

3 of Schedule A, Act No XVII. A. D. 1837, which shall contain any writing whatsoever except the direction on the cover, knowing that it contains any writing other than the direction on the cover, shall be punished with a fine of 30 Rupees.

VIII And it is hereby enacted, that all fines incurred on account of letters or packets sent by the Letter Post or by the Bhangee Post in contravention of the Provisions of Sections IX. and X. of Act XVII. of 1837, as well as all fines by this Act authorized to be imposed, shall be demanded from the parties liable thereto by notice in writing from the Post Master General, or from any Post Master, and if not paid upon such demand the same shall upon conviction of the offender before any Magistrate for the place where the party charged may be residing, be levied, together with the costs attending the information and conviction by distress and sale of the goods and chattels of the party or parties offending by warrant under the hand of such Magistrate. And if upon the return of such warrant, it shall appear that no sufficient distress can be had thereon, then it shall be lawful for any such Magistrate by warrant under his hand and seal to cause such offender or offenders to be committed to prison, there to remain for the space of two calendar months, unless such fines and all reasonable charges attending the same shall be sooner paid and satisfied.

IX. And it is hereby enacted, that it shall be lawful for the Post Master to detain any letter or packet in respect of which any party shall become liable to fine for a contravention of Sections IX and X. of Act XVII. 1837 or of any of the Provisions of this Act, until the fine and all reasonable charges attending the same, shall have been duly paid.

THE 27TH AUGUST

The following Act is passed by the Honourable the President of the Council of India in Council on the 27th August 1838, with the assent of the Right Honourable the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.

Act No. XXI. of 1838.

I. It is hereby enacted, that it shall be lawful for the Governor General of India in Council, in his executive capacity, to direct the Coining and issuing of any Silver Coins, of a value represented in even annas or sixteenths of the Company's Rupees, provided they be of the same standard as that prescribed for such Rupee by the Act No XVII. of 1835, and of proportionate weight.

II. And it is hereby enacted, that the provisions of Act No. XVII. of 1835, and of Act No. XXXI. of 1837, applicable to the devices, inscriptions, and embellishments of the Coins coined and issued by virtue of the Act No. XVII. of 1835, shall be applicable to the Coins which may be coined and issued by virtue of this Act.

THE 10TH SEPTEMBER.

The following Act is passed by the Honourable the President of the Council of India in Council, on the 10th September 1838, with the assent of the Right Honourable the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.

Act No. XXI. of 1838.

I. It is hereby enacted, that from the First day of October 1838, it shall be competent to the Zillah and City Judges, in the Territories subject to the Presidency of Fort William in Bengal, to receive a Summary Appeal from the orders or decrees of the Moonsiffs subordinate to them, in cases in which such Moonsiffs may have refused to admit any suit regularly cognizable by them, or may have dismissed, on the ground of delay, informality, or other default, without an investigation of the merits of the case, any such suit which they may have admitted, or any suit regularly referred to them.

II. And it is hereby enacted, that the provisions contained in the Fifth and Six following clauses of Section III. Regulation XXVI. of 1814, and Section II. Regulation XII. of 1833, and Section VII Regulation IX. of 1831, of the Bengal Code, shall apply to the Summary Appeals preferred under the authority of this Act.

THE 17TH SEPTEMBER 1838-

The following Act is passed by the honourable the President of the Council of India in Council on the 17th September 1838, with the assent of the right honourable the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.

Act No. XXIII of 1838.

It is hereby enacted, that so much of Section III. Regulation IV. of 1831, of the Madras code as saves and exempts the liability to attachment or sequestration in certain cases of the grants mentioned in Section II, of the said regulation, be repealed; and that

GENERAL REGISTER.

such grants shall not be liable to attachment or sequestration in satisfaction of any decree or order of Court whatever.

Mr. F. Millett, one of the members of the Indian law commission, has been permitted to be absent from the presidency for the period of one month, from the 24th instant, on private affairs

T H MADDOCK,

Offy. Sec. to the Govt. of India.

Calcutta Courier, Sept. 12.]

FORT WILLIAM, POLITICAL DEPARTMENT, AUGUST 29 1838.

Mr Assistant Surgeon J T Pearson M. D. made over charge of the medical duties of the civil station of Junnapore, on the 23th ultimo, to Mr. Assistant Surgeon T. Smith, M. D. preparatory to joining his appointment at Darjeeling.

SEPARATE DEPARTMENT, SEPTEMBER 5.

The leave of absence granted to Mr. W. Bracken, deputy collector of customs, on the 22d ultimo, is to take effect from the 27th idem, the date on which he made over to Mr. J. Campbell, the head coventanted assistant, charge of the office of deputy collector, and Mr P. Turnbull the head appointee assumed that of head assistant collector under the orders of the deputy Governor of Bengal.

FORT WILLIAM, GENERAL DEPARTMENT, SEPT. 5.

The honourable the President in Council is pleased to place the services of Messrs R B Thornhill and G. H. Clarke, at the disposal of the right honourable the Governor General for the North Western Provinces.

GENERAL DEPARTMENT, SEPTEMBER 12.

The Honourable the President in Council is pleased to place the services of Messrs R B Thornhill and G. H. Clarke, at the disposal of the right honourable the Governor General for the North Western Provinces.

SEPARATE DEPARTMENT, SEPTEMBER 17.

W. W. Bird, Esq, with the sanction of the Government of India is appointed senior member of the board of customs, salt and opium, and of the marine board.

GENERAL DEPARTMENT, SEPTEMBER 19

Notice is hereby given, that the salaries and allowances of the Civil and Marine departments, for September instant will be discharged by the sub-treasurer and marine paymaster respectively, on or after Monday, the 15th proximo

Published by order of the honourable the President in Council,

The honourable the President in Council is pleased to appoint Mr. John Brown, post master at Rangoon.

H. T. PRINSEP,

Sec. to the Govt. of India.

MILITARY DEPARTMENT, SEPT. 17.

Notice is hereby given, that the pay, batta, and other allowances for September 1838, of the troops at the presidency and at the other stations of the army, will be issued on or after Wednesday, the 10th proximo.

By order of the honourable the President in Council,

J. STUART, *Lieut-Col.*

Offy. Sec. to the Govt. of India Mil. Dept.

Judicial and Revenue Department — Erratum.—In the Gazette of Saturday, the 22nd instant, the name of Mr. J. A. O. Farquharson to officiate as joint magistrate and deputy collector of Shahabad, was inserted by mistake—read instead thereof Mr. G. D. Wilkins.

FINANCIAL DEPARTMENT, SEPTEMBER 12.

Mr. J. A. Dorin, the deputy accountant general, and accountant in the revenue and judicial departments, is permitted to be absent from his offices for a period of six weeks, to enable him to proceed to the Sand Heads for the benefit of his health—the leave to take effect from the date of his delivering over charge of his offices. Mr. B. J. Colvin will conduct the duties during Mr Dorin's absence.

SEPTEMBER 26.

Mr. J. W. Grant, export ware-house keeper, is permitted to be absent from his office for the space of four months, from the

10th proximo, to visit Simla, on urgent private affairs. Mr. H. J. Chippendale will conduct the duties during Mr. Grant's absence

Mr. H. M. Clarke second member of the honourable Company's Financial agency at Canton, is permitted to be absent from his office until October 1840, to visit the Cape of Good Hope in New South Wales, for the recovery of his health. Mr. W. T. Taylor will conduct the duties during Mr. Clarke's absence.

H. T. PRINSEP,

Sec. to the Govt.

BY THE DEPUTY GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT, AUGUST 23.

The Honourable the Deputy Governor of Bengal has been pleased to make the following appointments:

Mr G. Beadon to exercise to powers of joint magistrate and deputy collector in zillah Sarun.

Mr J Wheeler to officiate, until further orders, as joint magistrate and deputy collector in zillah Rajshahy

Mr. A. Turnbull to exercise the powers of joint magistrate and deputy collector at Bahra, vice Mr. Wheeler, and has likewise been instructed to complete the special duty which was assigned to Mr Wheeler on the 20th March last.

The following officers have obtained leave of absence from their station:

Mr. J. F. G. Cooke, officiating civil and session judge of Dacca, during the ensuing dussarah vacation.

Mr. J. Lewis reviser and reporter of settlements, for one month, on private affairs, to commence from the 23d instant.

Mr. H. Torrens, additional judge of Chittagong, during the ensuing the dussarah vacation, retaining charge of his office.

The Honourable E. Drummond, in charge of Pergunwah Furkesh in Hooghly, an extension of one month's leave of absence, on private affairs, from the 7th instant.

Mr R. P. Harrison, Assistant, exercising the powers of joint magistrate and deputy collector in Chittagong, for one month, from the 20th instant, on private affairs

Mr. A. R. Young, assistant to the magistrate of Tirhoot, an extension of leave of absence for fifteen days, in addition to the leave granted to him on the 9th July last, to rejoin his station.

Mr. J. Dunamure, soldier ameen of Bancora, to remain at Hooghly until after the dussarah vacation.

Sheik Meer Daul Alee, deputy collector under Regulation IX, 1833, in Bardwan, and additional one month's leave of absence from the 24th ultimo.

AUGUST 31, 1838.

The following officers have obtained leave of absence from their stations:—

Mr. D. Pingle, magistrate and collector of Mymensing, to remain at the presidency for one month, on private affairs.

Moulavee Mahomed Rauf, officiating sudder ameen of Wounglyr, during the ensuing dussarah vacation.

SEPTEMBER 4.

Moulavee Mahomed Kulleem, sudder ameen in Jessore, during the ensuing dussarah vacation.

Mr E. A. Samuels to be magistrate of zillah Hooghly vice Mr. C. Grant, to have effect from the 23d ultimo.

The Honourable the Deputy Governor of Bengal is pleased to determine that Hoorrodeen Mohamed, late sherikshadar of the magistrates and collector's offices in Backergunge, who has been convicted by the session judge of bribery, shall, under Clause three, section VI. Regulation XVIII, of 1837, and section IV. Regulation II of 1813, be declared incapable of serving Government in future in any public capacity.

SEPTEMBER 7.

Moulavee Izzat Ullce, principal sudder ameen, and Bahoe Sham Chunder, sudder ameen in Nuddea, during the ensuing dussarah vacation.

The honourable the Deputy Governor of Bengal has been pleased to make the following appointment:

SEPTEMBER 10.

Bahoe Gooroochurn Jhoo, deputy collector under Regulation IX, 1833, in Dinagopore, during the ensuing dussarah vacation.

Bahoe Rans Mohun Rao, additional principal sudder ameen in Dacca, during the ensuing dussarah vacation.

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SEPTEMBER 11.

The following officers have obtained leave of absence from their stations :

Mr A. F. Donnelly, collector of Midnapore, for one month, from the 25th instant, on private affairs; Mr. A. Grote will conduct the duties during that period.

Mr. F. W. Russell, civil and session judge of Moorshedabad, for a portion of the ensuing dusserah vacation.

Mr B. J. Colvin, magistrate, collector and salt agent in the Southern division of Cuttack, for two months, from the 1st instant, preparatory to his applying for leave to proceed to Europe on furlough.

SEPTEMBER 13.

Mr. G. F. Cockburn, assistant to the collector of Purneah, for one month to visit the presidency, on private affairs.

Mr. W. S. Hudson, deputy collector under regulation on X 1833, in Mymensing, for one month, from the 1st ultimo of private affairs.

SEPTEMBER 14.

Mr. J. E. Fraser, deputy collector under Regulation IX. of 1833 in Rajshahy, for one month, from the 17th instant, on private affairs.

The honourable the Deputy Governor of Bengal has been pleased to make the following appointments :

Mr. R. B. Giffert to officiate, until further orders, as joint magistrate and deputy collector of Noacally.

Mr. H. R. Sturt to officiate as joint magistrate and deputy collector of Furruckpore, during the absence of Mr. Garrett, or until further orders.

Mr. G. Loch to officiate as joint magistrate and deputy collector of Sylhet, during the absence of Mr. Sturt, or until further orders.

Erratum.—In the *Gazette* of the 12th instant, for Hooroodeen Mahomed, late sarkistadar at the office of magistrate and collector of Backergunge, declared incapable of serving Government in future in any public capacity—read Nooroodeen Mahomed.

The following officer has obtained leave of absence from his station :

Captain G. H. Rawlinson, assistant to the commissioner in the Tenasserim provinces, for four months, on private affairs, from the 1st November next, or as soon after as an opportunity may occur to visit the presidency, preparatory to his applying for furlough.

GENERAL DEPARTMENT, SEPTEMBER 16.

The following officers have obtained leave of absence from their stations :

Mr. C. B. Trevor, deputy collector of Jessore, for eight days, during the dusserah vacation.

Mr. G. U. Yule, special officiating deputy collector of Mymensing and Dacca, from the 17th instant to the end of October ensuing.

Shib Chunder Paulit, deputy collector under Regulation IX of 1838 in Rajshahy, for a month and a half, from the 14th instant.

The honourable the Deputy Governor of Bengal has been pleased to make the following appointments :

Messieurs J. W. Temple and W. Dent to be commissioner under Regulations LXVI. 1813, and VIII. 1817, to investigate certain charges preferred against Mr. W. A. Pringle, whilst judge of Sarun by Moulvie Soojooodeen Ali Khan, late principal sudder ameen of that district.

Mr. W. N. Garrett to officiate as civil and sessions judge of Shahabad during Mr. Dent's absence.

Mr. R. E. Cunliffe to officiate as civil and session judge of Patna during Mr. Temple's absence.

Mr. E. F. Radcliffe to officiate as collector of Patna until further orders.

SEPTEMBER 15.

The following officers have obtained leave of absence from their stations :

Moulvie Fuzulool Huk, principal sudder ameen of Sarun, during the dusserah vacation.

SEPTEMBER 17.

Baboo Ram Coomaz Chowdry, sudder ameen of Rajshahy, during the dusserah vacation.

Kjeez Moulvie Mohamed Faik Khan Bahadur, principal sudder ameen of Beerbhoom, during the dusserah vacation.

Syed Hussein Bukah, sudder ameen of Beerbhoom, during the dusserah vacation.

Mr. C. Mackay, sudder ameen of Dinagepore, during the dusserah vacation.

SEPTEMBER 18.

The honourable the Deputy Governor of Bengal has been pleased to make the following appointments :

Mr. E. B. Barwell, to be civil and sessions judge of Jessore.

Mr. A. Smelt, to be civil and sessions judge of Rajshahy.

Mr. T. P. Biscoe, to be civil and sessions judge of the 24-Pergunnahs.

Mr. B. Golding, to be civil and sessions judge of Backergunge.

Mr. E. Deeds, to officiate, until further orders, as civil and sessions judge of Jessore.

Mr. T. Sandys to officiate as joint magistrate and deputy collector of Barraset, Mr. M. A. Shawe will relieve Mr. Deeds at Barraset and officiate as joint magistrate and deputy collector, until the arrival of Mr. T. Sandys.

Mr. F. R. Hodgson to officiate as superintendent of Khas Mehalas, with Sarun, vice Mr. J. Alexander.

Mr. W. Travers to officiate as special deputy collector of Cuttack.

Mr. J. Alexander to officiate as special deputy collector of Bhagulpore. Mr. Alexander will make over charge of his present office to Mr. Beadon, who will officiate as superintendent of Khas Mehalas till relieved by Mr. Hodgson.

Mr. J. A. O. Farquharson to officiate as joint magistrate and deputy collector of Shahabad.

Mr. C. Lantour to exercise the powers of joint magistrate and deputy collector at Moonghyr.

Mr. J. M. Hay to exercise the powers of joint magistrate and deputy collector in Mymensing.

Mr. A. Littlehale to exercise the powers of joint magistrate and deputy collector at Dacca.

Mr. Assistant Surgeon J. B. Dickson to take charge of the medical duties of the civil station of Gajah.

Baboo Gobind Chunder Ker Chowdry, and Prawnath Bose, Truknath Ghose and Beera Madhub Ghose, to be deputy collectors under Reg IX 1838, under Mr. W. Taylor special deputy collector of Burdwan, Hooghly, Beerbhoom, and Bancoorah.

The following officers have obtained leave of absence from their stations :

Mr. F. J. Morris special deputy collector in Cuttack, for one month, from the 1st proximo, preparatory to applying for furlough,—should the officer appointed to relieve him not reach Cuttack by the above date, Mr. Morris will make over charge of his office to Mr. Malet who is authorized in that case to officiate as special deputy collector of Cuttack until relieved.

Moulvie Soojah Oodeen Ali Khan, additional principal sudder ameen of Tirhoot during the dusserah vacation.

Mr. E. Smart deputy collector under regulation IX, of 1833, in Moorshedabad, for one month, from the 15th instant, on private affairs.

The honourable the Deputy Governor of Bengal has been pleased to make the following appointment :

Mr. S. M. Chhill, deputy collector under Regulation IX. of 1833 has been transferred from Balasore to Hooghly, vice Merr Dad Alli resigned.

SEPTEMBER 19.

Mr. F. J. Morris, of the civil service, upon the late China establishment and transferred to Bengal, is permitted to proceed to Europe on furlough.

SEPARATE DEPARTMENT.

Mr. H. M. Parker, second member of the board of customs, salt and opium, and of the marine board, has obtained leave of absence for one month from the 6th proximo.

SEPTEMBER 20.

Mr. R. Finney, deputy collector under Regulation IX of 1833 in Midnapore, for four months, on medical certificate, in addition to the leave granted to him on the 10th instant, to enable him to proceed to Singapore for the benefit of his health.

SEPTEMBER 21.

The remaining portion of the leave of absence granted to Mr. A. Smelt, late civil and sessions judge of Backergunge on the 26th July last, is cancelled at his request from the 23d instant.

GENERAL REGISTER.

SEPTEMBER 21.

Mr J. W. Alexander, third commissioner of the Court of Requests, for one month, from the 22d proximo, to proceed to the western provinces, on private affairs.

Mr J J Jordan, sudder ameen and moousiff of Bakergunge, during the dusserah vacation.

SEPTEMBER 25.

The honourable the Deputy Governor of Bengal has been pleased to make the following appointments

Mr. W. Money to be a permanent judge of the Courts of Sudder Dewanny and Nizamut Adawlut, vice the honourable Mr. T. C. Robertson

Mr. C. Tucker to be a permanent judge of the Sudder Dewanny and Nizamut Adawlut, vice Mr. N. J. Halded deceased.

The following officers have obtained leave of absence from their stations

Mr. G. G. Campbell, superintendent of Khas and Resumed Mahals in Birhoof for one month, from the conclusion of the present month on private affairs. The leave granted to him on the 30th ultimo has been cancelled.

Mr J Fitzpatrick, Assistant Revenue Surveyor in charge of the Balasore, a further extension of leave of absence for three days, from the 1st instant

FRED. JAS HALLIDAY,
Seco to the Govt. of Bengal.

BY THE GOVERNOR GENERAL FOR THE N. W. P.

GENERAL DEPARTMENT, SIMLA, AUGUST 14, 1838.

Judicial and Revenue.—Mr W J Morgan is appointed to be an assistant under the commissioner of the Agra division.

AUGUST 16.

General Mr. A. V. Dunlop, M. D. is appointed to be civil assistant surgeon at Jundpore

Revenue.—Mr J. Muir, deputy collector for the investigation of claims to hold land exempt from payment of revenue in the district of Saharunpore, has obtained leave of absence on his private affairs, from 30th September next for three months; to enable him to proceed to Bombay, in the event of his obtaining permission to proceed to Europe on furlough.

AUGUST 21st.

Mr. E. Thomas, joint magistrate and deputy collector of Saharunpore, has obtained leave of absence, on his private affairs, for three months, from the date on which he may quit his station, to enable him to proceed the presidency, in the event of his obtaining permission to proceed to Europe

AUGUST 23.

Mahummud Shuhab Oudien is promoted from the appointment of sudder ameen to that of principal sudder ameen of zillah Saharunpore.

SIMLA, AUGUST 28.

Revenue.—Mr. J. Thornton, settlement officer in Allypore, has obtained leave of absence, on his private affairs, from the 25th October next, to proceed to Bombay, in the event of his obtaining permission to proceed to Europe on furlough.

AUGUST 29.

Judicial and Revenue.—Mr. G. C. Barnes (appointed on the 18th June last, to be an assistant under the commissioner of the Rohilcund division) has been posted by the commissioner as an assistant to the magistrate and collector of Shajehanpore.

SEPTEMBER 3.

Judicial.—Mr. C. Lindsay has been directed to make over charge of the office of judge of Delhi to the principal sudder ameen, who will conduct the current duties till Mr. Benson's arrival. Mr Lindsay will proceed to Meerut and take charge of the office of judge there, till further orders.

Mr. W. H. Benson has been desired to repair to Delhi, and to take charge of the office of judge there.

SEPTEMBER 4.

Separate Revenue.—Mr. G. H. Smith, collector of customs north west frontier, Delhi, has obtained leave of absence for one month, on his private affairs.

Judicial.—Mr. H. Bousfield, civil assistant surgeon of Mynpoory, has obtained leave of absence, on medical certificate, for

five months, from the 1st October next, for the purpose of visiting the presidency. The assistant surgeon of the corps at the station is appointed to take charge of the medical duties of the civil station at Mynpoory, during his absence.

SEPTEMBER 5.

General.—Lieutenant A. C. Rainey, assistant to the political agent at Subathoo, is appointed to be post master at Subathoo.

Judicial.—The leave of absence, on account of his private affairs, granted to Mr. J. S. Balders, Judge of Agra, under orders of 11th August last, is to commence from the 9th September, and terminate on the 9th October next, instead of the dates mentioned therein.

Mooftie Ghulam Mahommed Khan Behadour, principal sudder ameen of Bundeekund, has obtained leave of absence during the ensuing dusserah vacation, on account of his private affairs.

J THOMASON,

Off. Seco to the Govt. N W P.

BY THE GOVERNOR GENERAL OF INDIA.

POLITICAL DEPARTMENT, SIMLA, AUGUST 25 1838

Lieutenant A. C. Rainey, of the 25th regiment N. I. (officiating) is appointed to be assistant to the Political Agent at Subathoo.

POLITICAL DEPARTMENT, SIMLA, AUGUST 27.

Ensign L. T. Forrest, of the 40th regiment native infantry, has been appointed to be adjutant to the Jundpore legion.

SECRET DEPARTMENT, SIMLA, AUGUST 25.

The undermentioned officers have been directed to proceed to Ludhian, and to act under such instructions as they may receive from the Secret Department.

Captain H. Johnson, 20th regt N I and Captain J Wood, buru, 14th regt. N I.

SEPTEMBER 10.

Mr. Assistant Surgeon T. Russel, of the 1st regiment light cavalry, has this day been appointed to perform the medical duties, of the political agency at Kotah, vice Mr. Assistant Surgeon Foley deceased.

It being the intention of the Government to employ a force beyond the north west frontier of India and his Excellency General Sir Henry Pakenham, G. C. B., Commander in Chief in India, having acquiesced in the wish of the right honourable the Governor General, that he should take upon himself the command of the troops to be assembled on the occasion, his Lordship avails himself of his services; and his Excellency is accordingly requested to issue such orders for the organization of the force, as he may deem expedient.

Lieutenant G. L. Cooper has this day been appointed to be a subaltern in the artillery, attached to Shah Soojah's levies.

Lieutenant F. Turner has this day been appointed to be ditto, ditto ditto

By order of the right hon'ble the Governor General of India

W. H. MACNAUGHTEN,

Seco to the Govt of India with the Govt. Genl.

MILITARY.

BY THE PRESIDENT IN COUNCIL.

Fort William, September 3—No. 129 of 1838.—The honourable the President in Council directs, that the following extract (paragraphs 2 and 3) from a military letter, No. 44, from the honourable the Court of Directors to the Governor of Bengal, dated the 16th May 1838, be published in general orders:

"Para. 2. We have granted additional leave to the undermentioned officers, viz.

Lieutenant Colonel H. Hall.....	6 Months,
-----W. H. L. Frith.....	3 Ditto,
Captain G. E. Westmacott.....	6 Ditto,
Lieutenant H. W. Leacock.....	3 Ditto,
2d Lieutenant John Trail.....	6 Ditto,
Assistant Surgeon H. D. Donaldson.....	3 Ditto.

GENERAL REGISTER.

3. The following officers and surgeons have been permitted to retire from the service, viz.

Lieutenant J. C. Dougan, from the 14th April 1837.

Lieutenant E. R. F. Wilmot, from the 5th February, 1838.

Surgeon Daniel Hardine, from the 24 April, 1838.

Assistant Surgeon I. J. Boswell, from the 6th December 1836.

No. 136 of 1838.—The honourable the President in Council is pleased to make the following promotions:

Infantry—Major Samuel Speck, to be lieutenant colonel, from the 18th February 1838, vice Lieutenant Colonel Samuel Watson, deceased.

4th Regiment native infantry—Captain and Brevet Major Henry Francis Caley to be major, Lieutenant and Brevet Captain Charles James Oldfield to be Captain of a company, and Ensign Frederick Mayland to be lieutenant, from the 18th Feb., 1838, in succession to Major Samuel Speck, promoted.

The furlough to Europe, granted in general orders No. 112, of the 23d ultimo, to Major H. C. M. Cox, of the 68th regiment native infantry, on medical certificate, is commuted to leave to the Cape of Good Hope, on the same account for two years.

Fort William, September 10—No. 131 of 1838.—The honourable the President in Council is pleased to make the following promotions and adjustment of rank:

Regiment of artillery—1st Lieutenant and Brevet Captain John Theophilus Lane to be captain; and 2d Lieutenant George Paris Salmon to be 1st Lieutenant, from the 2d August, 1838, in succession to Captain Thomas Hickman, deceased.

19th Regiment of native infantry—Ensign Robert Andrew Smith to be lieutenant, vice Lieutenant John Crooke Dougan, retired with rank from the 18th June 1837, vice Lieutenant Pelham Danthorne Warren, deceased.

Medical department—Assistant Surgeon John Henry Palsgrave to be surgeon, vice Surgeon Daniel Hardine, retired, with rank from the 23d July 1838, vice Surgeon Joseph Lanstaff, retired.

ALTERATION OF RANK.

19th Regiment native infantry—Lieut. A. C. Roswell, to rank from 14th April, 1837, vice J. C. Dougan retired; and Lieut. W. L. Mackeson, ditto 28th May, 1837, ditto J. S. Boswell promoted.

Medical department—Surgeon W. Stevenson, M. D., Jura to rank from 2d April, 1838, vice D. Hardine, retired; and Surgeon W. Thomson, ditto 5th April, 1838, ditto T. Stodart, retired.

1st Lieutenant George Templer Graham, of the regiment of artillery, and 1st of the artillery. On a medical certificate, is permitted to proceed to Europe on furlough, on medical certificate.

Lieutenant George Pott, of the 3d regiment native infantry, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

Lieutenant Osborne Campbell, of the 43d regiment native infantry, having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the invalid establishment.

Serjeant Major Henry Parks, of the 40th regiment native infantry, is admitted to the benefits of the pension sanctioned by minutes of council of the 11th January, 1797, and general orders dated 5th February 1830, subjects to the confirmation of the honourable the Court of Directors with permission to receive his pension in England.

Memorandum—The date of the arrival of 1st Lieutenant Edward Pelham Master of the regiment of artillery, at Fort William, is the "15th" instead of the "17th" of October, 1825, as announced in general orders, No. 292, of the 25th October, 1825. The order books to be altered accordingly.

No. 135 of 1838.—The following lists of rank of cadets of artillery, cavalry, and infantry, and of assistant surgeons appointed to the Bengal presidency, are published for general information:

No. 4 of 1838.

List of rank of cadets for the Bengal artillery, cavalry, and infantry.

For the artillery—To rank from the 11th June 1836, the day on which they passed their public examination, and in the following order, provided the ships by which they proceed sail from Gravesend on or before the 11th September 1836.

John William Fraser, Alexander Christie, Charles Vyvyan Cox, Craven Hildale and Dickens, and Henry Hammond.

For the cavalry—To rank from the date of the sailing from Gravesend of the ship by which he proceeded, viz.

Aylmer William Milton Wylly, *Adelaide*, sailed 2d June.

For the infantry—To rank from the 11th June, 1838, the day on which they passed their public examination, and in the following order, provided the ships by which they proceed sail from Gravesend on or before the 11th September, 1838, viz.

George Walter Cunningham, Henry Shephard Mobery, Thomas Charles Henry D'Oyly, *Earl of Hardwick*; Robert Henry David Tulloh, Patrick Cheap Clark, Charles Rickotts Maling, James Travers, William Champion, and Thomas Peach Waterman.

To rank from the 12th June 1834, agreeably to the Court's resolution of 4th December 1833, and in the following order, viz. Edward Cornwall ardner, appointed 4th April, *Asia*, sailed 24th April, and Robert Mackneal Wylly, appointed 16th May, *Adelaide*, sailed 2d June.

To rank from the date of the sailing from Gravesend of the ships by which they proceeded, and in the following order, viz.

George Strangways, *Plantagenet*, sailed 2d June.

Naik Ebenezer Bacon, *Seringapatam*, sailed 2d June.

David Scott Dodgson, ditto, ditto.

Memo—Mr Henry Garden Burmester having produced a commission in her Majesty's 61st regiment of foot, which he had held during more than one year, is entitled to rank next below Lt. Charles Stevenson, vide No. 3 of 1834.

(Signed) PHILIP MELVILL, Sec. Mil Dept.

East India-house, 4th July 1838.

(A true Copy.)

(Signed) JAMES C MELVILL, Sec.

East India-house, London, 7th July 1838.

No 4 of 1838.

List of rank of assistant surgeons for Bengal.

To rank from the date of sailing from Gravesend of the ships by which they proceeded, and in the following order, viz.

George Charles Willich, *Catherine*, sailed 27th May; George Macartney Cheyne, ditto, ditto, Thomas Allan Wethered, ditto, ditto; Thomas Rogers Strover, ditto, ditto, James Alexander Guise, *China*, 30th May; John Edge, *Plantagenet*, 16th June, and Arthur Beauin Evans, *Protector*, 15th June.

(Signed) PHILIP MELVILL, Sec. Mil Dept.

East India-house, 4th July 1838.

(A true Copy.)

(Signed) JAMES C. MELVILL, Sec.

East India-house, London, 7th July 1838.

No. 134 of 1838.—The honourable the President in Council directs that the following extracts (paras 2 to 4) from a Military Letter from the honourable the Court of Directors No. 53, dated the 4th July 1838, be published in general orders:

Para. 2 We have granted additional leave to the following officers, viz.

Colonel J. A. Hodgson and Captain F. Tweedale, six months; Captain J. B. D. Gahan, three months.

Lieutenants H. P. Voules, and Alexander Jack, Assistant Surgeon W. P. Andrew, six months; Lieutenant E. S. Capel, four months.

3. Sub Conductor Donahoe, has been granted an extension of leave for six months.

4. Surgeon E. McDonald, has been permitted to retire from the service. This vacancy has effect from the 1st May 1838.

No. 134 of 1838.—Assistant Surgeon John Burnie Dickson, is placed at the disposal of the Deputy Governor of Bengal, for the purpose of being appointed to the civil station of Gyah.

Assistant Surgeon Dickson, will remain in medical charge of the 69th regiment native infantry, till relieved by Assistant Surgeon Borwick, who has been appointed to that corps.

Fort William, September 17—No. 135, of 1838.—The pay, bounty, and other allowances, for September 1838, of the troops at the presidency, and at the other stations of the army, will be issued on or after Wednesday the 10th proximo.

No. 135 of 1838.—The honourable the President in Council is pleased to make the following promotions and alteration of rank:

Infantry—Lieutenant Colonel and Brevet Colonel John Dun to be colonel, from the 16th March 1834, vice Colonel William Conrad Faithful, C. B., deceased.

Major Jonathan Trelawny to be lieutenant colonel, from the 16th March 1838, in succession to Lieutenant Colonel and Brevet Colonel John Dan, promoted.

43d Regiment native infantry.—Ensign John William Cohn Chalmers to be lieutenant, from the 19th September 1838, vice Lieutenant Osborne Campbell, transferred to the invalid establishment.

51st Regiment native infantry.—Captain and Brevet Major Henry Clapton Barnard to be major, Lieutenant and Brevet Captain David Rose to be captain of a company; and Ensign Saunders Alxius Abbott to be lieutenant, from the 16th March 1838, in succession to Major Jonathan Trelawny, promoted.

Medical department.—Assistant Surgeon Henry Taylor to be surgeon, vice Surgeon Ewen McDonald, retired, with rank from the 23d July 1838, vice Surgeon Joseph Langstaff, retired.

Alteration of rank.—Surgeon J. H. Palsgrave, to rank from the 1st May 1828, vice E. McDonald, retired.

Lieutenant George Warren Stokes, of the 59th regiment native infantry, has returned to his duty on this establishment, without prejudice to his rank, by permission of the honourable the Court of Directors, date of arrival at Fort William, 14th September 1838.

The undermentioned gentlemen are admitted to the service, in conformity with their appointment by the honourable the Court of Directors, as ensigns of infantry on this establishment, and promoted to the rank of ensign, leaving the date of Ensign Gardner's commission to be adjusted hereafter. Rank as ensign was assigned to Messrs. Scott and Wilson in general orders, No. 116 of the 6th ultimo.

Infantry.—Messrs. Edward Corae Scott, Thomas Fourness Wilson, and Edward Cornwall Gardner, date of arrival at Fort William, 19th Sept. 1834.

Captain Edward Parry Gowan, of artillery, deputy principal commissary of ordnance, having returned to the presidency, is directed to resume the duties of his office.

1st Lieutenant Richard Horamondon Baldwin, of the regiment of artillery, is permitted to proceed to Europe on furlough, on medical certificate.

The undermentioned non-commissioned officers are admitted to the benefits of the pension sanctioned by minutes of council of the 11th January 1797, and general orders dated 5th February 1820, subject to the confirmation of the honourable the Court of Directors, with permission to receive their stipends in Europe, and Chunar respectively, as specified opposite to their names. Serjeant John McKenny, of the 49th regiment native infantry, Europe.

Serjeant George Thompson, of the first company European infantry invalids, Chunar.

No. 137 of 1838.—The unexpired portion of the leave of absence granted to Captain Edward Parry Gowan, of the regiment of artillery, and deputy principal commissary of ordnance, in general orders No. 131, of the 19th September 1836, is cancelled from the 14th instant.

It having been reported to Government that the brig *Motichand Amichand*, on which Ensign Edward Nugent Croft, of the 65th regiment native infantry, embarked for Singapore on leave of absence, on medical certificate, is supposed to have been lost at Sea, the name of that officer is accordingly to be struck off the list of the army from the 26th September 1837, the date at which that vessel was left at Sea by the pilot.

Fort William, September 24.—No. 134 of 1838.—The Honourable the President in Council is pleased to make the following promotion:

Medical department.—Assistant Surgeon James Taylor to be surgeon, from the 4th September, 1838, vice Surgeon Richard Baginlay Pennington deceased.

The undermentioned officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the honourable the Court of Directors:

Captain Richard Riddford Hughes, of the 62d regiment native infantry, date of arrival at Fort William, 17th September 1838.

Captain Henry William Leacock, of the 74th regiment native infantry, ditto ditto 4th September 1838.

Lieutenant Richard Onseley, of the 56th regiment native infantry, ditto ditto 18th September 1838.

Captain Alfred Lewis, of the 32d regiment native infantry, is permitted to proceed to Europe on furlough, on medical certificate.

Lieutenant Thomas Fraser, of the 7th regiment light cavalry, is permitted to proceed to New South Wales, on medical certificate, and to be absent from Bengal on that account for two years.

Captain George Burney, of the 38th regiment native infantry, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

J. STUART, Lieut. Col.

Offy. Sec. to the Govt. of India, Mil. Dept.

BY THE GOVERNOR GENERAL.

SIMLA, AUGUST 21, 1838

The following appointment was made, in the Political Department, on the 15th instant:

Ensign M. T. Blake, of the 56th regiment native infantry, to be 2d in command of the infantry regiment in Sindiah's reformed contingent.

The right honourable the Governor General has been pleased to appoint 1st Lieutenant A. Broome, of the Regiment of artillery to be an aide de camp on his Lordship's personal staff, vice Lieutenant P. Nicolson.

SIMLA, AUGUST 24.

The right honourable the Governor General directs, that the services of the undermentioned medical officers, be placed temporarily, at the disposal of his Excellency the Commander in Chief, for eventual employment with the Army.

Assistant Surgeon J. O'Dwyer, civil, Midnapure; R. McIntosh, do, Delhi; T. W. Rutt, do, Chittauging; W. Gordon, M. D. do, Mirzapore; J. Steel, M. D. do, Goruckpore; G. Anderson, Haupper Stud, A. A. McNally, Hussar Stud; J. F. Bacon, Civil, Moradabad; G. E. Christopher, do, Meerut; and A. Kean, M. D. do, Moorshedabad.

Assistant surgeon J. S. Logan, M. D., on being relieved at Lucknow by Dr. Stevenson; R. Christie, so soon as the Terrace is open for his return from Katmandoo; T. Leckie, civil, Bhaucepore; R. C. McCumochie, do, Sylhet; J. W. Knight, on being relieved at Sahunpore by Dr. Falconer; G. Patton, M. D., civil, Ally Ghur; M. Nightingale, do, Hunnecpore.

It is not intended that all the above medical officers should at once be removed from their present situations, but that the Commander in Chief should make use of their professional aid, according as the exigencies of the public service may, in the opinion of his Excellency, render the measure necessary.

SIMLA, AUGUST 28.

The following appointments were made, in the Secret Department, under date the 23th instant:

Captain H. Johnson, 26th regiment native infantry, to the pay and commissariat departments of the force serving under Shah Shooja ool-Mook.

Lieutenant and Brevet Captain J. Woodburn, 44th regiment native infantry, to the command of one of the infantry regiments serving under ditto ditto.

SIMLA, AUGUST 31.

The right honourable the Governor General directs, that the following rules be observed in regard to staff officers temporarily withdrawn from their appointments, for the purpose of joining their regiments on field service.

1. Officers on staff employ when temporarily withdrawn from their appointments, for the purpose of joining their regiments on field service, will be permitted to draw, while so employed, their full staff salary, provided that other officers are not appointed to officiate for them, and that they held no staff situation in the army with which they are serving.

2. In cases when other officers may be employed to officiate during the absence of staff officers, (as above) a moiety of their staff salary will be drawn by the absentees, and the other moiety by the officiating officers.

SIMLA, SEPTEMBER 3.

The right honourable the Governor General is pleased to make the following appointments:

Ensign Thomas Lutter, of the 67th regiment native infantry to do duty with the Arracan local battalion, in the room of Lieutenant G. Apthorpe, who has been nominated, by the Commander in Chief, adjutant to that corps.

Serjeant Major James Perry, of his Lordship's body guard, to be riding master to the 3d regiment of light cavalry, from the 19th ultimo, vice Harding, deceased.

Ensign L. F. Forrest, of the 40th regiment native infantry, was appointed in the Political department, on the 27th ultimo, to be adjutant to the Joudpore legion, vice Lieutenant Burnet, permitted to return to his regiment.

GENERAL REGISTER.

Assistant Surgeon H. R. Field, of the civil station at Mysnoolia, has this day taken leave of absence, in the general department, North Western Provinces, for five months, on medical certificate, to commence from the 1st proximo. His civil duties will be performed by the surgeon of the corps belonging to that station.

With reference to Government general orders, No. 92, of 6th April 1838, the usual annual committee for the examination of military officers in the native languages at Meerut, is directed to be convened early in the ensuing month, instead of on the 15th November, the date specified in those orders; there being several young officers who are desirous of passing an examination previous to the march of their corps on field service.

SIMLA, SEPTEMBER 7.

The right honourable the Governor General is pleased to make the following promotions and appointments, in the ordnance commissariat department:

Deputy Assistant Commissary John Sperrin to be Assistant commissary, and Conductor Johannes Permain, to be deputy assistant commissary from 10th June, 1838, in succession to Assistant Commissary E. Parsons, deceased.

Conductor Christopher McDonald, to be deputy Assistant commissary, from 13th June 1838, in succession to Deputy Assistant Commissary A. Vauzeyat deceased.

Sub-Conductor Jeremiah Leary to be conductor, from 16th April 1838, vice S. Patinau transferred to the invalid pension establishment.

Sub-Conductor Daniel Kelly to be conductor, from 1st June 1838, vice Wheeler retired.

Sub conductor James Hind to be conductor, from 10th June 1838, vice Permain promoted.

Sub conductor John Ives to be conductor, from 13th June 1838, vice McDonald promoted.

Sub Conductor George Patton to be conductor, from 17th June 1838, vice Irvine deceased.

Serjeant Major William Charde, 34th regiment native infantry to be sub conductor, from 16th April 1838, vice Leary promoted. Serjeant Major William Strick, 43d regiment native infantry, to be sub conductor, from 1st June 1838, vice Kelly promoted.

Serjeant Sylvester Fox, of the Cawnpore magazine, to be sub-conductor, from 10th June 1838, vice Hind promoted.

Serjeant Thomas Buckland, of the Delhi magazine, to be sub-conductor, from 13th June, 1838, vice Ives promoted.

Serjeant James Fretzle, of the Saugor magazine, to be sub conductor, from 17th June 1838, vice Patton promoted.

Resaidar Noorulhuck Khan, of the 3d local horse, is admitted into the second class of the "order of British India," with the title of "Bahadour," to fill an existing vacancy.

The right honourable the Governor General is pleased to make the following appointment.

Lieutenant C G Fagan, of the 8th regiment light cavalry, to be deputy pay master at Benares, vice Captain H. Clayton.

SIMLA, SEPTEMBER 11.

The right honourable the Governor General is pleased to make the following appointments.

Captain G. R. Crommelin, of the 1st regiment light cavalry, to be commandant of the 3d regiment of local horse, vice Smalpage deceased.

Captain J. L. Mowatt, of the regiment of artillery to be a deputy commissary of ordnance.

SIMLA, SEPT. 13.

The Governor General has been pleased to make the following appointments.

Captain D Simpson, of the 29th regiment native infantry, to act as paymaster and superintendent of native pensioners at A. H. M. during the absence of Captain E. Bygrave. 5th regiment native infantry, on field service.

Lieutenant the honourable R. B. P. Bying, of the 62d regiment native infantry, to act as sub-assistant in the stud department, during the absence of Captain A. W. Spottiswoode, 37th regiment native infantry, on field service.

SIMLA, SEPT. 14.

The Governor General has been pleased to make the following appointments:

Captain W. Buttallshaw, of the 1st regiment native infantry to act as deputy paymaster at Benares, during the absence of

Lieut. C. Campbell, 42d regiment native infantry, on field service.

WM. CASEMENT & Co.

Sec. to the Govt of India, Mtl. Dept with the Rt. Hon. the Govr. Genl.

BY THE COMMANDER IN CHIEF.

Head-quarters, Simla, August 18, 1838.—The presidency division order of the 1st instant, directing the undermentioned Ensigns, lately admitted into the service, to join and do duty with the corps specified opposite their respective names, is confirmed.

- Ensign E. J. Rickards ... 12th R. N. I. at Barrackpore.
- D. Macleod ... 15th ditto ditto, ditto.
- F. F. Lazard ... 53d ditto ditto, Meerut.
- W. F. N. Wallace ... 57th ditto ditto, Barrackpore.
- E. J. Boileau ...
- J. Lambert ...
- E. W. Salisbury ...
- W. Bailie ...
- J. A. H. Gorges ...
- C. Newton ...
- H. G. Barne-ter ... 58th ditto ditto, ditto.
- C. S. J. Terrot ...
- R. Reynolds ... 65th ditto ditto, ditto.

The undermentioned officers have leave of absence:

1st Company 6th battalion artillery—Captain G. Emly, from 2d October to 24 April 1839, to visit the presidency, prepare to submitting an application to retire from the service.

European regiment.—Lieutenant H. T. Combe, from 1st October to 5th November, in extension, to remain at Mussoorie, on medical certificate.

22d Regiment native infantry—Lieutenant J. Buldock, from 1st September to 30th October, to visit Fategarh, on private affairs.

54th Regiment native infantry—Brevet Colonel J. Dun, from 1st October to 24th February 1839, to proceed to the presidency, on medical certificate, and apply for furlough.

Head-quarters, Simla, August 20.—The presidency division order of the 3d instant, directing Assistant Surgeon A. C. Morrison, now attached to the artillery at Dum Dum, to proceed to Arracan, and to do duty with the troops in that province, is confirmed.

The artillery division order by Lieutenant Colonel C. Graham, dated the 11th instant, requiring all reports and returns from troops and companies wanted for service, intended for his information, to be addressed to Brevet Captain J. B. Backhouse, adjutant and quartermaster, 1st brigade horse artillery, is confirmed.

The undermentioned officer has leave of absence.

Invalid establishment—Major G. H. Johnstone, from 15th October to 15th March, 1839, to visit the presidency, on medical certificate, and apply for leave to proceed to Europe.

Head-quarters, Simla, August 21.—Under instructions from the right honourable the Governor General, his Excellency the Commander in Chief is pleased to authorize volunteers to be called for from the troops of horse artillery noted in the margin to the extent specified opposite to each for the purpose of joining a corps of artillery, about to be raised for special service.

The Europeans are to be transferred to the town major's list, and will retain the same advantages which they at present enjoy, in regard to pension or discharge, and to bounty on renewal; no man is allowed to be volunteer, who does not bear the character of being a steady good soldier.

Native non commissioned officers and privates, who may volunteer, and who have served upwards of fifteen years, will on becoming unfit for military duty, be transferred to the pension establishment, on the pension of their present rank.

Native soldiers who have served less than fifteen years, will have no claim hereafter on the British Government for pension.

Descriptive rolls of such men as may transfer their services to be prepared in duplicate; one copy to be forwarded to the adjutant general of the army, and the other transmitted to Captain W. Anderson, at Loodianah.

*DETAIL.	European non commis- sioned off- cers or privates for ser- geants.	European privates for trumpets for major.	Native's for mercenaries.	Native's for privates.	Trumpeters.
1st Troop 1st brigade ...	1	1	0	0	0
1st Ditto 2d ditto ...	2	0	0	0	0
2d Ditto 2d ditto ...	2	0	0	0	0
3d Ditto 2d ditto ...	2	0	0	0	0
4th Ditto 1st ditto ...	0	0	4	8	0
4th Ditto 2d ditto ...	0	0	5	9	1
4th Ditto 3d ditto ...	0	0	5	9	1
Total	7	1	14	26	2

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They are to be struck off the rolls of their respective troops, from the 1st proximo, and sent under charge of the senior non-commissioned officer to Loodeanah, with instructions to report themselves to Captain Anderson.

Should the officers commanding native troops of horse artillery find any difficulty in completing the number of havildars from the ranks of their respective troops, they are at liberty to substitute steady well trained Privates to the extent specified.

It is to be explained to the troops from which volunteers are sought that the pay of the men who may transfer their services will be the same, in every respect, as is assigned to corresponding ranks in the service to which they now belong.

Head quarters, Simla, August 22—His Excellency the Commander in Chief is pleased, with the sanction of the right honourable the Governor General, to direct the following movements of corps, viz.

2d troop 1st brigade horse artillery, from Mhow to Meerut, head-quarters, and 1st company 3d battalion artillery, with field battery, from Mhow to Benares, 6th regiment light cavalry from Mhow to Ghazee-pore; 60th regiment native infantry, from Mhow to Benares; 63d regiment native infantry, from Mhow to Lucknow; 72d regiment native infantry, from Mhow to Allahabad, 6th regiment native infantry, from Cuttack to Dinapore, and 19th regiment native infantry, from Cuttack to Dinapore, to march when relieved by troops from the armies of Fort St. George and Bombay respectively.

66th regiment native infantry, from Berhampore to Dinapore, when relieved by the 69th

69th regiment native infantry, from Saugor to Berhampore, to move on the 15th October 1838

69th regiment native infantry, from Barrackpore to Coast of Arracan, to move on 20th November 1838, or as soon after as the transports are ready.

67th regiment native infantry, from Coast of Arracan to Be-lares, to disembark at Calcutta, and march up to Benares

The above corps will march in conformity with the routes with which they will be furnished from the department of the quarter-master general of the army.

His Excellency the Commander in Chief is pleased to make following appointments

Regiment native infantry.—Lieutenant J. C. Siskeld to be adjutant, vice Birch appointed, to the thuggee department

Staff Sergeant Patrick Smyth, 3d company 1st battalion of artillery, is transferred to the town major's list, and appointed to the department of the quartermaster general of the army, to fill an existing vacancy.

Major R. Recher, assistant quartermaster general at the presidency, will supply Sergeant Smyth, with a passage up the river to Cawnpore

8th Regiment light cavalry—Captain G. A. Barhor, from 1st August to 30th October to remain at Saugor, on private affairs, and to rejoin his regiment

Head quarters, Simla, August 23—MEMORANDUM—Letters intended for the department of the adjutant general of the army, are required to be transmitted to head quarters *undocketed*.

The rule is confined to letters only, and is not applicable to returns and other papers.

Surgeon T. Drever, M. D. is removed from the 26th, and posted to the 53d regiment native infantry, vice Grime, transferred from the latter to the former corps

1st Lieutenant H. H. Duncan, and 2d Lieutenant J. Loughton, of the corps of engineers, having been placed at the disposal of his Excellency the Commander in Chief, are directed to proceed to Kurnool, and to report themselves to the major general commanding the second division, by the 15th proximo

1st Lieutenant E. P. Master, of the 2d company 1st battalion of artillery, is directed to do duty with the 2d company 6th battalion, until further orders.

Head-quarters, Simla, August 25—His Excellency the Commander in Chief is pleased to appoint Lieutenant W. B. Lumley, of the 57th regiment native infantry, to be adjutant to the 2d regiment of local horse, vice Anderson, who has been nominated to another situation.

Lieutenant C. Wyndham, of the 35th regiment native infantry, acting interpreter and quartermaster to the 7th regiment of light cavalry, is permitted to resign that appointment, and to rejoin his own corps.

Cornet Frederick James Alexander, who was brought on the effective strength in Government general orders of the 6th instant, is posted to the 8th regiment of light cavalry at Sullampore, Benares.

The transfer, in general orders of the 27th of February last, of half pay Drummer W. C. Hiddlestone, from the European regiment to the 72d regiment of native infantry, is cancelled.

The undermentioned officers have leave of absence :

37th Regiment native infantry—Lieutenant W. D. Goodyar, from 15th August to 15th February 1839, to visit the presidency, on medical certificate, preparatory to applying for furlough.

26th Regiment native infantry—Surgeon W. Grime, from 1st September to 1st March 1839, to visit the presidency, on medical certificate, preparatory to applying for furlough.

Head quarters, Simla, August 27—The volunteers from troops of horse artillery, called for in general orders of the 21st instant, are to be sent to Meerut, and their descriptive rolls are to be forwarded to Captain W. Anderson, at that station, instead of to Loodeanah, as therein directed.

The Benares division order of the 16th ultimo, appointing Assistant Surgeon T. Smith, M. D. 8th light cavalry, to the medical charge of the post of Jaunpore, vice Pearson, nominated to Darjeeling, is confirmed as a temporary arrangement.

Head quarters, Simla, August 28—His Excellency the Commander in Chief is pleased to sanction the following removals and postings :

Ensign John Dick Lander, from the 37th to the 47th regiment of native infantry, at Agra.

Euseb Lauchlan Alexander McLean, from the 3d to the 67th regiment of native infantry, under orders to Benares.

Ensign Neville Bowles Chamberlain, from the 55th to the 16th regiment of native infantry, at Delhi.

Head-quarters, Simla, August 29—A case has recently occurred, in which a havildar was tried by a general court martial and having been convicted of the offence charged, he was sentenced by the court to two years' imprisonment.

The Commander in Chief is aware, that this sentence implies dismissal from the service; but his Excellency desires that in future, the members of courts martial will consider whether it will not be more proper always to make reduction to the rank of a private soldier, a first part of their sentence; so that it may never happen, that a man of the respectable rank of havildar shall be sentenced to imprisonment.

His Excellency the Commander in Chief is pleased to order the following removals and postings of medical officers :

Surgeon Hugh Guthrie, M. D. from the 14th native infantry to the European regiment, vice Surgeon Thomson, selected for another appointment, to have effect from the 1st of October.

Surgeon Isaac Jackson, (on furlough) from the 17th to the 8th regiment of native infantry.

Surgeon William Edward Carte, A. B. from the 71st to the 17th regiment of native infantry, at Loodeanah.

Surgeon George Bailie, (on furlough) from the 72d to the 16th regiment of native infantry.

Surgeon Augustus William Steart, to the 73d regiment of native infantry.

Surgeon John McCaveston, to the left wing of the 3d battalion of Artillery, at Kurnool.

Assistant Surgeon Richard John Brassey, (on furlough) from the 37th to the 46th regiment of native infantry.

Assistant Surgeon John Magrath, from the medical duties at Mussorie to the 37th regiment of native infantry, at Agia.

Assistant Surgeon Robert McIntosh, (garrison assistant surgeon, Delhi) to the 2d company 6th battalion of artillery, at Delhi.

Assistant Surgeon William Spencer, (on furlough) from the 14th to the 52d regiment of native infantry.

Assistant Surgeon David Gillan, from the 59th to the 14th regiment of native infantry, at Agia.

Assistant Surgeon George Anderson, (Haupter, and establishment) to the 2d regiment of light cavalry, at Meerut.

Assistant Surgeon Acheson Archibald McAnally, (Hissar and establishment) to the 3d regiment of light cavalry, at Kurnool.

Assistant Surgeon George Erasmus Christopher, (civil, Meerut) to the 2d troop 2d brigade of horse artillery, at Meerut.

Assistant Surgeon John Spence Logan, M. D. (Lucknow residency) to the 3d troop 2d brigade of horse artillery, at Meerut.

Assistant Surgeon George Eaton, M. D. (civil, Allahabad) to the European regiment, at Agia

Assistant Surgeon Manby Nightingale, (civil, Hamirpore) to the left wing 3d battalion of artillery, at Kurnool.

Assistant Surgeons McIntosh, Anderson, McAnally, and Christopher will continue to discharge the duties with which they are

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at present entrusted, until the 15th of October next, when they will join the corps to which they have been temporarily attached.

Assistant Surgeon Paton, will join the European regiment on the 1st of October.

The following individuals, who were appointed hospital apprentices in general orders of the 18th of May last, having failed to report themselves to the superintending surgeons within whose circles of superintendence they are residing, are struck off the list of subordinate medical servants, viz.

James Price, Henry Lascelles Robinson, George Matthews, William John Gash, George William Hayward, John Hopper George Canood, and Peter Paribby Blaney.

Head quarters, Simla, August 30.—The Benares division order of the 16th instant, transferring Shauk Kurroon Buksh, native doctor, from the station hospital at Secroto to the 5th regiment of native infantry, is confirmed.

His Excellency the Commander in Chief is pleased to appoint Lieutenant C. Aphorpy of the 1st regiment native infantry to the adjutant of the Arracan local battalion, vice Rakkes, who is permitted to resign the situation.

The following individuals are appointed hospital apprentices to fill existing vacancies in the subordinate medical department, and directed to report themselves, within two months from this date, to the nearest superintending surgeon :

William Richard Eastwood, John Ford, J. H. Mills, Thomas Picon, James Eughton, William Sweeting, William Tucker, Richard Thomas Hume, James Horton, Richard Harris, George Bayar, and Henry Jacob Tinson.

After these youths shall have served six months in any European hospital, special reports of their talents and acquirements are to be made to head quarters by the superintending surgeon of the division, in which they may be employed, and should it appear that any of them are not likely to become efficient subordinate medical attendants, such individuals as may be so considered, will either be discharged the service, or disposed of as his Excellency the Commander in Chief may hereafter determine.

This is to be distinctly explained to the apprentices on their joining a hospital.

Head quarters, Simla, August 31.—The following individuals having been examined by the standing medical committee at Meerut, and found qualified to act as native doctors, are admitted into the service, and placed under the orders of superintending surgeon G. Playfair :

Sheikh Kader Bukhsh, Sheikh Nuzur Allio, and Kalay Khan.

Tooksee Ram Misser, native doctor, attached to the 54th regiment of native infantry, is also placed under the orders of Superintending surgeon Playfair.

Head quarters, Simla, September 1.—The following Ensigns, to whom rank was assigned in Government general orders No. 116 of the 6th ultimo, are posted to the corps specified opposite to their respective names, and directed to join :

Ensigns Edward William Salusbury, European regiment at Agra; George Oglo Jacob, ditto ditto; William Bailie, 47th regiment of native infantry, at Agra; John Lambert, European regiment, at ditto; John Arthur Howard Gorges, 57th regiment of native infantry, at Barrackpore; Donald Mackdon, 74th ditto, at Nusseerabad; Humphrey Thomas Repton, 47th ditto, at Agra; Edward John Boulton, European ditto, at ditto; Robert Reynolds, 57th regiment of native infantry, at Barrackpore. William Frederick Newton Wallace, 74th ditto, at Nusseerabad; Charles Samuel John Terror, 20th ditto, at Bandah; William Spiller Foris, 51st ditto, at Dinapore; Edward Donald Vanevor, 87th ditto, at Agra; Francis Gosh Crossman, 47th ditto, at Shaljeanpore; James Metcalfe Lockett, 3d ditto, at Barrackpore; William Campbell, 30th ditto, at Ngermah; Charles Metcalfe Sneyd, 27th ditto, at Kurnool; Robert Campbell, 47th ditto, at Agra; Charles Newton, 16th ditto, at Delhi; Edward Newton Dickenson, 24th ditto, at Midnapore; Crawford Trotter Chamberlains, 28th ditto, at Mynpoorie; Henry Hopkinson, 15th ditto, at Barrackpore; John Palmer Caulfield, 57th ditto, at ditto; Andrew George Colclhoun Sutherland, 25th ditto, at Saugor; George Edward Ford, 72d ditto at Mhow; Frederick Thomas Patey, 48th ditto, at Delhi; Rowland Rees Malinswaring, 71 ditto, at Cawnpore; Charles Sheppard Reynolds, 49th ditto at Neenuch; Henry John Edwards, 50th ditto, at Mirzapore; Francis James Smalpage, 55th ditto, at Lucknow; Arthur Samuel Mills, 58th ditto, at Barrackpore; Augustus Jacob Vanronan, 26th ditto, at Meerut; Thomas Wilkinson Gordon, European regiment, at Agra; Evan Philip Tilghman Nepson, 35th regiment of native infantry, at Delhi; Gramo Mercie Brodie, 67th ditto, under orders for Benares; James Goodfloe Wollen, 42d ditto, at Bareilly; Francis Harrowick Wafren, 51st ditto at Benares; Frederick Turner Woodington, 8th ditto, a Bareilly; William Fraser, 6th ditto, under orders for Dinapore; William Louis Moehelm Bishop, 16th ditto, at Jubbalpore; John James Macdonald, 74th ditto, at Nusseerabad; Thomas Pottinger 54th ditto, at Meerut; and George Holroyd, 29th ditto, at Bandah.

Major J O Clark son's regimental order of the 13th ultimo, directing Captain T. Dallyell, to continue to act as interpreter and quartermaster to the 42d native infantry, until further orders, is confirmed.

Assistant Surgeon W. J. Loch, at present attached to the 16th, is appointed to do duty with the 31st regiment native infantry, until further orders.

The undermentioned officers have leave of absence :

5th Battalion artillery.—Captain J. S. Kirby, from 15th November to 20th December, in extension, to visit the presidency, preparatory to applying for permission to retire from the service.

32d Regiment native infantry.—Captain A. Lewis, from 20th May to 25th June, to remain at Mysnensing, on medical certificate.

Head quarters, Simla, September 3.—Major P. L. Few, of the 1th battalion of artillery, at present employed at Delhi, is appointed to serve with the artillery under the command of Lieutenant Colonel C. Graham, but will continue on the duty in which he is now engaged, until further orders.

The following subordinate medical attendants are placed at the disposal of Superintending Surgeon G. Playfair, they will continue in the discharge of the duties in which they are at present engaged, until the superintending surgeon shall deem it necessary to require their services.

Assistant Apothecaries J. Silk, F. O'Sullivan, and T. Absalom; Assistant Stewards J. Hennessy and H. Bond; Hospital Apprentices J. Thompson and W. Roberts.

Head quarters, Simla, September 3.—The Nusseerabad station order of the 17th ultimo, directing Surgeon A. McK. Clark, of the 52d regiment native infantry, to proceed, on special duty, to Kotah, and requiring Surgeon T. C. Brown, of the 74th native infantry, to afford medical aid to the former corps, during the absence of Mr. Clark, is confirmed.

The unexpired portion of the leave of absence, granted to Captain F. McSherry, of the 30th regiment native infantry, in general orders of the 31st of May last, is cancelled from the 7th ultimo.

Head quarters, Simla, September 5.—The Sylhet station order of the 4th ultimo directing Assistant Surgeon R. C. Girdler, of the 73d native infantry, to proceed to Luckpore, and afford medical aid to the troops at that post, until the arrival of Assistant Surgeon G. S. Cardew, and appointing Surgeon J. Atkinson, of the 79th, to the medical charge of the 73d regiment native infantry, during the absence of Assistant Surgeon Guise, is confirmed.

The Bareilly station order of the 26th ultimo, appointing Ensign W. A. J. Mayhew, of the 8th regiment of native infantry, to act as adjutant to the 2d local horse, is confirmed as a temporary arrangement.

The Neemuch artillery division order of the 12th ultimo, appointing 2d-Lieutenant W. Palsey of the 5th company 6th battalion, to act as adjutant and quartermaster to the division, during the employment of Lieutenant and Brevet Captain J. T. Lane in the department of public works, is confirmed.

The regimental order of the 31st ultimo, by Major G. Young, commanding the 68th regiment of native infantry, appointing Lieutenant R. M. Gurnell to act as interpreter and quartermaster, during the absence, on duty, of Lieutenant Alston, is confirmed.

The undermentioned officers have leave of absence :

European regiment.—Lieutenant Colonel R. Chalmers, from 15th October to 15th November, in extension, to enable him to join.

40th Regiment native infantry.—Lieut. H. A. Shuchburgh, from 1st October to 5th November, in extension, to remain at du-soorie, on medical certificate.

67th Regiment native infantry.—Lieutenant and Adjutant F. Rainsford, from 5th September to ———, to await the arrival at the presidency of his regiment.

Head quarters, Simla, September 6.—In continuation of general orders of the 21st ultimo, and under instructions from the right honourable the Governor General, his Excellency the Commander in Chief is pleased to authorize volunteers to be called for from the reserve companies of Artillery, noted in the margin,* and to the extent specified, for the purpose of joining,

	GUN LASCARS.		
	Rec'd for Howitzers.	Privates for Muskets.	Privates.
3d Company 2d battalion Meerut	1	1	6
3d Company 4th battalion Agra	0	1	6
Total	1	2	12

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as Store Lascars, the corps of artillery now raising at Meerut, under the superintendence of Captain W. Anderson.

The volunteers are to be paid up, struck off the strength of their companies, and directed to report themselves to Captain Anderson; and the terms set forth, in the before quoted order under which volunteering was allowed from certain troops, are to be held strictly applicable to the present case.

The presidency division order of the 16th ultimo, directing the undermentioned Ensigns, lately admitted into the service, to do duty with the corps specified opposite their respective names, is confirmed:

Ensign W. S. Ferris, 12th native infantry at Barrackpore.

Ensign F. L. Warren, 12th ditto ditto.

Ensign E. N. Dickenson, 10th ditto at Cuttack.

Ensign F. T. Wroughton, 37th ditto at Agra, at his own request.

Ensign C. M. Sneyd, 51st ditto at Dinapore.

Ensigns G. O. Jacob, W. Campbell, and G. D. Bonar, 58th ditto at Barrackpore.

Ensign J. J. Macdonald, 65th ditto ditto.

Assistant Surgeon G. J. Berwick, M. D., of the 12th native infantry, recently returned from furlough, is directed to proceed forthwith to Cawnpore, and to report himself to the superintending surgeon of that division.

Gunner Richard Neale, of the veteran company at Chunar, is, with the sanction of Government, permitted to reside and draw his allowances at the presidency.

Head quarters, Simla, September 7.—All applications from European commissioned officers for transfer to the invalid establishment, are invariably to be accompanied by a statement, prepared by the medical officer in charge of the corps to which they belong, of the particulars of the case.

This statement, is to be referred to the judgment of the nearest station standing medical committee presided by the appointing surgeon or senior medical officer present before which the applicant is required to appear.

The statement to bear the signatures, and opinions on the case, of the members of the committee.

Memorandum.—The following alterations are directed to be made in the first page of the monthly returns of brigades, battalions, troops and companies of artillery, and of regiments of cavalry and infantry.

The number "wanting" to complete is to be inserted after the "total," which is to exhibit the actual strength on the 1st of the month, the lines showing the "establishment" and "excess" remaining as at present.

The Dinapore division order of the 9th ultimo, directing Assistant Surgeon J. Macintosh, attached to her Majesty's 19th regiment, to proceed to Ferozshah, and relieve Assistant Surgeon E. Mackinnon, M. D., from the medical duties of that station is confirmed as a temporary arrangement.

The Agra garrison and station order of the 21st ultimo, directing Surgeon W. Mitchell, of the 2d, to receive medical charge of the 37th regiment, and Surgeon H. Guthrie, M. D., of the 11th that of the 47th Regiment native infantry, consequent on the departure of Surgeon R. Brown for Chunar, is confirmed.

Brevet Colonel J. Dun's regimental order of the 2nd ultimo directing Captain R. L. Buxton to continue to act as adjutant to the 5th regiment of native infantry, is confirmed as a temporary arrangement.

The following removals and postings are to have effect in the regiment of artillery:

1st Lieutenant W. K. Warner, from the 1st company 6th battalion to the 4th troop 1st brigade.

1st Lieutenant H. Apperley, from the 1st company 3d battalion to the 2d troop 1st brigade.

Lieutenant J. T. Gordon, of the 15th, is appointed to act as interpreter and quartermaster to the 24th regiment native infantry, until further orders.

His Excellency the Commander in Chief is pleased to direct officers commanding corps under orders for field service, to be careful that their officers and men are provided with baggage cattle before quitting their respective cantonments, for they must, on no account, trust to being furnished with the means of transporting their tents, &c. after joining the army at its rendezvous.

His Excellency takes this opportunity of impressing upon officers the propriety of moving on the present occasion as lightly equipped as possible.

Captain J. B. Alexander is removed from the 3d company 3d battalion to the 3d troop 2d brigade of horse artillery, vice Dennis transferred from the troop to the company.

Captain Alexander will proceed forthwith and join his troop at Meerut.

Steward James Gibson, new promotion, is appointed to the hospital of her Majesty's 26th foot.

Assistant Steward Anderson W. Wallace, new promotion is directed to do duty under the orders of the superintending surgeon of the Meerut division.

The undermentioned officers have leave of absence:

13th Regiment native infantry.—Captain B. Bridgman, from 15th October to 15th January 1839, to visit the presidency, preparatory to applying for permission to return from the service.

30th Regiment line infantry.—Lieutenant J. S. Harris, from 8th September to 8th March 1839, in extension, to visit the presidency, on medical certificate, preparatory to applying for furlough.

His Excellency the Commander in Chief directs that, for the future, when soldiers, in quarters, have been gorged in a state of intoxication, they shall never be brought forward for examination into their offences, until twenty-four hours shall have elapsed subsequent to their confinement.

The same rules is to apply on a march, or elsewhere; unless good grounds should exist for a more prompt proceeding.

With the sanction of Government, the following movements to have effect, from the undermentioned dates.

6th Battalion of artillery.—1st company, from Lucknow to Cawnpore, 4th company, from Allahabad to Lucknow, 8th company, from Cawnpore to Allahabad. These companies to relieve each other after the conclusion of the annual practice.

5th Regiment light cavalry, from Cawnpore to Karnaul, to march on the 1st November 1838.

14th Regiment native infantry, from Agra to Futehghurh, to march on the 15th November 1838.

17th Regiment native infantry, from Loodianah to Meerut, when relieved from the escort of the right honourable the Governor General.

31st Regiment native infantry, right wing, from Futehghurh to Agra, when relieved by the 11th regiment.

5th Regiment native infantry, from Delhi to Loodianah, on the arrival of the 3d regiment native infantry at Delhi.

Routes to be furnished by the quartermaster general of the army.

Major George Brooke, of the 1st brigade of horse artillery, is ordered to join the artillery under Lieutenant Colonel C. Graham, which has been warned for field service, and he will proceed forthwith to Meerut, and do duty with the two troops of the 2d brigade, under orders for the frontier.

His Excellency the Commander in Chief is pleased, with the sanction of the right honourable the Governor General, to direct, that the undermentioned ensigns, recently posted to corps shall proceed and join the regiments, to which they respectively belong, by dawk, at the public expense; and it is necessary they should expedite their departure from the presidency so as to ensure their arrival at Karnaul by the 31st proximo:

Ensigns E. W. Salisbury, European regiment; G. O. Jacob, ditto; J. Lambert, ditto; E. J. Bollan, ditto; T. W. Gordon, ditto; F. H. Warren, 5th regiment of native infantry; C. Newton, 16th ditto ditto; C. M. Sneyd, 27th ditto ditto; C. T. Chamberlain, 28th ditto ditto; E. D. Vanrenen, 37th ditto ditto; J. G. Wallen, 42d ditto ditto; F. T. Paterson, 48th ditto ditto.

Head quarters, Simla, September 8.—His Excellency the

	Pay	Half	Full	Commander in Chief is pleased
	batta.	batta.	batta.	with the sanction of the right
				honourable the Governor General,
Sirdar ..	6	1-8	3	to fix the complement of
Suwar...	5	1	2	camels to be attached to No.
Bheetie ..	4	1	2	4 light field batteries, at 63, with

the following attendants, viz. 3 sirdars, 54 sowars, and 1 head bheetie, on the monthly pay noted in the margin, and to authorize the officer commanding to draw a contract allowance of two rupees eight annas for each camel per mensem, out of which sum he will be required to supply ghee, musallins, and medicines, for the cattle, likewise whips, lathers, curry combs, jhools, baskets and feeding cloths, and he will provide for the repair of saddles and harness, and for the grinding and soaking of gram.

Every officer serving with the battery to be permitted to draw horse allowance at the following rates, viz.

Captain.....	10	Rs per mensem.
Subaltern.....	30	ditto ditto.

The above allowances to be drawn from the 1st ultimo, the date on which the battery was made over by Major Few to Captain Abbott.

His Excellency the Commander in Chief is pleased, in consideration of the circumstances of the case, to remit the remaining portion of the auspicious from rank and pay, to which hospital Steward R. Daycock was sentenced by the detachment

court martial, which assembled at Barrackpore on the 12th of December last, and to restore him to his situation in the subordinate medical department, from the 1st ultimo.

Hospital Steward Maycock will do duty under the orders of the superintending surgeon at the presidency, until an opportunity offers for sending him on duty to the upper provinces.

Head quarters, Simla, September 8.—The presidency division order of the 19th ultimo, directing Madhoo Sing, native doctor, attached to the 56th, to join and do duty with the 36th regiment native infantry at Jamalpore, vice Doorgapersaud transferred to the pension establishment, is confirmed.

1st Lieutenant V. Mackenzie is removed from the 4th troop 3d to the 2d troop 2d brigade of horse artillery, and directed to proceed and join.

Lieutenant A. G. Reid, of the 47th regiment native infantry, is appointed to act as interpreter and quartermaster to the 7th light cavalry, vice Lieutenant Wyndham, of the 35th regiment, who has been permitted to join his regiment, under orders for field service.

2d Lieutenant R. Figou, of the engineers, and Ensign G. P. Goad, of the 1st regiment native infantry, having been declared by the examiners of the college of Fort William to be qualified for the duties of interpreter, are exempted from further examination.

Sergeant William Thomson, laboratory-man, is appointed park sergeant, vice Johnston deceased; and Staff Sergeant John Stotesbury, of the 3d company 4th battalion artillery, is transferred to the town major's list, and appointed laboratory-man in the Agra magazine, from the 2d ultimo.

Sheikh Jumal Ooddeen having been examined by the standing medical committee at Meerut, and found qualified for the situation of native doctor, is admitted into the service, and placed under the orders of superintending Surgeon G. Playfair.

Sewbruth, a compounder, attached to the hospital of the 4th battalion of artillery at Agra, is appointed a native doctor on the establishment, and placed under the orders of the superintending surgeon at that station.

The undermentioned officers have leave of absence:

49th Regiment native infantry.—Lieut. Colonel C. R. Skardon, from 15th October to 1st March 1839, to proceed to the presidency, on medical certificate, preparatory to applying for furlough.

28th Regiment native infantry.—Captain G. Burney, from 8th August to 8th October, in extension, to remain at the presidency, on medical certificate.

With the sanction of the Right Honorable the Governor General, his Excellency the Commander in Chief is pleased to lay down the following rules for the drill, superintendence, and payment, of the recruits of the corps which have been warned for field service:

The recruits of the 2d, 5th, 29th, 31st, 43d and 53d regiments of native infantry, are either to be kept at, or sent to Meerut, under the command of a native commissioned officer, (whose age and state of bodily strength may render it desirable, that he should not be exposed to the fatigues of a campaign) together with the drill neck, and four sepoy from each regiment, as drill instructors; it is desirable that men should be chosen for this duty, whose constitutions are the least likely to stand exposure.

The recruits of the 16th, 27th, 35th, 37th, 42d and 48th regiments of native infantry, are, in like manner, to be assembled under the same superintendence, at Kurnaul.

Lieutenant C. C. Pirott, of the 18th regiment native infantry, is appointed Adjutant to the recruit depot at Meerut; and Captain T. E. A. Napleton, of the 60th regiment, commandant, and Lieutenant W. H. Gomer, of the 1st regiment native infantry, adjutant, to the depot at Kurnaul. The two first named officers will repair to their respective destinations without delay.

The recruits at these depots are to be formed into two battalions of six companies each; each company to comprise the men of one particular corps, and the soldiers sent from it, as drill instructors, are to be appointed to act as non commissioned officers, for the purpose of preserving discipline.

Quarter master sergeant George Clowley, of the 23d native infantry, is appointed sergeant major to the Meerut depot; and quartermaster Sergeant Robert Campbell, of the 14th native infantry, is appointed sergeant major to the depot at Kurnaul.

Sergeant Thomas Mara and Corporal John Bennetts, of the European regiment, are transferred to the town major's list;

and appointed, the former quarter master sergeant to the Meerut depot, and the latter quarter master sergeant to that at Kurnaul.

The recruits of each corps are to be furnished with arms, accoutrements, and clothing, before they are separated from their regiments; but where this should not be found practicable, officers commanding corps will communicate to the officers commanding the depots, the steps taken by them to obtain the necessary equipments; and all documents relating to them, should be made over at the same time.

The recruits are to be settled with up to the 31st proximo; after which date their pay will be drawn by the officers commanding the respective depots, on separate muster rolls, and in separate abstracts, one muster roll and one abstract for each company or regiment.

In the rolls of the regiments to which they actually belong, they will be returned as "at the depot."

The officers commanding the depots, and the adjutants, will draw the usual allowances assigned to such appointments in corps of the line; and the former will likewise be entitled to the customary allowance for the repair of arms of companies; the adjutants will draw the stated sum for the provision of butts and targets.

The officers commanding the Meerut and Sirhind divisions will respectively issue the necessary orders for the entertainment of a quartermaster's establishment, to the extent of one breaster company, and two tent issuers for each depot, as soon as the recruits are collected, and they will likewise provide each battalion with two native doctors, and the customary hospital establishment, and place them under the charge of the medical officer, who will be hereafter nominated.

It is the desire of his Excellency, that no more of the recruits, enlisted for the augmentations ordered on the 29th June and 16th ultimo, should be allowed to accompany their regiments, than will serve to complete them to the former establishment of 640 privates after leaving behind such of the old soldiers, or sickly men, whose presence with it would rather lessen than increase the efficiency of a corps.

The same periodical papers and reports, are to be forwarded by the officers commanding depots, as are required to be furnished by officers commanding corps of the line.

Head quarters, Simla, September 9.—Complaints having reached head-quarters of the inconvenience to which officers, on leave of absence, are occasionally subjected, from their inability to obtain pay, otherwise than through the deputy paymaster in whose circle their regiments may happen to be stationed, his Excellency the Commander in Chief deemed it necessary to make a representation on the subject to the right honourable the Governor General, by whom the matter was subsequently referred, for consideration, to the accountant general. The following is the report of that functionary, and it is now published for general information:

No. 592.

From C. MOHLEY, Esq. Account and General, to Lieutenant Colonel J. STUART, Offy Secy to the Govt. of India, Mt. Dept.

Mtly Dept SIR,—I have the honour to acknowledge the receipt of your letter, No 121, 9th instant, transmitting two communications from the adjutant general of the army, relative to the inconvenience experienced by officers, under existing regulations, when on leave of absence, in drawing their pay, otherwise than through the paymaster of the circle in which their regiments may be placed, and requesting a report on the expediency, or otherwise, of modifying the rules under which officers, on leave of absence from their corps, between stations, receive their allowances.

2. I beg to state, in reply, that although existing regulations prohibit entry of abstracts of officers on other than their own paymaster's disbursements, yet payment of such abstracts is not so restricted, being obtainable from any paymaster, on application, and on producing the last pay certificate of his own paymaster. And as the paymaster making the advance, is restricted from charging the abstract, he obtains reimbursement by draft or credit from the proper paymaster.

3. The object of restricting the entry of such abstracts to the proper paymaster's disbursements, in whose circle the officer is placed, is to facilitate check in the audit office, to prevent errors in passing allowances twice, and to combine and show all charges of each regiment in one place, instead of being scattered in many. But, although such be the object for which the existing regulations

GENERAL REGISTER.

we framed yet as they do not produce any inconvenience to officers proceeding beyond their circles. (payment as already shown being obtainable from any paymaster.) I am not aware of any necessity of modifying the existing regulations, nor of making any special rules for payments to officers enroute to other stations

4 In the instance of Lieutenant Maclean, brought to the notice of Government by the Adjutant general, it does not appear that, that officer had either made application for payment of his abstract to any paymaster, or that he had left instructions with his own paymaster to remit to him by draft, the amount of his forthcoming pay, at a specified station. Had he conformed to either of those methods, the inconvenience which he represents to have experienced, in not being able to proceed on his journey from want of funds, would not have occurred.

I have, &c.

(Signed) C. MORLEY,

Fort Wilham, 18th July 1838. Accountant General.

(True copy)

(Signed) J. STUART, *Lieut. Col.*

Offg. Sec. to the Govt. of India Mil. Dept.

(True copy)

(Signed) WM. CASEMENT, *Major General,*

Sec. to the Govt. of India Mil. Dept.

with the Right Hon. the Govr. Genl.

Sergeant Michael O'Grady Gorman, who was remanded to the artillery in Government general orders No. 107 of the 16th July 1839, will retain his corps in the rank he held previous to his removal from it.

Head quarters, Simla, September 13— His Excellency the Commander in Chief is pleased, with the sanction of the right honourable the Governor General to make the following appointments of officers for the staff duties of the troops under orders for field service

To the Brigadiers of the 2d class.—Colonel W. Nott, 42d regiment native infantry; Colonel J. Dennis, her Majesty's 3d buff; Colonel R. H. Sale, c. s. her Majesty's 13th light infantry; Colonel R. Arnold, her Majesty's 16th lancers; Lieutenant Colonel T. Worsley, 28th regiment native infantry; Lieutenant Colonel A. Roberts, European regiment; and Lieutenant Colonel C. Graham, 1st brigade horse artillery.

To be Majors of Brigade.—Brevet Major T. C. Squire, her Majesty's 13th light infantry; Captain J. Polwhele, 42d regiment native infantry; Captain H. C. Bolles, 28th regiment native infantry; Captain P. Hopkins, 27th regiment native infantry; Brevet Captain J. B. Backhouse, 1st brigade horse artillery; Captain A. W. Taylor, European regiment; Brevet Captain C. F. Havelock, her Majesty's 16th lancers.

To be an officiating deputy assistant quarter master general 2d class.—Lieutenant A. Sanders, 44th regiment native infantry.
To be chief engineer.—Captain George Thomson, commanding sappers and miners.

To be field engineers.—1st Lieutenant H. H. Duncan, and 2d Lieutenant J. Langton.

To be commissary of ordnance.—Captain E. F. Day, 5th battalion of artillery

To be field surgeon.—Surgeon R. M. M. Thomson, 14th regiment native infantry.

To be medical store-keeper.—Assistant Surgeon M. J. M. Ross, her Majesty's 16th lancers

To be baggage master.—Brevet Captain C. Troup, 48th regiment native infantry

2. The above appointments are to have effect from the 1st of November next, inclusive.

3. The officers commanding the artillery with the force, Her Majesty's 16th lancers, 3d buff, and European regiment, will forward to head quarters the names of non-commissioned officers of their several corps; the first to fill the office of provost marshal, the second for that of assistant baggage master, and the two last for the appointment of deputy provost marshal to the divisions to which their regiments respectively belong.

4. The troops are to be formed into divisions and brigades and the staff officers are to be attached to them in the manner set forth in the annexed detail.

5. The general officers named to command divisions will be pleased to take care, that good ground is early selected near to Kurnaul, for the proper encampment of the several corps on their arrival; and that all necessary commissariat arrangements are completed.

6. They will proceed, without any delay, to organize the several brigades; and to form their respective divisions, in conformity to the ordered detail.

7. They will carefully ascertain, that the equipments of the corps under their respective commands, are in all respects complete, and as they should be; and also that all the arrangements directed have been carried into effect respecting the depôts for recruits, and heavy baggage; and for the soldiers' families.

8. For these purposes the troops will halt six days at Kurnaul; after which they will march in four columns on Ferozpoore on the Sutlej, where the army will be assembled.

Routes for their respective marches will be furnished hereafter

9. The bulk of the engineers' tools and stores will be sent from Delhi with the park of the heavy artillery, with such guard of sappers as Captain Thomson may deem necessary; and the residue of the companies will march with their respective divisions of infantry, having with them the requisite portion of tools, to aid in overcoming any impediments which may present themselves on their line of march

10. The officers appertaining to the general staff, who may assemble at Kurnaul, will march with the right column of the army, by Umballah; and will assume their respective posts at Ferozpoore.

11. The superintending surgeon will take care, that the medical officers of divisions have all proper arrangements made for conveying forward casual cases of sickness which may occur on the march.

THE TROOPS UNDER ORDERS FOR FIELD SERVICE.

GENERAL STAFF.

His Excellency General Sir Henry Fane, c. o. g. Commander in Chief in India, to command the force.
Colonel M. Beresford, military secretary.
Lieutenant Colonel H. Fane, H. M.'s 11th dragoons; Captain J. Michael, H. M.'s 3d buff; Lieutenant H. Fane, H. M.'s 17th regiment; Lieutenant R. H. Yen, H. M.'s 4th regiment, aides-de-camp.
Captain J. Hay, 35th regiment native infantry, Persian interpreter.
Dr. A. Wood, H. M.'s 3d, light dragoons, surgeon.

Major F. Craigie, deputy adjutant general.
Major J. Byrne, assistant adjutant general Queen's troops.
Major W. Garden, deputy quartermaster general.
Captain G. Thomson, chief engineer.
Major J. D. Parsons, deputy commissary general.
Captain H. R. Osborn, assistant commissary general.
Captain T. J. Nuthall, deputy assistant commissary general, (in executive charge at head-quarters).
Surgeon G. Playfair, superintending surgeon of the Meerut division, superintending surgeon.
Surgeon R. M. M. Thomson, 14th regiment native infantry, field surgeon.
Brevet Major W. Hough, 48th regiment native infantry, deputy judge advocate general, Dinapore division, deputy Judge advocate general.
Brevet Captain C. Troup, 48th regiment native infantry, baggage master.

GENERAL REGISTER.

Divisional Staff	Brigade Staff.	Corps.	
	<i>Cavalry Brigade.</i>		
	Col. Arnold, H. M. 16th lancers, brigadier	2d Regiment light cavalry Her Majesty's 16th lancers 3d Regiment light cavalry	
	Brevet Captain Havelock, H. M. 16th lancers, major of brigade.		
	Lieut. Tredde, sub-assistant commissary general, commissariat officer.		
	<i>Artillery.</i>		
	Lieut. Col. Graham, horse arty., brigadier.	2d Troop 2d brig. horse arty 3d Troop 2d brig. horse arty 3d Company 2d battalion 4th Company 2d battalion 2d Company 6th battalion	
	Brevet Captain J. B. Backhouse, horse artillery, major of brigade.		
	Captain E. P. Day, 5th battalion arty. commissary of ordnance.		
	Lieut. Newbolt, sub-assistant commissary general, commissariat officer.		
	<i>1st Brigade</i>		
<p><i>1st Division of Infantry</i> Major General Sir W. Cotton, G. C. B. and K. C. S. to command. Captain W. Cotton, H. M. 14th regiment, aides de camp Captain J. D. Douglas, 53d regiment native infantry, assistant and adjutant general Lieut. H. Kewney, 50th regt. native infantry, depy. asst. qr. mtr. genl. Lieutenant J. Laugton, field engineer Captain A. Watt, depy. asst. commissary genl. commissariat officer The Rev. Chaplain.</p>	Colonel Sale, G. S., H. M. 13th light infantry, brigadier.	16th Regiment native infantry Her Majesty's 13th light infantry 18th Regiment native infantry	
	Brevet Major Squire, H. M. 13th light infantry, major of brigade.		
	Lieut. Simpson, sub-assistant commissary general, commissariat officer.		
	<i>2d Brigade.</i>	Colonel Nott, 42d regt. native infantry, brigadier.	42d Regiment native infantry 31st Regiment native infantry 43d Regiment native infantry
	Capt. Polwhele, 42d regt. native infantry, major of brigade.		
	<i>3d Brigade.</i>	Col. Dennis, H. M. 3d bufts, brigadier.	27th Regiment native infantry Her Majesty's 3d bufts 2d Regiment native infantry A Company of sappers & miners
	Capt. Hopkins, 27th regt. native infantry, major of brigade.		
	<i>4th Brigade</i>	Lieut. Col. Roberts, European regiment, brigadier.	35th Regiment native infantry European regiment 37th Regiment native infantry
	Capt. Tayler, European regiment, major of brigade.		
	<i>5th Brigade.</i>	Lieut. Col. Worsley, 28th regt. native infantry, brigadier.	5th Regiment native infantry 24th Regiment native infantry 63d Regiment native infantry Company of sappers & miners
Capt. Boileau, 28th regt. native infantry, major of brigade.			

By Order of His Excellency the Commander in Chief,
J. R. LUMLEY, Major General, Adjutant General of the Army,

GENERAL ORDERS TO THE QUEEN'S TROOPS.

Head-quarters, Simla, August 23.—No. 155.—The Mutiny Act dated the 11th of April, 1834, and the articles of war, dated the 15th of April 1834 being now received His Excellency the Commander in Chief of her Majesty's forces in India, in compliance with the 79th clause of the former, desires it may be notified, that this act shall, from and after the date of its receipt, and promulgation in general orders, become and be in full force within the limits of his Excellency's command, to the first day of February, 1841, or until further orders.

Head-quarters, Simla, August 30.—No. 157.—The Commander in Chief in India has been pleased to grant to Captain F. W. E. Barrell, of the 50th foot, (who had served 15 years and upwards as a subaltern previously to his promotion to a company,) the rank of captain, by brevet, in the East Indies only, from the 16th February 1835.

The regimental order of the 25th July last, by the officer commanding the 9th foot, directing Lieutenant and acting Adjutant Robinson, and Quartermaster Scott of that corps, to proceed to Calcutta, by water, on duty, is confirmed.

The leave of absence granted by the officer commanding the Disapore division, to Ensign English, 31st foot, from 25th August to 24th October next, to proceed to Calcutta, on medical certifi-
cate, for the purpose of appearing before a medical board, is confirmed.

The undermentioned officer has leave of absence:

16th Foot.—Captain R. Lumsden, in extension, from 15th September to 14th November next, to enable him to rejoin.

Head-quarters, Simla, September 6.—No. 158.—His Excellency the Commander in Chief in India has been pleased to direct the publication of the following general order, dated 22d May 1838, received from the adjutant general, horse guards, for the information of her Majesty's forces, serving in India:—

No. 536.—General order.—Horse guards, 22d May 1838.—The General Commanding in Chief having suggested, that a more extensive circulation of the Mutiny Act and the Articles of War would be advisable, the secretary of war has authorised the issue thereof to each regiment and depot; for the future, according to the following scale, viz.

2 Copies for the field officers; 1 Copy for each troop or company; 1 Copy for the paymaster; 1 Copy for the adjutant; and 1 Copy for the orderly room.

The above proportions being amply sufficient for every purpose in view regimental officers will henceforth be expected to obtain an early and thorough knowledge of the laws and ordinances under which they discharge one of their most important (because more solemn) duties, viz. that of president, or member, of a court martial.

Lord Hill desires that the general officers charged with the inspection of the troops, will consider it an essential part of their duty to ascertain and report whether the present order has been duly attended to.

They will report specially, by name for his Lordship's information any regimental officer who shall have neglected to make himself acquainted with the Provisions of the Mutiny Act and Articles of War, in obedience to the injunctions contained in page 243 of the general regulations and orders of the army.

By Command of the Right Honorable,

GENERAL LORD HILL,

Commanding in Chief.

(Signed) JOHN MACDONALD,
Adjutant General.

GENERAL REGISTER.

Captain Meredith, H. M. 13th light infantry, is appointed to the command of the invalids of the season, proceeding from Kurnaul to Ghurrnctear ghaut, and thence to Calcutta, by water, and of those, also, joining from the several stations on the way down the river.

All officers who have obtained leave to proceed to England, or who may hereafter obtain leave, to the end of the present year, are placed at the disposal of the officer-commanding the presidency division, for the purpose of being placed in charge of invalids. They will join and do duty with the detachments under the brigade major, Queen's troops, in Fort William, until their services may be called.

The extension of leave of absence granted by his Excellency Lieutenant General Sir P. Matland, K. C. B., to Lieutenant Huxton, 4th foot, for 2 months from the 23d August last, is confirmed. The undermentioned officers have leave of absence:

3d Light dragoons.—Major Slade, to England, on medical certificate.

The leave of absence granted to this officer in the general order of the 21st June last, is extended to the date of his embarkation, on medical certificate.

13th Light infantry.—Lieutenant J. W. Forbes, from 30th August to 31st October next, to visit Simla, on medical certificate.

16th Foot.—Captain G. Murray, to England, for two years from date of embarkation.

31st Foot.—Quartermaster S. Palmer, for two months from the 10th instant, to proceed to Calcutta, on medical certificate, to appear before a medical board.

49th Foot.—Captain G. Passey, to England, for two years from date of embarkation.

Head-quarters, Simla, September 7.—No. 179.—Her Majesty has been pleased to make the following promotions and appointments in the regiments serving in India:

4th Foot.—Lieutenant Frederick Leopold Arthur to be captain, by purchase, vice Mason, who retires, 8th June 1838.

Ensign Joseph Palmer to be lieutenant, by purchase, vice Arthur, 8th June 1838.

Thomas Charles Morgan, gent. to be ensign, by purchase, vice Palmer, 8th June 1838.

9th Foot.—Ensign Richard Gibbons Morgan to be lieutenant, by purchase, vice Crickitt, who retires, 25th May 1838.

George John Thomas, gent. to be ensign, by purchase, vice Morgan, 25th May 1838.

14th Foot.—Henry Penny, gent. to be ensign, by purchase, vice Yen, promoted in the 7th regiment of foot, 9th March 1838.

17th Foot.—Edwin Colville Moore, gent. to be ensign, without purchase, vice Perfect deceased, 1st June 1838.

39th Foot.—Captain John Blackall, from the half-pay unattached, to be captain, vice Boland, appointed to the 59th regiment of foot, 8th June 1838.

55th Foot.—Ensign Albert Friend to be lieutenant, without purchase, vice Daubeny deceased, 25th August 1837.

Ensign William Perceize Taylor to be lieutenant, without purchase, vice Glover deceased, 29th March 1838.

Gentleman Cadet Daniel McCoy, from the royal military college to be ensign, vice Friend, 23d May 1838.

Serjeant Major Timothy Crowe, from the 30th regiment of foot to be ensign, vice Taylor, 1st June 1838.

6th Foot.—Ensign Conan Hopson to be lieutenant, without purchase, vice Edithough deceased, 16th October 1837.

Ensign Richard Ramsbottom to be lieutenant, by purchase, vice Hopson, whose promotion, by purchase, has not taken place, 1st June 1838.

Lieutenant George James Whinstone, from the 22d regiment of foot, to be lieutenant, vice Hopson, who exchanges, 8th June 1838.

Ensign Henry Lees, from the 2d West India regiment, to be ensign, vice Ramsbottom, 1st June 1838.

Unattached.—Lieutenant John Blackall, from the 54th regiment of foot, to be captain, without purchase, 1st June 1838.

His Excellency the Commander in Chief, directs that, for the future, when soldiers in quarters have been confined in a state of intoxication, they shall never be brought forward for examination into their offences, until twenty-four hours shall have elapsed subsequent to their confinement.

The same rule is to apply on a march, or elsewhere; unless good grounds should exist for a more prompt proceeding.

The Commander in Chief in India is pleased to make the following promotions and appointments until her Majesty's pleasure shall be known:

4th Light dragoons.—Lieutenant Edward Scott to be captain by purchase, vice Grant, who retires, 31st August 1838.

Cornet W. Dwydale to be lieutenant, by purchase, vice Scott, promoted, 31st August 1838.

3d Foot.—Lieutenant P. Dore to be captain, without purchase vice Owen deceased, 29th August 1838.

Ensign O. H. S. Anson to be lieutenant, vice Dore promoted, 29th Aug 1838.

13th Fq. t.—Lieutenant Henry Havelock to be captain, without purchase, vice Kelly deceased, 2d September 1838.

Ensign F. G. Christie to be lieutenant, vice Wade appointed Adjutant, 2d September 1838.

Lieutenant H. C. Wade to be adjutant, vice Havelock promoted, 2d Sept. 1838.

The Commander in Chief has been pleased to promote the undermentioned officer to the rank of captain, by brevet, in the East Indies only:

57th Foot.—Lieutenant Henry Hill, from the 30th July 1838.

By order of the Commander in Chief,
R. TORRENS, Major Genl.
Adjt. Genl. to Her Majesty's Forces in India.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE.

- Sept. 1st.—English ship *William Money*, H. Bouchier, from London 4th, and Madeira 21st May; English ship *Ambassador*, J. T. Atwood, from the Mauritius 1st, and Pondicherry 22d August; English brig *Jessy*, J. Anlt, from Penang (no date); American barque *United States*, S. F. Ober, from Boston 11th May; French ship *Presquitta*, Herveyen, from Bourbon 27th July; French barque *Oignons*, R. Gowl, from the Mauritius 4th August; English barque *Chas. Dumergue*, W. Wilson, from Moulmein 10th ditto; English barque *Cecilia*, P. Roy, from Rangoon 16th ditto.
- 5th.—English barque *Lancier*, H. Aubin, from the Mauritius 1st August.
- 6th.—English schooner *Tom Thumb*, J. McGill, from Penang, 8th August.
- 7th.—French ship *Marcrombie*, Douquet, from Bourbon 4th August.
- 9th.—English barque *Colonel Burney*, C. M. Crisp from Portkumoorow 25th August; French barque *Abelle*, Hardie, from Bourbon 9th ditto; Arab ship *Prince of Wales*, Nacoda, particulars not received.
- 10th.—English barque *Shira*, J. A. Simpson, from Liverpool 10th May; English ship *Atlanta*, T. Hayes, from London 24th March, Mauritius 26th July and Madras 16r August; English

- barque *Thetis*, W. Boothby, from Moulmein 25th August; English brig *Grecian*, H. W. Richards, from Madras 2d September; English ship *Hydraose*, Nacoda, from Juddah 7th June, and Bombay 6th August; Arab ship *Cahrass*, Ismie, from Mascat 17th August.
- 11th.—English schooner *Syed Khan*, J. Ovenstone, from China 1st July and Singapore 22d August.
- 12th.—English ship *Colombo*, D. Mackeller, from London 8th May and Madras 2d September; English brig *Salacia*, W. M. Maw, from the Mauritius 12th August; English brig *Pyene Down*, S. Maunier, from Sambelangau 20th August.
- 13th.—French ship *Emile*, Blanc, from Bordeaux and Bourbon (no date) and Pondicherry 9th September; English ship *Asia*, Robt. Gillies, from London 1st May, Simon's Bay 1st July, and Madras 8th September; English ship *Sunda*, A. Greig, from Liverpool 25th May; English barque *Ida*, John Currie, from Newcastle 2d May, and Simon's Bay 26th July; Arab ship *Alief*, Rokoman, Nacoda, from Muscat 16th Aug; Arab ship *Fattie Rokoman*, Nacoda, from ditto 16th ditto; Dutch barque *Masa*, M. Von Velthoven, from Batavia 2d ditto; H. M. ship *Volage*, Capt. H. Smith, (particulars not known.)
- 14th.—English ship *Isabella Cooper*, A. P. Currie, from Greenock 29th May; English bark *Adams*, Jas. Mills, from Madras 6th September; English ship *Blackely*, Wm. Holmes, from Liverpool 26th May.
- 15th.—American barque *Brighton*, W. Cotting, from Boston 17th April, Cape of Good Hope 1st July, and Madras 31st

GENERAL REGISTER.

Aug. — English ship *Melickel Bahur*, Nacoda, from the Red Sea 11th Aug.

19th.—English schooner *Maryaret*, D Tapley, from Rangoon 2d September. French barque *Petit Suzanne*, A. Legras, from Bourbon 14th August

21st.—Arab ship *Shaw Inshaw*, Nacoda, from Mocha 27th August, and Allepee 2d September.

22d.—English schooner *John Hepburn*, B. Robertson, from Moulmein 26th August, and Rangoon 9th September; English bark *Norfolk*, E. Mc G Idoway, from London 2th April and Mauritius 17th August

27th.—Arab ship *Abassey*, Nacodah, from Muscat—September

29th.—English barque *Samuel Horrocks*, T. Shepherd, from Singapore 27th August, and Penang 3d September; English ship *Cuba*, A. Gray, from the Mauritius 25th August, and Madras 21st September, French ship *Emma*, J. A. Bonamour, from Marseilles 3d May; English ship *Haskomg*, Nacoda, from Java 11th August, as Allepee 5th September; English ship *Malabar*, W. Dunlop, from the Mauritius 30th August; English Barque *Dona Carmelita*, T. Foss, from the Mauritius 8th August; English Ship *Meg Merriles*, J. Skimton from Madras 22d September; French ship *Atlas* Gaillet from Bourbon 26th August

30th.—French barque *Adolphe*, A. Morvan, from the Mauritius 14th August, English brig *Kite*, J. Noble, from ditto 31st ditto, and Madras 22d September; Arab ship *Humam Shaw*, Nacoda, from Muscat 19th August.

ARRIVALS OF PASSENGERS.

Per *William Mney*, from *Madeira*: Lieutenant H. W. Leacock, 74th Regiment Native Infantry.

Per *Eaira*, from *Liverpool*: Mrs. Sykes, Mrs. Bayne, Mr. T. Sykes, and Revd. R. Bayne, Missionary.

Per *Isabella Cooper*, from *Glasgow*.—Mr. George Macnair Merchant.

Per *Miranda*, from *Madras*: Mr. F. Fraser, Merchant.

Per *Syed Khan*, from *China*: J. F. Stace, Esq., Country Service.

Per *Grecian*, from *Madras*: Mrs. Nail and Child; Mrs. G. Nail, Supercargo, Captain Prooffoot, Mr. J. Prooffoot, Mr. D. Stepany, and Mr. T. Hursburgh, Country Service

Per *Thitis*, from *Moulmein*: Dr. Carr, Assistant Surgeon, his Majesty's 62d Regiment; Bently and Thomas, Esqrs., Ship Builders, 1 Corporal, 2 Men, Rank and File of his Majesty's 62d Regiment, in charge of a convict.

Per *Hydroor*, from *Bombay*: Mr. Charles Brady.

Per *Colombo*, from *England*: Mrs. Barnfield and Child; Mrs. Morris and Child; Miss Morris; Lieutenant C. A. Morris, 29th Regiment Native Infantry; Mr. F. Stenjon, Free Mariner Steerage Passengers; Mr. and Mrs. Poulteroff and Child; Miss Poulterer. From *Madra*: Lady Colquhoun; Mr. Nightingale; Mr. Lazard, Civil service, Colombo.

Per *Asia*, from *London*: Mrs. Stone; Mrs. Tapp; Mrs. Disand; Mrs. Stokes; Miss Tapp; Miss Williams; Mr. Thornhill, Writer; Mr. Tapp; Mr. Edward, Solicitor; Messrs. Nicol and Blake; Lieutenants Audain, his Majesty's 16th Regiment, and Stokes, Bengal Native Infantry; Dr. Currie, his Majesty's 3d Foot; Assistant Surgeon Murray, honourable Civil service; Messrs. Wilson, Gardner and Scott Cadets *Stavage Passengers*: Messrs. Lander, Miller, Tiver, and Kearny, Pilot

service. From the *Cape*: Captain Gowan, and 3 Misses Brooks. From *Madras*: Mrs. Ousely; Miss Ousely; Captains McDonald and Hughes, and Lieutenant Ousely, Bengal Native Infantry. Mr. and Mrs. Grant, and Miss Clarke. Per *Sunda*, from *Liverpool*: T. Bellair, Esq. Per *Brighton*: Messrs. C. F. Dann, T. L. Cleveland, and G. B. Dixwell.

DEPARTURES FROM SAUGOR.

Sept. 2.—*Recovery*, Johnson, for London. *Atakart*, Jellicoeq for Bombay; *Gaillardon*, Rapson, for Madras, Hobart Town and Sydney; *Jawet*, Roche, for Mauritius; *William Lee*, Shepherd, for Hull; *Lysander*, Currie, for Liverpool.

3.—*Vigilant*, Walton, for the Mauritius; *Castropea*, Winsam, for the Mauritius; *Ludlow*, Thom, for Pondichery and Mauritius; Sir *William Wallace*, Tingate, for Penang; *Upton Castle*, Williams, for London; *Suffren*, Smoo, for Bourbon; *Krishna*, (H. C. B.) for Akyab and Kyoak Phyo.

4.—*William Lockesby*, Parker, for the Mauritius.

6.—*Add ngham*, Sedgwick, for the Cape of Good Hope.

8.—*Kylie Castle*, Johnson, for Singapore and China.

9.—*Etoile*, Cassar, for Mauritius.

10.—*Jumna*, W. Huxtable, for Liverpool; *Cowanjee Family*, Stavers, for Singapore and China.

11.—*Water Watch*, Reynell, for Singapore and China.

15.—*Therence*, Coillol, for Havre-de-Grace.

16.—*La Brave Lamortiere*, Hilker, for Bourbon; *Fra is-Smith*, Edmunds, for China via Singapore; *Ripley*, Steward, for Liverpool; *Amphetrive*, Collet, for Harve de Grace; *Bon Henric*, Achew, for Bourbon; *Phanix*, Vidal, for Madras and Marseilles.

17.—*Sterling*, J. Burnett, for Pondichery and Mauritius, *Dannless*, Pinder, for London.

20.—*Colundroonadevell*, Nacoda, gone to Sea.

21.—*John Woodall*, Mosman, for the Mauritius; *Edwards*, S. Morton, for ditto; H. M. S. *Voyage*, Captain H. Smith, gone to Sea.

28.—*Emma Eugenie*, Wade, for Straits and China; *Christopher Rawson*, Edwards, for the Mauritius; *Mrs. McDonald*, Major, for Rangoon; *Jessy*, Auld, gone to Sea.

30.—*Lady Cornwall*, Pue, for Demerara; *Tom Thumb*, McGill, for Moulmein; *Richard*, Cunningham, for Bristol; *Chelydra*, Small, for Singapore and China; *Favorite*, Robinson, for London; *Ellen*, Yapp, for Liverpool.

DEPARTURES OF PASSENGERS.

Per *John Fleming*, for London. Mrs. Rawlins; Lieut. Close; Lieut. Pitt.

The *Bhagarutic* in tow of the *Lady William Bentinck* steamer, left for Allahabad with the following passengers, viz. For Allahabad: *Lady Mount*, Miss Christopher and Lieuts. R. Pigou and Young. For *Benares*: Captain Walt For *Ghazepore*: Mr. Daunt. For *Dinapore*: Mrs. Captain Ma. Vite and Captain Insigny. For *Bhagutpore*: Mrs. F. Millett and Child, and J. Freeman, Esq.

The *Sourma* in tow of the *Jumna* steamer left for Allahabad on Monday afternoon with the following passengers: H. M. Esq.; Mrs. Parker; F. Millet, Esq.; Misses Brooks; Miss Crump; Mrs. Hampton; Captain McDonald; R. Houston, Esq.; O. Rao, Esq.; Sir C. Ochterlough, R. B. Thornhill, Esq.; and Captain Fitzgerald.

DOMESTIC OCCURRENCES.

BIRTH.

April 16 At Sea, the lady of Captain Renner, of the ship *Royal Saxon*, of a son.

Aug. 2 The lady of Major General Sewell, his Majesty's deputy quartermaster general, of a son.

3 At Secunderabad, the lady of Captain J. W. Bayley, 30th native infantry, of a son.

Aug. 10 At Neemuch, the lady of Lieutenant Campbell, 1st light cavalry, of a son.

8 At Singapore, at the residence of Doctor Almeida, the lady of W. R. Lackerstein, Esq., of a son.

11 At Vellore, the lady of Lieutenant W. Bisset, of the 16th regiment, of a daughter.

18 At Allahabad, on Saturday morning, at half past 1 o'clock, the wife of Mr. Edward Winston, senior, sub-assistant revenue, of a daughter.

19 At Cawnpore, on the morning, Mrs. J. L. Turnbull, of a daughter.

20 At Mirzapore, Mrs. Gordon, of a daughter.

21 At Meerutt, the lady of Captain Cerri, 56th regiment native infantry, of a son.

22 At Bombay, the lady of Lieutenant Colonel Wood, secretary to Government, of a daughter.

25 At Singapore, the lady of J. F. M. Reid, Esq., a son, still-born.

GENERAL REGISTER.

27 At Madras, the lady of D. Murray, deputy inspector general of H. M. hospitals, of a daughter.

— At Agra, the lady of Captain C. Boulton, 47th regiment native infantry, of a son.

29 At Ahmedabad, the lady of John Gordon, Esq., civil service, of a daughter, still born.

30 At Putehpore, the lady of H. Amstrong, Esq., of the civil service, of a daughter.

— At Calcutta, Mrs. A. Fleming, of a daughter.

30 At Poosah, Tirhoot, the lady of Craufurd Crossman, Esq., 7th regiment native infantry, of a daughter.

31 At Calcutta, on Friday, the wife of the Reverend J. Penny, baptist missionary, of a daughter.

— At Bheerhoon, the lady of G. Whitmore, Esq., civil service, of a daughter.

Sept. 1 At Chittagong, Mrs Mullins, the wife of Mr. C. W. Mullins, sub-assistant revenue surveyor, of a daughter.

Sept 2 In Chowringhee, the lady of the honourable Edmund Drummond, of a son.

3 At Calcutta, Mrs H. Wollaston, of a daughter.

Sept. 3 At Bhaugulpore, Madame P. Oract, of a son.

4 At Calcutta, Mrs. Donald Verardo, of a daughter.

— At Calcutta, the lady of J. M. Vos, Esq., of a daughter.

— At Calcutta, Mrs. F. D. Kellner, of a daughter.

— At Berhampore, on the evening, the lady of P. G. E. Taylor, Esq., Bengal civil service, of a daughter

At Mussoorie, Mrs. Mackinnon, of a son.

5 At Calcutta, Mrs C. M. Hollingberry, of a daughter.

— At Kidderpore, Mrs Charles Bremner, of a daughter

6 At Calcutta, the lady of C. F. Dunsin, Esq., of a son.

— At Calcutta, on the afternoon of Thursday, Mrs. M. A. Pereira, of a daughter.

Sept 6 At Allahabad, the wife of Captain H. M. Lawrence, artillery, of a son.

7 At Calcutta, Mrs. Robert S. Saling, of a son.

— At Howrah, the lady of Captain A. Symers, of the barque *Hudra* of a son

8 At Bhowampore, the lady of the Revd. A. F. Lacroix, of a daughter.

— At Delhi, the lady of Matthew Nesbitt, Esq., surgeon, 48th regiment native infantry, of a son.

9 At Calcutta, Mrs. Charles Waller, of a son.

— At Muttra, the lady of Dr. McGregor, horse artillery, of a son.

10 At Chowringhee, the lady of G. G. Macpherson, Esq., of a daughter.

— At Meerut, the lady of Lieut. Lacy, his Majesty's 3d buff. of a son.

11 At Dum-Dum, the wife of Acting Apothecary T. Bean, of a daughter

— At Calcutta, the wife of Mr. A. G. Aviet, of a son.

12 The wife of Mr. H. Dupont, of a daughter,

14 At Bishnah, in Assam, the lady of Charles Scott, Esq., of the 27th native infantry, of a daughter.

— At Calcutta, Mrs. E. C. Bolat, of a daughter.

15 At Calcutta, on Saturday, Mrs. J. M. Nelson, the wife of Mr. Thomas Nelson, of the H. C.'s marine, of a son and heir.

— At Calcutta, Mrs. Wm. W. West, of a son.

16 At Harrington-street, Chowringhee, the lady of Henry Beeton, Esq., of a son.

17 At St. James's School, Calcutta, Mrs. R. Piatta, of a son.

18 At Chinsurah, the lady of Lieut. Edmonds, her Majesty's 9th foot, of a daughter.

19 At Calcutta, the wife of Mr. O. H. Moller, of a daughter.

20 At Calcutta, at the residence of Ross D. Mangles, Esq. the lady of Henry Isaacson, Esq., commander of the *Herefordshire*, of a son.

21 At Barrackpore, the lady of Lieutenant J. T. Gordon, 18th regiment native infantry, of a daughter.

22 At Condie-hazar Mrs. J. O'Hanlon, of a son.

24 At Calcutta, the lady of Captain McNaghten, 61st regiment, of a son.

— At Calcutta, the wife of Mr. J. B. James, of the Agra civil auditor's office, of a daughter.

25 At Allipore, the lady of George Ewhank, Esq., of a son.

27 At Calcutta, the lady of Dr. W. B. O'Shaughnessy, of a daughter.

June 24 Funder—At Broughton place, Edinburgh, the lady of D. Anahie, Esq., of Calcutta, of a daughter.

June 28 At the Case of Good Hope, by special licence, Lieut Col William Parrie, of the 10th regiment Bengal mounted cavalry, to Isabella Okes, youngest daughter of the Revd. Dr. Okes.

MARRIAGES.

Aug 8 At Guntoor, by the Revd. A. Fennell, Edward Newbettey, Esq., civil service to Francis Maria Eliza, second daughter of the late Capt. H. Fullerton, of the Madras engineers.

14 At Deesa, by the Reverend T. Pemberton, B. D. Captain James Stafford, to Mary Elizabeth, eldest daughter of Doct'r McAndrew, surgeon of her Majesty's 40th regiment.

21 At Agra, by the Revd. R. Cantwell, Mr John Edward Martin, assistant in the Agra rank, to Miss Leah Shepherd, third daughter of Lieut. and Adj't Joseph Shepherd, of His Majesty of Oude's foot guards.

25 At Khyouk Phyon, by the Commissioner of Arracan, Lieutenant R. Price, 67th regiment native infantry, to Ellen Anne, daughter of J. Robinson, Esq.

Sept. 3 At Calcutta, at the Cathedral, by the Reverend H. S. Fisher, Captain Alfred Jackson, 30th native infantry, to Martina youngest daughter of the late Dr. William Lewis Grant, superintending surgeon, Bengal establishment.

1 At the Cathedral, by the Revd. H. Fisher, John Leslie Russell, Esq., to Laura Touce, youngest daughter of Leith Alexander Davidson, Esq.

5 At Calcutta, Mr. George Stone, civil engineer, of the steamer *Experiment*, to Miss Higgs, daughter of Mr. Higgs, late of the firm of Higgs and Hunter.

Sept. 6 At Calcutta, at the Scotch kirk, by the Reverend James Charles, Henry David Forbes, Esq., head master of the Government school at Gazepore, to Miss Etiza Georgiana Philpot.

8 At Calcutta, at the Loll-bazar chapel, by the Reverend W. Robinson, Mr J. In Adolphus Williams, civil engineer, to Miss Catherine Matilda Burnett.

— At Calcutta, at the Cathedral, A. Speils Esq., mariner, eldest son of Lieutenant Colonel Speils, to Maria, relict of the late Captain S. Eison.

11 At Jumalapore, by the Revd. H. Shepherd, H. D. Hamilton Ferguson, Esq., civil service, to Louisa, eldest daughter of Major Godley, 36th regiment native infantry.

— At Simla, by the Revd. C. Wombelly, Mr. James William Hay, to Miss Margaret Matilda Walsingham, daughter of the late Riding Master J. Walsingham, of the 6th light cavalry.

12 At St. John's Cathedral, at Calcutta by the Revd. Henry S. Fisher, A. B., Mr. Hamann Emanuel Larson, to Miss Mary Ann Wells, only daughter of the late Mr. Wells, of the East India Company's Bengal marine service.

— At the Cathedral, by the Revd. Henry Fisher, William Martin, Esq., to Amelia Juliana, only daughter of the late Captain R. K. Eakine, of the Bengal army.

— At Agra, Mr. L. F. Kelly, of Muttra, to Miss F. W. Boyd.

15 At the Cathedral, by the Revd. H. Fisher, Robert Molloy, Esq., of Calcutta, to Lucy, eldest daughter of W. H. Abbott, Esq., of the same place.

— At the Cathedral, by the Revd. H. Fisher, Robert Molloy, Esq., of Calcutta, to Lucy, eldest daughter of W. H. Abbott, Esq., of the same place.

18 At Calcutta, at the Cathedral, by the Reverend H. Fisher, senior presidency chaplain, Lieutenant Edwin Marriot, of the H. C. 57th native infantry, to Miss Sarah Leslie.

20 At Calcutta, at the Old Church, by the Revd. H. Fisher, J. W. H. Ilbery Esq., of Canton, to Hannah Maria, second daughter of the late E. Jenkins, Esq.

— At the Old Church, by the Revd. H. Fisher, J. W. H. Ilbery, Esq., of Canton, to Hannah Maria, second daughter of the late E. Jenkins, Esq.

21 At Calcutta, at the Cathedral, by the Revd. H. Fisher, Mr. Charles Knott, to Mrs. Mary Ann Wood.

23 At Calcutta, at the Principal Roman Catholic Church, Mr. Thomas Dias, to Miss Clara DeSilva, of Sulkea.

24 At Calcutta, at St. John's Cathedral, by the presidency chaplain, Mr. George Hamerton Brown, musical instrument cleaner, to Helen Gertrude, eldest daughter of Mr. William Stacy, of the military auditor's office.

— At the Scotch Church, by the Revd. Mr. Meiklejohn, Mr. Duncan Monteith, to Miss Margaret Paul.

GENERAL REGISTER.

- At St James's Church, by the Rev. Mr. Boswell, Edward Loutour, Esq., of the Bengal civil service, to Catherine, second daughter of the late Robert Sconce, Esq., of Stirling, Scotland.
- 24 At Calcutta, at St. James's Church, by the Reverend R. B. Boswell, Mr. Richard Bowen, son of Dr Bowen, Boston, square, to Dorothy, eldest daughter of Mr. B. Barber, junior formerly of Gussery.
- April 17 Europe.—Brooke Turner, Esq., solicitor, Chancery-lane, Bedford-square, to Harriette, fourth daughter of William Stockley, Esq., late of Dublin.
- June 5 At Edinburgh, by the Reverend Dr. Peddie, Alexander Fraser, Esq., merchant, Calcutta, to Isabella, second daughter of the late Reverend P. Leekie, Prebys., N. B.
- July 3 At Henton Church, North Devon, by the Revd — Drake, Lieut. John Graham, 55th native infantry, to Fanny, only daughter of — Drake, Esq., of Springfield.
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DEATHS.
— — — — —
- March 9 At Sea, on board the bark *Cowwall*, Horace Watson, the son of Captain Agnew 6th regiment Bengal native infantry, aged 4 years and 28 days.
- July 12 At Shore, in Bhopal, Malwa, Mrs. Ann Maria Pierce, the wife Mr. F. W. Pierce.
- 31 At Singapore, Elizabeth Anne, wife of G. A. C. Plowden, Esq., of the Bengal civil service, aged 22 years.
- Aug. 6 At Tanjore, Lieut. Henry Garner of the 4th regiment light cavalry, and sub assistant commissary general.
- 9 At Neemuch, the daughter of Lieutenant Campbell, 1st light cavalry.
- At Cawnpore, Alfred Harold, the second son of Mr. Short's apothecary, 6th battalion, artillery, aged 3 years and 11 months.
- 10 At Chunar, Ensign G. U. Law, 50th regiment.
- 11 At Mussoorie, Susan, wife of Captain Lukis, paymaster of the 3d buff's aged 33 years.
- 12 At Cawnpore, Major J. Salchwell, assistant commissary general, aged 43 years.
- 16 At Agra, the infant daughter of Captain Prole, 37th regiment native infantry, aged 14 months.
- 17 At Deesa, Fanny, the beloved wife of Robert James Shaw Esq., Bombay regiment, Europe infantry.
- 19 At Mussoorie, Mr. G. Harding, rising master, 3d battalion light cavalry, aged 54 years.
- 22 At Mhow, the infant daughter of Surgeon Clapperton, 6th regiment light cavalry.
- 23 At Nusseerabad, Captain Hickman, of the artillery.
- 25 At Indore, Mr. J. Thompson, chief unconvicted assistant at that residency.
- At Meerut, Juliet Maria, the infant daughter of Lieut. and Mrs. Shaw, aged 1 year, 8 months and 11 days.
- At Calcutta, Mr. William John Hooker, livery stable-keeper, aged 47 years, 1 month and 25 days.
- Aug. 25 At Singapore, Mrs. Reid, wife of J. F. M. Reid Esq., Bengal civil service.
- 27 At Kurnaul, Fitzgerald, the infant son of Lieutenant George King, her Majesty's 13th light infantry, aged 13 months.
- At Sancer, Annelia Henrietta Forth, aged 14 years, 1 month and 5 days.
- At Putehpore, Emily Harriet, the beloved child of Mr. and Mrs. Galloway, aged 3 years and 4 days.
- 28 At Agra, Eleanor, the beloved wife of Mr. J. G. Aire, of the Agra college, aged 25 years.
- Mullra, Robert Christopher, son of Sub-Conductor Woods department of public works, aged 13 months and 12 days.
- 30 At Hazareebagh, Lieut. and Adjutant Arthur McEwen, his Majesty's 49th regiment, aged 56 years.
- At Calcutta, Mr. Joseph Ramey, aged 43 years.
- At Agra, Robert, the beloved son of Dr. R. Brown, garrison surgeon of Chunar, aged 21 years.
- 31 At Calcutta, Mr. John Williams, on board the *Java*, aged 82 years.
- At Calcutta, Dhurumtollah, Mr. James Edward Toole of the honourable Company's marine, aged 17 years, 6 months and 9 days.
- At Mooshyr, Thomas Elliott, son of Mr. Conductor J. Thompson, invalid pension establishment, 7 months and 18 days.
- Sept. 1 At Calcutta, Master Romis Marsellus Bowler, aged 4 years and 6 months, son of the late Mr. Thomas Bowler.
- At Mirzapore, Mary, the daughter of James Bark Esq., surgeon, 50th regiment Bengal native infantry, aged 1 year 1 month and 10 days.
- At Cawnpore, Rachel Beatty, the infant daughter of Dr. J. Graham, 2d brigade horse artillery, aged 11 months.
- At Kurnaul, Captain Edward Kelly, her Majesty's 13th light infantry.
- 2 At Benares, Julia, youngest daughter of G. Mainwarir Esq., aged 18 months.
- 3 At Calcutta, Anne Jane, daughter of Mrs. Mary Harriett, relict of the late Mr. Charles Samuel Harris, of the honourable Company's marine, aged 5 years, 6 months and 13 days.
- At Putehpore, Mr. Thomas Lambert, chaplain's clerk and station schoolmaster, aged 38 years.
- At Soongee, Tihoot, Miss Mary Martindell, deeply regretted.
- 4 At Banda, Henry Fraser, the only child of Henry Sill, Esq. infant assistant surgeon, aged 11 months.
- At Mussoorie, R. P. Pennington, Esq., surgeon, 1st brigade horse artillery.
- 5 At Calcutta, Mr. James Hart, of the military department, aged 41 years and 4 months.
- At Agra, the infant son of Captain Jordan, European regiment, aged 13 months.
- 9 At Muttra, Caroline daughter of Captain Free, 10th light cavalry, aged 2 years and 8 months.
- At Agra, Henry John, the beloved son of Lieutenant Russell, aged 2 months and 11 days.
- 10 At Calcutta, Elionora, the wife of Mr. J. H. Saviel, daughter of the late Mr. John Martin Bolst, aged 22 years, 8 months and 26 days.
- At Chinsurah, Charles Betts, Esq., aged 38 years.
- 11 At Calcutta, Adelaide Turner, aged 2 years and 3 months.
- At Chinsurah, Louisa, the beloved wife of Mr. A. D. fringdy, assistant apothecary, 1st battalion artillery, Dum-Dum, aged 39 years.
- 14 At Dinapore, John Angus, son of Mrs. E. Wilcox, and grandson of the late Reverend John Wilcox, A. M., aged 6 years 7 months and 19 days.
- 16 At Cuttack, Sergeant James Ball, overseer department public works, aged 60 years.
- 17 At Calcutta, John Ross Hutchinson, Esq., (one of the judges of the Sudder Dewannee Nizamut Adawlut,) aged 46 years.
- 18 At Calcutta, Mrs. Mary Charendon, (the wife of Mr. Henry Charendon,) aged 43 years, 3 months and 6 days.
- At Allpore, Master John Blenchasset Collins, aged 11 years, 6 months and 27 days.
- 19 At Calcutta, Mrs. Isabella Smale, the lady of Captain David Smale, of the barque *Chrysolis*, aged 46 years.
- At Calcutta, the infant child of Mr. G. D. Brown.
- At Calcutta, Miss Hannah Sanson, of the European orphan asylum, aged 14 years.
- 21 At Hooghly, Bandel, Mrs. M. I. Tomkyns, relict of the late Mr. W. Tomkyns, late of the accountant and general's office, aged 46 years.
- 22 At Fort William, Staff Sergeant Robert Laurie, of the Clothing department in garrison, aged 34 years.
- 23 At Howrah, the infant son of Charles Carter, Esq., of H. M.'s 16th foot, aged 2 months and 12 days.
- 25 At Calcutta, Mrs. Catherine Sukeaz, relict of the late Peter Sukeaz, Esq., aged 66 years.
- At Calcutta, Mr. Archibald Fleming, senior, assistant of the judicial department, aged 58 years.
- In Fort William, Lieut. and Adjutant W. White, of her Majesty's 3d buff's, aged 29 years.
- 26 At Calcutta, Ross Thomas, the infant child of Capt. Isaacson, aged 6 days.
- Europe.—In Europe, Lieutenant Thomas Snell, of the 7th light cavalry.
- June 4 At Bath, Maria, the beloved wife of Captain John Liptrap, 4th regiment Bengal native infantry.
- 5 At Walton, on the hill, near Liverpool, John Bibby, junior, Esq. merchant, to Fanny, second daughter of Jesse Hatley, Esq., of Bootle.

GENERAL REGISTER.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, September 22.)

OPPIUM—We have no other particulars to state this week but only that unfavorable accounts will continue to be received daily from all quarters.

We have heard since our last of a sale of 77 chests Meerungze produce at Company's Rs. 245 per fy. and shipped on the "Amplitude" for Havre, and of one or two other parcels through Messrs. Hickey, Thomas and Co. This sudden rise in price shows the decided effect, that the certainty of a short Crop, has already had on this market.

The Exports since our last have been of only fy. mds. 411 to Great Britain, which added to the quality last reported are as below.

To London.....	23,509 chests or 88,470 Fy. Mds.
Liverpool.....	1,761 ditto 4,307 ditto
France.....	5,727 di to 19,612 ditto
United States.....	6-4 ditto 1,090 ditto
Gulphs.....	1,477 ditto 4,742 ditto
Sweden.....	51 ditto 206 ditto
Bombay.....	98 ditto 395 ditto
Cape and other places.....	7 ditto 23 ditto
	<u>32,854 ditto 119,845 ditto</u>

RAW SILK.—The demand for fair qualities continues unabated, but supplies in the market being scanty, orders for purchase are chiefly executed in the interior. Prices are quoted 4 a 8 annas per ser higher since our last.

SILK FINE GOODS.—The operations of the week show no purchase of these goods, and our last quotations remain without alteration.

COTTON.—has also remained without transaction, and prices are as quoted in our last.

SALTPETRE.—Continues to be enquired after, and the operations during the week are reported for the English, French and American markets, fully at our last quotations.

SUGAR.—Is still in limited request, and prices may be quoted at a further decline.

LAC.—A few parcels of Shell Lac have only been purchased for Shipment to England at about previous prices. No enquiry for Lac Dye or Stick Lac.

RAY GINSENG.—Has remained without any enquiry at last week's currency.

HIDES AND HORNS.—Are in very good enquiry, but purchases are restrained by the scarcity of good qualities in the market.

SAPFLOWER.—A purchase of 400 mds. Bellaspore for the English market is reported with the occurrence of the week at a reduction of about 10 annas per maund on our last quotation.

GRAIN.—Moonchy Rice has been in active operation during the week, principally for the Mauritius and Bombay, and purchases to the extent of about 34,000 mds. have been made at a small improvement on our last quotation.

OPPIUM—Several parcels of Patna and Benares have changed hands during the week, and the prices of the day exhibit an improvement on Benares.

The following is the quantity remaining uncleared in the Company's Godown last evening.

	Old.	New.
Patna.....	55	625
Benares.....	0	425

ALMONDS AND ALM.—Without sale, and remain at last quoted.

BEEHONEY—Has advanced in price, and a sale has been effected at our present quotation.

CAMPHOR—A sale has been effected at our last currency.

CASSIA.—Has been sold a shade below our last quotation.

GLOVES AND COFFEES.—Without sale, and remain at last week's prices.

WAX AND NETWES.—The former without sale, a few parcels of the latter have been sold at a shade of decline.

PEPPER—Has been enquired after, and prices throughout the assortments are quoted at an advance of about 2 a 1 annas per maund.

BLOCK TIN.—Without report of sale, and prices remain as in our last.

CHINTZES AND COLORED COTTON—Chintzes of all descriptions, Ginghams and Turkey Red Cottons continue saleable at steady prices.

WHITE COTTONS—Of almost of all descriptions are saleable, but sales during the week have been limited in consequence of the approaching Native Holidays of the Doonga Pooah, which commence after this evening. We have no particular change in prices to notice.

NOTE TWIST.—Sales to the extent of about 300 Bales have been effected during the week, and prices are about 2 pie per maund above our last quotations.

TURKEY RED AND COLORED YARNS.—Are in limited request and at unaltered prices.

WOOLLENS—Sales are to a limited extent, and prices may be reported without any change on our last quotations.

COPPER—The market is yet unmoved by any particular demand from the Upper Provinces, but the prices of the day exhibit an advance of about 2 annas per maund, nearly throughout the assortments.

IRON.—The sales effected during the week show a small reduction on Swedish, and a slight rise on English square, Bolt and Hoop.

STEEL AND LEAD—Without sale. The prices of the latter are quoted at a shade of decline throughout the assortments.

SPELTER—Has been sold at our last quotation.

TIN PLATES AND QUICKSILVER.—Without sale and remain as last quoted.

MONEY MARKET.

GOVERNMENT SECURITIES.

	BUY	SELL
Stock Paper { Transfer Loan of 1835-36, interest payable in England.....	15 0 a	14 0 p. ct.
Second 5 p. ct. { From No. 1151 a to buy, pm. 15200, according to Numbers.....	0 0 a pm 3 0	par a - 2 8
Third or Bombay 5 per cent. 4 per cent. Disc. Co.'s Rs.	2 12 2	3 0 a 3 4
Stock Paper { Transfer Loan of 1835-36, interest payable in England.....	15 0 a	14 0
Second 5 p. ct. { From No. 1151 a to buy, pm. 15200 according to Numbers.....	0 0 a pm 3 0	par a - 2 8
Third or Bombay 5 per cent. 4 per cent. Disc. Co.'s Rs.	2 12 2	3 0 6 0 0

BUY] [SALE.

	Na.	Rs.	ct.
Stock Paper { Transfer Loan of 1835-36, interest payable in England.....	15	0	14 0 p. ct.
Second 5 p. ct. { From No. 1151 a to buy, pm. 15200, according to Numbers.....	0	0	a pm 3 0
Third or Bombay 5 per cent. 4 per cent. Disc. Co.'s Rs.	2	12	a 2 4
BANK SHARES.			
Bengal Bank (Co.'s Rs. 4,000)	3,125	a	3,100
Union Bank (ditto 1,000)	{old}	210	a 200
	{new}	210	a 100
Bengal Bank (ditto 4,000)	ditto	3,100	a 3,000
Union Bank (ditto 1,000)	{old}	210	a 200
	{new}	155	a 135
Bengal Bank (ditto 4,000)	ditto	3,100	a 3,000
Union Bank (ditto 1,000)	{old}	210	a 200
	{new}	155	a 135

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COURSE OF EXCHANGE.

BUY.]		[SELL.	
s. d.	s. d.	s. d.	s. d.
2 1/4	a 2 2	on London, 6 months' sight	2 2 1/2
102 0	a 102 8	on Madras, 30 days' sight	98 0 a 94 8
102 6	a 103 0	on Bombay, 30 days' sight	98 0 a 94 8
2 1/4	a 2 2	on London, 3 months' sight	2 2 1/2
102 0	a 102 8	on Madras, 30 days' sight	98 0 a 94 8
102 6	a 103 0	on Bombay, 30 days' sight	98 0 a 94 8
2 1/4	a 2 2	on London, 6 months' sight	2 2 1/2
102 0	a 102 8	on Madras, 30 days' sight	98 0 a 94 8
102 6	a 103 0	on Bombay, 30 days' sight	98 0 a 94 8

PRICE OF BULLION, &C.

Spanish Dollars.... Co.'s Rs	220	8 0	a 221	0 0	per 100
Dubious	33	0 0	a 33	8 0	each
Joes or Peasas	19	11 0	a 20	0 0	
Dutch Ducats	4	8 0	a 5	0 0	
Sovereigns	10	1 0	a 10	0 0	
Bank of England Notes	10	8 6	a 10	10 8	
Old Gold Mohurs	18	9 6	a 18	10 0	
New	17	7 6	a 17	8 0	
China Gold Bars	12	0 0	a 14	18 0	per sa. wt
Silver	102	4 0	a 104	8 6	p. 100 sa. wt.
Gold Dust	12	0 0	a 15	0 0	per sa. wt.
Spanish Dollars	220	8 0	a 221	0 0	per 100
Dubious	33	0 0	a 33	8 0	each.
Joes or Peasas	19	12 0	a 20	0 0	
Dutch Ducats	4	8 0	a 5	0 0	
Sovereigns	10	1 6	a 16	2 1/2	
Bank of England Notes	10	8 6	a 10	10 8	
Old Gold Mohurs	18	9 6	a 18	10 9	
New	17	7 6	a 17	8 6	
China Gold Bars	12	0 0	a 15	8 0	per sa. wt.
Silver	102	4 0	a 104	8 6	p. 100 sa. wt.
Gold Dust	12	0 0	a 15	0 0	per sa. wt.

RATES OF INTEREST AND DISCOUNT.

BANK OF BENGAL.

Discount	on Government Bills and Salary	4	per cent.
	on Private Bills, 3 months	8	ditto
Interest	on Loans on Government Papers	5	ditto
	on Goods	6 to 7	ditto
Discount	on Government Bills and Salary	4	ditto
	on Private Bills, 3 months	8	ditto
Interest	on Loans on Government Papers	5	ditto
	on Goods	6 to 7	ditto
Discount	on Government Bills and Salary	4	ditto
	on Private Bills, 3 months	8	ditto
Interest	on Loans on Government Papers	5	ditto
	on Goods	6 to 7	ditto

UNION BANK.

Discount	charged on Govt. and Salary Bills	4	ditto
	ditto on Private Bills, 1 month	7	ditto
	ditto on ditto ditto, 2 ditto	8	ditto
	ditto on ditto ditto, 3 ditto	9	ditto
Interest	allowed on Deposits for 3 months' certain	5	ditto
	charged on Company's Paper Loans	5	ditto
	ditto on Deposit of Goods	6 to 7	ditto
Discount	charged on Govt. and Salary Bills	4	ditto
	ditto on Private Bills, 1 month	7	ditto
	ditto on ditto ditto, 2 ditto	8	ditto
	ditto on ditto ditto, 3 ditto	9	ditto
Interest	allowed on Deposits for 3 months' certain	5	ditto
	charged on Company's Paper Loans	5	ditto
	ditto on Deposit of Goods	6 to 7	ditto
Discount	ditto on Govt. and Salary Bills	4	ditto
	ditto on Private Bills, 1 month	7	ditto
	ditto on ditto ditto, 2 ditto	8	ditto
	ditto on ditto ditto, 3 ditto	9	ditto
Interest	allowed on Deposits for 3 months' certain	5	ditto
	charged on Company's Paper Loans	5	ditto
	ditto on Deposit of Goods	6 to 7	ditto

ADMINISTRATION TO ESTATES.

ESTATE OF

Clark, C C	.....
Sanches, J. Widow	.....
Chalcraft, Edward	.....
Daly, Matthew	.....
Hooker, William John	.....
Newton, John Warburton	.....
Nisbet, John	.....
Brave, F P, late Ensign 67th N I	.....
Arrow Charles, Lieutenant M. E.	.....
Charleton, Charles, Surgeon	.....
Coquhon, Sir Robert David, Baronet Captain	.....
Copelin, Henry	.....
Crichton James	.....
DeSelve, Domingo	.....
Ewart, Archibald	.....
Hutchinson, John Russ	.....
Kuhkey Beber, Widow	.....
Lone, Edward, Lieutenant	.....
Patton, Robert C B, Major General	.....
Maikes, Henry Napier, Ensign 68th N. I.	.....

ADMINISTRATORS.

E Clark, Widow	.....
J Harris	.....
Jane Chalcraft, Widow	.....
Edward Daly, son	.....
Amelia Hooker, Widow	.....
Registrar Supreme Court	.....
ditto ditto	.....
ditto ditto	.....
Registrar Supreme Court	.....
ditto ditto	.....
Alexander Colvin, Esq. Merchant	.....
Registrar Supreme Court	.....
ditto ditto	.....
Domingo Manuel Destina	.....
Registrar Supreme Court	.....
Surgeon James Hutchinson	.....
Registrar Supreme Court	.....
ditto ditto	.....
ditto ditto	.....
ditto ditto	.....

GENERAL REGISTER.

GOVERNMENT NOTIFICATIONS,

&c. &c. &c.

BY THE PRESIDENT IN COUNCIL.

LEGISLATIVE DEPARTMENT, SEPTEMBER 24, 1838.—The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 24th September 1838 with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.
Act No. XXIV of 1838.

I. It is hereby enacted, that section III. of Act XIX. of 1836, together with any other provisions of that Act which prescribe or imply that the capital stock of the Bank of Bengal shall not exceed 75 lakhs of rupees, shall from this day be repealed.

II. And it is hereby enacted, that it shall be lawful for the Governor General of India in Council whenever he shall see fit from time to time by an order to be notified in the *Calcutta Gazette*, to authorize the capital stock of the said Bank to be increased, and to make such order and direction for the opening of subscriptions towards such increase of capital as to him may seem fit, giving due notice to the proprietors of the said Bank for the time being and allowing to them a period of not less than eighteen months to fill up such subscription.

III. And it is hereby enacted, that whenever such increase of capital stock of the Bank of Bengal shall be ordered by the Governor General of India in Council, the proprietors entitled to share therein, shall not be deprived of the right to subscribe for the new stock in the proportion of the shares they may be legally holding by reason of any limit to the quantity of stock which a single proprietor may hold that may be imposed by the provisions of the charter of the bank, or by any clause or provision contained in Act No. XIX. of 1836.

IV. And it is hereby enacted, that it shall be lawful for the Governor General of India in Council, when he shall direct an increase to be made of the capital stock of the Bank of Bengal, to prescribe that the subscriptions shall be made upon each share respectively, in any given proportion to the amount of stock represented by such share, and after subscription made at any time within the period of notice prescribed in section II. of this Act, to permit the amount subscribed on account of any share or shares to be paid up and annexed to the capital stock of the bank in such manner and at such dates as may be deemed most convenient and proper, and likewise to prescribe that the amount of new capital that may not be subscribed for by proprietors within the period of eighteen months so specified shall be sold by Auction by an officer of the bank for the benefit of the said bank, on some early date, after the close of such period, and that the proceeds of such sale shall be at the disposal of the proprietors of the bank, by resolution duly passed at the General meeting, any thing in the existing charter of the said bank to the contrary notwithstanding.

V. And it is hereby enacted, that it shall be lawful for the Governor General of India in Council at the time of ordering any increase of the capital stock of the Bank of Bengal to reserve the portion of such increase that may belong to Government by reason of its share of the capital of the said bank, and to fix any date within the period of eighteen months above specified, at that date before which it shall be finally declared whether the Government will take the share of new stock to which it is so entitled or will refuse the same, and in case of refusal by Government to take its share of new stock, such stock shall not be sold on account of the proprietors at large as above provided for stock not subscribed for by other proprietors, but the amount to which the Government may be so entitled shall not be raised, and if the Government shall determine to subscribe for the share of new capital to which it is entitled, it shall be lawful for the Governor General of India in Council either to retain the same or to order the sale of such new stock or any portion thereof on account of Government in such manner and at such times as to him may seem fit.

FORT WILLIAM, LEGISLATIVE DEPARTMENT, OCTOBER 8.—The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 8th October, 1838, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.
Act No. XXV. of 1838.

I. It is hereby enacted, that the words and expressions hereinafter mentioned shall in this Act, except where the nature of the provision or the context of the Act shall exclude such construction, be interpreted as follows; (that is to say) the word "will" shall extend to a testament, and to a codicil, and to an appointment by will or by writing in the nature of a will in exercise of power, and also to a disposition by will and testament of

devise of the custody and tuition of any child by virtue of an Act passed in the twelfth year of the reign of King Charles the second, intituled "An Act for taking away the Court of Wards and liveries, and tenures *in capite* and by Knight's service and purveyance, and for settling a revenue upon His Majesty in lieu thereof," or by virtue of an Act passed in the Parliament of Ireland in the fourteenth and fifteenth years of the reign of King Charles the second, intituled "An Act for taking away the Court of Wards and liveries, and tenures *in capite* and by Knight's service," and to any other testamentary disposition, and the words "real estate" shall extend to messuages, lands, rents and hereditaments whether corporeal, incorporeal or personal, and to any undivided share thereof and to any estate, right or interest (other than a chattel interest) therein, and the words "personal estate" shall extend to leasehold estates and other chattels real, and also to monies, shares of Government and other funds, securities for money (not being real estate), debts, choses in action, rights, credits, goods, and all other property whatsoever which by law devolves upon the executor or administrator, and to any share or interest therein; and every word importing the singular number only shall extend and be applied to several persons or things as well as one person or thing, and every word importing the masculine gender only shall extend and be applied to a female as well as a male.

II. And it is hereby enacted that an Act passed in the thirty-second year of the reign of King Henry the eighth, intituled "The Act of Wills, Wards and primer seisin, whereby a man may devise two parts of his land;" and also an Act passed in the thirty-fourth and thirty-fifth years of the reign of the said King Henry the eighth, intituled "The bill concerning the explanation of wills," and also an Act passed in the Parliament of Ireland in the tenth year of the reign of King Charles the first, intituled "An Act how Lands, Tenements, &c. may be disposed by will or otherwise, and concerning words and primer seisin;" and also so much of an Act passed in the twenty-ninth year of the reign of King Charles the second intituled "An Act for prevention of Frauds and Perjuries;" and of an Act passed in the Parliament of Ireland in the seventh year of the reign of King William the third, intituled "An Act for prevention of Frauds and Perjuries as relates to devises or bequests of lands or tenements, or to the revocation or alteration of any devise in writing of any lands, tenements or hereditaments, or any clause thereof, or to the devise of any estate *pur autre vie*, or to any such estate being assets, or to unincorporate wills, or to the repeal, altering or changing of any will in writing concerning any goods or chatties or personal estate or any clause, devise or bequest therein;" and also so much of an Act passed in the fourth and fifth years of the reign of Queen Anne, intituled "An Act for the amendment of the law and the better advancement of Justice;" and of an Act passed in the Parliament of Ireland in the sixth year of the reign of Queen Anne, intituled "An Act for the amendment of the law and the better advancement of justice;" as relates to witnesses to unincorporate wills, and so far as the following Acts may be construed to have any operation within the territories of the East India Company, so much of an Act passed in the fourteenth year of the reign of King George the second, intituled "An Act to amend the law concerning common recoveries," and to explain and amend an Act made in the twenty-ninth year of the reign of King Charles the second, intituled "An Act for prevention of frauds and perjuries" as relates to estate *pur autre vie*; and also so much of an Act passed in the twenty-fifth year of the reign of King George the second, intituled "An Act for avoiding and putting an end to certain doubts and questions relating to the attestation of wills and codicils concerning real estates in that part of Great Britain called England, and in His Majesty's colonies and plantations in America," except so far as relates to his Majesty's colonies and plantations in America and also an Act passed in the Parliament of Ireland in the same twenty-fifth year of the reign of King George the Second, intituled "An Act for the avoiding and putting an end to certain doubts and questions relating to the attestations of wills and codicils concerning real estates;" shall from the passing of this Act cease to have effect in the territories of the East India Company, except so far as the same Acts or any of them respectively relate to any wills or estates *pur autre vie* to which this Act does not extend.

III. And it is hereby enacted, that this Act shall only extend of the wills of persons whose personal property cannot by the law of England pass to their representatives without Probate or Let. others of administration obtained in one of His Majesty's Supreme Court of Judicature, and that the Statutes and parts Statutes aforesaid are only repealed as far as they relate to the succession to the property of such persons.

IV. And it is hereby enacted, that it shall be lawful for every person to devise, bequeath or dispose of by his will executed in manner hereinafter required, all real estate and all personal estate which he shall be entitled to, either at Law or in Equity, at the time of his death, and which if not so devised, bequeathed or disposed of, would devolve upon the heir at law of him, or, if he

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became entitled by descent, of his ancestors or upon his executor or administrator, and that the power hereby given shall extend to all estates *pur autre vie*, whether there shall or shall not be any special occupant thereof, and whether the same shall be a corporeal, or an incorporeal hereditament, and whether the same shall be freehold or of any another tenure, and also to all contingent, executory, or other future interests in any real or personal estate, whether the testator may or may not be ascertained as the person or one of the persons in whom the same respectively may become vested, and whether he may be entitled thereto under the instrument by which the same respectively were created; or under any disposition thereof by deed or will; and also to all rights of entry for conditions broken, and other rights of entry, and also to such of the same estates, interests, and rights respectively, and other real and personal estate as the testator may be entitled to at the time of his death, notwithstanding that he may become entitled to the same subsequently to the execution of his will.

V. And it is hereby enacted, that no will made by any person under the age of twenty-one years shall be valid.

VI. Provided also, and it is hereby enacted, that no will made by any married woman shall be valid, except such a will as might have been made by a married woman before the passing of this Act.

VII. And it is hereby enacted, that no will shall be valid unless it shall be in writing and executed in manner hereinafter mentioned; (that is to say) it shall be signed at the foot or end thereof by the testator or by some other person in his presence and by his direction, and such signature shall be made or acknowledged by the testator in the presence of two or more witnesses present at the same time, and such witnesses shall subscribe the will in the presence of the testator, but no form of attestation shall be necessary.

VIII. And it is hereby enacted, that no appointment made by will in exercise of any power, shall be valid, unless the same be executed in manner hereinafter required; and every will executed in manner hereinafter required shall, so far as respects the execution and attestation thereof, be a valid execution of a power of appointment by will, notwithstanding that it shall have been expressly required that a will made in exercise of such power should be executed with some additional or other form of execution or solemnity.

IX. And it is hereby enacted, that every will executed in manner hereinafter required shall be valid without any other publication thereof.

X. And it is hereby enacted, that if any person who shall attest the execution of a will, shall at the time of the execution thereof, or at any time afterwards, be incompetent to be admitted a witness to prove the execution thereof, such will shall not on that account be invalid.

XI. And it is hereby enacted, that if any person shall attest the execution of any will to which or to whose wife or husband any beneficial devise legacy, estate, interest, gift or appointment of or affecting any real or personal estate (other than and except charges and directions for the payment of any debt or debts) shall be thereby given or made, such devise, legacy, estate, interest, gift or appointment, shall, so far only as concerns such person attesting the execution of such will, or the wife or husband of such person, or any person claiming under such person or wife or husband, be utterly null and void, and such person so attesting shall be admitted as witness to prove the execution or to prove the validity or invalidity thereof, notwithstanding such devise, legacy, estate, interest, gift or appointment mentioned in such will.

XII. And it is hereby enacted, that in case by any will any real or personal estate shall be charged with any debt or debts, and any creditor, or the wife or husband of any creditor, whose debt is so charged shall attest the execution of such will, such creditor, notwithstanding a discharge, shall be admitted a witness to prove the execution of such will, or to prove the validity or invalidity thereof.

XIII. And it is hereby enacted, that no person shall, on account of his being an executor of a will, be incompetent to be admitted a witness to prove the execution of such will, or a witness to prove the validity or invalidity thereof.

XIV. And it is hereby enacted, that every will made by a man or woman shall be revoked by his or her marriage (except a will made in exercise of a power of appointment, when the real or personal estate thereby appointed would not in default of such appointment pass to his or her heir, executor or administrator, or to a person entitled as his or her next of kin, under the Statute of Distributions.)

XV. And it is hereby enacted that no will shall be revoked by any presumption of an intention on the ground of an alteration in circumstances.

XVI. And it is hereby enacted, that no will or codicil, or any part thereof shall be revoked otherwise than as aforesaid, or by another will or codicil executed in manner hereinafter required, or by some writing declaring an intention to revoke the same, and executed in the manner in which a will is hereinafter required to be executed, or by the burning, tearing or otherwise destroying the same by the testator or by some person in his presence and by his direction with the intention of revoking the same.

XVII. And it is hereby enacted, that no obliteration, interlineation or other alteration made in any will after the execution thereof, shall be valid or have any effect, except so far as the words or effect, except so far as the words or effect of the will before such alteration shall not be apparent, unless such alteration shall be executed in like manner as hereinafore is required for the execution of the will; but the will, with such alteration as part thereof, shall be deemed to be duly executed if the signature of the testator and the subscription of the witnesses be made in the margin or some other part of the will opposite or near to such alteration, or at the foot or end of or opposite to or near such alteration, or at the foot or end of or opposite to a memorandum referring to such alteration, and written at the end or some other part of the will.

XVIII. And it is hereby enacted, that no will or codicil, or any part thereof, which shall be in any manner revoked, shall be revived otherwise than by the re-execution thereof, or by a codicil executed in a manner hereinafter required, and showing an intention to revive the same, and when any will or codicil which shall be partly revoked and afterwards wholly revoked, shall be revived such revival shall not extend to so much thereof as shall have been revoked before the revocation of the whole thereof, unless an intention to the contrary be shown.

XIX. And it is hereby enacted, that no conveyance or other act made or done subsequently to the execution of a will, or relating to any real or personal estate therein comprised, except an act by which such will shall be revoked as aforesaid shall prevent the operation of the will with respect to such estate or interest in such real or personal estate as the testator shall have power to dispose of by will at the time of his death.

XX. And it is hereby enacted, that every will shall be construed, with reference to the real estate and personal estate comprised in it, to speak and take effect as if it had been executed immediately before the death of the testator unless a contrary intention shall appear by the will.

XXI. And it is hereby enacted, that unless a contrary intention shall appear by the will such real estate or interest therein as shall be comprised or intended to be comprised in any devise in such will contained, which shall fail or be void by reason of the death of the devise in the life time of the testator, or by reason of such devise being contrary to law, or otherwise, in any case of taking effect shall be included in the residuary devise (if any) contained in such will.

XXII. And it is hereby enacted, that a general devise of the real estate of the testator, or of the real estate of the testator in any place or in the occupation of any person mentioned in his will, or otherwise as described in a general manner, shall be construed to include any real estate, or any real estate to which such description shall extend (as the case may be) which he may have power to appoint in any manner he may think proper and shall operate as an execution of such power, unless a contrary intention shall appear by the will, and in like manner a bequest of the personal estate of the testator or any bequest of personal estate described in a general manner shall be construed to include any personal estate, or any personal estate to which such description shall extend (as the case may be) which he may have power to appoint in any manner he may think proper and shall operate as an execution of such power, unless a contrary intention shall appear by the will.

XXIII. And it is hereby enacted, that where any real estate shall be devised to any person without any words of limitation, such devise shall be construed to pass the fee simple, or other the whole estate or interest which the testator had power to dispose of by will in such real estate, unless a contrary intention shall appear by the will.

XXIV. And it is hereby enacted, that in any devise or bequest of real or personal estate the words "the without issue," or "do without leaving issue," or any other words which may import either a want or failure of issue of any person in his life time or at the time of his death, or an indefinite failure of his issue, shall be construed to mean a want or failure of issue in the life time or at the time of the death of such person, and not an indefinite failure of his issue, unless a contrary intention shall appear by the will, by reason of such person having a prior estate tail, or of a preceding gift being, without any implication arising from such words, a limitation of an estate tail to such person or issue, or otherwise: Provided, that this Act shall not extend to cases where such words as aforesaid import, if no issue described in a preceding gift shall be born or if there shall be no issue who shall live to attain the age or otherwise answer the description required for obtaining a vested estate by a preceding gift to such issue.

XXV. And it is hereby enacted, that where any real estate shall be devised to any trustee or executor, such devise shall be construed to pass the fee simple or other the whole estate or interest which the testator had power to dispose of by will in such real estate, unless a definite term of years, absolute or determinable, or an estate of freehold, shall thereby be given to him expressly or by implication.

XXVI. And it is hereby enacted, that where any real estate shall be devised to a trustee without any express limitation of the estate to be taken by such trustee, and the beneficial interest in such real estate, or in the surplus rents and profits thereof shall not be given to any person for life, or such beneficial interest

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shall be given to any person for life, but the purposes of the trust may continue beyond the life of such person, such devise shall be construed to vest in such trustee the fee simple, or other the whole legal estate which the testator had power to dispose of by will in such real estate and not an estate determinable when the purposes of the trust shall be satisfied.

XXVII. And it is hereby enacted, that where any person to whom any real estate shall be devised for an estate tail, or an estate in quasi entail, shall die in the life time of the testator leaving issue who would be inheritable under such entail, and any such issue shall be living at the time of the death of the testator, such devise shall not lapse, but shall take effect as if the death of such person had happened immediately after the death of the testator, unless a contrary intention shall appear by the will.

XXVIII. And it is hereby enacted, that where any person being a child or other issue of the testator to whom any real or personal estate shall be devised or bequeathed for any estate or interest in the life time of the testator leaving issue, and any such issue of such person shall be living at the time of the death of the testator, such devise or bequest shall not lapse, but shall take effect as if the death of such person had happened immediately after the death of the testator, unless a contrary intention shall appear by the will.

XXIX. And it is hereby enacted, that notwithstanding anything in this Act contained, any soldier being in actual military service, or any mariner or seaman being at sea, may dispose of his personal estate as he might have done before the making of this Act.

XXX. And it is hereby enacted, that nothing in this Act contained shall be construed to repeal the provisions of Act No. XX. of 1837, whereby immovable property situate within the jurisdiction of the Court of Judicature of Prince of Wales Island, Singapore and Malacca transmitted by the last will of any person having a beneficial interest in the same is taken to be and to have been of the nature of chattels real and not of freehold as regards such transmission, provided that such will shall be executed and construed as a will of chattels real is to be executed and construed by virtue of this Act.

XXXI. And it is hereby enacted, that this Act shall not extend to any will made before the 1st day of February, in the year of our Lord 1839, and that every will re-executed or re-published or revived by any codicil shall for the purposes of this Act be deemed to have been made at the time at which the same shall be so executed, re-published, or revived; and that this Act shall not extend to any estate *par autre vie* of any person who shall die before the first day of February in the year of our Lord 1839.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 8th October, 1838, with the assent of the Right Hon'ble the Governor-General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.

Act No. XXVI. of 1838.

I. It is hereby enacted, that it shall henceforth, be lawful for the Governor in Council of the Presidency of Fort St. George, to direct that all or any persons committed by the Principal Sudder Ameen of Siraoe for trial before the Court of Circuit for the western division of the territories subject to that Presidency, shall be tried at the sessions of jail delivery to be held at Honore.

II. And it is hereby enacted, that it shall henceforth be lawful for the Governor in Council of the Presidency of Fort St. George, to direct that all or any persons committed by any Principal Sudder Ameen for trial before the Court of Circuit shall be tried at any sessions of jail delivery to be held at any station within the Zillah to which the Court of such Principal Sudder Ameen may be attached.

OCTOBER, 22.—The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 23d October 1838, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.

Act No. XXVII of 1838.

I. It is hereby enacted, that so much of Clause 1. Section XXVII. Regulation V. of 1831 of the Bengal Code, as provides that no suit be referred to a Principal Sudder Ameen in which the Vakils or Officers of his Court shall be a party, is hereby repealed.

II. And it is hereby enacted, that in cases where, by reason of the above Clause, a suit cannot be referred to a Sudder Ameen, because he himself or his relatives or dependents are a party to the suit, and where the Zillah and City Judges cannot refer such suit to be tried by any other competent authority, it shall be lawful for each of the Courts of Sudder Dewanny Adawlut within in the Territories subject to the Presidency of Fort William in Bengal to direct, by an order authenticated by the official signature of their Registrar, that the cognizance of such suit, shall be

transferred to any other Zillah or City Court subordinate to the same Court of Sudder Dewanny Adawlut—and the Judge of such other Zillah or City Court may thereupon refer such suit in the same manner as if the same had been originally instituted in the Court of such other Zillah or City.

T. H. MADDOCK.

Offg. Secy. to the Govt. of India

GENERAL DEPARTMENT SEPT. 19.—Mr. C. B. Thornhill reported his arrival as a Writer on this Establishment on the 15th instant.

OCTOBER 3.—Mr. J. F. M. Reid, Post Master General, reported his return to this Presidency on the Bark "Samuel Horwachs", on the 26th ultimo.

The Hon'ble the President in Council is pleased to grant to Mr. C. L. Babington, Deputy Post Master at Sumbulpoor, an extension of leave to the 10th November next, on medical certificate.

It has been brought to the notice of the Hon'ble the President in Council, that Mails have been stopped and detained in transit by public Officers in the Mofussil when encamped at places in the interior of Districts through which the Dawk travels in order that the bags may be opened and the letters addressed to them taken out. This practice is directly in violation of Article XLIX of the Regulations for the Post Office Department, published by the Governor General in Council on the 30th of August 1837, and the President in Council in repeating the prohibition therein contained against any Officers of Government whatsoever, detaining and opening the Public Mails except under the order of Government, directs that every contravention of this rule shall be reported to him through the Post Master General, when the Officer guilty of such an impropriety will be visited with the severe displeasure of the Government.

It has also been brought to the notice of the President in Council, that Mails have been detained through the runners being stopped while employed in their actual conveyance by Officers of Police on petty charges of misdemeanour being preferred against them. The Magistrate of the several Districts are hereby required and directed to restrain this practice, and to enjoin that no runner shall be arrested or detained on any petty charge while so employed.

The runners employed in carrying the Mails being all fixed Servants, any Process or Summons can at any time be served upon them at their Station, so that it can never be necessary to detain them while running with a Mail.

OCTOBER 10.—The Hon'ble the President in Council, with the concurrence of the Right Hon'ble the Governor General for the North Western Provinces, is pleased to cancel the Order placing the services of Mr. J. J. Ward, of the civil service, at the disposal of the Governor-General for the North Western Provinces.

OCT. 15.—The Honorable ALEXANDER ROSS, Esq. having retired from the Council of India in consequence of the completion of the period of five years, to which his appointment was limited, The Honorable Colonel WILLIAM MORISON, C. B., has this day under an appointment made with the concurrence of the Right Hon'ble the Governor General, taken his seat as President of the Council, under the usual salute from the ramparts of Fort William.

W. W. BIRD, Esquire, nominated by the Honorable Court of Directors to succeed upon the retirement of the Honorable A. Ross, Esquire has also taken his oaths and seat as a Member of the Council of India, under the usual salute from the ramparts of Fort William.

The Honorable Colonel WILLIAM MORISON, C. B., has been appointed with the concurrence of the Right Honorable the Governor General, to be Deputy Governor of the Presidency of Fort William in Bengal and Deputy Governor of Fort William and of the town of Calcutta.

The Hon'ble the President in Council is pleased to direct as a mark of public respect due to the character and services of Mr. Ross, that all the honors and distinctions to which he was entitled as President of the Council and Deputy Governor of Bengal, shall be continued to him until the period of his embarkation for Europe.

The Hon'ble the President of the Council of India and Deputy Governor of Bengal has this day been pleased to make the following appointments:

The Hon'ble J. C. Erskine to be Private Secretary to the President of the Council.

Captain John Edmondstone Landers of the 9th Regiment N. I., to be Military Secretary and Aid-de-Camp.

OCTOBER 17.—Notice is hereby given, that the salaries and allowances of the civil and marine departments, for October, instant, will be discharged by the sub-treasurer and Marine Paymaster respectively on or after Friday, the 16th proximo.

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OCTOBER 24.—Messrs. E. T. Trevor and W. Edwards, writers, are reported qualified for the Public Service by proficiency in two of the Native languages.

The Hon'ble the President in Council is pleased to attach Mr. H. D. H. Ferguson, Writer, reported qualified for the Public Service, to the Bengal Presidency, from the 23d May last.

The Hon'ble the President in Council is pleased to attach the following Gentlemen, Writers, reported qualified for the Public Service, as follows :

Mr. E. T. Trevor to the Bengal Presidency.

Mr. W. Edwards to the Bengal Presidency.

OCTOBER, 24.—The Honorable Alexander Ross, Esquire, has been permitted to resign the East India Company's Civil service from the 1st of November next.

OCTOBER 31.—Mr. E. M. Wyly having exceeded the period within which, under the orders of the Hon'ble the Court of Directors, he ought to have qualified himself for the public service by proficiency in two of the native languages, has been ordered to return to England.

The Hon'ble the Deputy Governor of Bengal is pleased to grant Captain E. S. Ellis, marine pay master and naval stores-keeper, leave of absence for a period of six weeks from the departure of the next river steamer, viz. the 12th proximo.

Mr. H. Palmer will conduct the duties of Captain Ellis, during his absence.

ECCLIASTICAL DEPARTMENT, OCTOBER 3.—The Honorable the Deputy Governor of Bengal is pleased to grant to the Revd T. E. Allen, chaplain at Hazareebaugh, two months leave of absence, from the 15th November to the 13th January next, to proceed to the Presidency.

OCTOBER, 10.—The Hon'ble the Deputy Governor of Bengal is pleased to grant to the Reverend Richard Arnold, district chaplain at Cuttack, leave of absence for one month, from the 27th ultimo, to visit Pooree under medical certificate.

Oct. 24.—The Reverend Arthur Browns Spry has been appointed by the Hon'ble the Court of Directors, an Assutant chaplain on this Establishment, and reported his arrival at this Presidency on the 20th instant.

The Reverend Mr. Spry will do duty at the Presidency under the direction of the Senior Presidency chaplain, until further orders.

OCTOBER 31.—The Revd. Henry Hutton, chaplain on the Bengal establishment, is permitted to proceed to Europe on furlough, on private affairs.

The Revd. H. Fisher, Junior, will relieve the Revd. Mr. Hutton and officiate at Dum-Dum until further orders.

FINANCIAL DEPARTMENT, OCTOBER 3.—Mr. C. Trower, the Civil Auditor, is permitted to be absent from his office from the 5th to the 20th instant. Mr. R. Torrens will conduct the duties during Mr. Trower's absence.

FORT WILLIAM, FINANCIAL DEPARTMENT OCTOBER, 17.—The President of the Council of India in Council, acting under the authority vested in him by the Charter of the Bank of Bengal and by Act No XXIV of this year, and having had under consideration an application to the effect submitted on behalf of the Proprietors of the said Bank, has been pleased to require and has given notice to the Directors of the Bank accordingly for communication to the Proprietors as prescribed by the Charter of the Bank, that the Capital Stock of the bank of Bengal shall be increased by one half its present amount of Seventy five Lack of Rupees, so as to be from the time when the said amount of New Stock shall have been subscribed and made good, One Crore and Twelve Lack and Fifty Thousand Rupees if the Government take its share of the New Stock, and One Crore and Seven Lakh if the Government determine not to take its share of the New Stock, under the option in that respect reserved to the Governor General in Council as therein under provided.

Notice is therefore hereby given, that on the 1st November next a book will be opened in the Office of the Bank of Bengal for receipt of the subscriptions of Proprietors of the Capital stock of the said Bank to the New stock ordered to be raised as above, and the said subscriptions shall be made and taken in manner following.

1. The Proprietor of any share or shares duly registered in his name or his Agent, holding the certificate of such share or shares on his behalf, shall on producing the same be allowed to subscribe on account of such share or shares a sum equal to half the capital stock represented thereby, and every such subscription shall be noted on the face of the certificates of the shares respectively on account of which it is made, for information of future purchasers of such shares, and no second subscription shall be allowed to be made on account of the same share or shares by whomsoever it or they may be afterwards held.

II. Proprietors will be allowed from the said 1st November next, to the 1st May, 1840 to make subscription upon their shares respectively, and on the said 1st May, 1840, the subscription book so opened as above provided shall be closed, and the amount of New stock that may not be subscribed for shall be at the disposal of the Bank of Bengal, and the amount so deficient being divided into shares of 4000 rupees each, shall be sold by Auction, in separate lots for each share, by an Officer of the Bank, to the highest bidder, upon a day to be fixed by the Directors of the Bank, not being more than one month after the said 1st May, 1840; and any surplus beyond the amount of capital that may be raised by such sale, shall be at the disposal of the proprietors of the Bank, to be appropriated as may be settled and determined by a resolution duly passed at any general meeting of the said proprietors thereafter held, provided however that the new stock, for which the Governor-General-in-Council is entitled to subscribe on account of the share of the Capital stock of the Bank belonging to Government, if the said Governor-General in Council should determine not to take the said new stock, shall not be sold on the general account but the same shall in that case not be raised, and the Governor-General in Council will give notice to the Directors of the Bank or on before the 1st January, 1840, whether it is his intention to subscribe for the said stock or not.

III. And when any proprietor of stock shall have subscribed for the new stock of his share, and such subscription shall have been noted upon his certificate, such proprietor shall be entitled to pay the amount so subscribed into the Bank of Bengal and to receive a new certificate for such amount, in such form as may be determined by the Directors of the Bank of Bengal, and it shall be the condition of every such new certificate that the proprietor thereof shall receive dividends thereupon from the date of the commencement of the half year next following that of payment, that it is to say, from the 1st January or 1st July next succeeding, according as either of these dates may first occur.

MINT DEPARTMENT, OCTOBER 31.—Mr. James Prinsep, Assay Master in the Calcutta mint and secretary to the Mint committee, is permitted to proceed to the Cape of Good Hope and eventually to Europe for the recovery of his health.

Mr. John Curmin, assistant assay master, is appointed to take charge of the office of assay master until further orders.

Mr. J. A. Dorin, the junior member of the mint committee, will perform the duties of the secretary to that committee.

Published by Order of the Hon'ble the President of the Council of India in Council,

H. T. PRINSEP,
Secy. to the Govt. of India.

FORT WILLIAM, MILITARY DEPARTMENT, OCTOBER 16.—Notice is hereby given, that the Pay, Batta, and other Allowances for October 1834, of the troops at the presidency, and at the other stations of the army, will be issued on or after Saturday, the 10th proximo.

By Order of the Hon'ble the President in Council
J. STUART, Lt. Col.
Offg. Secy. to the Govt of India, Milty. Dept.

BY THE DEPUTY GOVERNOR OF BENGAL.

JUDICIAL AND REVENUE DEPARTMENT SEPTEMBER 11.—The Honorable the Deputy Governor of Bengal has been pleased to make the following Appointment :

Mr. A. Forbes to officiate as Magistrate and Collector of the Southern Division of Cuttack, in the room of Mr. R. J. Colvin—the appointment to take effect from the 1st instant.

SEPTEMBER 24. The following Officers have obtained leave of absence from their Stations :
Sam Dutt Bur Dolye, Sudder Amteen in Nowgong, during the Dusseerah Vacation.

SEPTEMBER 25.—Mr R. Houston, joint magistrate and deputy collector in the 24-Pergunnahs, for six months, on medical certificate.

The Honorable the Deputy Governor of Bengal has been pleased to make the following Appointments :

Baboo Chunder Sekur Deo and Nubbin Chunder Ghosal, Deputy Collectors under Regulation IX of 1835, have been transferred from Chittagong to the jurisdiction of Mr. W. Fayler, Special Deputy Collector in Zillahs Burdwan, Hooghly, Seerchhoom and Bancoorah.

SEPTEMBER 25.—Mr. W. Riunt, Special Commissioner under regulation III of 1828, for the Division of Calcutta from the 2d ultimo to the 31st proximo, on private affairs.

Mr A. C. Bidwell, Special Deputy Collector of Sylhet, for six weeks, on private affairs, from the 20th proximo.

The Honorable E. Drummond, Acting Deputy Collector in charge of Pergunnah Farukah in Monghyr, a further extension of leave to enable him to return to his Station by the steamer, which will leave this on the 20th proximo.

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The Honourable the Deputy Governor of Bengal has been pleased to make the following Appointment :

Moulvie Mukrum Ali to be Deputy Collector under Regulation IX. of 1833 in Zillah Tipperah.

The following Officer has obtained leave of absence from his Station :

SEPTEMBER 20. The following Officer has obtained leave of absence from his Station :

Moulvie Munnower Ally, Principal Sudder Ameen in Zillah Shahabad, from 1st to 10th proximo, on private affairs

OCTOBER 1.—The following Officers have obtained leave of absence from their Stations :

Mr. W. H. Elliott, Magistrate of Moorsheadabad, for fifteen days, on private affairs. Mr. A. Lushington will conduct the duties during Mr. Elliott's absence.

Mr. E. A. Samuels, Magistrate of Hooghly for one week, to proceed to the sand Heads for the benefit of his health.

OCTOBER 2.—The Honourable the Deputy Governor of Bengal has been pleased to make the following Appointments :

Syed Azim O. deen Hussein, Aga Ismael Ali Khan, Mr. G. J. Muller, and Moulvie Fuzzal Ali Khan, to be Deputy Collectors under Regulation IX. of 1833, in Zillahs Behar and Patna.

The following Officers have obtained leave of absence from their Stations :

Mr. J. T. Mellis, Acting Joint Magistrate of Burdwan, for one week, from the 19th ultimo, on medical certificate
Mr. G. N. Chubb, Assistant Surgeon of Burdwan, for fourteen days, from the 25th instant.

OCTOBER 2.—Mr. J. B. Elliott, special commissioner under Regulation III. of 1828, for the Division of Patna, for one month, on private affairs.

Mr. W. J. H. Money, magistrate and collector of Tipperah, for two months, from the 1st January next, preparatory to his applying for leave to proceed to Europe on furlough

The Honourable the Deputy Governor of Bengal has been pleased to make the following appointments :

Sheikh Muzlar Ali and Syed Wajah Allah to be deputy collectors under Regulation IX. of 1833, in Zillah Behar.

OCTOBER 3.—The following officer has obtained leave of absence from his Station :

Mr. W. S. Hudson, deputy collector under Regulation IX. of 1833, in Mymensing, an extension of leave to the 29th instant.

OCTOBER 5.—ERRATUM.—In the Gazette of the 29th September 1838, the appointments of Messrs L'empier, Dent, Garrett, Cunliffe and Ratcliffe were erroneously inserted as having taken place on the 11th September 1838—read the 18th Idem.

OCTOBER 8. The Honourable the Deputy Governor of Bengal has been pleased to make the following appointment :

Mr. G. P. Leycester to officiate as Joint Magistrate and Deputy collector in the 24 Parganahs during the absence of Mr. Houston, or until further orders.

OCTOBER 9.—The following Officers have obtained leave of absence from their Stations :

Mr. P. G. E. Taylor, Officiating Deputy Collector of Moorsheadabad, for one month, from the 10th instant on private affairs.

Baboo Doorgachurn Chatterjee, Deputy Collector under Regulation IX. of 1833, in Zillah Dacca, from the 23d September to the 23d October, instant.

SEPTEMBER, 22 1838.—The following Officers have obtained leave of absence from their Stations :

Khajeh Hedayet Alee Sudder Ameen of Shahabad, during the Dusserah Vacation.

OCTOBER 9.—Mr. G. Lamb, surgeon at the civil station of Dacca, for 6 weeks, from the 16th instant, to visit the Presidency and Moorsheadabad.

The Honourable the Deputy Governor of Bengal has been pleased to make the following Appointments :

Mr. J. F. M. Reid to officiate as a Judge of the Sudder Dewanny and Nizamut Adawlat at the Presidency during the absence of Mr. G. Tucker, or until further orders.

Mr. E. Stirling to officiate as Collector of Burdwan.

Mr. J. B. Ogilvy to officiate as Magistrate and Collector of Shahabad.

Mr. J. T. Mellis to officiate as Magistrate of Burdwan.

Mr. Assistant Surgeon J. Pagan to perform the medical duties of the Civil Station of Midnapore, vice Mr. Assistant Surgeon J. O'Dwyer, placed, at his own request, at the disposal of His Excellency the Commander in Chief.

The following Officer has obtained leave of absence from his Station :

Mr. T. Taylor, Magistrate and Collector of Shahabad, for three months, on Medical Certificate, preparatory to applying for leave to proceed to Europe on Furlough.

JUDICIAL AND REVENUE DEPARTMENT. OCTOBER 13.—The Honourable the Deputy Governor of Bengal has been pleased to make the following Appointment :

Mr. J. J. Ward to be an Assistant to the magistrate and to the Collector of Hooghly, from the 16th July last; Mr. Ward will continue to officiate as Collector of Moorsheadabad, during the absence of Mr. P. G. E. Taylor, or until further orders.

OCTOBER 16.—Mr. J. A. O. Farquharson, in Charge of Khass and Resumed Mofals in Bhugulpore and Mougbyr, for twelve days, from the 1st proximo, on private affairs.

Mr. H. C. Hogan Officiating Joint Magistrate and Deputy Collector of Bhugulpore, for one month, from the 20th instant, on private affairs.

OCTOBER 16.—The following Officers have obtained leave of absence from their Stations :

OCTOBER 16.—Mr. Surgeon J. Taylor has been authorized to perform the medical duties of the civil station of Dacca, in the room of Mr. Surgeon G. Lamb, on leave.

Mr. H. C. Metcalfe, Officiating Magistrate of Rungpore, for one month, on medical certificate, Mr. A. T. Dick will officiate as magistrate, during the absence of Mr. Metcalfe, or until further orders.

Caseo Jela Oudeen Mahomed, Principal Sudder Ameen of Mymensing, for six months from the 1st proximo, on private affairs.

OCTOBER 20.—The following Officer has obtained leave of absence from his Station :

Mr. F. Cardew, Magistrate and Collector of Jessore, for two months to visit the Presidency, on private affairs, preparatory to proceeding on Furlough, Mr. C. R. Teylor will officiate until further orders as magistrate and collector of Jessore.

OCTOBER 23.—Baboo Shibchunder Paulit, Deputy Collector, under Regulation IX. of 1833, has been transferred from Rajshye to Burdwan, &c.

Baboo Kooopchunder Bose, Ditto Ditto under Ditto Ditto has been transferred from Malda to Muzslye.

Baboo Hurrihur Dutt, Deputy collector under Regulation IX. of 1833, has been transferred from Hidgelles to Burdwan, &c.

The following Officers have obtained leave of absence from their Stations.

Mr. R. H. Mytton, Magistrate and Collector of Sylhet, for two months, from the 15th November, to visit the Presidency preparatory to proceeding on Furlough Mr. G. A. C. Plowden has been directed to relieve Mr. Mytton and to officiate as Magistrate and Collector of Sylhet until further orders.

Mr. H. F. James, Officiating magistrate and collector of Bhongulpore, for one week, on medical certificate. Mr. H. C. Bagge will conduct the duties during Mr. James' absence.

Mr. E. Bentall, magistrate and collector of Dinagpore, for two months, preparatory to proceeding on Furlough. Mr. H. C. Halkett will relieve Mr. Bentall and officiate as magistrate and collector of Dinagpore until further orders.

Mr. T. C. Loch, exercising the powers of Joint Magistrate and Deputy Collector in Nuddea, for fourteen days, from the 1st proximo, on private affairs.

Mr. G. F. Cockburn, Assistant to the magistrate and collector of Purneah, for one month, on medical certificate, in extension of the leave granted to him on the 13th ultimo.

Mr. H. J. Thornton, Civil Assistant Surgeon of Pabna, for one month, from the 1st proximo, on private affairs.

Mr. F. Peterson, Apothecary, attached to the Province of Arrakan, for one month from the 1st proximo, on private affairs.

OCTOBER 23.—Mr. J. G. Campbell, joint magistrate and deputy collector of Tirhoot, has been permitted to be absent from his station from the 6th instant until the 16th proximo. The leave of absence granted to him on the 30th August last has been cancelled.

Mr. J. J. Jordan, sudder ameen and moonsiff of Muzslye, has been allowed an extension of leave of absence to the 30th instant, to enable him to rejoin his station.

OCTOBER 25.—Mr. R. P. Harrison has been appointed to exercise the powers of joint magistrate and deputy collector in Midnapore

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Mr H. Stainforth, officiating civil and session judge of Sylhet, has obtained leave of absence for six weeks from the 10th instant, on medical certificate Mr G Lock, the officiating joint magistrate and deputy collector at the station will conduct the current duties of Mr. Stainforth's office during his absence.

FRED JAS. HALLIDAY,
Secy to the Govt. of Bengal.

OCTOBER 26—Mr. C. B. Trevor, Deputy Collector of Jessore, has received an extension of four days leave of absence, from the 19th instant, to enable him to join his Station.

The unexpired portion of the leave of absence granted to Mr. Assistant Surgeon K. Mackinnon, of Tirhoot, under date the 11th August last, has been cancelled at his own request.

BY THE GOVERNOR GENERAL OF INDIA.

SECRET DEPARTMENT SIMLA; SEPTEMBER 13, 1835.

Lieutenant W^d J. Fastwick, 12th Regiment Bombay N. I., has this day been appointed to be a temporary assistant to the Resident in Sind.

Lieutenant J. D. Leckie, 22d Regiment Bombay N. I., ditto ditto ditto.

SIMLA, SEPTEMBER 17—The undermentioned Officers have been directed to proceed to Loodiana, and to act under such instructions as they may receive from the Secret Department :

Lieutenant T. Hutton, of the 37th Regiment N. I.

Ensign H. Milne, of the 21st Regiment N. I.

SEPTEMBER, 20.—The undermentioned Medical Officers have been directed to proceed to Loodiana and to act under such instructions as they may receive from the Secret Department :

Mr. Surgeon J. Forayth, of the 45th Regiment Native Infantry.

Mr. Assist. Surgeons W. L. McGregor, M. D. and P. F. H. Baddeley, of Artillery.

SIMLA, SEPTEMBER 27.—The undermentioned Medical Officer was directed, on the 25th instant, to proceed to Loodiana and to act such instructions under as he may receive from the Secret Department :

Mr. Assistant Surgeon C. McKinnon of the horse artillery vice Mr. Assistant Surgeon W. L. McGregor, M. D.

SIMLA, OCTOBER, 1.—Colonel E. H. Simpson, of the 19th Regiment Native Infantry, is appointed to command the force now being raised at Loodiana for the service of Shah Sujjahool Mook.

OCTOBER 4—So much of the Order issued from the Political Department under date the 13th August last, as directed Colonel G. W. Hamilton, of the 19th Regiment Native Infantry, and Lieutenant C. E. Mills of the Horse Artillery, to proceed to Loodiana, is cancelled from the above date.

SIMLA, OCTOBER, 11—With reference to the notification under date the 1st instant the Right Honourable the Governor General of India is pleased to promulgate the following arrangements :

Captain G. M. Wade, Political agent at Loodiana, will proceed at the proper season to join the Army of Mubarrak Rousset Sing at Peshawar, and will be charged, under such instructions as shall be furnished to him, with the superintendance of all affairs of the British Government connected with the *Chaminas* and troops of his highness.

Captain Wade will be assisted at Peshawar by the following Officers :

Lieutenant F. Mackeson, British Agent for the Navigation of the Indus.

Lieutenant J. D. Cunningham, of the Bengal Engineers.

SIMLA, OCTOBER 18.—The Right Honourable the Governor General has been pleased to appoint Captain J. H. Cranio, of the 20th Regiment Native Infantry, to the command of the 3d Regiment of Shah Sujjah's force, vice Beaton, placed at the disposal of His Excellency the Commander in Chief.

POLITICAL DEPARTMENT, SIMLA, SEPTEMBER 21.

Lieutenant Colonel J. S. Fraser, of the Establishment of Fort St George, who was appointed on the 30th June to officiate as Resident at Hydrabad, assumed charge of that office on the 1st instant.

SIMLA, SEPTEMBER 24—Lieutenant Colonel J. Low, Resident at Lucknow has been permitted to proceed to the Presidency from the 1st of December next, preparatory for applying for leave to visit the Cape of Good Hope for the benefit of his health.

SIMLA, OCTOBER 11.—Wherens' Maharajah Ruggoojee Bhonsla, Raja of Nagpore, being about to proceed on a Pilgrimage to

Allahabad, Benares and Gya, all Civil and Military Officers of the Stations and Districts through which His Highness may pass are hereby required to afford every assistance to him and his followers, and to show him every mark of attention and respect.

The Maharajah will be received with a salute of 17 Guns, wherever a detail of Artillery may be posted, and the Magistrate of each district will go out the usual distance from the principal station to meet His Highness.

Captain R. Bidd, 3d Regiment Madras Native Infantry, now Officiating as superintendent of the operations for the suppression of Thuggee, in Rippootana, made over charge of his Office on the 25th ultimo, to Captain J. E. Bruere.

Lieutenant H. M. Donaldson, 50th Regiment Madras Native Infantry, to succeed Captain Budd as an Assistant in the Office of secretary to the Commissioner for the Government of the territories of His Highness the Rajah of Mysore.

SIMLA, OCTOBER 15—Lieutenant H. Marsh, the Assistant to the General superintendent of the operations for the suppression of Thuggee, in Rippootana, made over charge of his Office on the 25th ultimo, to Captain J. E. Bruere.

SIMLA, OCTOBER 15—Major G. St. John Grant, of the 52d Regiment Madras Native Infantry, was removed on the 14th of August last, from his highness the Nizam's service, in conformity with the rule laid down in General Orders, by the Governor-General, May 23d, 1823, on his obtaining a regimental majority, and is placed at the disposal of his excellency the Commander in Chief of the army of Fort St. George, from the date of his removal.

OCT 18—Lieut. Colonel N. Alves, agent to the Governor-General for the states of Rajpootana, has obtained leave of absence for three months, from the 1st of December next, to visit Bombay, preparatory to applying for leave to the Government of Fort St. George, to proceed to the Cape of Good Hope, or one of the Australian colonies.

Cornet C. Beecher, of the 1st Regiment of Cavalry of the Oude Auxiliary force, has obtained leave of absence for two months, from 1st November to 31st December next, to visit Calcutta, on urgent private affairs.

By Order of the Right Honourable the Governor General of India,
W. H. MACNAGHTEN,
Secy. to the Govt. of India with the Governor General.

SIMLA, SEPTEMBER 21.—The Right Honourable the Governor General has been pleased to place the following Engineers Officers, at the disposal of His Excellency the Commander in Chief.

1st Lieutenant J. Anderson, and M. Durand.

2nd Lieutenants J. R. Western, J. L. D. Sturt and N. C. MacLeod.

SIMLA, SEPTEMBER, 21.—The following Officers, now employed in the Department of Revenue Survey, are placed at the disposal of His Excellency the Commander in Chief, for service in the Field :

1st Lieut and Brevet Captain H. M. Lawrence, 3d Troop 2d Brigade Horse Artillery.

1st Lieut. J. Brand, 7th Company 6th Battalion Artillery.

1st Lieut. R. C. Surkespear, 4th Company 6th Battalion Artillery.

WM CASEMENT, M. G.,
Secy. to the Govt. of India Mily. Dept., with the Rt. Honble the Govr. Genl.

BY THE GOVERNOR OF THE NORTH WESTERN PROVINCES.

SIMLA, GENERAL DEPARTMENT, SEPTEMBER 10.—Revenue—Mr. N. H. B. Prowett, Deputy Collector for the investigation of claims to hhd land exempt from payment of Revenue in the District of Bijnour, has obtained leave of absence, on his private affairs, for three months, from the 1st November next, to enable him to proceed to the Presidency, in the event of his obtaining permission to proceed to Europe on furlough.

SEPTEMBER 10.—Sir Charles M. Ochterlony, Bart., is appointed to be an Assistant under the Commissioner of the Benares Division.

SEPTEMBER 13—Ecclesiastical.—The Reverend R. Chambers, A. B., District Chaplain at Agra, has obtained leave of absence on medical certificate, for twelve months, from the 1st December next, for the purpose of visiting the Hills. The Reverend Mr. Chambers is appointed to perform the Ecclesiastical duties at Mussoorie and Landour, during the period of his absence on leave.

Judicial—Mr. W. Ewer, Judge of the Sudder Dewancy and Nizamut Adawlat, has obtained leave of absence for three months, from the 15th proximo, in extension of the leave granted him under Orders of the 14th January last, to enable him to visit the Presidency and apply for permission to resign the Service.

Mr. G. Lindsey, Officiating Judge of Meerut, and Mr. W. H. Benson, Officiating Judge of Deblce, have obtained leave of absence for the remainder of the Dusserah vacation, after they

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have received charge of the Offices to which they were respectively appointed under Orders of the 3d instant.

Said Tussuddook Hosen Khan, Principal Sudder Ameen of Fatehpour, has obtained leave of absence for eight months, over and above the Dusserah vacation.

Conformably with the Resolution of the Government of India, published in the *Calcutta Gazette* of the 7th October last the Right Honorable the Governor General is pleased, in communication with the Court of Sudder Dewanny Adalat, to raise the personal allowance of Muhammad Ullah Nuckee Yawar, Principal Sudder Ameen of Azimnahr, from Rs 400 to Rs 600 per mensem: to have retrospective effect from the 21st April last.

JUDICIAL AND REVENUE.—Mr. E. P. Tyler, Magistrate and Collector of Mynpoori has obtained leave of absence, on his private affairs, for three months from the 15th proximo, to enable him to proceed to the Presidency, in the event of his obtaining permission to proceed to Europe on furlough.

GENERAL DEPARTMENT, SIMLAH, SEPTEMBER 18—Revenue.—Bhuboo Jyeeopal Banoorjee re-appointed to be a deputy collector in Zillah Muttra, under the provisions of Regulation IX of 1833.

Separate Revenue—Mr. M. Hickie to be deputy collector, of customs at Hodul.

Mr. C. Newton to be deputy collector of customs at Saharunpoor.

SEPTEMBER 22.—The following officers have obtained leave of absence from their stations

Mr. G. Gubbins Joint magistrate and deputy collector of Rehtuck, for one month; in extension of the leave granted for the same period under orders of 24th July last.

Mr. R. Gubbins, officiating joint magistrate and deputy collector of Gurgaon, for one month; in extension of the leave granted for the same period under orders of 24th July last.

Mr. W. P. O'Brien, officiating Judge of Mooradabad, for fifteen days, from the 2d proximo, on account of his private affairs

SEPTEMBER 27—*Revenue*.—Mr. R. Orr to be a deputy collector in Zillah Mooradabad, under the Provisions of Regulation IX of 1833.

Mr. J. G. Bruce to be a deputy collector in zillah Hameerpoor, under the provisions of Regulation IX of 1833.

Judicial and Revenue—Mr. W. J. Moran (appointed under Orders of 14th August last to be an Assistant under the Commissioner of the Agra Division,) has obtained, from the Hon'ble the Deputy Governor of Bengal, leave of absence to proceed to the Sand Heads, for one month, in extension of the period allowed him to join the North Western Province.

SEPTEMBER, 29—*Revenue*—Mr. F. S. Head is appointed a Settlement Officer in the district of Cawnpore.

GENERAL DEPARTMENT, SIMLAH, OCTOBER 13—Judicial and Revenue.—Mr. E. T. Colvin to officiate as a Joint Magistrate and Deputy Collector at Delhi.

Mr. W. Muir to officiate as joint magistrate and deputy collector of Cawnpore.

Mr. J. S. Dunmore to officiate as joint magistrate and deputy collector of Hameerpoor; in the room of Mr. J. J. Ward, whose appointment under orders of the 7th August last is cancelled.

Mr. C. Grant to officiate as magistrate and collector of Ghazepore; on Mr. N. B. Edmonstone's vacating that appointment.

Revenue.—Mr. H. Rose to relieve Mr. J. Thornton, now employed in the revision of the settlement of Allypore; who has obtained leave of absence from the 25th instant, in the event of his proceeding to Europe on furlough.

With reference to the General Orders under date the 21st September, Lieutenant Baker, Superintendent of the Delhi canals, has been directed to assume charge of the operations on the Najafghur Jheel, vice Lieutenant H. M. Durand.

Lieutenant Spitta, Assistant to the Superintendent of the Delhi canals, to conduct the operations now in progress for the formation of canals, in Morababad, vice Lieutenant J. Anderson whose services have been placed at the disposal of his Excellency the commander in Chief.

Judicial—Mr. R. C. Glyn, Judge of Meerutt, has obtained leave of absence to the 16th November next in extension of the leave granted him under Orders of the 1st and 10th March last.

Revenue.—The leave of absence for three months, granted under orders of the 10th ultimo, to Mr. N. H. E. Prowell, Deputy Collector for the investigation of claim to hold land exempt from payment of Revenue in the Districts of Bijnore, is to commence from the 20th instead of the 1st November.

OCTOBER 9—*Judicial and Revenue*—Mr. G. T. Lushington to be Commissioner of Kumaon, vice Lieut. Colonel Gowar; whose appointment has been cancelled by the Honorable the Court of

Directors; because they considered the office must "to be conferred on a Military Officer, without previous Revenue or Judicial experience."

Mr. J. Cumine to be magistrate and collector of Etawah, in the room of Mr. Lushington.

These appointments will take effect from the date on which Mr. Lushington will assume charge from Colonel Gowar.

OCTOBER 18—*Erratum*.—In the Notification, under date the 18th September last, of the appointment of Mr. G. Newton to be deputy collector of customs; for, at "Shaharunpoor," and at *Hameerpoor*.

J. TROWASON,
Offg. Secy. to the Govr. Genl. N. W. P.

SIMLAH, OCTOBER 19—Mr. J. Thomason, officiating secretary to the Government of the North Western Provinces has obtained leave of absence, for three months, to visit the presidency, on his urgent private affairs.

Mr. F. Currie is appointed to officiate as secretary to the Governor-General for the North Western Provinces in the Judicial Revenue and General Department, in the room of Mr. C. Macswain, absent on leave to the Cape of Good Hope.

Mr. J. Thomason has this day delivered over charge of the secretary's office, in the above mentioned department, to Mr. F. Currie.

F. CURRIE,
Offg. Secy to the Govr. Genl. N. W. P.

MILITARY.

BY THE PRESIDENCY IN COUNCIL.

Fort William, October 1, 1838.—No. 139 of 1838.—The non-mentioned Non Commissioned officers are admitted to the benefits of the Pension sanctioned by minutes of Council of the 11th January 1797, and General Orders, dated 6th February 1820 subject to the confirmation of the Hon'ble the Court of Directors with permission to receive their stipends in Europe:

Staff Sergeant John Fitzpatrick, 3d company 5th battalion artillery.

Sergeant Major Michael Condon 19th regiment N. I.

No. 141 of 1838.—The following circular letter issued by Her Majesty's Secretary at War, bearing date the 26th February, 1838, conveying additional instructions on the subject of the Remittances made to England on behalf of the officers and soldiers of Her Majesty's service in India, received from the Hon'ble the Court of Directors, is published for the information and guidance of all parties concerned.

CIRCULAR, No. 86.

Officer Commanding—Regiment of—East Indies.

Sir,—With reference to the instructions in Articles 170 and 209 of the explanatory Directions dated 1st January, 1838, for paying into the Company's Treasury in India, the

Sums intended to be remitted to Regimental Agents G 86 969 in London by living Officers and Soldiers, and on account of the Effects and credits of those deceased, I

have the honor to apprise you, that, with the view of effecting more prompt and satisfactory transfers of the said Sums to the individuals to whom the same are due, every return of Remittances, from living Officers and Soldiers, and every casualty return of Effects and credits periodically forwarded to this Office according to Regulation, is henceforward to be accompanied by a receipt from the proper Officer of the East India Company, for the actual amount shown by such Return to have been paid into the Treasury in India, together with his certificate specifying the precise sum in British Sterling Money to be paid by the Court of Directors in England on account thereof, and the rate of Exchange at which the same is calculated, being the same rate as that at which Queen's Pay for the period shall have been issued to the Troops.

I am accordingly to request, that you will take care that such Receipt and certificate be duly procured and annexed to every return to the above description, henceforward tendered to this Office, from the Regiment under your command.

You will be pleased to acknowledge the receipt of this letter

War Office, } I have, &c.
26th February, 1838 } (Signed) HOWICK,

J. STURRT, Lt. Col.

Offg. Secy. to the Govt of India Mill. Dept.

Fort William, October 6—No. 42 of 1838.—The Hon'ble the President in Council is pleased to direct, under instructions from the Hon'ble the Court of Directors, that Ensign Henry Garden Burmester, to whom rank was assigned in General Orders No. 116, of the 6th August last, from the 11th March 1838, is to stand in the graduation list of Ensigns, between Ensigns Robert Charles Stevenson and George Douglas Bonar.

Apothecary William Whither, of the Subordinate Medical Department, being declared incapable of further duty, is transferred to the Invalid Pension Establishment, on the pension of his rank.

Sergeant John Renny, of the 3d Company 3d battalion artillery, is appointed a Barrack Sergeant, and placed at the disposal of the Superintending Engineer North Western Provinces.

The President in Council is pleased to make the following Promotions in the *Calcutta Native Militia*:

GENERAL REGISTER.

Jemadar Bhatour Khan to be Subadar, and Havildar Toolsey Tewarry to be Jemadar, vice subadar Munneer Ojah deceased.

No. 143 of 1838.—Captain Bedford, Deputy Surveyor General, is directed to take charge of the Office of the Surveyor General at the Presidency from this date. This charge is not to interfere, with the Supervision exercised by Captain Bedford over the Revenue Survey, in the Lower Provinces.

No. 144 of 1838.—Application having been made by the Men of the Regiments proceeding beyond the frontier on Service, to be allowed the indulgence of leaving assignments on their pay for the support of their families.—The Hon'ble the President in Council is pleased to direct, that the Officers Commanding Companies be required to obtain from their Men the necessary particulars in the following Form.

Names.	Number.	Rank.	Troop or Company.	Company's Regt.	Annah.	Fines.	Where payable		Remarks	
							To whom payable	Payable		
(Here enter Sta- tion and date)	(No.)						A	B.	(St.)	C. D.
							Lt. Col. Comdg.		Ca. & Comdg. Troop or Company.	

The above Form is to be prepared in Quadruplicate. One is to be delivered to each man with instructions to make it over to his family—duplicate to be sent to the Military Auditor General—triple to the Superintendent of Family Money in who a circle the Payee may be residing, and quadruplicate is to be furnished to the Deputy Pay Master proceeding on Service, in order to enable him to check deduction noted in the abstracts.

The Officer commanding companies will add such further information to the Form as the circumstances of Individuals, may suggest, in order to prevent imposition, and to secure to the proper person the intended benefit.

The amount of Family Money payable is to be noted on the Muster Rolls opposite to the name of the Man from whom the corresponding allowance is made, and in case a man should wish to discontinue the allowance he had assigned, the same is to be notified in the Muster Roll.

Casualties of Men, from whom deductions on account of Family Money are made, must be immediately reported, by commanding officers of companies, to the respective Superintendents, and by those Officers to the Military Auditor General. Correct Monthly Rolls of all casualties will also be transmitted along with the Muster Rolls to the Military Auditor General.

The family money of men on service is to be drawn in monthly abstracts (to be sent as usual through the respective Pay Masters for audit and thereafter dealt with as stated in Pay and Auditors Regulations, page 35) by the Agent for family money at Barrackpore, if the Payees reside in the Lower Provinces; and by the Superintendent of family money at Oude and Cawnpore, if in the Western Provinces.

Family Money is to be drawn two months in arrears, and Officers in charge of companies, will annex to their monthly abstracts, statements of the deduction made from each man on this account, the total of which will be deducted from the amount of his abstracts, and the remainder only charged by the pay master in his disbursements.

It must be particularly explained to the troops proceeding on service that they will not be permitted to withdraw the allowance which they may have assigned to their respective families—until intimation of such intention, communicated by officers in command of Companies, through the Commanding officers of regiments, shall have been received, and the receipt of the same acknowledged by the respective superintendents of family money. The Superintendents are to conform to the latter part of Section 8. Reg. 35, pay and audit regulations.

Any over-payment made to the Families of deceased men shall be recovered from the balance of arrears due to them at the time of their decease which arrears the commanding officers of companies will retain until due advice of the extent of payments to the Families of the deceased shall have been received from the superintendents.

No. 145 of 1838.—Assistant Surgeon Alexander Greig, M. D. now doing duty at the Presidency General Hospital, is appointed to the 2d Regiment Native Infantry, of the Oude Auxiliary Force, and directed to join that corps with all practicable dispatch.

Fort William, October 15.—No 146 of 183 — The Hon. the President in Council is pleased to make the following promotions:

65th Regiment Native Infantry.—Major Andrew Harvey to be Lieutenant-Colonel; Captain and Brevet-Major George Joseph Bidmead Johnson to be major; Lieutenant and Brevet-Captain Charles Powie to be Captain of a company, and Ensign Francis Shurrell to be Lieutenant from the 2d October, 1838, in succession to Lieutenant-Colonel Hugh Ross deceased.

The undermentioned Officers are permitted to proceed to Europe on Furlough, on medical certificate.

Captain Henry William Leacock, of the 74th Regiment Native Infantry.

Lieutenant William Dinely Goodyar, of the 47th Regiment Native Infantry.

Serjeant John Jolly, of the 2d company 4th battalion artificers, is appointed an Acting Assistant Overseer, public works, and placed at the disposal of Major Garstin, superintending Engineer, Lower Provinces.

Quarter Master Serjeant Samuel Richards, of the 33d Regiment Native Infantry, is admitted to the benefits of the Pension sanctioned by Minutes of Council of the 11th January, 1797, and General Orders, dated 5th February, 1820, subject to the confirmation of the Hon'ble Court of Directors, with permission to receive his Stipend in England.

No 147 of 1838.—The following Appointment made by the Hon'ble the President of the Council, is published in General Orders:

Captain John Edmonstone Landers, of the 9th Regiment Native Infantry to be Military Secretary and Aide-de-Camp to the President of the Council.

No 148 of 1838.—The Honorable the President in Council is pleased to make the following Promotions in the subordinate Medical Department:

Assistant Apothecary Henry Shinks to be Apothecary, and Hospital Apprentice, William Chorde to be assistant apothecary, from the 7th August 1838, in succession to Winn transferred to the Invalid Pension Establishment.

No 149 of 1838.—The following Officers obtained leave in the Judicial and Revenue Department under the dates specified:

September 11.—Captain C. H. Rawlinson, of the Regiment of Artillery, and Assistant to the Commissioner in the Tenasserim Provinces, for four months, on private affairs, from the 1st November next, or as soon after as an opportunity may occur to visit the Presidency, preparatory to his applying for furlough.

October, 9.—Surgeon George Lamb, attached to the civil station of Dacca, for six weeks, from the 19th instant, to visit the Presidency and Moorshehabad.

Assistant Surgeon James Pagan was appointed in the Judicial and Revenue Department, under date the 9th instant to perform the Medical duties of the Civil Station of Madnapore, vice Assistant Surgeon J. O'Dwyer, placed, at his own request, at the disposal of His Excellency the Commander in Chief.

Fort William October 22.—No. 151 of 1838.—The under mentioned Officers are permitted to proceed to Europe on Furlough, on medical certificate:

Lieutenant Paul Wynch Willis, of the corps of engineers, and Executive Engineer of the 6th or Beaufort Division of Public Works.

Lieutenant James Stanley Harris, of the 30th Regiment Native Infantry.

Surgeon Prior Carruthers, of the medical Department, is permitted to proceed to the Cape of Good Hope, and eventually to Van Diemen's Land, on medical certificate, and to be absent from Bengal on that account for fifteen months.

MEMORANDUM.—In General Orders, No. 97, dated the 25th June last, appointing Jugrut Doobul Muijoomdar and corporal D. Hattay, of the Hon'ble Company's European Regiment, to situations in the department of public works, for "Overseer" read "Assistant Overseer." The Order Books to be corrected accordingly.

No. 152 of 1838.—The undermentioned Men of Her Majesty's Service, are permitted to reside in India as Out-Pensioners of Chelsea Hospital, and draw their pay at the Stations specified opposite to their respective names, according to the 55th Article of the Pension Warrant of the 18th November, 1829, pending a reference to the Horse Guards as to the amount of their Pensions: 3d Foot.—Privates John Lewis, Calcutta, and Richard Evans, ditto.

13th Foot.—Privates Richard Jones, George Kalgit, William Smith and William Davis, Karaikal, Jeremiah Salistury, and Thomas Pryor, Calcutta.

44th Foot.—Corporal William Acres, Chinsurah, Drummer, James Hamilton, Calcutta, and Private William Hagg, ditto.

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No. 153 of 1838.—At the recommendation of the Medical Board, no other Medical Officer being available, Assistant Surgeon Alexander Stewart, M. D., at present attached to the salt agency at Tumlok, is placed at the disposal of His Excellency the Commander in Chief, for the purpose of proceeding in Medical charge of a detachment of artillery drafts to the Upper Provinces.

Fort William, October, 29.—No. 154 of 1838.—The undermentioned gentlemen are admitted to the service in conformity with their appointment by the Hon'ble the Court of Directors, as cadets of cavalry and Infantry and as Assistant Surgeons on this Establishment. The cadets are promoted to the rank of cornet and Ensign respectively, leaving the dates of their commissions for future adjustment:

Cavalry.—Mr. Avimer William Wiltown Wylie, date of arrival at Fort William, 22d Oct. 1838.

Infantry.—Mr. David Scott Dodgson, ditto, ditto 20th Oct. 1838, Mr. Egerton Mackinnon Wylie, ditto, ditto 2d ditto, Mr. Basil Ebuzeer Bhow, ditto, ditto, 22d ditto, Mr. George Strangways, ditto, ditto 27th ditto.

Medical Department.—Thomas Murray, M. D., ditto, ditto 11th Sept. 1838, and Mr John Edge, ditto, ditto 26th Oct. 1838. Rank was assigned to Dr Murray, in General Orders No. 116, of the 6th August last.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Lieutenant Colonel Steele Hawthorne, of the 42d Regiment native infantry, date of arrival at Fort William 9th Oct. 1838.
Captain Robert Taylor, of the 65th Regiment native infantry, ditto, ditto 21st ditto

The leave of absence granted to Lieutenant W. H. Graham, Executive Engineer, 17th Division department of public works, in General Orders No. 102 of the 2d July last, is commuted to leave for three months, from the 2d ultimo, to visit the Presidency, preparatory to applying to proceed to the Cape of Good Hope

The leave of absence granted to Lieutenant Thomas Fraser, of the 7th Regiment light cavalry, in General Orders No. 13, of the 21th ultimo, on medical certificate, is cancelled at the request of that Officer.

The unexpired portions of the leave of absence obtained by the undermentioned Officers, are, at their own request, cancelled from the dates expressed out side to their names:

Captain R. Woodward, of the 2d Regiment native Infantry, Deputy Assistant Commissary General from the 12th ultimo.
Lieutenant R. S. Tickell, of the 72d Regiment native Infantry, sub Assistant Commissary General, from the 9th instant

The undermentioned Officers having been declared incapable of performing the active duties of their profession are, at their own request, transferred to the Invalid Establishment:

Captain R. C. Johnson, of the 50th Regiment native Infantry.
Captain R. W. Beaton, of the 72d Regiment native Infantry.

The undermentioned assistant overseers are promoted to the grade of overseer in the Department of public works, to fill existing vacancies:

Assistant Overseer Sergeant Thomas O'Connor, ditto Babou Becharam Holdar, ditto Gilbert.

The appointment of Jagrut Doolub Mujanadar, in General Orders No. 97, of the 27th June last, to the department of public works, is cancelled.

Overseer Sergeant William Qulnan, of the 5th division of public works, is admitted to the benefits of the pension sanctioned by minutes of Council of the 11th January 1797 and General Orders dated 5th February 1820, subject to the confirmation of the Hon. the Court of Directors, with permission to receive his stipend at Mirzapore.

J. STUART, Lt. Col.
Offg. Secy. to the Govt. of India Milly. Dept.

BY THE GOVERNOR GENERAL.

SIMLA, SEPTEMBER 18.—Lieutenant T. Hutton, of the 27th Regiment Native Infantry, and Ensign H. Minto, of the 21st Regiment Native Infantry, were appointed in the Secret Department, on the 14th instant, to be Assistants to Captain Johnson, in charge of the Pay and Commissariat Departments of the Force serving under Shah Shoojool-Moolk.

SIMLA, SEPTEMBER 20.—The Right Hon'ble the Governor General has been pleased to appoint Captain J. D. Kennedy, of

the 25th Regiment Native Infantry, to be a Sub Assistant Commissary General.

SIMLA, SEPTEMBER 21.—The Governor General has been pleased to make the following Appointment:—

Captain A. H. Jellicoe, of the 55th Regiment Native Infantry to act as Pay Master and Superintendent of Native Pensioners at Oude and Cawnpore, during the absence of Captain I. Jervis 5th Regiment Native Infantry, on Field Service.

SIMLA, Oct. 2.—The Right Hon'ble the Governor General is pleased to place the services of Captain E. Sanders, of Engineers, and Secretary to the Military Board, as a temporary measure, at the disposal of His Excellency the Commander in Chief, for employment with the Army in the Field.

The Right Hon'ble the Governor General is pleased to authorize Two Six Pounder Field Pieces, with Bullock Draft being attached to the Joudpour Legion, and manned by Sepoys of the corps with the following gun establishment:

1 Serjeant, Pay, &c.	33	4	8
1 Corporal	30	21	10
1 Trumpet	8	13	4
8 Lancears, each 5 6s.	43	5	4
1 Mistry Smith	10	0	0
1 Fireman	6	0	0
1 Fileman	6	0	0
1 Hammerman	5	0	0
1 Mistry Carpenter	10	0	0
1 Workman ditto	7	0	0
Allowance for Tar, Grease Charcoal &c.	30	0	0

His Excellency the Commander in Chief is requested to give effect to the foregoing Order.

The Right Hon'ble the Governor General is pleased to place the undermentioned European Non-commissioned officers, who were transferred from the corps ofappers and miners to the department of public works, at the temporary disposal of His Excellency the Commander in Chief, for service with that corps in the field.

Serjeants Cameron, roads; dean, canals; McMurray, ditto; Wilson, ditto; Douglas, Lo-dianah; Vivian, Benares division; Robertson, Allahabad division; O'Callaghan, ditto; Carr, roads; Bell, ditto; Meldrum, ditto and Bruce, ditto.

The following gentlemen were appointed in the Secret Department, on the undermentioned dates, to the medical charge of the Force serving under Shah Shoojool Moolk.

September 18—Surgeon J. Forsyth, of the 45th Regiment Native Infantry, and Assistant Surgeon P. F. H. Baddley, of the Horse Artillery

September 25—Assistant-Surgeon C. McKinnon, of the Horse Artillery.

SIMLA, OCTOBER, 6.—The Governor General has been pleased to appoint Captain R. Bygrave, of the 5th Regiment Native Infantry, to be Pay Master to the Force under Orders for Field Service. This Appointment will have effect from the 1st proximo.

SIMLA, October 6.—The Right Hon'ble the Governor General has been pleased to appoint Captain St. George D. Showers, of the 72 Regiment Native Infantry, to be an Aide-de-Camp on His Lordship's personal Staff, vice Major J. Byrne.

The Right Hon'ble the Governor General is pleased to appoint Lieutenant John Bonlein, of the 51st Regiment Native Infantry, to be an Assistant in the office of the Surveyor General of India, on a Salary of (200) Two hundred Rupees per Mensem.

SIMLA October 9.—The following Appointments were made in the General Department, North Western Provinces, under date the 8th instant:

Assistant Surgeon H. Sill, of Banda, to be Civil Assistant Surgeon of Humeerpore.

Assistant Surgeon R. W. Faithful, to be Civil Assistant Surgeon of Futtehpore, vice C. Madde, placed at his own request, at the disposal of His Excellency the Commander in Chief.

The Right Hon'ble the Governor General has been pleased to make the following Promotions, in the Army Commissariat Department consequent on the demise of Major J. Satchwell: Captain F. T. Boyd, Assistant Commissary General, 2d Class to be an Assistant of the 1st Class.

Captain H. Doreton, Deputy Assistant Commissary General 1st Class, to be an Assistant of the 2d Class.

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Captain C. Haldane, Deputy Assistant Commissary General 2d Class, to be a Deputy Assistant of the 1st Class.

Captain T. J. Nuthall, Sub-Assistant Commissary General to be a Deputy Assistant of the 2d Class.

SIMLA, October, 12.—The Right Honorable the Governor-General is pleased to promote Jemadar Appaiah Sing, of the 20th Regiment Native Infantry, to be Subadar, and Havildar Shadick Danoo, of the 21st Regiment Native Infantry, to be Jemadar, and to transfer them in those ranks to the infantry portion of the Escort about to accompany Mr. Secretary Macnaghten on his Mission to Afghanistan.

Simla, 16th October, 1838.—The Right Honorable the Governor-General has been pleased to appoint Lieutenant G. Carradjant of the Sylhet Light Infantry Battalion, to act as Aide-de-Camp on His Lordship's personal Staff, during the absence of Ensign W. L. Mackintosh on service with his Regiment.

Simla, Oct. ber, 17.—The Right Honorable the Governor-General has been pleased to appoint Captain W. Alexander, of the 6th regiment of light cavalry, commandant of the 4th regiment of local horse, in the room of Major C. G. Smith, whose services are required for the command of the 3d regiment of light cavalry under orders for duty in the Field.

The Right Honorable the Governor-General has been pleased to appoint Sergeant Major Edward Aldridge, of the 4th regiment of light cavalry, to be riding master to that corps, from the 11th instant, vice Gibson deceased.

W. M. CASEMENT, M. G.
*Secretary to the Govr. of India Military Dept
 with the Rt. Honble the Govr. Genl.*

BY THE COMMANDER IN CHIEF.

Head quarters, Simla, September 13, 1839.—All officers arriving from England, during the present season, are required to proceed and join the corps to which they belong, with all practicable expedition.

The field artillery division order of the 24th ultimo, directing Captain E. F. Day, to proceed from Kurnaul by dawk to Delhi and to enter upon the duties of commandant of ordnance to the force under orders for service, is, with the sanction of the Right Honorable the Governor-General, confirmed.

The Benares division order of the 25th ultimo, directing Garrison Assistant Surgeon J. Barber to officiate as Garrison Surgeon at Chunar, is confirmed as a temporary arrangement.

Conductor T. B. Reilly, of the Delhi magazine, and Sub-conductor H. Hunter, attached to the Agra magazine, are appointed to serve with the artillery under the command of Lieutenant Colonel C. Graham.

Mr. Hunter will be sent to Kurnaul, in charge of the small arm ammunition about to be drawn from Agra.

His Excellency the Commander in Chief is pleased to make the following appointment:

16th Regiment of native infantry.—Lieutenant J. H. Burnett to be interpreter and quartermaster, vice Mainwaring promoted. Supernumerary Magazine Sergeant James Ross, attached to the Cawnpore magazine, is appointed Park Sergeant in that establishment, vice Fox promoted to sub-conductor.

Quarter Master Sergeant William Harrison, of the 43d native infantry, is appointed sergeant major to the regiment, vice Staerck promoted to Sub-Conductor.

Sergeant Patrick Sharkay, of the 1st company 5th battalion of artillery, is transferred to the town major's list and appointed Quarter Master Sergeant to the 43d regiment of native infantry, vice Harrison.

Quarter Master Sergeant Samuel Tyld, of the 34th native infantry, is appointed sergeant major to the regiment, vice Charde promoted to sub-conductor.

Corporal Thomas Slack, of the 2d company 2d battalion of artillery, is promoted to sergeant, transferred to the town major's list, and appointed quarter master sergeant to the 24th regiment of native infantry, vice Tydd.

The undermentioned officer has leave of absence:
Arracan local battalion, Lieutenant C. L. Edwards, from 8th July to 23d July, in extension to enable him to rejoin.

ENACTING.—In General Orders of the 8th instant, appointing quarter master sergeants to the depots for recruits, for Corporal John Bannantine, read Corporal John Bannantine, of the European regiment.

The order books to be corrected accordingly.

A committee of horse artillery and cavalry officers will assemble at the Haupper stud on the 2d proximo, for the purpose of passing into the service, such colts as may be presented by the superintendent, and considered by the committee fit for military purposes.

The Major General commanding the Meerut division will be pleased to nominate the president and members.

The Benares division order of the 29th ultimo, directing Sub-Conductor J. Ives, of the Chunar magazine, to proceed by water and to do duty in the magazine at Allahabad, until further orders, is confirmed.

The following removals and postings to have effect in the regiment of artillery:

1st Lieutenant J. Anderson, from the 4th to the 2d troop 2d brigade horse artillery.

2d Lieutenant F. Turner, from the 2d to the 4th troop 2d brigade.

Assistant Surgeon Knox, of Her Majesty's 3d light dragoons is appointed to the medical charge of the convalescent depot at landour, vice Assistant Surgeon Robertson, of Her Majesty's 13th light infantry, who is permitted to rejoin the regiment to which he belongs, and which is under orders for field service.

Kurroon Buech having been examined by the standing medical committee at Meerut, and declared to be qualified for the situation, is appointed a Native Doctor, and placed at the disposal of Superintending Surgeon G. Playfair.

Head-quarters, Simla, September 11.—Captain A. W. L. Maclean of the 67th regiment native infantry, is appointed to the command of the battalion of recruits, directed in General Orders of the 8th inst. at to be stationed at Meerut, and he is required to proceed and join forthwith.

Head quarters, Simla, September 15.—Lieutenant E. Garrett, of the 6th regiment native infantry is appointed to do duty with the Ramroth light infantry battalion, and directed to join at the termination of his present leave.

Assistant Surgeon J. Steel, M. D. who was placed at the disposal of His Excellency the Commander in Chief in General Orders by the Right Honorable the Governor-General, of the 24th ultimo, is directed to proceed forthwith and join the 27th regiment native infantry at Kurnaul.

Assistant Surgeon F. Fleming, at present in medical charge of that corps, on being relieved by Dr. Steel, will repair to Nussereabad, and do duty with the 52d regiment native infantry at that station.

Assistant Surgeon G. Rae, recently placed at the disposal of His Excellency the Commander in Chief, is directed to proceed to Cawnpore, and to do duty under the orders of the Superintending Surgeon at that station.

Ensign J. D. Williams, of the 69th, is, at his own request removed to the 44th regiment native infantry, as the junior of his rank.

Cornet John James Galloway, who was brought on the effective strength in Government General Orders of the 27th ultimo, is posted to the 2d regiment of light cavalry at Meerut, and directed to join.

Ensign Powell John Comyn to whom rank was assigned in Government General Orders No. 116, of the 6th ultimo, is posted to the 56th regiment of native infantry at Allahabad, to fill a vacancy.

His Excellency the Commander in Chief is pleased to order the following removals and postings of warrant officers in the ordnance department:

Conductor Joseph V. J. Ball, from the Cawnpore to the Delhi magazine.

Sub-Conductor John Harrison, from the arsenal of Fort William to the Delhi magazine.

Sub Conductors Robert Tibbary and Bryn Caroline, from the arsenal at Fort William to the Allahabad magazine.

Sub Conductor William McKelvey, from the arsenal in Fort William to the Ajmere magazine.

Headquarters, Simla, September 17.—The 8th division order of the 31st July last, directing an additional dooly, with beasts, to be supplied for the use of Her Majesty's 13th light infantry, is confirmed as a temporary arrangement.

The regimental order by Lieutenant Colonel C. B. Skardon dated the 29th ultimo, directing Lieutenant E. S. Lloyd to act as Adjutant to the 49th regiment of native infantry, vice Codrington, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointment:

49th Regiment of native infantry.—Lieutenant E. S. Lloyd to be Adjutant, vice Codrington appointed to a situation by Government.

Surgeon W. S. Charlton, M. D. is removed from the 61st regiment native infantry, and posted to the 1st brigade of horse artillery, but he will continue to do duty with the former corps until the 1st of November next.

Assistant Surgeon C. McKinnon, M. D. is posted to the 2d troop,

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2d brigade horse artillery vice Christopher relieved from the duty.

The appointment in General Orders of the 11th ultimo, of acting sergeant P Kerr, of the 4th battalion of artillery, to be quartermaster sergeant to the 68th regiment native infantry, is cancelled.

The undermentioned officer has leave of absence:

30th Regiment native infantry.—Captain E T Milner, from 5th November to 31st December in extension, to enable him to rejoin.

Head Quarters, Simla, September 18.—Instances having from time to time occurred of native prisoners, under sentence of heavy punishments, effecting their escape from custody employed to conduct them to their destination, His Excellency the Commander in Chief deems it necessary to call the attention of general officers, and officers holding commands, to the subject, and to direct, that, in future, hand cuffs shall in variously be furnished to the commissioned or non-commissioned officer, proceeding in command of a party, having in his charge convicts under sentence of death transportation, or other heavy punishment, to be used according to his discretion during the day, or on the march; but always to be placed on the prisoners at sunset.

Double sentries are likewise to be planted; and a light is to be kept burning throughout the night. The commissariat department is to be required to make arrangements for the supply of fuel for a lamp, and the officer in charge of the department of public works to provide hand-cuffs, before a party intrusted with the duty quits cantonments.

The Sahud division order of the 25th ultimo, directing Assistant Apothecary A Beaton, of the 1st troop 1st brigade, and Apprentice P MacDonald, of the left wing 2d battalion of artillery, to proceed with a detachment of European invalids to Meerut, is confirmed.

The following officers having obtained permission to join their regiments proceeding on field service, are directed to join their corps, at Kurnaul, by the 31st proximo.

2d regiment light cavalry.—Captain H Hay, Brigade Major, Rohilkhand.

3d regiment light cavalry.—Lieutenant G A Brownlow, Deputy Assistant Adjutant General, Sahud division.

2d regiment native infantry.—Lieut. J. Shaw, Adjutant, 1st regiment Oude auxiliary infantry.

5th regiment native infantry.—Captain J. Jarvis, Pay Master of native prisoners in Oude.

5th regiment native infantry.—Lieutenant A. F. C. Deas, 1st regiment Oude auxiliary infantry.

16th regiment native infantry.—Lieutenant J. Hopp, Adjutant, 2d regiment Oude auxiliary infantry.

16th regiment native infantry.—Lieutenant F. B. Bosanquet, acting Adjutant, Hurrmah light infantry.

16th regiment native infantry.—Ensign A. Dallas, 2d regiment Oude auxiliary infantry.

31st regiment native infantry.—Captain J. S. H. Weston, Deputy Judge Advocate General Meerut division.

35th regiment native infantry.—Lieutenant G. Wyndham, acting Interpreter and Quarter Master 7th regiment light cavalry.

37th regiment native infantry.—Captain A. C. Spottiswoode, Sub Assistant, stud department.

42d regiment native infantry.—Lieutenant G. Campbell, Deputy Pay Master, Cawnpore division.

42d regiment native infantry.—Lieutenant J. H. Phillips, Assistant to the Governor General's agent, Delhi.

53d regiment native infantry.—Ensign H. Ramsay, A. D. C. to Major General the Hon. Ramsay.

The undermentioned officer has leave of absence:

2d Company 3d battalion artillery.—Capt. G. G. Dennis, from 24th August to 24th January 1839, terminum at Mussoorie, and proceed to the presidency, preparatory to applying for furlough on medical certificate.

N. B. This cancels the unexpired portion of leave granted in General Orders of the 23d of June last.

Head quarters, Simla, September 19th 1838.—Brigadier H Bowen, on being relieved from the command of the Malwa field force, will proceed to Barrackpore, and assume command of the troops at that station.

Brigadier G. Pollock, C. B., on being relieved from the charge of the Dinapore division, will repair to Agra, and assume command of the troops in that district, in the room of Brigadier Cartwright, whose tour as a brigadier on the staff will terminate on the 23d instant; and who will deliver over command of the troops under his orders to the next senior officer serving with them.

Brigade Major C. Chespe is appointed to the station of Meerut and will proceed and join on the force at Meerut being relieved by details from the Bombay army.

His Excellency the commander in Chief is pleased to make the following removals and postings:

Colonel F. J. T. Johnson, (Brigadier on the staff) from the 3d to the 2d regiment of light cavalry.

Colonel T. Shubrick, (on furlough) from the 7th to the 3d regiment of light cavalry.

Colonel H. T. Roberts C. B., new promotion, (in the Nizam's service) to the 7th regiment of light cavalry.

Lieut. Col E. J. Honeywood, (on furlough) from the 7th to the 5th regiment of light cavalry.

Lieutenant Colonel G. J. Shadwell, new promotion, to the 7th regiment of light cavalry.

The undermentioned officers have leave of absence:

51st regiment native infantry.—Major J. Trelawny, from 20th October to 20th December, in extension, to remain at the Presidency.

21st regiment native infantry.—Ensign J. Chambers, from 13th September to 13th September 1839, to visit the hills north of Deyrah Dhoon, on medical certificate.

Head Quarters, Simla, September 19.—The field artillery division order of the 10th instant, by Lieutenant Colonel G. Graham, directing the following men, of the left wing 2d battalion of artillery, to proceed to Delhi, and act, under the orders of Captain Day, in the situations specified opposite their names, is confirmed: Drill Corporal Peter Ryan, as Park Sergeant.

Ganners James Crank, of the 2d, and Patrick Keys, of the 4th company, as laboratory-men.

His Excellency the Commander in Chief is pleased to make the following appointment:

41th Regiment of Native Infantry.—Lieutenant J. Anderson to be Adjutant, vice Woodburn promoted.

Head Quarters, Simla, September 20.—His Excellency the Commander in Chief is pleased to order the following removals and postings:

Lieutenant Colonel T. J. Anquetil, (on staff employ) from the 4th to the 6th regiment of native infantry.

Lieutenant Colonel S. Speck, new promotion, to the 4th regiment of native infantry.

Lieutenant W. Morrison is appointed to act as Adjutant to the 34th regiment of native infantry until further orders.

Ensign George Regimington Cookson, to whom rank was assigned in Government General Orders No. 116, of the 6th ultimo, is posted to the 4th regiment of native infantry at Goruckpore, to fill a vacancy, and directed to join.

Head quarters, Simla, September 22.—His Excellency the Commander in Chief is pleased to make the following appointments:

1st Regiment of Native Infantry.—Ensign G. P. Goad to be Interpreter and Quarter Master.

42d Regiment of Native Infantry.—Lieutenant J. S. Knox to be Interpreter and Quarter Master, vice Dayell promoted.

Lieutenant W. G. Don, of the 43d regiment native infantry, Adjutant of the Bhagulpore hill rangers, is directed to proceed forthwith, and join the regiment to which he belongs, and which is under orders for field service.

Lieutenant E. P. Master, of the 2d company 1st battalion of artillery, at present doing duty at Delhi, is directed to proceed forthwith, and join the company to which he belongs.

Veterinary Surgeon W. P. Barrett, of the 1st brigade of horse artillery, will do duty with the artillery under orders for field service.

The undermentioned officers have leave of absence:

5th Regiment Native Infantry.—Lieutenant R. Dawson, from 1st September to 4th September in extension, to enable him to rejoin.

27th Regiment Native Infantry.—Lieutenant D. Lumsden, from 15th September to 31st October, to visit Mussoorie, on medical certificate.

Head quarters, Simla, September 23.—Assistant Surgeon L. T. Watson, at present at Cawnpore, is directed to proceed to Agra, and do duty under the orders of the Superintending Surgeon at that station.

Mirza Ally Beg, Native Doctor, employed under Assistant Surgeon C. B. Handyside, M. D. at Simla, is posted to the 3d troop 2d brigade of horse artillery, and directed to proceed and join at Meerut.

The undermentioned officer has leave of absence:

3d Battalion Artillery, Lieutenant (Adjutant and Quarter Master) E. Sunderland, from 26th October, to 26th October 1839, to visit the hills north of Deyrah, on medical certificate.

Head quarters, Simla, September 27.—The Delhi field battery order of the 11th instant, by Major F. L. Few, directing Captain A. Abbott to entertain two forge establishments and four moolchies, for the purpose of making up 30 sets of camel harness, is confirmed.

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His Excellency the Commander in Chief is pleased, with the sanction of the Right Honorable the Governor General, to direct the 1st and 4th regiments of local horse to be formed into a brigade, and to be attached to the force warranted for field service.

Colonel J. Skinner, C. B. is appointed a Brigadier of the 2 class, and nominated to the command of the brigade, and Lieutenant T. F. Tait, Adjutant of the 4th regiment of local horse is appointed its Brigade Major.

These appointments are to have effect from the 1st November next, from which date Major C. C. Smyth, commanding the 4th regiment of local horse, will, report his progress to, and receive his orders from, Colonel Skinner.

Colonel Skinner will exercise the command of the 1st regiment of local horse, in addition to that of his brigade.

His Excellency the Commander in Chief is pleased to make the following appointments.

Lieutenant T. F. Tait, of the 25th regiment native infantry Adjutant, 4th Local Horse, to be 2d in command to the 3d regiment of local horse, vice Barber, who has been permitted to resign that situation.

Ensign W. H. Ryves, of the 61st regiment native infantry, Adjutant, 3d local horse, to be Adjutant to the 4th regiment of local horse, vice Tait.

Cornet Edward Harvey, of the 10th regiment light cavalry to be Adjutant to the 3d local horse, vice Ryves, and to act as 2d in command to the corps during the absence, on field service of Lieutenant Tait.

The following officers, of engineers, having been placed at the disposal of His Excellency the Commander in Chief, in General Orders by the Right Honorable the Governor General, dated the 21st inst. are directed to do duty with the force under orders for B. 11 s. 107, in the situations specified opposite their respective names, and will join according to the instructions they may receive from the commanding engineer, Captain G. Thomson.

1st Lieutenant J. Anderson, Surveyer.

1st Lieutenant H. M. Durand, Surveyor.

2d Lieutenant J. E. D. Start, to command a company of sappers and miners.

2d Lieutenant A. C. McLeod, to command a company of sappers and miners.

1st Lieutenant J. R. Watson, who was placed at His Excellency's disposal in the same General Order, will do duty with the companies of sappers and miners ordered to stand fast at Delhi.

Lieutenant H. W. Matthews, of the 43d regiment of native infantry, Adjutant of the Assam Subunitary corps, has the permission of His Excellency the Commander in Chief to proceed and join the regiment to which he belongs, and which is under orders for field service.

Muthoora Singh, Native Doctor, for who was directed in Cawnpore division orders of the 29th of April 1834, to do duty in the jail hospital at Futtenghur, is directed to be sent to Barrackpore for employment under the Superintending Surgeon at that station.

Ednaam Bux is entertained as a Native Doctor, from this date, and directed to relieve Muthoora Singh from his duties at Futtenghur.

Choonie Sing, Native Doctor, at present doing duty at Azimghur, is directed to be sent to join the force under orders for field service, with instructions to report himself to Superintending Surgeon G. Playfair.

Head-quarters, Simla, September 29.—William Tomasson, late an Hospital Apprentice, but who was allowed his discharge in General Orders of the 15th February last, is restored to the service, from this date, and appointed to the hospital of the European regiment.

Medical department.—Asst Surgeon G. E. Christopher, from 15th September to 15th December, to visit the hills north of Dehra, on medical certificate.

The Presidency division order of the 7th instant, directing Assistant Surgeon G. J. Berwick, M. D. of the 12th regiment native infantry to repair to Hazra reebaugh or the nearest station to Gynb in the line of route from Naugor to Berhampore, and await the arrival of the 67th regiment native infantry, on its march from the former to the latter cantonment, and proceed in medical charge of the corps to its destination, is confirmed.

The Benares division order of the 26th of July last, permitting Lieutenant P. W. Willis, executive engineer, 6th division of public works, to proceed to the presidency, in anticipation of leave, on medical certificate, and directing Lieutenant G. C. Frost, of the 18th regiment native infantry, to take charge of the division, and conduct the current duties of that department, until further orders, is, with the sanction of Government confirmed.

The undermentioned Cawnpore artillery division orders of the 18th instant are confirmed as temporary arrangements:

Directing 2d Lieutenant R. Warburton, of the 4th company 5th, and acting as Interpreter and Quarter Master to the 6th

battalion, to rejoin his own battalion, and act as Adjutant and Quarter Master during the period that Lieutenant G. S. Reid may continue in command of it.

Directing Lieutenant and Brevet Captain J. H. McDonald, Adjutant, 5th battalion, to act as quarter master, and 2d Lieutenant R. Warburton, of the 4th company 5th, to conduct the duties of Interpreter of the 6th battalion, until the arrival of Lieut Interpreter and quarter master F. A. Miles.

The following orders, dated the 13th ultimo, by Captain F. V. McGrath, commanding the Arracau local battalion, are confirmed:

Appointing Lieutenant C. Apthorp to act as Adjutant, during the absence of Lieutenant and Adjutant R. N. Raikes, or until further orders, and directing Ensign F. M. Baker, doing duty with the battalion, to act as Adjutant, till such time as Lieutenant Apthorp, who is on command at Santoway, can join the usual quarters of the battalion.

Directing Ensign F. M. Baker to take charge of the artillery detachment and all or inance attached to the battalion from Lieutenant R. H. Baldwin, as a temporary arrangement.

The Meywar artillery division order of the 8th instant, appointing 2d Lieutenant W. Paley of the 6th company 6th battalion, to act as adjutant and quarter master to the division, during the employment of Brevet Captain J. F. Lane in the department of public works, or until further orders, is confirmed.

His Excellency the Commander in Chief is pleased to make the following removals and postings:

Lieutenant Colonel and Brevet Colonel W. Duhal, (quarter master general of the army) from the 7d to the 7th regiment of native infantry.

Lieutenant Colonel H. Ross, from the 7th to the 2d regiment of native infantry.

Ensign Frederick Cooper Tombs, at his own request, removed from the 18th to the 19th regiment of native infantry, as junior of his rank.

Ensign Harry Burnett Lowndes, to whom rank was assigned in Government General Orders No 116, of the 6th ultimo, is posted to the 18th regiment of native infantry at Benares, to fill a vacancy.

Surgeon A. Murray, M. D. (on furlough) is removed from the 11th to the 11th regiment of native infantry.

Surgeon J. P. Pasgrave, new promotion, is posted to the 4th regiment of native infantry.

The following non-commissioned officers, of the regiment of artillery, are transferred to the town major's list, and appointed quarter master sergeants to the corps specified opposite to their respective names:

Sergeant James Connor, of the 2d company 1st battalion to the 6th regiment of native infantry at Cuttack, vice Wilson deceased.

Sergeant David Henderson, of the 3d company 4th battalion, to the 8th regiment of native infantry at Bareilly, vice Campbell appointed sergeant major to the recruit depot at Kurnool.

Sergeant Robert Geary, of the 1st company 3d battalion, to the 10th regiment of native infantry at Lucknow, vice Tailton appointed Sergeant Major.

Sergeant Maurice Lane, of the 1st company 2d battalion, to the 23d regiment of native infantry at Agra, vice Chawley appointed Sergeant Major to the recruit depot of Meerut.

Sergeant William Muntz, of the 1st company 3d battalion of the 5th regiment of native infantry at Lucknow, vice Fitzmaurice, who has been permitted to return to the artillery.

Sergeant Mathew Halloran, of the 2d company 4th battalion, to the 68th regiment of native infantry of Allahabad, vice Kerr, whose appointment has been cancelled.

Corporal William Bakes, of the 1st company 1st battalion, to the Raingurh battalion, vice Scamling deceased.

Corporal Bakes is promoted to the rank of sergeant.

The undermentioned officers have leave of absence: 61st regiment native infantry.—Major W. Gregory, from 21st July to 21st Sept., to remain at the presidency, on medical certificate.

67th regiment native infantry.—Lieutenant R. N. Raikes, (late Adjutant, Arracau local battalion) from 14th August to 14th Nov., to proceed to Calcutta, on medical certificate.

Artillery.—Lieutenant R. H. Baldwin, attached to the Arracau local battalion, from 13th August to 13th October, to visit Calcutta, on medical certificate.

Subordinate medical department.—Assistant Apothecary C. A. Carr, attached to the 1st company 3d battalion of artillery, from 1st Nov. to 1st Nov. 1833, to visit the hills north of Dehra, on medical certificate.

Head-quarters Simla, September 29th.—1. Instances having recently occurred of native soldiers, who have filled the offices of pay Havildars, having been tempted to commit breaches of trust by the too great confidence reposed in them, or by the careless manner in which pecuniary transactions have been conducted between them and their employers, His Excellency the Commander in Chief deems it necessary to call the attention of officers to the subject.

GENERAL REGISTER.

2. The instances to which His Excellency alludes have arisen from officers depositing their private funds in the Company's treasure chest, without any written memorandum of the transaction being given to, or taken from the Pay Havildar.

3. It is hereafter to be considered a standing order, that no such transaction is the lodging of money in a company's treasure chest, or the withdrawing of any part of the same, is ever to occur, without a written memorandum passing between the parties concerned.

4. A book ought to be kept by the pay Havildar, in which every pecuniary transaction should be entered, testified by the signature of each party; which book ought to form the proof produced before a court of inquiry, or a court martial, when pecuniary differences become the subject of investigation.

His Excellency the Commander in Chief is pleased to order the following removals and postings in the regiment of artillery:

Captain A. Wilson, (illuminating Assistant Adjutant General Artillery,) from the 1st company 3d, to the 1st company 6th battalion.

Captain P. A. Torkler, from the 6th company 7th, to the 4th company 3d battalion.

Captain the Honorable H. B. Dalzell, (commissary of ordnance) from the 1st company 3d, to the 6th company 7th battalion.

Captain F. R. Howell, new promotion, (on furlough) to the 2d company 7th battalion.

Captain J. E. Lane, new promotion, to the 1st company 3d battalion.

1st Lieutenant and Brevet Captain G. H. Swinley, Adjutant and Quarter Master, 3d brigade, to the 1st troop 3d brigade.

1st Lieutenant R. Waller, from the 3d to the 1st troop 1st brigade.

1st Lieutenant J. Brink, (assistant revenue surveyor) from the 7th company 6th to the 3d company 2d battalion.

1st Lieutenant A. B. Jones, (on staff employ) from the 1st troop 1st brigade to the 3d company 7th battalion.

1st Lieutenant R. C. Shakespeare, (assistant revenue surveyor) from the 3d to the 2d company 6th battalion.

1st Lieutenant A. C. Hutchinson, acting Adjutant, left wing 2d battalion, to the 3d company 2d battalion.

1st Lieutenant W. Barr, new promotion, to the 2d company, 2d battalion.

1st Lieutenant G. P. Salmon, new promotion, to the 1st company battalion.

2d Lieutenant E. K. Nancy, from the 1st company 1st battalion to the 3d troop 1st brigade.

2d Lieutenant H. P. de Feussier, unattached, to the 2d company 1st battalion.

2d Lieutenant R. R. Bruce, unattached, to the 3d company 1st battalion.

1st Lieutenant and Brevet Captain H. M. Lawrence, and 1st Lieutenants J. Brink and R. C. Shakespeare, of the regiment of artillery, are attached to the revenue survey, who were placed at the disposal of His Excellency the Commander in Chief, in General Orders by the Right Honorable the Governor-General, dated the 23d instant, will proceed forthwith and join the troop and companies to which they respectively belong, and which have been warned for field service.

The nomination of Corporal John Ballantine to the situation of quarter master sergeant to the recruit depot at Kurnaul, in General Orders of the 5th instant, is cancelled; and Corporal William Pigott, of the European regiment, is transferred to the Town Major's list, promoted to Sergeant, and appointed quarter master sergeant to the kurnaul depot, in his stead.

The undermentioned officer has leave of absence—
22d Regiment Native Infantry, Surgeon H. Clark, from 1st November to 1st February 1839, to visit Serocbee, on medical certificate, preparatory to applying for Farouh by Bombay.

Head quarters, Simla, October, 1.—It is shown by the monthly returns for August, that the attention of officers commanding some of the regiments of light cavalry is much required to the estate of the equipment of their officers in horses.

No less than 38 officers' charges appear to be deficient in the 1st, 2d 7th, 9th and 10th regiments.

The Commander-in-Chief desires that this may be rectified; and he requests that the inspecting officers, at the periodical inspections, will direct their attention to the point.

His Excellency the Commander-in-Chief is pleased with the sanction of the Right Honorable the Governor-General, to authorize and increase (during the continuance of the service for which it has been warranted) of 22 camels and Sirdar and 22 sowers to the establishment of No. 6 light field battery.

The Allahabad garrison order of the 9th ultimo, directing Capt. J. P. Hickman, Fort Adjutant, to receive charge of the office, and conduct the current duties, of adjutant of native invalids and

Pay Master of native pensioners, on the departure of Captain (revoked), to join his regiment, proceeding on service, is confirmed as a temporary arrangement.

Private John Glasheen, of the European regiment, is transferred to the regiment of artillery, and directed to join the left wing of the 4th battalion at Agra.

Gunner John Charles Lowe, of the artillery invalids, is permitted to reside and draw his pay and batta at the Presidency.

Sewdut Opndieah, Native Doctor, of the 53d regiment of native infantry, is placed under the orders of the civil assistant surgeon at Moradabad, for the duties of the jail at that station, vice Shauk Soobraty, who is transferred to the 53d regiment.

The undermentioned individuals having been examined, and declared to be qualified, are appointed Native Doctors.

Soobraty, head compounder in the hospital of Her Majesty's 53d regiment.

Ganput Sing, attached to the hospital of the 1st regiment of native infantry.

Head quarters, Simla, October 3 1838.—Staff Sergeant Thomas Wilson, of the 3d troops 2d brigade of horse artillery, is appointed Provost Marshal to the force under orders for field service, and Quarter Master Sergeant William Purry, of the European regiment, is appointed Deputy Provost Marshal to the same force, and posted to the 2d division of infantry.

These appointments are to have effect from the 1st proximo.

Head quarters, Simla, October 5, 1838.—The following Medical division orders of the 5th and 2d ultimo, are confirmed.

Surgeon W. Grime, of the 53d regiment of native infantry, (now of the 26th regiment) to the medical charge of the invalids proceeding to the Presidency by water under the command of Captain Meredith, of Her Majesty's 15th light infantry, and Apothecary C. Lombard and Assistant Steward A. W. Wallace to do duty with the detachment.

Head quarters, September 21.—Surgeon J. Thomson of the 26th regiment of light cavalry, to afford medical aid to the 26th regiment of native infantry, in the room of surgeon Grime proceeding to the Presidency, on leave of absence, and in medical charge of the invalids of the season.

The regimental order issued to the 46th regiment native infantry, on the 6th ultimo, directing Captain H. W. Butt to continue to act as Adjutant to that corps, is confirmed as a temporary arrangement.

Ensign W. Richardson, of the 73d, is appointed to act as interpreter and Quarter Master to the 3d regiment of native infantry, during the absence, on leave of Lieutenant Pott, or until further orders.

Hafizuth Allie Khan having been examined by the standing medical committee at Meerut, and found qualified for the situation of Native Doctor, is admitted into the service, and placed under the orders of Superintending Surgeon G. Playfair.

The undermentioned officer has leave of absence:

24th regiment native infantry—Lieutenant A. Q. Hopper, late acting Interpreter and Quarter Master 9th N. I., from 24th August to 10th November, to visit the Presidency on medical certificate.

GENERAL ORDER TO THE QUEEN'S TROOPS.

Head Quarters, Simla September, 12, 1838.—No 160.—The Queen has been graciously pleased to approve of Lieutenant General Sir Jasper Nicolls, K. C. B., being placed on the staff of the Army serving in the East Indies, with a view of succeeding Lieutenant General Sir Peregrine Maitland, K. C. B., at the Presidency of Fort St. George.

The leave of absence granted by Major General Sir Willoughby Cotton, C. B. and K. C. H., to Lieutenant and Brevet Captain Fairmont, 9th Foot, to proceed to England, for 2 years from the date of embarkation on Medical certificate, is confirmed.

The Regimental order by the officer commanding the 9th Foot, dated 11th ultimo, directing Lieutenant and acting Adjutant Robinson to proceed to Calcutta, by water, on court martial duty, is confirmed.

The undermentioned officers have leave of absence:

16th Lancers—Lieutenant W. S. O'Grady, to England, for 2 years from the 6th instant, on Medical certificate.

16th Foot—Lieutenant C. J. Carter, in extension, from the 15th to the 30th instant, to enable him to join.

No. 161.—His Excellency the Commander in Chief is pleased to make the following appointment of officers of Her Majesty's service, for the staff duties of the Troops under Orders for service in the Field:

GENERAL STAFF.

His Excellency General Sir H. Fane, G. C. B., Commander in Chief in India to command the force,

GENERAL REGISTER

Colonel M. Beresford military secretary.
 Lieut Col H Fane, 11th light dragoons,
 Captain J. Mitchell, 3d Buffs
 Lieutenant H Fane, 17th Foot,
 Lieutenant R. H. Yea, 7th ,

Aides-de-Camp.

Doctor A Wood, 3d light dragoons, surgeon.
 Major J. Byrne, 31st Foot, Assistant Adjutant General.
 Major General Sir Willoughby Cotton, C. B. and K. G. H.
 Captain Willoughby Cotton, 44th Regiment, Aide-de-Camp.
 16th Lieut Dragoons. (Lancers) — Brevet Colonel and Lieuten-
 ant Colonel Arnold to be Brigadier.
 Brevet Captain and Lieutenant Havelock to be Brigade Ma-
 jor.
 3d Regiment, (Buffs.) — Brevet Colonel and Lieutenant Colonel
 Dennis to be Brigadier.

13th Regiment, (Light Infantrv.) — Brevet Colonel and Lieuten-
 ant Colonel Sale, C. B., to be Brigadier.

Brevet Major Fquire, to be Brigade Major.

Assistant Surgeon Ross, of Her Majesty's 16th Lancers, to be
 Medical Store Keeper to the Troops

The above Appointments to take effect from the 1st of Novem-
 ber next.

The Officers Commanding Her Majesty's 16th Lancers and 3d
 Bu fs, will forward to Head-Quarters, the names of Non Commis-
 sioned Officers of their corps, the first, to fill the Office of Pro-
 vost Marshall, the second, for that of Assistant Baggage Master.

The Officers named to Staff situations, will refer to the General.
 Orders issued to the Bengal Army, on the 13th instant, for the
 details of their respective brigades

Head Quarters, Simla, September 20th — No. 162 — Her
 Majesty has been pleased to appoint the following Officers to take
 Rank, by Brevet, as undermentioned The commissions to be
 dated 28th June 1838

To be General in the Army. — Lieutenant General Sir John
 Orms by Vandeleur, G. C. B.

To be Lieutenant Generals in the Army — Major Generals Sir
 John Macdonald, K. C. B. ; Sir John Colborne, G. C. B.

To be Colonels in the Army — Lieutenant Colonels Mildmay
 Fane, 5th Foot ; John W. Caskill, 9th ditto ; James Dennis, 3d
 ditto ; Robert Henry Sale, 15th ditto ; John Gregory Baumgardt,
 2d ditto ; Thomas Valiant, 49th ditto. Richard England, 41st
 ditto.

To be Lieutenant Colonels in the Army — Majors John Alegg,
 9th Foot ; Donald Urquhart, 39th ditto ; William Wilkinson,
 49th ditto.

To be Majors in the Army. — Captains John Bonamy, 6th Foot ;
 James Tomlinson, 16th Light Dragoons ; Henry Bunt, 3d ditto ;
 James Spencer, 3rd Foot ; Robert Browne, 16th ditto ; James
 Jackson, 57th ditto ; Charles Douglas, 9th ditto ; John Dalzel,
 6th ditto ; Harcourt Master, 4th Light Dragoons ; George Car-
 penter, 1st Foot ; George Hogarth, 26th ditto

The Commander in Chief in India has been pleased to make
 the following Promotions and Appointments until Her Majesty's
 pleasure shall be known :

1st Foot. — Ensign James Eiman to be Lieutenant, without
 purchase, vice Morris deceased, 15th August 1838.

Ensign William Burns to be Quarter Master, vice Gibson de-
 ceased, 16th August 1838.

49th Foot — Ensign A. R. Shakespeare to be Lieutenant, vice
 O'Callaghan appointed Adjutant, 31st August 1838.

Lieutenant C. O'Callaghan to be Adjutant, vice McEwan
 deceased, 31st August 1838.

The Commander in Chief has been pleased to promote the
 undermentioned Officer to the Rank of Captain, by Brevet, in the
 East Indies only :

16th Lancers. — Lieutenant C. F. Havelock, from the 12th
 December 1836.

The Regimental Order issued by the Officer commanding 31st
 Foot, dated 31st August 1838, directed Lieutenant Logard to
 perform the duties of Quarter Master to the Regiment, during
 the absence of Quarter Master Palmer, on leave is confirmed.

The leave of absence granted by Major General Sir Willoughby
 Cotton, C. B. and K. C. H. to Ensign J. T. Ja English, 31st
 Foot, to proceed to England, for 2 years from date of embark-
 ation, on medical certificate, is confirmed.

The leave of absence granted by His Excellency Lieutenant
 General Sir F. Bantland, K. C. B., to Lieutenant R. N. Tinsley,
 39th Foot, to proceed to England, for 2 years from date of em-
 barkation, on medical certificate is confirmed.

The undermentioned Officers have leave of absence :

3d Foot. — Captain F. M. Kie, from 12th September to 12th
 December next, to Mussoorie, on Medical Certificate.
 16th ditto. — Captain C. Murray, in extension, from 15th April
 1838 to the date of his joining the depot under the Brigade Major,
 Queen's Troops, in compliance with the General Order of the 6th
 instant.

49th ditto. — Lieutenant H J Turner, in extension, from 1st
 to 15th September, to enable him to rejoin.
 Ditto. — Ensign H. S. Michell, from 2d to 15th September,
 ditto ditto.

Head quarters, Simla, September 22. — No. 163 — Her Ma-
 jesty has been pleased to make the following Promotions and
 Appointments in the Regiments serving in India :

3d Light Dragoons. — Lieutenant James Cowell, from the 11th
 Light Dragoons, to be Lieutenant, vice Forrest, whose appoint-
 ment has not taken place, 30th July 1837.

Lieutenant Hon'ble Charles Powys, from the 16th Light Dra-
 goons, to be Lieutenant, vice Burridge, who exchanges, 13th
 November 1837.

4th Light Dragoons. — Lieutenant Edward Ingo, from the
 13th Regiment of Foot, to be Lieutenant, vice Cowell, whose
 appointment has not taken place, 5th July 1835.

Cornet Alexander Low to be Lieutenant, by purchase, vice
 Pax on promotion, 6th July

William Augustus Hyde, gent to be Cornet by purchase,
 vice Low, 6th July.

16th Light Dragoons. — Lieutenant John Osborne Burridge,
 from the 3d Light Dragoons, to be Lieutenant, vice Powys, who
 exchanges, 13th November 1837.

2d Foot. — Ensign William Robert Lewis, from the 4th Foot,
 to be Lieutenant, without purchase, vice Cuyler Cashiered by
 the Sentence of a General Court Martial, 26th June 1838.

3d Foot. — Captain James Oliphant Clunie, from the 17th Regi-
 ment of Foot, to be Major, by purchase, vice Hall promoted in the
 17th Regiment of Foot, 23d June 1838.

4th Foot. — Lieutenant Raleigh Henry Yea, from the 7th Regi-
 ment of Foot, to be Lieutenant, vice Maclean, who exchanges
 17th June 1838.

6th Foot. — Lieutenant George Hughes Messier, from the 69th
 Regiment of Foot, to be Lieutenant vice Macdonald, who ex-
 changes, 26th June 1838.

13th Foot. — Lieutenant and Ad-
 jutant Henry Havelock to be Cap-
 tain, without purchase, vice Chad-
 wick deceased, 5th June
 Ensign Hon'ble Emilius J. W.
 Forester to be Lieutenant, without
 purchase, vice Wade appointed
 Adjutant, 5th June 1838

Ensign James Colborne, from the 24th Regiment of Foot, to be
 Lieutenant, without purchase, vice Keating dismissed by the sen-
 tence of a General Court Martial, 26th June 1838

Ensign William Cox, gent. to be Ensign, vice Forester, 26th June
 1838.
 Lieutenant Humlet Wade to be Adjutant, vice Havelock pro-
 moted, 5th June 1838.

17th Foot. — Colonel David Williams, Inspecting Field Officer
 of a Recruiting District, to be Lieutenant Colonel, vice Desard
 appointed Inspecting Field Officer, 24th June 1838.

Major Thomas Hall from the 3d Regiment of Foot, to be Lieuten-
 ant Colonel, by purchase, vice Williams, who retires, 23d June
 1838.

26th Foot. — Ensign John Rodgers to be Lieutenant, by pur-
 chase, vice Lynch, who retires, 18th May 1838.

Ensign George Sweeney to be Lieutenant, by purchase, vice
 Maule, who retires, 26th June 1838.

Richard Palmer Sharp, gent. to be Ensign, by purchase, vice
 Roger, 18th May 1838.

Alfred Robert Murgyn, gent. to be Ensign, by purchase, vice
 Sweeney, 5th June 1838.

41st Foot. — Lieutenant John Wallace, from the 94th Regiment
 of Foot, to be Lieutenant, vice Jones, who exchanges, 15th June
 1838.

44th Foot. — Ensign Edward Sandford Cumberland to be Lieut-
 enant, by purchase, vice Fennell, who retires, 18th May 1838.

Edward Thomas Roberts, gent. to be Ensign, by purchase, vice
 Cumberland, 18th May 1838.

Livingston Mitchell, gent. to be Ensign, without purchase, vice
 Kipling appointed Adjutant, 26th June 1838.

Ensign Robert Kipling to be Adjutant, vice Codd appointed to
 the 3d Light Dragoons, 27th December 1837.

57th Foot. — Ensign Edward Alexander Thomas Lynch to be
 Lieutenant, by purchase vice Sullivan, who retires, 6th July 1838.

Henry Wilkes Masterson, gent. to be Ensign, by purchase, vice
 Lynch, 6th July 1838.

63. Foot. — Captain George Green, from the 38th Regiment of
 Foot to be Captain, vice Adamson, who exchanges, 15th June
 1838.

Captain Alexander Edgar, from the 2d West India Regiment, to
 be Captain, vice Williamson appointed to the 92d Foot, 26th June
 1838.

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Ensign James Richard Lysaght to be Lieutenant, by purchase, vice Jones, who retires 6th July 1833.

Stephen Francis Charles Annesley, sent to be Ensign, by purchase, vice Lysaght, 6th July 1833.

Unattached—Lieutenant James Llewellyn Paxton, from the 4th Light Dragoons, to be Captain, by purchase, 6th July 1833.

Memoranda—The date of the Commission of Ensign Margary, of the 26th Foot, is 26th June 1833, and not 15th June 1833.

Captain James Tomlinson who was promoted to the Brevet Rank of Major, in the Gazette of the 3d July 1833, is of the 11th and not 16th Light Dragoons.

The Commander in-Chief in India has been pleased to make the following promotions until Her Majesty's pleasure shall be known.

13th Foot.—Lieutenant R. M. Meredith to be Captain, without purchase, vice Kelly deceased, 2d September 1833.

Ensign F. G. Christie to be Lieutenant, without purchase vice Shakespeare deceased, 2d September 1833.

Ensign Thomas Oxley to be Lieutenant, without purchase, vice Meredith promoted.

Memorandum—The date of the commission of Lieutenant Lynch, of the 57th Foot promoted in the General Order of the 7th July last, is the 6th of May 1833, and not the 4th of July, as therein stated.

Head quarters Simla, September 27—No. 164—The Queen has been graciously pleased to approve of Major General Sir Robert Henry Dick, K. C. B., being placed on the staff of the army serving in the East Indies, with a view of succeeding Major General Sleigh at Madras.

The leave of absence granted by His Excellency Lieutenant General Sir P. Maitland, K. C. B., to Ensign P. H. Cox, 29th Foot, to proceed to England, for 3 years from date of embarkation, on medical certificate, is confirmed.

The appointment of Ensign Gibson, 41st Foot, to act as quarter master to that corps, from the 16th August last, vice Quarter Master Gibson deceased, is confirmed.

The leave of absence granted to Captain R. Luxmoore, 16th Foot in the General Order of the 30th August last, No. 157 is cancelled at his request.

The undermentioned Officer has leave of absence—

13th Foot.—Major J. Johnson, from 10th October to 15th January next, to proceed to Calcutta, on medical certificate, to appear before a Medical Board.

Head quarters, Simla, October 1—No. 165—His Excellency the Commander in Chief is pleased to direct the publication of the following extract of a letter from the Honourable the Court of Directors, dated the 16th May 1833, received from Government, relating to the annual rate at which out pensioners of Chelsea, residing in India, are hereafter to receive their pensions:

“Our attention having been drawn to the rate at which the out pensioners of Chelsea Hospital, in your Presidency receive their pensions, we have determined that in future such payments shall be made at the rate fixed, annually, for Bills drawn in repayment of advances for the Queen's service in India, and we direct that this rate be observed in all payments made on this account, after the receipt of this despatch at your presidency.”

His Excellency the Commander in Chief in India has been pleased to make the following promotion until Her Majesty's pleasure shall be known:

13th Foot.—Ensign David Ratray to be Lieutenant, by purchase, vice Deane, who retires, 3d October 1833.

Assistant Surgeon S. Currie, H. M. 3d foot, having reported his arrival at Calcutta from England, will proceed to join his corps by Dawk.

The undermentioned officers have leave of absence:

4th Light Dragoons.—Captain Grant, to England.

11th Foot.—Lieutenant C. S. Hext, A. I. I. O., for 2 years from date of embarkation, on urgent private affairs.

6th Foot.—Captain J. Bonamy, ditto, ditto.

By Order of the Commander in Chief.

R. TORRENS, Major General.

Adjt. Genl. to Her Majesty's Forces in India.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE.

Oct. 1st.—English Ship *Indiana Oak*, R. Rayne, from Port Louis 26th August, and Madras 19th September; French Barque *Trident*, Moulinet, from Madras 13th September.

2d.—Arab Ship *Fatle Barry*, Nacoda, from Mocha 14th July, and Alleppey 4th September; Arab Ship *Fyzoboooy*, Nacoda, from Muscat 26th August; French Barque *Eole*, Saunier, from Havre 3d May; French Ship *Sun*, DeMonico, from Bourbon 19th August.

3d.—Arab Ship *Fatle Moharwuk*, Nacoda, from Muscat 25th August; Arab Ship *Solomon Shah*, Nacoda, from ditto, ditto; Arab Ship *Fatle Rokomon*, Nacoda, from Bombay 1st Sept.

4th.—French Ship *Jeane Laure*, James, from Bourbon 19th Aug; English Brig *Sage*, Simon, from Moulmein 20th Sept; French Ship *Pondichery*, Bauvosien, from Bordeaux 6th May, Mauritius 5th August, and Madras 23d September; French Ship *Hoegly*, Jeausolen, from Bourbon 28th August, and Mauritius 6th September.

5th.—French Ship *Eulalie*, Donelle, from the Mauritius 24th August.

7th.—English Brig *Collingwood*, James Downes, from Liverpool 13th June.

9th.—English Ship *England*, F. Kay, from Newcastle 13th May; H. C. Brig *Krishna*, J. Paterson, from Arracan 30th Sept. 10th.—English Brig *Brigand*, D. Wemyss, from Madras 23d, and Manipaliam 30th September, and Vizagapatam 3d Oct.

16th.—English Ship *Seringapatam*, G. Denny, from Porto mouth 1st July, and Madras 2d October; English Barque *Sylph*, T. Viall, from China 26th August, and Singapore 20th September.

19th.—English Ship *Adelaide*, R. De Guffris, from London 1st June, and Madras 4th July; English Schooner *Governor Doherty*, H. Norway, from London 5th March, and Moulmein 5th October; English Brig *Elizabeth*, M. Thaddeus, from Rangoon 25th September; English Schooner *Gwyns*, J. Fairweather, from

Moulmein, 1st ditto; French Barque *Suffren*, V. Edore, from Havre 3d June, and Bourbon 15th September.

22d.—English Barque *Fah on*, D. Austruther, from the Mauritius (no date), totally dismasted on the night of the 18th, in the Eastern Channel.

23d.—English Ship *John*, A. Smith, from Sidney 14th Aug.; H. C. Brig *Lady William Beutick*, Young, from Penang 24th September; English Ship *Plantagenet*, J. Donnett, from Portsmouth 29th June and Madras 4th October; French Ship *Feite Nancy*, C. de Trelo from Bordeaux 4th July; French Ship *Astronomie*, Bernaud, from Bourbon 6th September, and Pondichery 3d October.

25th.—English Bark *Swallow*, MacIntier, from Bushire, Muscat and Bombay (no date), and Madras 10th October; English Ship *Hydroos*, Nacoda, from Bombay 2d Aug and Alleppey 27th September.

27th.—English Ship *Wanderer*, T. B. Smith, from London 14th May and Mauritius 22d September.

29th.—Portuguese Barque *Resolucao*, J. J. Rebelro, from Lisbon 26th June.

31st.—English Brig *Sir William Wallace*, T. W. Tingate, from Penang 3d October; H. C. Barque *Gumberst*, R. Jump, from Kyook P'hyoo 22d October.

ARRIVALS OF PASSENGERS.

Per Brigand.—H. Smith, Esq., Mr. Lysaght and Mr. E. McGrath.

Per Seringapatam, from Portsmouth.—Mrs. Hawthorne Mrs. Cowie, Mrs. Spry, and Mrs. Pittar; 2 Misses Hawthorne, Misses Webster and Frazer; Col. Hawthorne, E. J. C. S.; Mr. Cowie, merchant; Revd Mr. Spry, chaplain, E. J. C. S.; Mr. Peter, merchant; Messrs. Little, Neasmith, Mordlock Spry, Junr.; and Dodson and Bacon cadets. From Madras.—Mr. Kemp.

GENERAL REGISTER.

Per *Sylph*.—G. Plowden, Esq. Bengal civil service, and 2 children, from Singapore and Mrs. Viall.

Per *Atelaide*, from London—Mrs. Paylor, Capt. Paylor, 65th Bengal native infantry; Mrs. E. Loyly and A. Loyly, cadets.
Per *Elizabeth* from Rangoon.—Revd Mr. G. J. Elias, and Messrs A. G. Shanazar and C. Johannes, merchants.

By the *Mattabangah*—From *ANAKABAD*.—Mrs. Lawton and child; Lieutenant Fulton (escort officer). From *Mirzapore*.—French, Esq., civil service. From *Buzar*.—Ensign Clarke.

Per *John*.—Lieut. Col. John Anderson, Madras Army; Assist. Surg. M. Mackintosh, M. D., Madras horse artillery; and Thos. P. Macqueen, Esq., of Bedfordshire.

Per *Plantagenet*, from *Portsmouth*.—Mr. Edgo, Assistant Surgeon, and Mr. Strangways, cadet. From *St. Paul Point*.—Messrs. Sandeleur and Miller. From *Madras*.—Revd Mr. Schroeder, and Revd. Mr. Hoehle, missionaries, Mrs. Schroeder, Mrs. Howable, and Miss Emma, Hodgson.

The *Rhavarrilly*, in tow of the *Venna* Steamer, from Allahabad, arrived here on the afternoon of Wednesday, the 24th instant, with the following passengers.—From *Chittore*.—N. B. P. Monstone, Esq., and Mrs. Smith. From *Bhapur*.—F. Millet, Esq.; Mrs. Millet and family.

Per *Petite Nancy*.—Mr. F. Gumbing merchant.

DEPARTURES FROM SAUGOR.

- 1.—*Benconlan*, Gilbert, for the Straits.
- 2.—*Bombay*, Wauoh, for London; *Olympus*, Coul, for London and *Ambassador*, Atwood, for the Mauritius.

- 5.—Sir Archibald Campbell, Cooke for Bombay; and *Lady Raffles*, Biles, for London.
- 20.—H. C. Steamer *Ganggs*.—Diuicy, gone to Sea.
- 22.—Barque *Colonel Burney*, C. M. Crips, for Bombay.
- 23.—Ship *Queen Mab* R. Ajaly, for Liverpool; Ship *Adams*,—Mills, for the Mauritius.
- 34.—Barque *Porfolk*, E. McGoldowny, for the Mauritius; and Barque *Will Watch*, H. Bristow, for Madras.
- 27.—*Lysshire*, Brown, for Bombay; *Fyren Bown* Maunder, for ditto; *Abelle*, Fordie, for Bourbon; and *Charles Dumeryue*, Marshall, for Colinga.
- 20.—*Heroine*, Bennet, for Chimna.

DEPARTURES OF PASSENGERS.

- Per *Herafordshire*, for London:—Mrs. Isaacson, James Princep Robinson, Chapman Willis, Kemp, W. Clifton Harris, and Foulton; Miss A. Clutock; James Princep and Henry Chapman, Esqs.; Major Cox; Lieut. Willis, O'Grady, Baldwin, and Harris; Dr. Caruthers, and Ensign Clarke.
- Per *Fabryla Cooper*, for Liverpool—Mrs. Lefevre, and Mr. and Mrs. Palmer and child.
- The *Mattabangah*, in tow of the *Thames* steamer, left for Allahabad, on Sunday, with the following passengers, viz:—
The Hon'ble Mr. and Mrs. Drummond; The Hon'ble Mrs. Eskone; Mr. and Mrs. G. Ewbank; Mrs. Major Kingston; Mrs. Bryant, G. H. Clarke, Esq., Lieut. T. Fluser; Mrs. Hote; Lieut. and Mrs. G. P. Goud; and Dr. Greig.

DOMESTIC OCCURENCES.

BIRTH.

- Sept. 14 At Beawar, in *Whurrah*, the wife of Captain Herman 2d in command *Whurrah* local battalion, of a daughter.
- 15 At Gopalpore, the wife of Captain J. Shepherd, 21st regiment native infantry, of a son.
- 18 At Dinapore, the wife of Mr. W. D. Salt, of a daughter.
- 21 At sectapure, the lady of Capt. N. Stuart, commanding 2d regt Oude auxiliary force, of a daughter.
- At Agra, (Mr. Jobu Adels) Mrs. Harriett Sarah Billon of a son.
- At Khyouk Phroo, the lady of Lieutenant J. R. Lumden of a daughter.
- 24 At Karnaul, the lady of Frederick Holder, Esq., Lieutenant of Her Majesty's 13th light infantry, of a son, still born.
- 25 At Agra, the lady of Captain Woule, 2d regiment, officiating major of brigade, of a son.
- At Agra, the lady of R. B. Duncan, Esq., civil surgeon, of a son.
- 28 At Calcutta, the lady of A. St. Legr McMahon Esq., of a son.
- At Voughyr, the lady of Robert Francis Hodgson, Esq., civil service, of a daughter.
- 29 At Guttack, the lady of Bernard Carey, Esq., 6th regiment native infantry, of a daughter.
- At Calcutta, the wife of Mr. J. Leach, of a still born son.
- 30 At Calcutta, Mrs. D. Clark, of a son.
- Oct. 10 At Calcutta, Mrs. Lewis Toyen, of a daughter.
- 2 At Wutra, the lady of O. C. Chill, sub-assistant revenue surveyor, of a daughter.
- 3 At Alipoor, the lady of Capt. N. Cumberlege, of a daughter.
- 4 At Calcutta, Mrs. M. D'Silva, of a son.
- 5 At Calcutta, Mrs. G. C. Hay, of a daughter.
- At Calcutta, Mrs. Mary Bagnall, junior, of a son.
- At Serampore, the lady of George Pratt, Esq., of Calcutta, of a daughter.
- At Patna, the lady of James Corbet, Esq., assistant opium agent in Behur, of a daughter.

- At Ballyganze, Mrs. C. F. Holmes, of a daughter, still born.
- At Junpore, the lady of Major Godby, commanding 36th regiment native infantry, of a daughter.
- At Agra, the wife of Mr. H. Meyers, Head Assistant Agra Magazine Office, of a daughter.
- At Karnaul, the lady of Captain Lomer, 21st regiment, of a daughter.
- 7 At Berhampore, the lady of W. S. Lunbrick, Esq., of a son.
- At Simla, the lady of Captain Lucius Smith, of the 6th regiment light cavalry, of a daughter.
- At Ahmednuzgur, the lady of S. J. Stevens Esq., 21st regiment native infantry, of a daughter.
- 8 At Chowringhee, the lady of G. U. Brightman, Esq., of a son.
- At Delany Factory, in Purna, the lady of Richard Cruise, Esq., of a daughter.
- 9 At Calcutta, Mrs. E. Derosaire, of a son.
- At Calcutta, Mrs. Sarah Charlotte, the wife of Mr. Nicholas Aviet, vestry clerk of the Armenian church of Calcutta, of a daughter.
- At Dum-Dum, Mrs. J. Richard, of a son, still born.
- At Calcutta, the wife of Mr. J. W. Grange, of a daughter.
- 10 The lady of H. P. Marshall, Esq., of a son.
- 11 At Calcutta, Mrs. W. Bunnard, of a daughter.
- At Calcutta, the lady of T. O. Cleave, Esq., of a son.
- At Jeypore, in Rajpootana, the wife of Mr. Joseph Vanneyst, of a daughter.
- 12 At Noelganze, the wife of Mr. J. D'Silva, senior, of a son.
- At Calcutta the wife of Mr. J. Peters, of the Legislative Department, of a son.
- At Cawnpore, the lady of assistant sargeon James McRae, horse artillery, of a son.
- 13 At Fort William, the lady of Captain Bell, of Her Majesty's 16th foot of a daughter.
- 14 At Agra, the Honorable Mrs. Deitzell, of a son.
- 15 At Calcutta, the wife of Mr. D. W. Ambrose, of a daughter.

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15 At Chowringhee, the lady of Lieut. J. Remington 12th regt., of a daughter.

16 At Jessore, the lady of P. Cardow, Esq., of a daughter, who survived her birth only a few hours.

17 The lady of J. R. Martin, Esq., presidency surgeon, of a son
— At Garden Reach, the lady of Edmund Preston, Esq., attorney at law, of a son,
— At Calcutta, Mrs. M. A. Minors, of a daughter.

19 At Calcutta, the lady of Captain Clapperon, assistant master attendant, of a daughter

19 At Malda, the lady of A. Semce, Esq., civil service, of a son.

21 At Fort William, Mrs. P. Smith, of the arsenal department of a daughter.

22 At Calcutta, the wife of Mr. Robert Lauter, of a son.

— At Calcutta, the lady of Mr. John Charles Bells, of twin daughters

23 At Calcutta, the wife of Mr. F. Craik, preventive service, of a son

— At Dinapore, the lady of C. Beaton, Esq., civil service, of a son.

— At Tihoot, the lady of Mr. A. Howatson, of a son.

25 At Calcutta, Sophia Ventura, of a daughter.

— At Barrackpore, the lady of Lieutenant Bush, 65th native infantry, of a son

27. At Calcutta, the lady of Captain R. G. MacGregor, 1st assistant military auditor general, of a son

28 At Midnapore, the lady of Mr. H. W. Tydd, deputy collector at Midnapore, of a son.

29. At Jorahatoh Street, the lady of Mr. J. Andrew, junr., of a son.

30 At Chowringhee, the lady of E. B. Ryan, Esq., of a son.

31 At Calcutta, Mrs. Aubrey, of a son.

MARRIAGES.

June 12.—At Herbert Town, at St. David's church, by the Ven. and the Archdeacon of John Price, Esq., third son of the late Sir Rose Price, Bart. of Frensham, Cornwall, to Mary eldest daughter of the late Major F. Price, 1st Bengal cavalry, and niece to His Excellency the Lieutenant Governor.

20 At Hobart Town, by the Reverend William Bedford, senior chaplain, the Reverend William Corrad, chaplain of New Norfolk, to Miss Dean.

Aug. 1. At Sydney, at St. James church, by the Right Reverend the Lord Bishop of Australia, Charles Forbes, Esq., late Captain of Her Majesty's 17th regiment, to Adelaide, youngest daughter of John Eyde Mearns, Esq., Utmanoulo.

10 At Meerut, Assistant Apothecary R. Bean, of Her Majesty's 16th lancers, to Miss Mary Wilkinson, late conductor Wilkinson's daughter.

Sept. 11 At Junalpoore, by the Reverend R. H. Shepherd, D. D. H. Ferguson, Esq., civil service, to Louisa, eldest daughter of Major C. Godby, commanding 30th regiment native infantry.

13 At St. James Church, Kurnool, by the Revd Mr. Parish, Captain Charles Finch Palmer, 2nd regiment native infantry, to Delta Susan, second daughter of Lieut. Col. Mosely, commanding 38th Regt. N. I.

22 At Agra, by the Reverend Mr. Chambers, Corporal J. Pigott, of the European regiment, to Miss Caroline Doyle, daughter of Mr. Doyle, superintending Government customs.

24 At Patna, the house of J. S. Danerque, Esq., civil service, by the Reverend J. Vaughan, Joseph Greenway, Esq., of Her Majesty's 51st foot, to Catherine Sabina, daughter of the late John Ferroux, Esq., of Calcutta.

26 At Nussershabad, by Special Licence, by the Reverend W. Palmer, Frederick Wilshire Steer Chapman, Esq., cornet 9th light cavalry, to Jane, daughter of the late Lieutenant Colonel John Littledale Esq.

27 At Gornackpore, George Osborne, Esq., to Rozalia, the youngest daughter of the late Captain J. C. Walter.

29 At Calcutta, at the cathedral, Mr. William Savage, to Miss Caroline Alitida Mathews.

— At the house of W. Ewer, Esq., Landour, Captain Proby Cantley, Bengal artillery, to Frances, third daughter of the late Anthony Bacon, Esq., Elcott House Berks.

Oct 2 At Calcutta, at the cathedral, by the Revd. H. Fisher, Alexander Grant, Esq. C. S., (3) Margaret, third daughter of James Young, Esq. Offg. Member, Indian law commission.

3 At Cawnpore, at the house of Major Stedman commanding 7th light cavalry, by the Revd. Adeodatus de Perugia, by Papa License, William Vincent, Esq., to Madame Sophie Moniot.

6 At Calcutta by the Reverend Mr. Mascarenhas, Mr. Thomas Ivin to Miss Anne Spencer.

8 At Calcutta, at the cathedral, by the Reverend H. Fisher, Emory George O'Neale Maclean, late of Her Majesty's 1st regiment life guards, in Wives Eliza Parker Friedman, only daughter of the late Captain H. B. Friedman, Honorable Company's service.

— At Calcutta, at the Cathedral, by the Reverend H. Fisher, Mr. Francis Dugworth Cooke, to Miss Sophia Susan Parnallall.

10 At Benares, at St. Mary's church, Lieutenant Henry Edward Pearson 18th regiment native infantry, to Fanny, second daughter of Major Williamson, commanding 41st regiment native infantry.

12 At Calcutta, Mr. Joseph Pyrah, to Miss Isabella Leblon.

13 At Calcutta, at the Principal Roman Catholic church, by the Reverend Fr. J. M. Brandas, Mr. John Jacob, to Miss Ann Victor.

15 At Calcutta, at the Principal Roman Catholic church, and afterwards at St. John's Cathedral, by the Reverend H. Fisher, Mr. P. D'Souza, to Miss Charlotte Sophia Wright.

16 At Calcutta, Mr. Wm R. T. Stout, Honorable Company's Marine, to Miss Mary Caroline Burnfield.

13 At Calcutta at the Cathedral, by the Revd H. Fisher, after previous celebration at the Principal Roman Catholic church by the Revd. Dr. Oliff, Albert de Hochpied Larpent to Catherine Lydia, daughter of the late Capt. L. Shaw, of the Bengal army.

— At Calcutta, at the cathedral, by the Reverend H. Fisher, George Purchas Good, Esq., 1st regiment native infantry, to Frances, third and youngest daughter of the late Captain Edward Pousant.

20 At Calcutta, at the cathedral, by the Reverend H. Fisher, Alexander McArthur, Esq., Indian planter, of Bannoodre, in Nader, to Miss Sarah Clark Smith, third daughter of C. G. Smith, Esq., registrar of the judicial and revenue departments under the Bengal presidency.

— At the cathedral by the Revd Mr. Fisher, James Crooke, Esq. of Calcutta, to Georgina Amelia, eldest daughter of George Barton, Esq., of Conibarah.

— At the cathedral, by the Reverend Mr. Fisher, George Scott Hill's, Esq., of Kishnaghur, to Mary Catherine, youngest daughter of the late Wm. Barton, Esq., of Newington, Surrey.

24 At Calcutta, by the Rev. W. Robinson, Mr. J. H. Bagley, to Miss Eliza Hayes, youngest daughter of John Hayes, Esq.

29 At Calcutta, by the Reverend R. B. Boswell, John Victor Lamblenn, to Mrs. Caroline Antoniette, the eldest daughter of H. V. Ingels, Esq.

— At Calcutta, at the cathedral, by the Reverend H. Fisher, Mr. Thomas Bras Potenger, to Miss Louisa Smith.

At St. James' church, by the Reverend R. B. Boswell, Sergeant James Moore, of the 1st troop 3d brigade of horse artillery, at Dum Dum, to Miss Eliza Reilly, a Ward of the European Female Orphan Asylum.

30 At Calcutta, at St. Andrew's church, by the Reverend Isaac Charles, senior chaplain, Mr. Charles Read, to Miss Elizabeth Barrett.

At Calcutta, Capt. Jas. C. M. Shepherd, of the Marine's Samuel Horrocks, to Elizabeth, only daughter of the late T. Christie, Esq., of Calcutta.

GENERAL REGISTER.

DEATHS.

- April 6. At Sea on his passage from the island of Amboyna to Ternate, Hector Mackenzie, second son of Captain Mackenzie, of Kemsdale, aged 25 years.
- Sept. 1 At Loodnanan, Charlotte May, the beloved daughter of Captain and Mrs. Timmings, aged 1 year
- 9 At Honsic, Mr. George Gralinger, Conductor of ordnance, aged 42 years.
- 14 At Bulleah, William, the infant son of Mr. T. W. Seyers, of the Benares Opium Agency, aged 1 year and 4 days.
- At Cawnpore, Edward, the beloved infant son of Captain Holmes, 7th native infantry, aged 9 months and 9 days.
- 15 At Agra, Rebecca Jane, the infant daughter of Mr. Kidd, Acting H. Steward, aged 14 months and 6 days
- 21 At Khyouk Ahyoo, the infant daughter of Lieutenant and Mrs Lumsden.
- 22 At Meerut, Eliza, the wife of Brevet Colonel William Vincent, Commanding 27th Regt N. I.
- 26 At Delhi, Emma Catherine Anne, the infant daughter of Captain Raban, 48th regiment native infantry, aged 13 months and 6 days.
- 28 At Sooty, on his passage down from Agra, to join his corps, Dr. McGreey surgeon of Her Majesty's 9th regiment, stationed at Chinsurah.
- 29 At Dum Dum Nathaniel, son of Sub conductor W Jones, of the Ordnance commissariat department aged 5 years and 4 months
- 30 At Calcutta, Mr. P. C. DeSylva, Europe Shop keeper, aged 29 years, 1 month and 18 days
- At Kurnaul, Jane, daughter of John Dyson, Esq., 21st regiment Bengal native infantry, aged 3 years and 1 month.
- At Calcutta, Mr. Joseph Parcell, II M 16th lancers, aged 42 years.
- At Calcutta, Mr. William Cornelius, aged 49 years and 25 days.
- At the Village of Gookaram, when on route from Nagpore to Masulputam, Captain C. A. Cosby, 25th native infantry
- 3 At Calcutta, George Peter, the infant son of Mr. and Mrs. L. P. Picyre, of Agra, aged 9 months and 19 days.
- At Cawnpore, Lieutenant Colonel Hugh Ross, commanding 7th native infantry.
- At Humberpoor, James George, the infant son of Mr James Crawford, aged 8 months and 1 day.
- 4 At Calcutta, Mrs Rachel Rebecca Graves, the lady of James Graves, Esq., Rector of the Calcutta High School, aged 21 years, 8 months and 9 days.
- At Calcutta, Mrs Mary Leech, wife of Mr. John Leech, of the Sudder Dewanree Adawlut, aged 35 years.
- At Dum Dum, Arthur Adolphe, the infant son of of Captain Torckler, of artillery, aged 1 year, 9 months and 6 days.
- 5 At Calcutta, Emily Maria Bell, daughter of Captain W Bell, H. M. 16th Regiment, aged 5 years and 8 months
- At Calcutta, Mr. Edward Henry Budd, fourth Mate of the H. C. ship *Herefordshire*, aged 19 years.
- 6 At Calcutta, Mr. Thomas Renaud, midshipman of the ship *Herefordshire*, aged 19 years.
- 6 At Soolathoo, Anna, one of the infant twin daughters of Captain and Mrs. Bean.
- At sea, when within thirty miles of Amherst Town, Burmah, Mr. Robert Henderson Aitchison, aged 23 years, fell over board and was drowned.
- 7 At Allipore, George Hutton, the infant son of George Ewbank, Esq., aged 12 days.
- 8 At Calcutta, William Sturmer, Esq., of the military auditor general office, aged 45 years.
- 9 At Howrah, Margaret Elizabeth, the beloved daughter of the Reverend James Bowyer, aged 7 months and 24 days.
- In Camp, near Coodoor, Lieutenant Brevet Captain Edward Peppersorne, of the 16th regiment native infantry.
- At Dum-Dum, Mr. John Sheriff, son of the late Reverend William Sheriff, of St. Ninuus, Stirling.
- 10 At Calcutta, Mr. Thomas Burt, aged 32 years.
- 12 At Chittagong, Mrs Isabel Erchaud, aged 72 years.
- 13 At Calcutta, Mr. John Fitch, aged 29 years.
- 14 At Calcutta, Mr. John Stark, of the General Post Office, aged 34 years, 9 months and 9 days.
- 14 At Patna, Maria, the beloved wife of Mr. A. C. Pereira, clerk in the commissioner's office at Patna, aged 16 years and 3 month.
- 15 At Calcutta, Mr. John Johnson, aged 27 years.
- 16 At Kholna, Jessore, Henry, the eldest son of W. H. S Ranney, Esq., aged 4 years and 11 months
- 19 At Calcutta Charles Brownie Marnell, junior, Esq., aged 23 years, 6 months and 19 days.
- 20 At Calcutta, Mrs. Eliza Henry, wife of Mr J. Henry, aged 15 years and 6 months.
- 22 At Calcutta, Mr A. Gonsalves, aged 75 years.
- At Calcutta, Mrs. Mary Jane Butler, relict of the late Mr. Walter, Butler, aged 42 years.
- At Patna, Maria, the beloved wife of Junen Boilau, Esq., armor, of Patna, aged about 48 years.
- 24 At Kurnaul, Jane, daughter of John Dyson Esq., of the 2st Regiment Bengal Native Infantry aged 3 years and 4 months
- 24 At Calcutta, Captain F Ober, aged 38 years.
- At Calcutta, Mrs Ellen Burke, widow of the late Mr. Thos. Burke, aged 29 years.
- 29 At Calcutta, at the residence of Mrs. A Goard, Miss Charlotte Louisa Mendes, 24 years.
- 31 At Calcutta, Mr. Charles Rabeolin, aged 37 years.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, October, 27.)

INDIGO.—We have nothing new to report under this head—no transactions having taken place since our last.

We have heard of the following arrivals during the week:—

Watson's.....Kishanghur, (new crop).....	213 chests
Agnew's.....Moorshedsbad, (ditto).....	8 ..
Native.....Kishanghur, (ditto).....	14 ..

235 chests

RAW SILK.—Continues in very good demand, but finer qualities being scarce in the market, prevent operation to any great extent. The prices of the day remain as in our last

SILK PRICE GOODS.—The market continues favorable, particularly for cereals and choppehs, but operations are restrained by the absence of fair exportable qualities. The prices of the assortments may be quoted as in our last.

COTTON.—No transactions have taken place since the termination of the native holidays, parties, notwithstanding the recent accounts from China, showing no disposition to ship on speculation, prices have consequently somewhat receded from our last quotations.

GENERAL REGISTER.

SALTPIRE—Continues in demand for the English and French markets, with necessity to provide loading for vessels now in the river, and prices in consequence are supported.

SUGAR—Continues also to be enquired after, but the market is insufficiently supplied with finer qualities. The purchases reported are for shipments to England at about last week's prices.

LAC—A few purchases of inferior quality of Shell Lac continue to be made for France and America at about former prices. Lac dye seems to be neglected.

HIDES AND HORNS—Of good qualities, continue to be enquired after, and are scarce in the market, and prices are well supported.

JUTE AND HEMP—Plentiful in the market, and prices continue falling.

OIL SEEDS—Linseed only continues to be purchased for shipment to England, and may be quoted at a shade of improvement in price.

GRAIN—Purchases of rice, wheat and gram continue to be made for the Mauritius and Bombay, but we have had any change in prices to notice.

Shipments to Bombay are going on briskly, and the quantities already shipped on the vessels engaged to carry grain to that place are reported as under.

Indian Oak	Rice	1943	bags
	Gram	350	"
Sacacia, (cleared)	Rice	5860	"
	Wheat	1300	"
	Gram	188	"
	Dholl	101	"
		100	"
Fata Rohoman	Rice	450	"
	Wheat	7033	"
	Whicat	500	"
Gavendish Bentuck	Rice	3000	"
Thetis	Rice	1710	"
Hutrose	Rice	5300	"
Grab Mahomoudy	Rice	251	"
	Gram		"

OPUM—The orders received from China per *Sylyph* for new purchases are very limited, and the quantity of opium here being chiefly in the hands of Exporters, operations since our last, have been confined to a few lots of Patna and Benares at an advance of 20 a 25 Rs per chest on last week's prices. The quantity at present remaining uncleared in the Hon'ble Company's ware house, consists of the following:—

	Old.	Now.	Total.
Patna	625	55	680
Benares	237	0	237
	862	55	917 chests.

The new clipper *Syren* is expected to start hence for China about the first week next month with about 600 chests principally on account of the shippers.

ALUM—Without sale, but has slightly advanced in price.

CAMPHOR AND CASSIA—Have also advanced in price.

CUBES—Without sale or change in price.

CLAVES—Have experienced a further advance.

MACE AND NEROLIS—Without sale, but the latter has slightly advanced in price.

PEPPER—Sales are reported at improved prices.

BLOCK TIN—Has experienced some improvement in prices.

CHINAZIS AND COLORED COTTONS—Sales of almost all descriptions of prints and colored cottons continue to be effected, but without any improvement in prices.

WHITE COTTONS—Of the finer fabrics, viz. mungopolams, long cloths, shirtings, and combies are in high demand, and selling at last week's prices. The enquiry for other descriptions of White cottons has somewhat ceased.

MULE TWIST—Sales in consequence of the trade continue extensive and the prices of the same are reported at an advance of one pie per maund on last week's quotations.

COLORD YARNS—Turkoy and other only continues saleable, and the prices of the dyeing are reported at an improvement of 1 anna per lb on last week's quotations. Fancy red German dye is enquired after, and is scarce in the market.

WOOLLENS—Sales during the week have been limited, but we cannot attribute this to the dullness of the market. Prices remain firm at last week's quotations.

COPPER—The market has experienced some improvement since our last both as to demand and prices. The sales of sheet apply to a demand for Bombay, and of 11 lbs. Tile for Mirzapore.

The prices of the same exhibit an advance of Rupee 1 a 1-4 per maund on last week's quotations throughout the assortments.

IRON—Has also improved in price on some descriptions, viz. English flat, square, bolt, round square and nail rods. Sales of which continue to be effected.

STEEL—Without sale Swedish steel is quoted a shade above last week's currency.

LEAD—Without transaction this week, holders showing no disposition to sell, expecting a further rise on the prices of the day, which may be reported at about 4 annas a 8 annas per maund on last week's quotations.

We understand the Bombay Government have rejected their tenders for pig lead which they had lately invited, for reasons yet unknown, this has consequently thrown a gloom on that market.

SPELLER—Some sales have been effected during the week for shipments to Bombay, at an advance of 7 a 8 annas per maund on last week's currency.

TIN PLATES—We have heard of no sale during the week, but the price is quoted at a shade of advance.

QUICKSILVER—Scarce—and in demand at our quotation.

MONEY MARKET.

GOVERNMENT SECURITIES.

	BUY]	[SELL.
Stock Paper { Transfer Loan of 1835 } 36, interest payable in England	Prem. 15 0 a	14 0
Second 5 p. ct. { From No. 1151 a } 15200, according to Numbers	to buy, pm, 0 0 a	pm 3 0 — par a — 2 8 —
Third or Bombay 5 per cent. 4 per cent. Disc't... Co.'s Rs.	2 12 a 3 0 a	5 10 —
Stock Paper { Transfer Loan of 1835 } 36, interest payable in England	Prem. 15 0 a	14 0
Second 5 p. ct. { From No. 1151 a } 15200 according to Numbers	to buy, pm, 0 0 a	pm 4 0 — par a — 3 0 —

Third or Bombay 5 per cent. premium 2 12 a
4 per cent. Disc't... Co.'s Rs. 5 0 a

BANK SHARES.

	BUY]	[SELL.
Bengal Bank (Co.'s Rs. 4,000) Prem. Co.'s Rs.	3,050 a	3,060
Union Bank (ditto 1,000)	210 a	200
Bengal Bank (ditto 4,000)	155 a	145
Union Bank (ditto 1,000)	310 a	3,000
	155 a	145

COURSE OF EXCHANGE.

	BUY]	[SELL.
London, 6 months' sight	2 1 1/2 a	2 2 a
Madras, 30 days' sight	102 0 a	102 8 a
Bombay, 30 days' sight	102 6 a	103 0 a

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PRICE OF BULLION, &c.

Spanish Dollars, Co.'s Rs	220	8 0 a	221	0 0 per 100
Dubloons	34	0 0 a	34	8 0 each
Joins of Pennas	19	12 0 a	20	0 0
Dutch Ducats	4	8 0 a	5	0 0
Sovereigns	10	1 6 a	10	2 0
Bank of England Notes	10	8 6 a	10	10 8
Old Gold Mohurs	18	9 6 a	18	10 9
New	17	7 6 a	17	8 6
China Gold Pias	12	0 0 a	15	8 0 per sn. wt.
Scege Silver	102	4 0 a	104	8 6 p. 100 sn. wt.
Gold Dust	12	0 0 a	16	0 0 per sn. wt.

RATES OF INTEREST AND DISCOUNT.

BANK OF BENGAL.

<i>Discount</i> }	on Government Bills and Salary	4	per cent
	on Private Bills, 3 months	8	ditto
<i>Interest</i> }	on Loans on Government Papers	5	ditto
	on Goods	6 to 7	ditto

<i>Discount</i> }	on Government Bills and Salary	4	per cent
	on Private Bills, 3 months	8	ditto
<i>Interest</i> }	on Loans on Government Papers	5	ditto
	on Goods	6 to 7	ditto

UNION BANK.

<i>Discount</i> }	charged on Govt. and Salary Bills	4	ditto
	ditto on Private Bills, 1 month	7	ditto
	ditto on ditto ditto, 2 ditto	8	ditto
	ditto on ditto ditto, 3 ditto	9	ditto
<i>Interest</i> }	allowed on Deposits for 3 months' certain	5	ditto
	charged on Company's Paper Loans	5	ditto
	ditto on deposit of Goods	6 to 7	ditto
<i>Discount</i> }	charged on Govt. and Salary Bills	4	ditto
	ditto on Private Bills, 1 month	7	ditto
	ditto on ditto ditto, 2 ditto	8	ditto
	ditto on ditto ditto, 3 ditto	9	ditto
<i>Interest</i> }	allowed on Deposits for 3 months' certain	5	ditto
	charged on Company's Paper Loans	5	ditto
	ditto on Deposit of Goods	6 to 7	ditto

ADMINISTRATION TO ESTATES.

ESTATE OF

- DeSylva, Peter Christie.....
- Patton, James George Brown, Lieutenant. 47th N I....
- Atcher, James George, 3d Lieut. of Engineers,.....
- Cook, Charles Coldstyea, Mariner,.....
- Dayschurn Roodoor,
- Fanning, William Conrad, Colonel.....
- Kemp, Ebenezer, Chapman, Merchant,.....
- Sukson, Catherine Peter, Widow.....
- Brown, Henrietta Elizabeth, Spinster.....
- Ross, Hugh, Lieut Colonel and Comdg the 7th N I....
- Brunet, Josephine,
- Brunet, Claude Michela.....
- Burr, Thomas,.....
- Vanceyst, Augustus, Depy. Asst. Commissary Ordnance.

ADMINISTRATORS.

- Julian Louis Carron
- Registrar Supreme Court
- ditto ditto
- Eliza Clark, Widow
- Bahro Bhoubunmohun Mitter
- Maria Faithful, Widow.
- Charlotte Esher Kemp
- Eman Joseph Eman, Merchant
- Registrar Supreme Court
- ditto ditto
- Pierre Paul Brunet
- ditto ditto
- Margery Maria Burr
- Joseph Vanceyst

GENERAL REGISTER.
GOVERNMENT NOTIFICATIONS,

&c. &c. &c.

BY THE PRESIDENT IN COUNCIL.

LEGISLATIVE DEPARTMENT NOVEMBER 5.—The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 5th November 1838, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.

Act No. XXVIII. of 1838.

It is hereby enacted, that where any person or persons shall be convicted at any sessions of ever and terminer or good felony that shall be holden for any of the presidencies of Fort William Fort St George the presidency or island of Bombay, or for Prince of Wales Island, Singapore, or Malacca, or the crime of piracy, it shall be lawful for the court, before which any person shall be so convicted, to order and adjudge such person to be transported to such place as the court shall direct for life or for any term of years, or to be imprisoned (or any term not exceeding four years with or without hard labour and with solitary confinement for such portion or portions of the said term, as such court shall think fit, not exceeding one month at a time or three months within the period of one year. Provided, that it shall not be lawful for any such court to order the transportation of any person, being a native of the East Indies and not born of European parents, to the eastern coast of New South Wales or any of the islands adjacent thereto

NOVEMBER, 12.—The following Act is passed by the Hon'ble the President of the Council of India in Council on the 12th November 1835, with the assent of the Right Hon'ble the Governor General of India, which has been read and recorded

Ordered, that the Act be promulgated for general information.

Act No. XXIX. of 1835.

It is hereby enacted, that from the first day of December 1835, sections LX. LXI. and LXII. Regulation X. 1819, of the Bengal Code, shall be repealed.

II And it is hereby enacted, that when information shall be given to any Salt Agent Superintendent of the salt chookies that contraband salt is stored in any warehouse, dwelling house, or other place situated in the tract of country in Bengal or Orissa within which the transportation of salt without ruwana is lawful, and such Salt Agent or Superintendent of salt chookies shall deem the information credible, and desire to act thereupon he shall require the same to be given to him in writing, or shall take the deposition of the informant, as may be most convenient, so that the following particulars shall be placed on record in his office—first, the name profession and place of residence of the informant. Second, the place, that is, the name of the town or village, and description of the house, warehouse or other place where the salt may be stored to be in store. Thirdly, the name name of the person to whom the house, warehouse or other place belongs, or on account of, or by whom the salt is there stored. Fourthly, the quantity and description of the salt, and the grounds for believing the same to be contraband.

III And it is hereby enacted, that if the contraband salt so stated to be in store exceed in quantity one mowad or Indian mowad, it shall be liable to seizure in manner following, that is to say, the Salt Agent or superintendent of chookies, having before him the written statement or deposition of an informer, given in or taken down as above prescribed, shall, provided the place of such store be not too distant, proceed in person, together with the informant, summoning by written notice the nearest Police darogha or other officer in charge of the Police thanna or station to attend likewise, and witness the proceeding.

IV. And it is hereby enacted, that for the purpose of making seizure of salt in store so informed against, it shall be competent to any Salt Agent or superintendent having a Police officer in company, to break open the door of the house, warehouse or other place in which the salt may be stated to be stored, if, upon requisition duly made, the door be not immediately opened by the owner or occupant thereof.

V And it is hereby enacted, that if the Salt Agent or superintendent shall not be able to proceed in person to make a seizure of salt, in manner above provided, he shall send along with the informer one or more confidential officers of his public establishment, not being under the rank of a jemindar of peons giving to such officer or officers his warrant ordering and authorizing the seizure, and sending notice as above prescribed for the Police darogha or other Police officer to attend, and the officer so deputed shall have power to act in like manner as is provided for the agent or superintendent in person; provided that the door of no house, warehouse or other place, shall be broken open to make

a seizure of salt except in the presence of a Salt Agent or superintendent of chookies, or of an officer specially deputed, and of an officer of Police.

VI. And it is hereby enacted, that it shall be competent to the head officer of any salt chookie or burning for the manufacture of salt, and for any assistant to a Salt Agent or superintendent, to receive information of salt, exceeding one mowad in quantity being in store in a house, warehouse or other place in the manner prescribed in section II and to act thereupon as provided in sections III and IV of this Act for the Salt Agent and superintendent, provided that the place of store described in such information be situated at a distance of more than three kos from the station of a Salt Agent or superintendent of chookies or from the place where the Salt Agent or superintendent may be.

VII. And it is hereby enacted, that if the darogha or person in charge of any Police thanna or station, receiving notice to attend at a seizure of salt in store as is above prescribed, shall not attend or attending shall refuse to act in aid of the seizure, or shall in any way willfully frustrate the object of the search and seizure, such darogha or other officer shall, on representation of the facts by the officers of the salt department, and on conviction of the same before the Magistrate of the district, besides being dismissed from office, be liable to a fine equal to the amount of fine that would have been leviable on the owners of the salt, if it had been seized according to the information laid.

VIII And it is hereby enacted, that whenever it shall be necessary to break open any house, warehouse or other place to effect a seizure of salt the rules and precautions prescribed in Regulation XX. of 1817 and Section X Regulation VII of 1799 of the Bengal Code, for breaking into a house for execution of process of distraint, shall always be observed by the Police officers in attendance: provided however that the responsibility for the act, and the determination whether to require the door to be broken open or not shall rest with the officers of the salt department only.

IX And it is hereby enacted, that whenever a seizure of salt in store in any house, warehouse or other place shall be made by a Salt Agent or superintendent of chookies, the circumstances which attended the seizure shall be recorded in an official proceeding to be placed on record in the office.

X. And it is hereby enacted, that if the seizure be made by an officer of the salt department, other than an Agent or superintendent of chookies, such officer shall report the circumstances within twenty-four hours to his official superior; and the Police officer in attendance shall likewise report the occurrences at the time of seizure to his official superior.

XI. And it is hereby enacted, that no salt found in store in any house or warehouse shall be deemed to be contraband, or shall be liable to seizure, unless, when the search is made, there shall be found more thereof than one mowad or Indian mowad, and the owner or person in charge shall be unable to account satisfactorily for the manner of its being in his possession.

XII. And it is hereby enacted, that whenever salt shall be seized as contraband, because unaccompanied by any ruwana or other protecting document, the person or persons conveying, or having in charge the same shall be apprehended; and all officers who are empowered to seize salt under the provisions of Regulation 1819 of the Bengal Code, shall likewise be competent to arrest the parties found with or having the salt in possession

XIII And it is hereby enacted, that it shall be lawful for the Salt Agents and superintendents of chookies and other officers who may be duly empowered to seize salt to stop and search any boats or vessels of a built adapted for sea navigation, that may be found within the limits described in section XXXIII. of this Act; and if salt shall be found thereon, not accompanied by the necessary ruwana or other protecting document, to detain the vessel with the crew thereof, and to take them for adjudication of the case to the nearest accessible station of an officer empowered to adjudicate cases of contravention of the salt law.

XIV. And it is hereby enacted, in modification of section XXXVI Regulation X. of 1819 of the Bengal Code, that if any person shall be found in the act of conveying salt without ruwana, or other protecting document, exceeding in quantity five seers of 80 tolbs to the seer, within the tract of country in Bengal or Orissa wherein the transportation of salt is prohibited unless so protected, or if several persons be found carrying salt so unprotected, in gany or companies, which salt shall exceed in the whole quantity five seers for each person in such gany or company, every such person shall be subject to the penalties prescribed by Regulation X. of 1819 aforesaid, and by this Act, for the illegal possession and transportation of salt.

XV. And it is hereby enacted, in modification of section CXXI of Regulation X. 1819 aforesaid, that any person or persons, who may be convicted of smuggling salt without ruwana singly or in

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gaon, and sentenced to pay a fine to Government on account of salt so smuggled or attempted to be smuggled, shall, if the fine be not paid, be liable to imprisonment in the criminal or foudjaree jail, for a period not exceeding six months in commutation of such fine.

XXV. And it is hereby enacted, in further modification of section CXXI of Regulation X of 1819 aforesaid, that any person, who may be sent under sections XXVI, LXVIII and LXX of the said Regulation, to imprisonment in addition to fine, for the offences described in those sections respectively, shall in like manner be liable as above provided for persons convicted of gun-smuggling, to undergo such punishment in the foudjaree jail; and cases of the kind described in the said sections shall be adjudicated, in like manner as cases in which fine only is adjudged; and the warrant of the officer, adjudicating any case under this or the preceding section of this Act, shall be authority for the Magistrate, or other person in charge of the foudjaree jail, to hold the prisoner described therein in confinement in such jail, as may be specified and required in the said warrant.

XXVI. And it is hereby enacted, that when any person shall be convicted of gun-smuggling, or any of the offences described in sections XXVI and LXX of Regulation X of 1819 aforesaid, after having been previously convicted of a like offence, he shall be sentenced, in addition to the penalty attaching to such offence, to imprisonment in the foudjaree jail for a period of six months, and a like punishment of six months imprisonment shall be incurred, in addition to the punishment which may be inflicted for a first offence, upon every subsequent conviction after the second.

XXVII. And it is hereby enacted, that it shall be lawful for any Salt Agent to proceed for the recovery of any balance that may be due to Government within a year, upon any contract made for the manufacture of salt in the limits of his Agency, by the process of distillation, and for the demand and levy of the same, to exercise the powers vested by the Regulations and Acts of the Government in zemindars and sudder farmers, being subject to the restrictions, and with the like remedies to any parties aggrieved thereby.

XXVIII. And it is hereby enacted, that if any person shall by threats or by violence prevent the lawful arrest of any person by an officer duly authorized to seize salt, or shall procure his release after arrest, or if the party found with the salt in possession, or any other persons resist any such officers, they shall severally and respectively be liable to the punishment prescribed in section LVI of Regulation X of 1819 of the Bengal Code.

XXIX. And it is hereby enacted, that if any officer making an arrest upon account of salt smuggling shall neglect to carry the person arrested to the proper officer of the salt department, or shall delay to report the arrest to his superior, or shall release or connive at the escape of the person arrested, every such officer shall, on conviction of any one of the above offences, besides dismissal from office, be liable to be sentenced for the same to a fine not exceeding 200 rupees, and to imprisonment not exceeding three months, and the sentence may be adjudged by any officer competent to adjudicate a forfeiture of contraband salt, and, in case of non-payment of the fine, to a further imprisonment not exceeding three months, at the discretion of the officer deciding the case.

XXXI. And it is hereby enacted, that whenever any person may be arrested by an officer of the salt department or by any other officer of other departments duly empowered to make a seizure of salt, the person making the arrest shall be bound to carry the party arrested direct to the officer of the salt department who may be competent to try the case; and no person so arrested shall be released, until the case shall have been brought to judgment in the manner provided by law.

XXXII. And it is hereby enacted that if any officer of the salt department be convicted before the magistrates of any district, of having vexatiously and unnecessarily seized the goods of any person on the pretence of seeking or searching for salt, or of having vexatiously and unnecessarily arrested any person, or of having stopped and detained any boat unnecessarily and without authority, or of having detained any boat longer than is necessary for the purpose of search, every such officer shall, besides dismissal be punished with imprisonment not exceeding six months, and with fine not exceeding 200 rupees, commutable, if not paid, to a further imprisonment not exceeding six months.

XXXIII. And it is hereby enacted, in modification of section CXXII Regulation X of 1819 aforesaid, that if any person shall wilfully and maliciously give false information in respect to there being illicit salt in store in any house or warehouse, and so procure that such house or warehouse shall be searched to the injury or vexation of the owners thereof, or of any other person or persons whatsoever, such false informant shall, on conviction of the offence before any magistrate, be liable to imprisonment for two years, and to fine not exceeding 500 rupees, at the discretion of any magistrate by whom the case may be tried, and in case of the non-payment of the fine to imprisonment for a further period of six months.

XXXIV. And it is hereby enacted, that when parties shall be convicted of the illegal possession or transportation of salt, and shall be liable to the penalty of five rupees per maund as prescribed in section XXXVII of Regulation X of 1819 of the Bengal Code, the fine shall be at the said rate according to the quantity of salt seized, whether less or more than one maund, and each one of the smugg-

lers in company, or parties to the fraud on the revenue, shall be liable to the whole fine.

XXV. And it is hereby enacted, that it shall be competent to the Governor or Deputy Governor of Bengal in vest with the power of adjudicating cases of contravention of the laws for protection of the revenue derived from salt, any assistant to a Salt Agent, or unconvicted superintendent of salt chokies, who may seem to him qualified; and such officers, when invested with such powers, shall exercise them subject to the same rules and restrictions as covenantted Salt Agents and superintendants of chokies; provided that no officer adjudicating cases of contravention of the salt revenue laws shall receive any part of the rewards that may be decreed, or otherwise benefit directly by the adjudication of such cases.

XXVI. And it is hereby enacted, that cases arising out of this Act shall be tried in the same manner as is prescribed in Regulation X of 1819 of the Bengal Code for other cases of contravention of the laws for the protection of the revenue derived from salt; and the officer adjudicating the case shall be guided by the provisions of sections C to CXXVI of that Regulation; and the judge of the city or zillah shall be bound to proceed in respect to persons sentenced to any fine or other penalty under the provisions of this Act, in the same manner, subject to the modifications and additions hereinafter provided, as is prescribed in respect to persons convicted of the offences and tried before the authorities specified and provided by the said Regulation.

XXVII. And it is hereby enacted, in modification of clauses XXXII and XXXIII of Regulation X of 1819 of the Bengal Code, that it shall be the duty of every party under direct engagements with Government for the land revenue, either as a proprietor or farmer, and of every proprietor of lakiraj lands upon whose zemindaree, farm or lakiraj estate there shall be any works producing salt, otherwise than under contract with a Salt Agent or on account of Government, to give notice of the same in writing to the nearest public officer of Police or land revenue or of the salt department, within ten days from the date on which the works were first prepared; and in like manner it shall be the duty of every person employed in the collection of the land revenue of any Mahal on the part of Government, or of the Court of wards, or of land proprietors, to give like notice in respect to salt manufactured on the lands under their management; and every such proprietor, farmer, proprietor of lakiraj estate or manager who shall knowingly omit to give such notice, shall be liable on conviction before the judge of any zillah or city to a fine of 500 rupees, for every Khatree or salt work established on his lands; and such knowledge shall not be required to be established by direct proof, but may be inferred from circumstances at the discretion of the judge deciding the case; and any fine that may be adjudged under this section shall be recoverable by distress and sale of the goods and chatties of the offender, or by process of execution taken out by any Salt Agent or superintendent of chokies in the manner provided for decrees of the Civil Courts.

XXVIII. And it is hereby enacted, in modification of section, LXIV Regulation X of 1819 aforesaid, and in addition thereto that when there may be direct proof of the unauthorized removal of salt from any golah or place of Government store, sufficient to convict the parties concerned therein of theft within the provisions of the said section, the officer or officers who may have been entrusted with the charge of such golah, or place of Government store shall nevertheless be liable for the offence of embezzling the salt of any store in their custody the outcome of which shall, according to the accounts kept of receipts and deliveries, exhibit a deficiency for which he or they may not duly account. And the officer in charge of any golah or salt store shall in like manner be deemed guilty of embezzlement if he has made away with, or shall not produce the true account of such store; and any persons against whom the offence of embezzlement shall be established under this section, shall be liable, on conviction before the magistrate of the city or district, to be punished by fine and imprisonment under the general powers vested in the zillah and city magistrates.

XXIX. And it is hereby enacted, in addition to the rules contained in sections CXI, CXII and CXXIII of Regulation X of 1819 of the Bengal Code, for the adjudication of cases of contravention of the laws enacted for the protection of the revenue derived from salt, that if the attendance of the parties charged with such offences cannot be obtained by reason of their failure to attend in person or by vakel, after being served with a summons, or by reason of their evading process, the officer adjudicating any such case shall issue notice for the attendance of the parties accused in the manner prescribed in section CII. of the said Regulation; and if the parties do not attend in person or by vakel within the time fixed by such notice the officer adjudicating the case shall pass judgment thereon, under the said last mentioned section, in like manner as if the parties accused were present; and the officer so adjudicating any case ex parte, may, at any time after such judgment, issue his warrant for the apprehension of the persons convicted for execution of the sentence, in the manner provided in Regulation X of 1819 of the Bengal Code, and in this Act, for cases in which the parties were present; and further may at any time sue out process for levying the amount of fine adjudged, from any civil court competent to execute its own decrees in the manner and form prescribed for the execution of the decrees of such civil court under section XXX. of this Act.

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XXX. And it is hereby enacted, that when the officer holding proceeding in any case apart, as above provided, shall refer the case to the judge of any city or zillah, in consequence of the amount of fine being such as the said officer is not competent finally to adjudge, the judge of the city or zillah, to whom such case may be referred, shall issue such orders and institute such proceedings as are authorized by sections CXXI to CXXIII of Regulation X of 1819 of the Bengal Code, in like manner as if the offenders were sent over with the case or were present to be heard in their defence; and whenever any fine may be adjudged by the zillah or city judge, the same may be levied on the application of the salt Agent or superintendent of salt chukres under the rules in force for the execution of the decrees of civil courts.

XXXI. And it is hereby enacted, in modification of the rules contained in sections CIX and CXXII of Regulation X of 1819 of the Bengal Code, whereby the power of final adjudication by Salt Agents or superintendents of chukres, in cases of the contravention of the laws enacted for the protection of the salt revenue, is restricted to cases in which the quantity of salt proposed to be confiscated shall not exceed twenty maunds, or the fine adjudicated shall not exceed 50 rupees, that the judgment of any Salt Agent or superintendent of chukres, or of any other officer vested by Government with like jurisdiction in such cases, shall be final in all cases wherein the salt adjudged to be confiscated shall not exceed eighty maunds, and the fine imposed upon the defendant, or any one of several defendants, shall not exceed 400 rupees. Provided however that every such judgment may under section XVII of the said Regulation be brought by petition before the Board of Customs, Salt and Opium, and be reversed or amended by that authority.

CXXII. And it is hereby enacted, in modification of section CXXIV, Regulation X, 1819 of the Bengal Code, that the zillah and city judges shall pass final judgment in all cases referred to them for adjudication, when the quantity of salt to be confiscated shall exceed eighty maunds, or the fine imposed shall exceed 100 rupees; provided however that there shall in all such cases be an appeal open to the Sudder Dewany Adawlat, under the rules for the admission of special appeals in that Court, upon any point of law which may be ruled by a zillah or city judge in any such judgment.

XXXIII. And it is hereby enacted, that the penalties of this Act shall take effect only within the tract of country bounded by salt chukres in the manner prescribed in section XXXVI of Regulation X 1819 of the Bengal Code, and within which the transportation of salt, not belonging to Government, without a ruwana, or special pass from the Board of Customs, Salt and Opium, is not lawful, and it is hereby declared that such tract shall not extend within the Delta of the Ganges and Megna rivers, beyond the line of the reach of the tides in the rivers communicating with the bay of Bengal as taken at spring tides in the dry season; nor eastward of the Meena, north of the river Goumber; nor westward of the river Hooley, beyond a line drawn from a point on that river distant one mile from the northern end of the town of Nyasora, and to the north thereof, to a like point distant one mile to the north of the town of Goutul, and thence to a like point distant one mile to the north of the town of Madanpore, and thence to a like point distant one mile to the north of Haldipokur in Singha, so as to include each of those towns respectively.

NOVEMBER, 19 1838.—The following Act is passed by the Honourable the President of the Council of India in Council on the 19th November, with the assent of the Right Honourable the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information.

Act No XXX of 1838

I. It is hereby enacted, that Sections II and XIV Regulation XXXVI 1793, the Provisions of which were extended by Regulation XXVIII of 1795, Regulation XVII of 1802, Section XVII, Regulation VIII of 1802, and section XXXII, Regulation XII of 1805, Section IV, and Sections 2 and 3, Section VI Regulation XX, 1832, and Section II, Regulation IV, of 1834, of the Bengal Code, be modified.

II. And it is hereby enacted, that in addition to the offices to which those Sections relate, offices for the registry of deeds may be established at any civil stations, and may be placed by the orders of Government under the superintendence of any officers resident at such stations whom Government may nominate for that purpose.

III. And it is hereby enacted, that the registration of deeds at any office of registry authorized by this Act shall be subject to the payment of the same fees as are prescribed in Section XIV, Regulation XXXVI 1793, for deeds registered at an office established at the station of a zillah or city Court.

IV. And it is hereby enacted, that Section XV, Regulation XXXVI 1793, and Cases 2 and 3, Section VI, Regulation XX 1832 of the Bengal Code, shall not be applicable to officers and persons established and appointed for the registry of deeds under this Act.

V. And it is hereby enacted, that persons desirous of registering deeds written in any European language at any office of registry in the territories subject to the presidency of Bengal, shall be required to pay for transcribing the same according to the

established rates of Section Writing, in addition to the fees prescribed by Section XIV, Regulation XXXVI 1793.

VI. And it is hereby enacted, that in case of the death or absence on leave of any person appointed by Government to register deeds under this Act, it shall be lawful for the zillah Judge or other officer specially authorized by Government, to appoint any person whom he may think proper to take temporary charge of the office and to register deeds in the same manner as if such person had been appointed to the office by the orders of Government.

T. H. MADDOCK,

Offy. Secy. to the Govt. of India

BY THE DEPUTY GOVERNOR OF BENGAL.

GENERAL DEPARTMENT.

October 31.—Mr. E. M. Wally having exceeded the period within which, under the orders of the Honourable the Court of Directors, he ought to have qualified himself for the public service by proficiency in two of the native languages, has been ordered to return to England.

The Honourable the Deputy Governor of Bengal is permitted to grant Captain E. S. Ellis, marine paymaster and naval storekeeper, leave of absence for a period of six weeks from the departure of the next river steamer, viz. the 12th proximo.

Mr. H. Palmer will conduct the duties of Captain Ellis, during his absence.

The 1st November 1831—Avail- ble on the 1st November, 1837...	36	The number of civil ser- vice furloughs reported avail- able for the season 1838 79 be- ing 13, as per margin, the fol- lowing Gentlemen being the
Taken.....	18	Senior applicants to this date,
Remain,.....	8	1 have been admitted to the be- nefit:
Add returned,.....	1	
Expired,.....	1	
Retired on Annuity,.....	3	

Total,.....	11	Mr. W. Blunt
In Europe on furlough,.....	38	Hon ble R. Cavendish.
Total allowed by the Hon- ourable Court of Directors,...	15	Mr. J. Dunsmore.
		Mr. G. C. Chapin.
		Mr. J. Shaw.
		Mr. Taylor.
		Mr. D. Pringle.
		Mr. F. Curlew.
		Mr. E. Beutell.
		Hon ble R. Forbes.
		Mr. R. H. Mylton.
		Mr. Bruce.
		Mr. E. V. Iru n.

The following gentlemen, whose applications for furlough were unsuccessful in consequence of their junior standing, have been permitted by the Government, under separate applications submitted by them, to proceed to Europe on private affairs.

Messrs. N. B. Edmonstone, B. J. Colvin and P. C. Trench.

SEPARATE DEPARTMENT, OCTOBER 31.—The Honourable the Deputy Governor of Bengal has been pleased to grant to Mr. W. A. Peacock, superintendent of the Myna salt chuker, one month's leave of absence, on private affairs, from the 1st proximo. Mr. Ainsand, the acting joint magistrate and deputy collector, will perform Mr. Peacock's duties during his temporary absence.

NOVEMBER 7.—The Honourable the Deputy Governor of Bengal is pleased to grant to Mr. P. C. Trench, of the civil service, proceeding to England on private affairs, an extension of leave from the 1st to the 14th instant, or until such date as the pilot shall leave the ship "Colombo" at sea, on which vessel Mr. Trench has taken his passage.

Mr. F. J. Morris, of the Bengal civil service, transferred from the late Chum establishment, obtained permission on the 19th September last to proceed to England via Bombay, on furlough, and reported his having left the limits of the Bengal presidency on the 22d ultimo.

SEPARATE DEPARTMENT.—Mr. W. Brickley, deputy collector of customs at Calcutta, has obtained an extension of the leave granted to him after date the 22d August last, for a further period of one month.

GENERAL DEPARTMENT NOVEMBER 11.—The Honourable the Deputy Governor of Bengal, under the Orders of the Honourable Court of Directors, directs that the following paragraphs 1 and 2 of a Dispatch No. 19 of 1838 from the Honourable Court of Directors, in the Public Department, dated the 1st August, be published for general information:

Para 1. "It is with feelings of the highest gratification that we inform you that Her Majesty, on the occasion of her coronation, has been graciously pleased to create Sir Richard Jenkins, M. P., an Extra Knight Grand Cross of the Most Honourable Order of the Bath."

GENERAL REGISTER.

2. "You will be pleased to publish this dispatch in your Gazette.

Mr. A. Speirs, of the civil service, reported his return to this Presidency from England on the 9th instant.

Mr. George Edmonstone, junior, writer, is reported qualified for the public service by proficiency in two of the native languages.

SEPARATE DEPARTMENT.—The Hon'ble the Deputy Governor of Bengal, with the concurrence of the Right Hon'ble the Governor General, has appointed H. M. Parker, Esq. to be 1st and John Trotter, Esq. to be 2d member of the Board of Customs, Salt and Opium, and of the Marine Board.

Published by Order of the Hon'ble the President in Council,
H. T. PRINSEP,
Secy. to the Govt. of India.

NOVEMBER 13.—The Honorable the President in Council is pleased to attach Mr. George Edmonstone, junior, writer, reported qualified for the public service, to the North Western Provinces.

The following communication received from His Excellency Rear Admiral Sir F. L. Maitland, K. C. B. Commander in Chief to Her Majesty's Navy Forces in India, and addressed to the President of the Council of India in Council, is published for general information.

No.

The Hon'ble the President of the Council of India in Council
Calcutta.

Sir—I have received a despatch from Sir J. Gordon Bremer, Captain of H. M. Ship *Albatross*, dated the 31st of May last, from the Cape of Good Hope, informing me that he was so far on his voyage to New South Wales, to establish a post on the northern coast of Australia, for the purpose of giving protection to British commerce, carried on through Torres Strait with China and India, and with the islands of the Indian Archipelago, and of affording an asylum for those who may be shipwrecked on the coast.

In a private communication he further informs me, that the British traders come to Port Essington (which is situated on the Colough Peninsula in North Australia, in about Latitude 119° 10m. S., and Longitude 132d. 10m. E.) in great numbers, for the purpose of taking and during the Trepong or Beche de Mer, which they carry to Makassar and thence to the China market, and that there is no doubt that these people, their numbers being great would take a large portion of British, or Indian cloth, hardware and other manufactured goods from us, for which they now depend wholly on the Dutch. But he is of opinion that the great mart will eventually be the islands in the neighbourhood.

Sir Gordon is expected to reach Adelaide, in South Australia, by the 5th July last, and Sydney by the 25th, and after making the necessary arrangements with the Governor of New South Wales, would proceed to form the settlement.

And this officer, who is in charge of the expedition having requested me to publish some kind of notice of the undertakings, addressed to the public in India, as it may possibly induce some one to venture on sending a vessel down to the new settlement (which I understand is intended to the port Essington) with cottons, &c., and thus commence a communication.

I have been induced to acquaint your honor in Council therewith, in order that the same may be brought under the notice of the mercantile community of the Bengal Presidency in such manner as your honour in Council may deem most proper.

I have &c.

(Signed) FRED. L. MAITLAND.

Rear Admiral and Commander in Chief.

Wellfleet, in Tongkoo Bay, 6th September, 1838.

GENERAL DEPARTMENT, NOVEMBER 16.—The leave granted to Mr. B. J. Colvin, on the 11th September last, is extended to the 15th proximo, or until such date as the pilot shall leave the ship "Plantagenet" at sea, on which vessel Mr. Colvin has taken his passage.

NOVEMBER 17.—Notice is hereby given, that the salaries and allowances of the Civil and Marine Departments, for November, instant, will be discharged by the Sub-Treasurer and Marine Paymaster respectively on or after Saturday, the 15th proximo.

NOVEMBER 16.—Notice is hereby given that the salaries and allowances of the Civil and Marine Departments, for November, instant will be discharged by the sub-treasurer and marine paymaster respectively, on or after Saturday, the 15th proximo.

NOVEMBER 19.—The Hon'ble the President in Council is pleased to attach Mr. W. Wynward, Writer, reported qualified for the public service, to the North Western Provinces.

Mr. W. Wynward, Writer, is reported qualified for the public service, by proficiency in two of the native languages.

H. T. PRINSEP

Secy. to the Govt. of India.

JUDICIAL AND REVENUE DEPARTMENT.

OCTOBER 27.—Mr. Assistant Surgeon J. Bowron, of the civil station of Jessore, for two months, to visit the presidency for medical service. Mr. Assistant Surgeon T. Murray will officiate during the absence of Mr. Bowron.

OCTOBER 29.—Mr. C. Steer, magistrate of Nuddea for one week, on the 23d instant, on private affairs. Mr. T. C. Lock will conduct the current duties during Mr. Steer's absence.

OCTOBER 30.—Mr. H. F. James, officiating magistrate and collector of Bhagulpore, for one month, on private affairs, to commence from the 1st of December next, Mr. H. C. Bagge will conduct the duties during Mr. James' absence.

Bahoo Rammohun Roy additional principal sudder ameen at Dacca, for one month in extension, on medical certificate, from the date of the opening of the Courts after the dusseah vacation.

Mr. A. Littlefield to officiate as joint magistrate and deputy collector of Dacca, in the room of Mr. A. P. Dick, on deputation to Ranagore.

Mr. H. D. Ferguson to be an assistant under the magistrate and collector of Dacca.

NOVEMBER 1838.—The leave of absence granted to Mr. H. C. Bagge, officiating joint magistrate and deputy collector of Bhagulpore, on the 1st ultimo, has been cancelled at his own request.

NOVEMBER 2.—It having been brought to notice that civil officers in charge of districts, in the habit of applying for maps direct to the surveyor general's office, his honor the Deputy Governor of Bengal has issued, by an order in the judicial department under date the 5th December, 1838, No. 99 the surveyor general's office, in the name of the Deputy Governor, that such applications except when conveyed through the channel of one of the secretaries to Government.

NOVEMBER 6.—Mr. G. W. Battley, joint magistrate and deputy collector of Moorshadabad, for ten days, on private affairs. Mr. A. R. Young will conduct the duties of the office during Mr. Battley's absence.

Bahoo Dooreachurn Chatterjee, deputy collector under Regulation IX of 1833, in zillah Dacca, to the 15th proximo, in extension.

The unexpired portion of the leave of absence granted to Mr. G. A. P. Floyd, officiating deputy secretary in the judicial and revenue departments on the 13th June last, has been cancelled from the 16th ultimo, the date on which he reported his return from Singapore.

NOVEMBER 6.—Mr. James Shaw, civil and sessions judge of Tipperah, for one month, to the 15th proximo, preparatory to proceeding to Europe on furlough.

NOVEMBER 13.—Mr. F. Bruce, acting magistrate and collector of Backergunge, for one month, from the 1st January next preparatory to proceeding to Europe on furlough.

NOVEMBER 11.—Mr. B. J. Colvin, magistrate and collector of Pooree, to the 15th proximo, or until the sailing of the ship on which he may take his passage, in extension of the leave granted to him on the 11th September last.

Mr. G. C. Cheap, civil and sessions Judge of Mymensingh, for one month, from the 20th instant, preparatory to proceeding to Europe on furlough. Mr. J. M. Hay will conduct the current duties of the Judge's Office, until further orders.

NOVEMBER 17.—Mr. L. J. H. G. W. assistant to the collector of Moorsheedabad, for fourteen days, from the 11th instant, on private affairs.

NOVEMBER 30.—Mr. C. W. Brickeke, senior commissioner of the Court of Requests, for twenty days, from the 22d instant, on private affairs.

NOVEMBER 30.—Mr. J. B. Orlby to officiate as magistrate and collector of Jessore, until further orders—his appointment on the 9th ultimo to act as magistrate and collector of Shurrabad, is hereby cancelled.

The unexpired portion of the leave of absence granted to Mr. J. W. Alexander, third commissioner of the Court of Requests, on the 21st September last, has been cancelled from the 17th instant at his own request.

The leave of absence for one month granted to Mr. F. Peterson, apothecary attached to the province of Arakan on private affairs, on the 23d October last, is to take effect from the 23d of September last.

FRED. JAS. HALLIDAY,

Secy. to the Govt. of Bengal.

FINANCIAL DEPARTMENT.

NOVEMBER 12.—Mr. George Cuny, Secretary and Treasurer of the Bank of Bengal, was permitted on the 21th October last,

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be absent from his office for a period not exceeding one month, on account of private affairs. Mr. H. Henderson, the deputy secretary, conducting the duties of the office during Mr. Udny's absence.

Mr. Udny resumed charge of his office this day.

FINANCIAL DEPARTMENT, NOVEMBER 10.—The following revised terms and conditions for making advances in India and China upon goods and merchandise consigned to England are published for general information, also the following paragraphs 5 and 6 of the despatch of the Hon'ble Court of Directors, dated 17th August, prescribing the same for future observance:

Terms and conditions for making advances on India and China, upon the goods and merchandise of individuals intrusted for consignment to England, repayable to the Court of Directors of the East India Company.

1st.—The parties to whom advances may be made shall agree that the respective consignments be delivered into such warehouses as the Court of Directors may approve; and that they be subject to the control of the Court of Directors until the lien of the Company upon the consignment, shall have been satisfied.

2d.—Upon each consignment, the value of which is to be ascertained by the officers of the Indian Governments, or authorized agents of the East India Company, an advance not exceeding three-fifths of such ascertained value will be made.

The rate of Exchange to be determined from time to time at the place where the advance is made under the courts orders.

3d.—For repayment of the advance. Bills of exchange to be drawn in triplicate, at six months sight, at the rate of—

s. d.	Per Company's Rupee for Advances made at.....	Bengal.
	Ditto.....	Ditto..... Madras.
	Ditto.....	Ditto..... Bombay.
	Per Spanish dollars Ditto.....	China.

4th.—The parties will be required to place in the hands of the Board of Customs, Salt and Opium, Bills of Lading of the consignment and policies of Insurance effected thereon, both in triplicate. The Bills of Lading must be drawn deliverable to the East India Company, or endorsed to the order of the East India Company. The Policies of Insurance must be effected in the name and on behalf of the East India Company, as the parties interested, or endorsed to their order; but persons desirous of effecting the necessary Insurance in this country, and of depositing the Policies in the Company's Treasury, will be allowed to do so.

* Or such public Officers or authorized Agents of the East India Company as may be specified

5th.—In case of default being made either in acceptance, or payment of the Bills, the Court of Directors to be authorized, in such manner and at such times as they may see fit to sell the goods, for the purpose of repaying the company the amount of the advances made thereon, including freight and any other charges or expenses which the Company may have incurred on account of the consignment, together with interest, should any have accrued, the Company, on the other hand, allowing discount, where any part of the proceeds shall be realized before the Bills fall due, and the settlement of either surplus or deficiency shall be made with the consignor; and if in India or China by the Government or Agents from whom he received the advance, at the rate of exchange at which the Company may at the time be drawing Bills upon such Government or agents.

6th.—An agent in England shall be appointed for each consignment, to whom the Court of Directors shall be empowered to make over the goods subject to all the conditions agreed upon with the Company, on subject to all the conditions agreed upon with the Company, to transact necessarily all business relating to such goods. The consignor shall be at liberty to make provision in case of the party upon whom the bill is drawn, being also the agent having failed to accept the bill, for the substitution of another agent.

7th.—After the arrival of the goods in England and when they shall have been placed in such deposit as may have been agreed upon, the agent may be put into possession of them before the bills become due, upon the amount of such bills (less discount) being paid, together with the freight and any other charges and expenses which the Company have paid or may be subject to on account of the goods.

8th.—The rate of discount to be allowed by the Company shall be the same as that charged by the bank of England, and in cases where interest shall have accrued, such interest shall be computed at the rate or rates per cent. at which the Company have allowed discount during the period for which such interest is chargeable.

9th.—Parties or their agents will be required to insure the goods from fire, and deposit the policies with the East India Company; such insurance to take effect from the date of the termination of the sea risk. Should however the parties or their agents fail to effect such insurance, the East India Company shall be at liberty to insure the goods, the expense of which shall be

reimbursed to them previously to their making over the goods to these parties or their agent.

10.—Parties receiving advances, to address in each instance a letter in quadruplicate to the Court of Directors, according to a form which will be furnished by the officers of government or authorized agents of the East India Company, signifying their assent to all the foregoing conditions, but more particularly for the purpose of expressly authorizing the sale of the goods by the Company (without either notice or concurrence of any person whomsoever) at any period after default shall be made either in acceptance or payment of the bills; also authorizing, in such cases the repaying to the Company the advances made, either principal or interest, together with any other charges or expenses which the Company may have incurred in respect of the goods, and appointing the agent in England for each transaction.

Extract of a despatch from the Hon'ble the Court of Directors to the Political Department, dated the 17th August, No. 13 of 1838.

5.—In future we desire that you will restrict your advances to the great staple articles of Indian produce, cotton, silk, sugar, coffee, indigo, sulphur and iron goods, and further that no advance be made upon any consignment the ascertained value of which shall be less than 500 rupees.

6.—Several packages of tobacco upon which you have made advances, have been seized by the officers of customs, in consequence of their having been imported in illegal packages. Extracts from the Acts 3 and 1 Will 4 cap 5, ser. 58 and 6th and 7th Will 4, cap 30, ser. 4, relating to the article of tobacco are transmitted in the packet.

November 17.—Notice is hereby given, that the pay, batta, and other allowances for November 1838, of the troops at the presidency, and at the other stations of the army, will be issued on or after Monday, the 10th proximo.

ECCLIASTICAL DEPARTMENT.

November 21.—The furlough granted to the Revd. H. Hutton chaplain at Dum Dum, on the 31st ultimo, is cancelled at his own request. The Revd. Mr. Hutton is permitted to remain as licentiate chaplain at Dum Dum.

The Hon'ble the Deputy Governor of Bengal is pleased to order that the leave of absence granted to the Revd. J. Vaughan, chaplain at Dinapore, commence from the 20th inst. of the 15th instant.

BY THE GOVERNOR-GENERAL OF INDIA.

POLITICAL DEPARTMENT, SIMLA, OCTOBER 22 1838.—Captain F. C. Elwell, assistant to the general superintendent for the Suppression of Thuggee, has obtained four months' leave of absence, on sick certificate, from the 20th September to 20th January, 1839, to visit the Nizkurry Hills and Madras.

Lieutenant Halsted, 2d assistant to the commissioner for the Government of the territories of His Highness the Raja of Mysore has been nominated to officiate for Captain Elwell, during his absence.

POLITICAL DEPARTMENT, SIMLA, OCTOBER 22.—Captain J. S. Windle, commanding the Bhopal contingent, has this day obtained leave of absence from the 1st of December next to the 31st of January 1839, preparatory to his submitting an application to retire from the service.

NOVEMBER, 1.

The Hon'ble R. Cavendish, resident at Nagpore, has obtained leave of absence from the 10th February with a view to enable him to embark from Bombay, and to proceed to Europe on Furlough.

Major H. B. Smith of the 5th Madras cavalry, commanding the Bitchpore division of the Nizam's army, has obtained three months' leave of absence to proceed to Bombay, preparatory to applying for permission to retire from the service.

NOVEMBER 3.—The Governor General of India has this day been pleased to make the following arrangements.

Lieutenant R. Maud's of the Bengal artillery, is directed to place himself under the orders of Captain C. M. Wade, political agent at Loodhiana proceeding to Peshawar.

Assistant Surgeon David Cullen is directed to proceed to Jeypore, with a view to afford medical attendance to Major Ross' mission at that place.

Lieutenant E. J. Robinson, assistant to the agent to the Governor General at Delhi, has this day been nominated to be an officiating assistant to the Political agent at Loodhiana.

SECRET DEPARTMENT.

SIMLA NOVEMBER, 1.—Captain J. O'Connell, of the 23rd regiment

GENERAL REGISTER.

native Infantry, was appointed, on the 29th ultimo, to be Aid-de-Camp to Colonel E. H. Simpson commanding the force of Shah Shuja-ool-Moolk.

BY THE GOVERNOR OF THE NORTH WESTERN PROVINCES.

GENERAL DEPARTMENT, SIMLA, OCTOBER 8—Revenue.—Lieutenant S. A. Abbott to be charge of the revenue survey in Jillah Bahawal and Shikhanpore, in the room of Lieutenant J. Abbott preceding on active service.

General.—Mr. Assistant Surgeon H. Sill to be civil assistant surgeon of Hanoerpore.

Mr. Assistant Surgeon R. W. Faithful to be civil assistant surgeon of Futehpore, vice Mr. Assistant Surgeon C. Madden, whose services are placed at the disposal of His Excellency the Commander in Chief, at his own request.

Judicial and Revenue.—Mr. R. H. Scott, commissioner of the Rohilkhand division, has obtained leave to proceed to the presidency, and eventually to act, for two years, on medical certificate.

OCTOBER 10.—Mr. R. H. P. Clarke is appointed to officiate as magistrate and collector of Bareilly. Mr. Clarke has been desired to proceed to Bareilly and to relieve Mr. Lushington by the 1st November next.

OCTOBER 12.—Mr. H. S. Ravenshaw, joint magistrate and deputy collector of Paneput, has obtained leave of absence, on account of his private affairs, for four months from the 15th November next; or the earliest subsequent date at which he may be relieved by the officer who may be appointed to succeed him.

OCTOBER 17.—**Judicial.**—Mahommed Yousuf, the sudder ameen and law officer of Jampur, is appointed to officiate as principal sudder ameen of Futehpore, during the absence of Syud Tassoodk Hosen Khan, who has obtained, under orders of 13th ultimo, eight months leave of absence, over and above the Dusseran vacation.

RECEIVED OCTOBER 17.—The Reverend R. P. Brooke officiating junior district chaplain at Cawnpore, is permitted to remain at Cawnpore till further orders, in modification of the order of the 31st March last.

SIMLA, OCTOBER 16.—**Judicial and Revenue.**—The order of the officiating commissioner of the Benares division authorizing Mr. N. B. Edmonstone, officiating magistrate and collector of Ghazepore, to make over charge of his office to Mr. W. C. S. Cunningham, the officiating joint magistrate and deputy collector, to enable him to proceed to the presidency under the leave of absence obtained by him on the 9th August last is approved.

OCTOBER 19.—Mr. T. J. C. Plowden to be magistrate and collector of Banda. Mr. Plowden will continue to officiate as magistrate and collector of Meerut, till further orders.

Mr. R. B. Thornhill to be an assistant under the commissioner of the Allahabad division.

Mr. G. H. Clarke to be an assistant under the commissioner of the Rohilkhand division.

Revenue.—Mr. J. Walker to be a deputy collector in Jillah Garuckpore, under the provisions of Regulation IX of 1842.

The following officers have obtained leave of absence:

Judicial and Revenue.—Mr. J. S. Clarke, magister and collector of Moradabad, for a further period of twelve months, on medical certificate, to remain in the hills, in extension of the leave obtained by him under orders of the 11th August and 9th November 1837.

Lieut. J. D. Macnaghten, officiating superintendent of Ajmere, for three months, to proceed to Simlah, on account of his private affairs. Captain B. W. is appointed to officiate as superintendent of Ajmere, during the period of Lieutenant Macnaghten's absence.

General.—Mr. H. M. Moulvi, civil auditor, North Western Provinces, on account of his private affairs, for one month, from the date on which he may make over charge of his office to Mr. Wells, who will inspect the duties thereof during his absence.

Judicial and Revenue.—The leave of absence in excess of the one month granted by the commissioner of the Allahabad Division to Mr. W. Mair, then assistant to the magistrate and collector of Cawnpore, and now officiating joint magistrate and deputy collector of that district, viz. from the 3d to the 16th September, on medical certificate, is sanctioned.

OCTOBER 19.—The unexpired portion of the leave of absence of ten months from the 2nd January last, granted to Mr. F.

Currie commissioner of the Benares division, under of the 16th December 1837, is cancelled from this date.

F. CURRIE.

Offg. Secy. to the Genl. N. W. P.

MILITARY.

BY THE PRESIDENT IN COUNCIL.

Fort William, October 29, 1838.—No. 155 of 1838.—Inconvenience having been found to arise from the existing mode of embarking and providing troops and invalids, return to Europe, with medical comforts and the authorized equipments, His Honor in Council is pleased to lay down the following rules, in substitution of those now in force:

The commissariat department will in future be held responsible for the supply and shipment of hammocks and other necessaries, as well as the medical comforts allowed by the regulations on embarkation returns furnished by the Quarter Master General of the army, or in his absence by the officer in charge of the office at the presidency.

If any articles not allowed by regulations should at any time be required in extraordinary cases, which can seldom occur, an indent for such with an explanation of the circumstances, will be submitted by the Quarter Master General of the army, or the officer in charge of his office at the presidency to the secretary in the military department, for the orders of Government.

The whole of the supplies are to undergo the prescribed survey previous to shipment, and the commissariat officer shipping them will furnish a statement of their description and quantities to the officer commanding the troops or invalids for whose use the articles may have been put on board.

The officer who may be nominated to the command of the party embarking in each ship shall invariably be either president or a Member of the Council office, who is to examine the articles, and a medical officer in all practicable cases shall likewise be a Member.

Correct returns of the invalids of the season and other soldiers both of the Honourable Company's services, for whom a passage to Europe is required, are to be forwarded by the major or brigade quarter master, or town major, as the case may be, to the quarter master general of the army, or officer in charge of his office at the presidency, who, in communication with the Marine Board, will make the distribution to the several vessels engaged.

The Quarter Master General of the army will report for the information of Government the number of individuals of both services for whom accommodation is required, in order that the Marine Board may be instructed to advertise for tenders of the requisite tonnage.

The Quarter master general of the army, or his deputy or assistant, in charge of the office at the presidency, will prepare the necessary embarkation returns, for the Marine Board, and commissariat officer who provides the hammocks and medical comforts, and whose charges for the same will be considered satisfactorily settled by that document, and the receipt of the commander of the vessel for the articles, shipped, as sanctioned by regulation.

Half weekly returns of the alterations in the number of individuals to embark will be required by the quarter master general of the army or the officer in charge of his office at the presidency from the proper departments, until the whole are embarked.

The commissary general or senior officer of the department present, will make a return to Government of all articles shipped under these orders supported by duplicate receipts for the same from the commanders of the ships on board of which the troops may have been embarked, these documents being required for transmission to the Hon'ble the Court of directors if possible by the same ships.

The committee to examine the ship accommodation after the vessels are reported ready for inspection will be constituted as heretofore.

The quarter master general of the army or departmental officer in charge of the presidency office, will receive from the master attendant due notice both when a ship is ready for inspection of the committee, and when prepared to receive the detachment allotted to her; he will accordingly make the necessary requisition for the committee, and the necessary arrangements for the embarkation of the troops, taking care that no avoidable delay occurs in either case.

The payment of arrears of pay and other dues to men under orders of embarkation will be adjusted as heretofore.

His Excellency the commander in chief is requested to issue any subsidiary orders which may be necessary to give effect to the foregoing rules.

The rules in the form of instructions prepared by the Marine Board for the guidance of the master attendant and commanders of vessels taken up for the conveyance of troops having been approved of by Government, are herewith published for general information:

GENERAL REGISTER.

NO.

To MASTER ATTENDANT.

Sir,—In continuation of my letter, No. 735, dated 15th September 1859, and its enclosure, to which your particular attention is solicited, to desire that the following instructions may be most particularly attended to, in all future occasions of a vessel being tendered and engaged to convey military parties to England.

1. Draft of water at which vessel shall sail to be arranged between commander and master attendant, and certificate thereof to accompany the tender. Selected vessels to be surveyed and a report according to particular form to be forwarded to the board as early as possible.

may be required will be forwarded then to be surveyed and a surveying form, is to be forwarded

Space for the men to be selected, specially with reference to their comfort and convenience the best means of ventilation and the easiest access to the deck.

all reference to the comfort and either of the both ways, whichever is the most convenient, and the easiest access to the deck. Tenders being accepted, statements of number of men and quantity of provisions to be forwarded to master attendant from the marine board.

men for whom space will be required according to the agreement and the quantity of provisions, &c., which the vessel is bound to have on board. It will then

Surveyor and an assistant to the master attendant immediately to cause the requisite space to be bulk-headed off, separate from crew and cargo, to see the hammock batten set up, ladders fixed at the hatchways, and awnings, and wind sails actually provided. hammock batten for men, convenient and secure ladders at the hatchways, that proper awnings and wind sails are actually provided.

Assistant master attendant to report fully in duplicate on the quality, &c., of the provisions and to retain masters for the inspection of the military committee to be shipped for the use of the men, and he is to retain masters for the future inspection of a military committee, as hereafter noticed.

Space to be bulk-headed off and reported upon at as early a period as possible, consistent with the duties of the ship. consistent with the necessary

Arrangements being all concluded and reports duly filled up and completed are to be forwarded to the board, in duplicate.

the troops the actual length and breadth on the clear deck, with the whole number of superficial feet, and under the head general remarks, whether or not there are proper hammock batten, ladders, awnings and wind sails, is to be forthwith forwarded to the board, in duplicate, together with the duplicate certificate of provisions in the form now used with the amended certificate of the commanders, as noticed in the letter intended to be issued to them, copy of which accompanies this.

6. At the same time or as soon after as may be convenient you, will report, in communication with her commander the day on which the vessel will be ready for military survey, taking care that at least one clear day is allowed after receipt

Assistant master attendant to see that the space allotted to the men is clear and clean on the day the vessel is inspected by the military committee, that awnings are spread, wind sails up, ladders in their proper places, &c., of the military committee.

2. As is now the case, parties tendering will be required to arrange with you the draft which they will engage the ship shall not exceed in the event of her being excepted, and to forward such certificate with reference to the tender, when the tenders are opened a list of vessels selected by the board with reference to their qualities and rates of tender on which report are forwarded to you. These vessels are to be forwarded, according to the acknowledged to the board as early as possible. The space for the men is to be selected by the surveying officer with the approved concurrence of the commander, which is to be noted in the report, with special convenience of the men, abstracted to the deck.

3. When the names of the vessels whose tenders are accepted are communicated to you, a statement will be forwarded, showing the number of men to be taken on board and the requisite space at the place already agreed upon to be properly partitioned off and bulk-headed, separate from crew and cargo. They are to see that there are proper

4. One of your assistants is, in communication with the commander, to survey and report fully in duplicate upon the quality, &c., of provisions intended to be shipped for the use of the men, and he is to retain masters for the future inspection of a military committee, as hereafter noticed.

5. These two duties of partitioning space, &c., and surveying and reporting upon provisions, are to be performed at as early a period as possible, duty of the ship, and when all these arrangements have been made, the usual inspection report duly filled up, and, especially noticing in the column of dimension of space allotted to

6. At the same time or as soon after as may be convenient you, will report, in communication with her commander the day on which the vessel will be ready for military survey, taking care that at least one clear day is allowed after receipt

Assistant master attendant to see that the space allotted to the men is clear and clean on the day the vessel is inspected by the military committee, that awnings are spread, wind sails up, ladders in their proper places, &c., of the military committee.

Master attendant to provide proper boat for the conveyance of military committee to the vessel.

quarter general of the army, or officer in charge of his office at the presidency shall appoint, and the surveyor, with one of your assistants is to be on board as also the commander and surgeon. When the military committee arrive on board, it will be the duty of the surveyor and your assistant to afford them any information or explanation which they may require, and to attend to all reasonable requisitions not at variance with the arrangement, & and finally, to require a written memorandum from the president stating whether the military committee are satisfied with arrangements, the surveying officer and assistant master attendant to explain away their objections, if at variance with agreement, if not so, to uphold them and enforce them on the commander.

If military committee adhere to their objections, without making explanation of the same, you and assistant master attendant, they are to require a written statement of them, master attendant to forward such statement with remarks of surveyor and assistant master attendant, and his own observations.

Military committee being satisfied, day of embarkation is to be fixed two clear days' notice before given to the town major or brigade major, as the case may be. The officer in charge of his office at the presidency, as above, and it will be your duty to communicate such notice to that officer and to me for the information of the board. After the pilot not to move the vessel for forty-eight hours after embarkation, unless authorized so to do in writing by the officer commanding the embarkation. Most particular attention to be paid to the above directions. the embarkation for an earlier departure.

8. When they are so satisfied, the day of embarkation is to be fixed, so that two clear days notice shall be given to the quarter master general of the army or officer in charge of his office at the presidency, as above, and it will be your duty to communicate such notice to that officer and to me for the information of the board. After the pilot not to move the vessel for forty-eight hours after embarkation, unless authorized so to do in writing by the officer commanding the embarkation. Most particular attention to be paid to the above directions. the embarkation for an earlier departure.

9. The board must now request that the most particular attention be paid to the above directions. In future, as before the guidance of commanders will be issued to them on the vessels being engaged copy of the instructions are herewith forwarded for your information.

7. You are to provide a proper boat for the conveyance of military committee to the vessel from such Ghaut as shall be appointed, and the surveyor, with one of your assistants is to be on board as also the commander and surgeon. When the military committee arrive on board, it will be the duty of the surveyor and your assistant to afford them any information or explanation which they may require, and to attend to all reasonable requisitions not at variance with the arrangement, & and finally, to require a written memorandum from the president stating whether the military committee are satisfied with arrangements, the surveying officer and assistant master attendant to explain away their objections, if at variance with agreement, if not so, to uphold them and enforce them on the commander.

8. When they are so satisfied, the day of embarkation is to be fixed, so that two clear days notice shall be given to the quarter master general of the army or officer in charge of his office at the presidency, as above, and it will be your duty to communicate such notice to that officer and to me for the information of the board. After the pilot not to move the vessel for forty-eight hours after embarkation, unless authorized so to do in writing by the officer commanding the embarkation. Most particular attention to be paid to the above directions. the embarkation for an earlier departure.

9. The board must now request that the most particular attention be paid to the above directions. In future, as before the guidance of commanders will be issued to them on the vessels being engaged copy of the instructions are herewith forwarded for your information.

I have, &c.
(Signed) C. G.,—Secretary.

Fort William, Marine Board Office, the

1858.

A Report of survey upon the undermentioned ships tendered for the Conveyance of about Invalids to England.

Note—Copy of the agreement and its accompaniments are herewith forwarded, as well for your general information, as for the purpose of being taken on board by your Assistant reference by the military committee

Names.	Tonnage.	Situation of the space proposed to be allotted.	Partitions, between decks, in the space proposed to be allotted.	How ventilated.	Laban for the officer in charge.	Remarks.

Sir.—The Ship under your command having been engaged for the convenience of to England. I am directed by the Marine Board to request that you will forthwith place yourself in communication with the master attendant, and implicitly attend to the following directions.

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3. The surveyor and one of the assistants to the master attendant will attend on board your ship to measure off the space allotted to the men, according to the agreement, and you are to refer, with as little delay as possible, to cause that space to be properly partitioned off, and separated by a bulk head from the crew and cargo. You are also to cause proper hammock battens to be put up, laid out to be fixed at the hatchways, and awnings and wind sails to be provided. You are also, as speedily as possible, to produce to the master attendant, for the inspection and survey of one of his assistants, masters of the several articles of provisions which you purpose to furnish for the troops during the voyage, and you are to chance such as may not be approved by such assistant. And it is not possible for such assistant to inspect and survey the whole of each article, and as the inspection and survey by a Government officer does not, according to the agreement, "in any manner lessen the responsibility" of the owners and commander, that the provision shall be of the best quality—you will be required to affix the *certificat de noted in the margin, to a report from the master attendant on the provision, &c. proposed by you to be furnished to the troops during the voyage.*

Whereby certify, that the actual provisions mentioned in the annexed report have been supplied on the ship for the use of the troops, proceeding on her to England, and that they are all of equal quality. C. G. Masters inspected and approved by assistant master attendant

Commander.

3. Your most particular attention is called to the earliest possible completion of these arrangements, for it is necessary that they should all be concluded before your vessel can be submitted to the inspection of the military committee, and the greatest inconvenience as well as the public departments as to vessels conveying home troops has frequently arisen from due care and attention not having been paid by the commander in hastening these arrangements.

4. When, however, the whole are complete, and the surveying officers are satisfied thereof, you will be good enough to fix a day for the visit of the military committee and make the same known in writing to the master attendant, observing that it is necessary there should be one clear day at least after such notice reaches this office. On the day that the military committee visit the ship, you are to take care that the space allotted to the men is clear and clean washed, that awnings are spread, wind sails up batten fixed and every thing arranged, ready for the actual embarkation of the men.

You yourself and your surgeon are to be on board; and you are to pay ready attention to all such suggestions as may be made by the committee, which are not opposed to the agreement under which your ship is engaged in the service of Government.

5. After the military committee shall have left the ship satisfied with the arrangements, you will be good enough to communicate to the master attendant the day on which you desire that the men should embark, who will make the same known to the quarter master general of the army or officer in charge of his office of the presidency to whom notice it will be necessary that two or three days shall be given after such notice to enable them to adjust the men's accounts. You are of the same time to attend at this office for the purpose of executing the agreement.

6. Finally, after the men are embarked, you are distinctly to understand that, according to the agreement, she is not to be moved for forty-eight hours after such embarkation, unless the officer superintending the embarkation shall furnish the pilot in writing with permission to leave earlier.

7. I am, in conclusion, directed to repeat the desire of the board, that the most minute attention be paid to these directions as otherwise dissatisfaction will necessarily ensue but be the consequence to the vessel under your command.

(Signed) C. G.

Port William November 5.—No. 157 of 1838.—The Hon'ble the President in Council is pleased to make the following promotions:

50th Regiment native infantry.—Lieutenant and Brevet Captain Francis Thimmar to be Captain of a company, and Ensign Robert Hay to be lieutenant, from the 29th of October 1838, in succession to Captain Richard Courtenay Johnson transferred to the invalid establishment.

72d Regiment native infantry.—Lieutenant Henry Daniel Mathan to be Captain of a company, and Ensign George Baues Herboon to be lieutenant, from the 29th of October 1838, in succession to Captain Robert Wedderburn Watson, transferred to the invalid establishment.

Lieutenant H. Goodwyn, executive engineer, 8th division, department of Public Works, has four months leave of absence to visit the presidency, on medical certificate.

Captain C. P. Thomas of the 15th regiment native infantry 2d assistant stud department, in charge of the Poona depot, has leave of absence for one month and a half, to visit the presidency preparatory to applying for leave to proceed to sea.

The president in Council is pleased to make the following promotions:

Ordnance Commissariat Department.—Sub Conductor Richard Killen to be conductor, and Sergeant Robert Smith, of the corps of sappers and miners, to be sub conductor, from the 9th of September, 1838, vice Grainger deceased.

Sergeant Major Samuel Tydd, of the 34th regiment of native infantry, to be sub conductor, from the 15th September, 1838, vice Carolan deceased.

Subordinate medical department.—Assistant Steward John Hennessy to be steward, and Hospital Apprentice James Shertz to be assisnt steward, from the 25th September, 1838, in succession to Denton deceased.

No. 158 of 1838.—The Hon'ble the President in Council directs that the following paragraphs (2 to 5), from a military letter No. 64, from the Hon'ble the Court of Directors to the Governor of Bengal, dated the 8th August, 1831, be published in General Orders.

Para 2. We have granted additional leave to the following officers, viz.

Captain John Platt, and Lieutenant Thomas Goddard, six months.

3. Brevet Captain John Revell having arrived from Van Dieman's Land on sick certificate, we have considered him as on furlough on that account, from the date of his departure from your presidency.

4. We have permitted the following officers to retire from the service; viz.

Lieutenant Colonel Hugh Caldwell, from the 9th August, 1836.

Captain Windsor Perker, from the 9th June, 1838.

Brevet Captain Edward Brace, from the 22d June, 1838.

5. We have permitted Captain Mark Huish to resign the service. This vacancy has effect from the 8th July, 1837.

No. 159 of 1838.—The following paragraphs of a military letter No. 64, from the Hon'ble the Court of Directors to the Governor of the presidency of Fort William in Bengal, under date the 8th August 1838, are published for general information in continuation of General Orders No. 134, of the 1st June 1835.

Para. 1. In our military letter to the Supreme Government, dated the 17th December 1834, we notified our concurrence in the opinion of the Governor General, and of the other members of the Government "that no reason exists why major generals should, in the event of their being in India superannuated or major generals in the Company's service, vacate any offices or all appointments of which they may be in possession until it actually comes to their turn to accept or decline divisional commands, when the same rule will apply to them, as we have now directed to be applied to colonels holding staff appointments."

* Viz. That "if they prefer the retention of their offices, the divisional commands should not after wards be open to them, except in special cases, to be determined by Government and reported to us, for our approbation and sanction."

2. The event that contemplated has been realized by the large addition made to the number of major generals in our service by brevet published in the *London Gazette* of the 24th ultimo.

3. We now advise you that, in conformity with the above decision, the Regulation which requires officers to vacate the

* offices and commands on attaining the rank of major general, will not apply to major generals in actual possession of those offices or commands at the date of your receipt of this despatch. In all future appointments, the Regulation must be duly attended to enforced.

Port William November 12.—No 161 of 1838.—The Hon'ble the President in Council is pleased to make the following promotions:

37th Regiment N. C.—Major John Herring to be Lieutenant Colonel, Captain Charles Griffiths to be major, Lieutenant Thomas Hutton to be captain of a company, and Ensign William Watson Steer to be lieutenant, from the 27th October, 1838, in succession to J. Charter retired.

6th Regiment N. I.—Ensign John Plonkett to be lieutenant, from the 7th November, 1838, vice H. Apperly deceased.

Lieutenant Charles Arthur Morris of the 20th regiment native infantry, has returned to his duty on this establishment without prejudice to his rank, by permission of the Hon'ble the Court of Directors. Date of arrival at Fort William, 21st September, 1838.

Major General John Alexander Paul Macgregor, of the 28th regiment native infantry, military auditor general, is permitted

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to proceed to the Cape of Good Hope on medical certificate, and to be absent from Bengal on that account for two years.

Major Wm Gregory, of the first regiment native infantry having been declared incapable of performing the active duties of his profession, is at his own request, transferred to the invalid establishment from the 14th ultimo.

The following promotions are made in the subordinate medical department.

Assistant Apothecary G. E. Poole to be apothecary, and hospital apprentice James Henry to be assistant apothecary, from the 8th October, 1839, vice White transferred to the pension establishment.

Memorandum.—The arrival of Ensign George Douglas Bonar within the limits of the Bengal presidency, is to be dated from the 29th July, 1839, the period of his reaching Cuttack, instead of from the date of his reporting himself at Fort William, as published in General Orders No. 119, of the 13th August last. The order books to be altered accordingly.

No. 162 of 1839.—The Hon'ble the President in Council direct that the following paras (2 and 3) from a military letter No. 66 from the Hon'ble the Court of Directors to the Governor of Bengal, dated the 19th July 1838, be published in General Orders.

Para. 2. We have granted additional leave to the following officers, viz.

Captains S. J. Grove and E. D. Townshend, and Lieutenants A. Tucker and W. Jervis, six months.

Assistant Surgeon James Griffiths till September next. The undermentioned officers have been permitted to retire from the service, viz.

Captain R. S. Phillips, from the 24th June, 1838. Brevet Captain H. Stone, 11th July, 1837. Ditto George Griffiths, 9th June, 1837.

No. 160 of 1839.—The Hon'ble the President in Council is pleased to make the following promotions and alterations of rank in the Army.—Major Adam White to be lieutenant colonel, vice H. Caldwell retired, with rank from the 3d October, 1838, vice H. R. deceased.

10th Regiment light cavalry.—Lieutenant Richard Cantley to be captain of a troop, and Colonel William Bayley to be lieutenant, from the 9th June, 1838, in succession to W. Parker retired.

Superannuated Cornet John Munro is brought on the effective strength of the cavalry.

48th Regiment native infantry.—Ensign Henry Lewis Bird to be lieutenant, vice E. Bone retired, with rank from the 5th June 1838, vice R. Baban promoted.

59th Regiment native infantry.—Captain Richard Wilcox to be major, lieutenant and Brevet Captain William Anderson to be captain of a company and Ensign Henry Frederick Dunsford to be lieutenant, from the 3d October, 1838 in succession to A. White promoted.

7th Regiment native infantry.—Lieutenant Henry Cheere to be captain of a company, vice M. Harsh resigned, with rank from the 1st March, 1839, vice A. Spens promoted.

Ensign Joseph Pater Paterson to be lieutenant, vice Cheere promoted, with rank from the 30th April 1839 vice W. T. Briggs deceased.

ALTERATION OF RANK.

55th N. I.—Lieut. Col. J. Frushard, Major H. C. M. Cox, Captain G. A. Mc., and Lieutenant W. Carnegie, from 9th August, 1839, vice H. Caldwell retired.

38th N. I.—Lieut. Col. G. W. Motely, Major W. Aldon (retired) Captain T. C. Wilton (invalided) and Lieutenant W. Kennedy, ditto 17th Sept. 1839, ditto J. Hunter deceased.

19th N. I.—Lieut. Col. J. Taylor, Major W. Pastner (deceased), Captain J. Dammund, and Lieutenant W. K. Wollen, ditto 22d Sept. 1839, ditto A. Galloway promoted.

53d N. I.—Lieut. Col. N. Wallace, Major J. Hoggan, Captain C. C. Campbell and Lieutenant E. S. Capel, ditto 8th October, 1836, ditto E. Wyatt promoted.

62d N. I.—Lieut. Col. J. Watkins (retired), Major R. Becher, Captain F. A. McGinn and Lieutenant D. E. Browster, ditto 9th March, 1837, ditto H. T. Tapp promoted.

5th N. I.—Lieut. Col. J. Charter (retired), Major P. Johnston (retired), Captain B. Bygrave and Lieutenant W. H. Tombs, ditto 4th May, 1837, ditto W. W. Moore retired.

42d N. I.—Lieut. Col. H. Ross (deceased), Major J. O. Clarkson, Captain A. McKewen and Lieutenant D. Gausson, ditto 24th July, 1837, ditto D. Dowie deceased.

Lt. Wg. Regt.—Lieut. Col. W. Barrroughs, Major J. A. Thompson, Captain T. Lysaght and Lieutenant H. B. Walker (deceased), ditto 27th Sept. 1837, ditto H. O'Donel deceased.

6th N. I.—Lieut. Col. J. Eckford, Major J. G. Drummond, Captain D. C. Keiller and Lieutenant A. A. Sturt, ditto 11th Nov. 1837, W. H. Keum promoted.

Lieutenant B. Cary, ditto 12th Dec. 1837, ditto M. Kittoe dismissed.

4th N. I.—Lieut. Col. S. Speck, Major H. F. Caly, Captain C. J. Oldfield and Lieutenant F. Matland, ditto 21st Jan. 1839 ditto J. Watkins retired.

51st N. I.—Lieut. Col. J. Trethewey, Major H. J. C. Parnard, Captain D. Ross and Lieutenant S. A. Abbot, ditto 18th Feb. 1838, ditto S. Watson deceased.

6th N. I.—Lieut. Col. V. Herrv, Major G. J. B. Johnston, Captain C. Fowle and Lieutenant F. Shirreff, ditto 16th March, 1839, ditto J. Dun promoted.

4th N. I.—Lieutenant C. Howell, ditto 31st June, 1838, ditto E. Bruce retired.

74th N. I.—Captain H. W. Leacock and Lieutenant C. Goddon ditto 8th July, 1837, ditto M. Harsh resigned.

Lieutenant G. Ryley, ditto 1st March, 1839, ditto H. Cheere promoted.

Fort William, November 12 1839.—No. 163 of 1839.—The Hon'ble the President in Council has great pleasure in publishing to the Army, the following paragraphs of a Military Letter from the Hon'ble the Court of Directors, No. 62, dated the 1st August, 1839.

Para 1. We have the highest satisfaction in announcing to you that the Queen has been graciously pleased, on the occasion of Her Majesty's coronation, to confer the honors of the Order of the Bath upon the following Officers, viz.

To be Extra Knights Grand Cross.—Major Generals Sir Alexander Caldwell, of the Bengal Artillery, & C. B. and Sir James Law Lushington, of the Madras Cavalry, & C. B.

To be Knights Commanders.—Major Generals John Rose, of the Bengal Infantry, & C. B., William Richards, of the Bengal Infantry, & C. B.; Thomas Whitehead, of the Bengal Infantry, & C. B.; John Doynton, of the Madras Cavalry, & C. B.; David Foulis, of the Madras Cavalry, & C. B. and Sir Thomas Aubrey, Kt, of the Bengal engineers, & C. B.

To be Commanders.—Colonels William Turner, of the Bombay Cavalry, William Hull, of the Bombay Infantry; Sir James Leacock, Knt, of the Madras Artillery; William Sandwith, of the Bombay Infantry; James F. Sallet, of the Bombay Infantry; H. G. Taylor, of the Madras Infantry; Herbert Bowen, of the Bengal Infantry, F. J. T. Johnston, of the Bengal Cavalry; Sir R. H. Conkitt, Bart, of the Bengal Infantry, Peter De-la Motte, of the Bombay Cavalry, Edward Frederick, of the Bombay Infantry; James Kennedy, of the Bengal Cavalry; Sir Jeremiah Bryant, Knt., of the Bengal Infantry, Edmund F. Waters, of the Bengal Infantry; William S. Whish, of the Bengal Artillery; William Battine, of the Bengal Artillery; Archibald Galloway, of the Bengal Infantry; Lecheiner Russell, of the Bombay Artillery and Robert Home, of the Madras Infantry.

Lieut. Colonels.—James H. Frith, of the Madras Artillery; Henry Cook, of the Bengal Infantry, Charles Hoberl, of the Madras Infantry, John Mearns of the Madras Infantry; Joshua Stewart, of the Madras Infantry, Williamson, of the Madras Infantry, Henry Hall of the Bengal Infantry; John Cheape, of the Bengal Engineers, John Low, of the Madras Infantry; John Colvin of the Bengal Engineers; Alexander Turlock, of the Madras Infantry, S. W. Steel, of the Madras Infantry, Joseph Orchard, of the Bengal Infantry, and Charles Graham, of the Bengal Artillery.

Majors.—John Herring, of the Bengal Infantry; Edward A. Campbell, of the Bengal Cavalry, P. Montgomerie, of the Madras Artillery, W. J. Butterworth, of the Madras Infantry; John Purton, of the Madras Engineers, John Cameron, of the Madras Infantry, Thomas Lushington, of the Bengal Artillery, and Thomas Timbrell, of the Bengal Artillery.

2. You will be pleased to publish this despatch in General Orders.

Fort William, November 12.—No. 164 of 1839.—The London Gazette of the 21th July 1838, having been received from the Hon'ble the Court of Directors, the following Extract therefrom, is published for general information.

War Office, 24th July, 1838.

Her Majesty has been pleased to appoint the undermentioned Officers of the East India Company's forces, to take rank, by brevet, in Her Majesty's army in the East Indies only, as follows: commissions to be dated 24th June 1838.

To be Generals.—Lieutenant General Bennet Marley; Samuel Branshaw and Sir Hector McLennan & C. B.

To be Lieutenant General.—Major General John Cunningham.

To be Major Generals.—Colonels Brackley Kennett; William Innes, John P. Dunbar; Andrew Arbueson; William Turner; Adam Hogg; Christopher Hodgson; Richard Whish; Augustus Andrews; Gabriel R. Kenny; James Abnuty James Cook; William Hull; Sir James Leacock, Knt, Charles McLoud; Thomas Garner Robert Fitman; Christopher Sullivan Fagan; Edmund

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W. Shaldern; William S. Heathcote; Richard H. Yates; John Mayo; Antony Moun; William Sandwith; Mossom Boyd; John Melnes; James F. Saiter; Sire Ephraim O. Sinaus, Kat.; Patrick Byers; William Burgh; Edmund Cartwright; Henry George Andrew Taylor, Alfred Richards; Sir James Sutherland, K. L. S.; Herbert Bowen; Archibald Wat on; William Dickson; John Wells East; William P. Price; James Durant; Robert Hampton; John S. Harriott, Brook Bridges Parly; Henry Hodgson; Tretcheville Dykes Balantyne; Francis James Thomas Johnston; William G. Pearce; Sir Robert Henry Culliffe, Bart; William Clupham; John Truscott; John Woulfe; Edward Edwards; Thomas Webster; Gilbert Waugh; Thomas Henry Smith; Edward Millian Gullifer Showers; William Woodhouse; Henry Faithfull; Francis W. Wilson; John Tombs; John H. Collett; George L. Wahab; Patrick Cameron; John Cartae; Richard West; George Jackson; Samuel Goodfellow, Charles A. Walker; Richard A. Willis; Frederick Bower; James S. Francis; Isaac Kinnersley; Peter Delanotte, Henry Huthwaite, William C. Faithfull, Thomas Wilson; Felix Vincent Raper; George Swney, George Pollock; Alexander Gauday; James Alexander; Vans Kennedy; Walter Raleigh Oilbert; Thomas P. Smith; Edward Frederick; George B. Brooks; Archibald Robertson; William Clifton Baddeley; Henry Boulder; Peter Lodwick; James F. Dundas; James Morse; Edward H. Simpson; James Hackitt; Thomas Newton; John A. Bizes; Edward H. Bellasis; William Nolt; George Cooper; Suetonius Henry Todd; John Briggs; and Harry Thomson.

To be Majors—Captains John Wilson; Thomas Richard Macqueen; Francis Hugh M. Wheeler; John Wilson; George Hicks; James William Douglas; James Manson; John Ward; Stratford Powell; William Burlton; Samuel Lewis Thornton; Hope Dick; David Hepburn; William Simonds; Samuel P. C. Humphreys, John Henry Simonds, Henry Fisher Saiter; John Angelo; John Gavin Drummond; Thomas William Williams Bacon; Louis Saunders Birt; George Blake; Robert Lindsay Anstruther; Edmund Herring; Rudolph Roberts; George Gladwin Dennis; Alexander Davidson; Elys Evans Bruce; John Hall; John Hailes; John Samuel Marshall, Daniel Alexander Fleming; George Brooks Atcheson; Christopher Newport; George Chapman, John Hicks; John Landon Jones; Gillith; Holmes; Shephard Hart; John Rawlins, George H. Woodroffe; Francis Smalpage; Richard Cayley Meriton, John Houston Mackinlay; Owen Phillips; William Bolton Gidderstone, Nic Campbell; Robert Kent; William Henry Earle, Alexander McKinnon; William Sage; Andrew Goldie; Henry Carter; William Ramsey, Charles Thorsby; James Bedford; William Edward Blair Leadbeater; Jeremiah Brock Nottidge; George Lee; Duncan Montgomerie; Andrew Mitchell Campbell; Lucian Horatia Smith; John Farquharson; John Wothby; John Forbes; Eredwick Bond; Thomas Hiddle, William Marter; Hugh Macfarquhar; John Howison; Henry John Wood, George Dods; John Morgan Ley; Richard Graves Palwell John Chisholm; William Foquet; Edward Parry Gosan; John Allen; John Henry Irwin; John Cartwright; Francis Frankland Whytates; William Hill Waterfield, George Fryer; Richard Budd; Patrick Thomas; George Barker; Francis Plowden; John Fitzgerald; James Oilphout; Francis Stanton; John J. Underwood; John Mouson Boyce; William Frederick Steer; Claude Martin Wade; George William Bonham; Thomas Wilkinson; George Henry Robinson, Hugh C. Cotton, Charles Sinclair; Alexander Lawe, Charles Husmer, Richard Sommer Seton; Alexander MacArthur; William Prescott; John Thomas Croft; Charles Waddington; William Henry Terrance; Frederick Blundell; Charles Wahab; Stuart Corbett; George Frederick Penley; John Samuel Henry Weston; John Wynch, William John Thompson; Humphrey Hay; Malcolm Nicolson; Henry Monke; Henry Bakley Henderson; Thomas Best; Jerris; Frederick Samuel Sotheby; Henry Liddell; Edward Huthwaite; Gavin Ralston Crawford; Henry Delafosse; Joseph Robert and Woodhouse.

Fort William, November 12.—No 166 of 1838.—In future, every officers appointed to the command of a treasure escort, in receiving charge of the treasure, is to two witness the weight of each box, and give a receipt for its gross weight, as well as for the number of boxes entrusted to his care, and upon delivery, he is to require similar receipts from the consignee, for transmission to the remitting officer.

Fort William, November 17.—No. 167 of 1838.—The pay, allowances, and other matters for, November 1838, of the troops at the presidency, and at the other stations of the army, will be issued on or after Monday, the 10th proximo.

Fort William November 19—No. 198 of 1838.—The Hon'ble the President in Council is pleased to make the following promotions:

13th Regiment Native Infantry.—Ensign Charles Fleming Brazer to be lieutenant, from the 9th June 1838 vice Lieutenant and Brevet Captain George Griffiths retired.

49th Regiment Native Infantry.—Ensign Henry James Percy to be lieutenant, from the 11th July 1837, vice Lieutenant and Brevet Captain Henry Stone retired.

50th Regiment native infantry—Ensign Henry Nicoll to be lieutenant from the 4th November 1838, vice Lieutenant Henry Kewney deceased

61st. Regiment Native Infantry—Captain and Brevet Major Robert Stewart to be major, Lieutenant Henry Christian Talbot to be captain of a company, and Ensign William Henry Hayes to be Lieutenant, from the 14th October 1838, in succession to Major William Gregory transferred to the invalid establishment

The undermentioned officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Major General Gabriel Richard Penny, colonel 11th regiment native infantry, date of arrival at Fort William 13th. Nov. 1838.

Major General Mossom Boyd, colonel 53d regiment native infantry, ditto ditto 13th ditto.

Major General Felix Vincent Raper, colonel 70th regiment native infantry, ditto ditto 14th ditto.

Lieutenant Colonel John Anderson, of the 39th regiment N. I., ditto ditto 16th ditto.

Captain Francis Rowcroft, of the 1st Regiment N. I., ditto ditto 13th ditto.

Lieutenant William Lloyd Lewis Scott, of the 1st regiment light cavalry, ditto ditto 13th ditto.

Lieutenant William Martin, of the 52d Regiment N. I., ditto ditto 16th ditto.

Lieutenant Joseph Chilcott, of the 74th Regiment N. I., ditto ditto 17th ditto.

The following gentlemen are admitted to the service, in conformity with the appointment by the honorable Court of the Directors as a cadet of infantry and as assistant surgeons on this establishment: The cadet is promoted to the rank of ensign, leaving the date of his commission for future adjustment:

Infantry—Mr. Thomas Charles Henry D Oily, date of arrival at Fort William, 11th Nov., 1838

Medical Department—Mr. John Mackintire, ditto ditto 13th do. and Mr. Richard Valpy Slater, ditto ditto 16th do.

Surgeon James Inns, M. D., of the Medical Department, is permitted to proceed to Europe on furlough, on medical certificate.

Lieutenant Colonel and Brevet Colonel Ezekiel Barton, of the 49th Regiment N. I., Town and Fort major of Fort William, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

Lieutenant Colonel Thomas Fiddes, of the 45th Regiment N. I. is appointed to officiate as Town and Fort major of Fort William, during the absence of Brevet Colonel Barton, or until further orders

The unexpired portion of the leave of absence obtained by Brevet Captain Francis Deakwood of the regiment of artillery, assistant Secretary to the Military Board in General Orders No. 90, of the 18th June last, is cancelled from the 13th instant.

N 169 of 1838—The following appointment made by the Hon'ble the President of the Council of India, is published in General Orders

Lieutenant James George Balmain, of the Madras artillery, to be an Aide-de-Camp on his Honor's personal staff.

No 170 of 1838.—The Hon'ble the President in Council is pleased to make the following temporary appointments in the department of public works:

Captain Henry Debride, of the corps of engineers, to officiate as Secretary to the Military Board, during the absence of Captain Sanders, ordered to join the army of the Indus, or until further orders.

Captain James Arden Crommelin, of the corps of engineers, to officiate as superintending engineers, south Western provinces, vice Captain Debride.

Lieutenant George Hickson Fagan of the corps of Engineers to officiate as Executive Engineer of the 1st of Dum Dum Division, vice Captain Crommelin, retaining charge of such portion, of the Embankments of the 24th Pergunnas as shall appear to the Military Board to be convenient to the service.

Fort William November 19—No 71 of 1838.—Surgeon J. Taylor has been authorized, in the judicial and revenue department, under date the 16th ultimo, to perform the medical duties of the civil station of Daoca, in the room of Surgeon G. Lamb on leave.

The undermentioned officers have obtained leave of absence in the judicial and revenue department, under date the 23d ultimo:

Assistant Surgeon Henry John Thornton, attached to the civil station of Pubna, for one month from the 1st instant, on private affairs.

GENERAL REGISTER.

Apothecary F. Peterson, attached to the province of Arracan, for one month, from the 1st instant, on private affairs.

J. STUART, Lt Col.,

Offy. Secy. to the Govt. of India Milv. Dept.

BY THE GOVERNOR GENERAL OF INDIA.

Simla, October 22—Lieutenant Charter, of the 5th regiment native infantry, is permitted to retire from the service, from the date on which this order may reach the camp of that corps.

The Right Honorable the Governor General cannot allow a Lieutenant Colonel to resign his professional duties, and give up the command of a regiment, at the head of which he has been placed for several years at a moment when the corps is in progress to join the force assembling for active service in the field, under the personal command of His Excellency the Commander in Chief, without expressing his conviction, that the Bengal Army cannot furnish another instance of so lamentable a want of correct military feeling, as that exhibited on the present occasion by Lieutenant Colonel Charter, affording, as it does, an example injurious to all its grades European and native.

Simla, October 23—Lieutenant Colonel Gowan, of the artillery regiment is placed at the disposal of His Excellency the Commander in Chief, from the date on which he may be relieved from his present civil duties, by Mr G. T. Lushington, appointed commissioner of Kanton.

Simla, October 26—The Right Honorable the Governor General is pleased to make the following promotion in the ordnance commissariat department:

Lieutenant F. R. Hazely, deputy commissary, to be a commissary of ordnance, to fill a vacancy.

Captain J. H. Craigie, of the 20th regiment native infantry, was appointed on the 18th instant, in the secret department, to the command of the 3d regiment of Shah Shojah's force, vice Captain W. F. Beaton, placed at the disposal of His Excellency the Commander in Chief.

SIMLA, OCTOBER 26—Captain E. Sweetnam, of engineers, having been appointed by His Excellency the Commander in Chief to the command of the corps of sappers and miners at Delhi during the absence, on field service, of Captain G. Thompson the Right Honorable the Governor General is pleased to nominate that officer to the executive charge of the public works at the station.

SIMLA, OCTOBER 29—Lieutenant W. Maxwell, of artillery was appointed on the 2d instant, in the General Department North Western Provinces to be an assistant revenue surveyor, under Captain J. Fordyce revenue surveyor in Goruckpore.

SIMLA, OCTOBER 31—The Right Honorable the Governor General was pleased in the Political Department, on the 25th instant, to place Lieutenant H. Marsh, of the 3d light cavalry, and assistant to the general superintendent of the operations for the Suppression of Thuggee, in Rajpootana at the disposal of His Excellency the Commander in Chief, to enable him to join his regiment proceeding on service.

Simla, November, 3—The following officers now employed in the department of revenue survey, are placed at the disposal of His Excellency the Commander in Chief, for service in the field:

Lieutenant and Brevet Captain James Abbott, of the regiment of artillery.

Lieutenant J. N. Rind, of the 37th regiment native infantry.

Camp Buhler, November 8—The Governor General has been pleased to appoint Lieutenant W. W. Apperley, 4th light cavalry, to be an assistant in the stud department, vice Captain Johnson, proceeding with Shah Soojah's levies.

Wm. CASEMENT, M. G.

Secy. to the Govt. of India Milv. Dept.,

with the Rt. Hon'ble the Govr. Genl.

BY THE COMMANDER-IN-CHIEF.

Head-quarters Simla, October 5, 1833—Major C. F. Urquhart, of the invalid establishment, is permitted to reside and draw his pay and allowances at Meerut.

Surgeon G. Smith (on leave to New South Wales) is removed from the 33d to the 14th regiment of native infantry.

Surgeon H. Taylor, new promotion, is posted to the 33d regiment of native infantry.

Ensign George Holroyd is removed from the 19th to the 43d regiment of native infantry, under orders for field service.

The following ensigns, to whom rank was assigned in Government General Orders No 116, of the 6th of August last, are posted to the corps specified opposite to their names, and directed to join:

Ensign Langston Peter Faddy, 29th regiment of native infantry at Baudah.

Ensign Martin Donaford, 61st regiment of native infantry at Dinapore.

The following non-commissioned officers, who have been placed as a temporary measure, at the disposal of His Excellency the Commander in Chief, by the orders of the Right Honorable the Governor General of the 2d instant, are directed to proceed forthwith and join the head quarters of the sappers and miners at Delhi. The officer commanding the corps will be pleased to post them to such companies as he may think fit.

Sergeants Cameron; Dean; McMurray; Wilson; Douglas; Virtum; Robertson; O'Callaghan; Giff; Bell; Meldrum and Bruce.

Head Quarters, Simla, October 6—His Excellency the Commander in Chief having been pleased to frame a set of Standing Orders for the Bengal light cavalry, has caused them to be printed, and to be sent to each regiment.

His Excellency directs, that no standing orders be issued in any regiment, and no usages sanctioned, which are contrary to the spirit of any part of these regulations.

Any such orders as aforesaid, which may now be in force, are to be cancelled.

Every officer in the cavalry will be expected to provide himself with a copy of these Standing Orders.

In furtherance of the General Order by the Right Honorable the Governor General, dated the 2d instant, authorizing two field pieces to be attached to the Joudpore legion, His Excellency the Commander in Chief is pleased to direct the Brigadier commanding the Rajpootana field force to require the officer in charge of the Ajmere magazine, to comply with Captain D. Dowling's intent for ordnance and stores, to the extent specified, and to detach, from the 1st company 3d battalion of artillery, two steady soldiers, who may volunteer for the duty, to fill the situations of gun sergeant and gun corporal to the legion.

The Brigadier commanding the Meerut field force will send to the head quarters of the Joudpore legion one naik and four privates, from the 5th company 6th battalion of artillery, to assist the European non-commissioned officers in drilling such sepoy and others, belonging to the corps, in the gun exercise, as may be selected for the service of the artillery.

Descriptive rolls of the Europeans sent from Nusseerabad to be forwarded to head quarters, with a view to the transfer of the men to the town major's list.

Captain E. Sanders, of the corps of engineers, who was placed at the disposal of His Excellency the Commander in Chief, in General Orders by the Right Honorable the Governor General, of the 2d instant, is directed to join and assume command of the two companies of sappers and miners, under orders for field service.

1st Lieutenant W. Timbrell is removed from the 2d troop 3d to the 1d troop 2d brigade horse artillery.

2e Lieutenant H. Warburton is removed from the 4th company 5th to the 2d company 6th battalion of artillery.

Ensign Joseph McCance, to whom rank was assigned in Government General Orders No 116, of the 6th of August last, is posted to the 65th regiment of native infantry at Barrackpore to fill a vacancy.

His Excellency the Commander in Chief is pleased to order the following removals of staff officers:

Captain J. D. Douglas, assistant adjutant general, from the Meerut to the Benares division.

Captain G. A. Brownlow, deputy assistant adjutant general, from the Sirhind to the Dinapore division.

Captain D. Thompson, assistant adjutant general, from the Dinapore to the Meerut division.

Captain W. G. Cooper, deputy assistant adjutant general, from the Benares to the Sirhind division.

Captain J. S. H. Weston, deputy judge advocate general, from the Meerut to the Saugor division.

Captain W. MacGeorge, deputy judge advocate general, from the Saugor to the Meerut division.

Brigade Major H. Hay, from the district of Rohilcand to the Rajpootana field force.

Brigade Major P. La Touche, from the Rajpootana field force to the district of Rohilcand.

His Excellency is likewise pleased to make the following appointments of officers to officiate for those on the staff, proceeding on field service.

GENERAL REGISTER.

Captain F. W. Atson, of the 15th regiment native infantry, to act as assistant adjutant general at Benares.

Captain A. Mercer, of the 7th regiment native infantry, to act as deputy assistant adjutant general at Dinapore.

Captain J. E. Brauer, of the 13th regiment native infantry, to act as major of brigade in the Rangoonah field force.

It is to be understood that the transfer of these officers from stations to which they are now attached, to others, which under existing circumstances they will be unable immediately to join is not to interfere with their claim to a moiety of the staff salary of their respective appointments whilst employed on field service, as sanctioned by Government General Orders of the 31st August last.

Major J. J. Farrington, of the 2d brigade horse artillery, is appointed to the command of the Neemuch division of artillery which he will proceed and join by the termination of his present leave on medical certificate.

1st Lieutenant G. P. Spilmon, of the 1st company 2d battalion of artillery, is appointed to act as Adjutant to the 3d battalion of artillery, during the absence, on leave, of Lieutenant and Adjutant E. Sunderland, or until further orders.

Cornet Alfred Harris, of the 1st regiment of light cavalry, is appointed to act as adjutant to the 3d regiment of local horse, until further orders, and directed to join without delay.

Head Quarters Simla, October 9, 1898.—The Sirhind division order of the 29th ultimo, directing Assistant Surgeon W. Brydon, of the 4th regiment of light cavalry, to afford medical aid to the 21st regiment of native infantry, vice Surgeon Inglis, M. D. proceeding on leave, is confirmed as a temporary arrangement.

The regimental order by Colonel G. Cooper, dated the 4th ultimo, appointing Lieutenant W. Gibb to act as adjutant to the left wing of the 4th regiment of native infantry, during its separation from the head quarters of the regiment, is confirmed.

The regimental order by Lieutenant Colonel J. Holbrow, under date the 15th ultimo, appointing Koson C. Wright to act as adjutant to the 14th regiment of native infantry, vice Woodburn, who has been appointed to serve with Shah Shooja's force is confirmed as a temporary arrangement.

The undermentioned officers have leave of absence

4th regiment native infantry—Captain W. H. Wake, from 18th September to 15th October, to remain at Bandah, on medical certificate, and to enable him to rejoin at Mysore.

4th regiment native infantry—Lieutenant A. Sanders, from 20th October to 1st November, on extension, to enable him to join the force under orders for field service.

Sappers and miners—1st Lieutenant J. W. Robertson, from 27th August to 27th November, to remain at Sylhet, on medical certificate.

29th regiment native infantry—Lieutenant H. T. Danzell, from 15th August to 15th September, on extension, to enable him to rejoin 4th regiment native infantry.—Lieutenant J. T. Danzell, from 16th October to 15th April 1899, to visit Calcutta, on medical certificate, preparatory to applying for furlough.

Subordinate medical department—Hospital Steward G. W. Harding, 3d light dragoons, from 1st October to 30th November, to visit Kurrual, on private affairs.

Head quarters Simla, October 9.—The Benares division order of the 21st ultimo, appointing Gunner Thomas Taylor, of the 4th company 3d battalion artillery, to act as a laboratory man in the Chunar magazine, is confirmed as a temporary arrangement.

The Allahabad garrison and cantonment order of the 13th ultimo, directing all reports to be made to Major G. Young, commanding the 68th regiment of native infantry, is confirmed as a temporary arrangement.

Sergeant William Shields, of Her Majesty's 3d regiment of Buffs, is appointed a Deputy Provost Marshal, and Sergeant John Hick, of Her Majesty's 16th Lancers, an assistant baggage master, with the force under orders for field service, the former is to be attached to the 1st division of infantry.

These appointments are to have effect from the 1st proximo.

Ala Bux Khan, and Sewgram Mussar, having been examined, and declared to be qualified for the situation, are appointed native doctors, and placed at the disposal of the superintending surgeon at Neemuch.

Head quarters Simla, October 10.—His Excellency the Commander in Chief is pleased to order the following removals of field officers:

Lieutenant Colonel N. W. Place, from the 53d to the 2d regiment native infantry, which he will join on its arrival at Meerut, retaining command of his present corps, until that period.

Lieutenant Colonel R. Chalmers, from the European regiment to the 54th regiment native infantry.

Lieutenant Colonel J. Orsard, from the 31st regiment native infantry to the European regiment, retaining command of the former corps until the 1st proximo.

Head Quarters Simla, October 11.—With the sanction of the Right Honorable the Governor General, His Excellency the Commander in Chief is pleased to authorize the following establishments to be immediately entertained for the Pack preparing at Dehra Dun for field service: viz.

Train Establishment—One Mistry smith; two fletchers; two firmen; two hammermen—one mistry carpenter; two workmen; one cooper; one siklegar; one chucker; two nail-makers; thirty-one fuddals; three hundred and six store lascars; four sirdars; forty two binders, four hand beasts.

Captain W. Mactier, of the 4th regiment light cavalry, is appointed to act as deputy judge advocate general to the Benares, and Dinapore divisions, during the employment, on field service of Brevet Major W. Hough, and he will proceed forthwith and join at Dinapore, making over charge of the office of deputy judge advocate general of the Sirhind division to brevet captain J. Dyson, of the 2d regiment native infantry, who will act in that situation, during the absence, on leave, on medical certificate, of Captain Angelo, or until further orders.

Assistant Surgeon C. Mulden, who was placed at the disposal of His Excellency the Commander in Chief, in General Orders by the Right Honorable the Governor General, of the 9th instant, is directed to proceed forthwith to Kurrual, and place himself under the orders of Superintending Surgeon G. Playfair.

Assistant Apothecary J. Hornby, at present attached to Her Majesty's 10th foot, and assistant steward E. Kew, of the 5th battalion of artillery, are required to proceed forthwith, and join the force assembling for service at Kurrual, reporting their arrival to Superintending Surgeon G. Playfair.

Sergeant George Barrows, of the 1th company 2d battalion of artillery, has not been examined by a special medical committee, and found unfit for active service, is to be sent to Europe, not recommended for pension.

The Cawnpore division order of the 27th ultimo, appointing assistant apothecary William Toquan, of Her Majesty's 3d light dragoons, to act as steward to the hospital of that regiment, during the absence, on leave, of Steward Harding, is confirmed.

The Sirhind division order of the 2d instant, directing Noor Mahomed, native doctor, doing duty at Kurrual, to proceed to Simla, and do duty under the orders of Assistant Surgeon C. H. Handyside, M. D. in the room of Mirza Allwar Beg, appointed to the 3d troop 2d brigade of horse artillery, is confirmed.

Quarter Master Sergeant Moses Harle, of the 49th native infantry, is appointed surgeon major to the regiment, in the room of Mr. Krumm, transferred to the pension establishment.

Shah Kader Bugh having been examined by the standing medical committee at Meerut, and found qualified for the situation, of native doctor, is admitted into the service, and appointed to the hospital of the 1st Local Horse.

Head quarters Simla, October 12.—The presidency division order of the 18th ultimo, directing all reports of the division to be made to Brigadier H. Faithful, acting commandant of artillery, is, with the sanction of the Right Honorable the Governor General, confirmed as a temporary arrangement.

The Sirhind division order of the 4th instant, directing Assistant Surgeon A. Byce, M. D. of the 1st troop 1st brigade of horse artillery, to afford medical aid to the 2d regiment of native infantry, in the room of Assistant Surgeon Brydon, relieved from that duty, is confirmed.

The Benares division order of the 28th ultimo, directing Assistant Surgeon T. Smith, M. D. of the 8th regiment of light cavalry, to proceed to Gorakhpore and afford medical aid to the 4th regiment of native infantry, on the departure, on leave, of Surgeon B. Butt, M. D., is confirmed.

The regimental order of the 26th ultimo, by Lieutenant Colonel G. W. Mosely commanding the 39th regiment native infantry, appointing Lieutenant J. Waterfield to act as adjutant to that corps, during the employment, on detached duty, of Lieutenant and Adjutant Young, is confirmed.

The undermentioned officers have leave of absence:

21st regiment native infantry—Captain J. S. Marshall, from 16th July, to 15th September, on extension, to remain at the Presidency on medical certificate.

39th regiment native infantry—Ensign G. E. Nielson, from 4th November, to 31st December, on extension to enable him to rejoin.

Head quarters Simla, October 13.—In continuation of General Orders of the 8th ultimo and 1st instant, His Excellency the Commander in Chief is pleased to sanction an increase to the permanent establishment of No. 6 light field battery, of two hundred mules, and a temporary addition of sowars whilst the battery is employed on the present service.

The Neemuch station order of the 27th ultimo, directing Surgeon M. Grierson, of the 49th, to receive medical charge of the 36th regiment of native infantry from Assistant Surgeon T. Ruscel, proceeding to join his appointment at Kotah, is confirmed.

The Agra garrison and station order of the 20th ultimo, directing Surgeon H. Guthrie, M. D. recently posted to the European regiment, to make over medical charge of the 2d and 47th regiments of native infantry, the former to the garrison Surgeon D. Woodburn, and the latter to Surgeon W. Michelson, of the 23d regiment native infantry, is confirmed.

With the sanction of the Right Honorable the Governor General, Assistant Surgeon J. S. Logan, M. D. attached to the residency at Lucknow, but who was appointed to the 3d troop 2d brigade horse artillery, in General Orders of the 29th of August last, is directed to proceed by dewk from Lucknow to join his troop, previous to its march from Meerut.

The following medical officers, now under orders for Cawnpore, are directed to proceed forthwith to Kurrual, and to report themselves to Superintending Surgeon G. Playfair:

Assistant Surgeons G. Rae, H. C. Eddy, M. D., H. E. Bowling and A. Pajon.

GENERAL REGISTER.

Assistant Surgeons R. Christie and J. W. Knight, who were placed at the disposal of His Excellency the Commander in Chief in General Orders by the Right Honourable the Governor General, dated the 24th August last, will likewise repair to Kurnool, (the former as soon as the Terrace is open, and the latter when relieved by Dr Falconer,) and report themselves to the same officer.

The undermentioned officers have leave of absence:

2d Regiment native infantry.—Major C. R. W. Lane, from 20th September to 20th November to remain on at Lucknow, on medical certificate.

25th Regiment native infantry.—Major H. D. Cox, from 5th July, to the 6th October in extension, to remain at the presidency on medical certificate.

33d Regiment native infantry.—Lieutenant O. D. Elliot, from 1st October to 1st April 1839, to visit the presidency, on medical certificate, preparatory to applying for furlough.

Head quarters Simlah, October 15—The presidency division order of the 21st ultimo, directing the undermentioned esquires lately admitted into the service, to do duty with the corps specified opposite to their respective names, is confirmed.

Ensign E. C. Scott, 41st regiment native infantry, to await the arrival of the corps at Berhampore.
 " E. C. Gardner, 41st. ditto ditto.
 " T. F. Wilson, 60th regiment native infantry, to await the arrival of the corps at Berhampore.

Lieutenant and Adjutant G. Carr, of the Sylhet light infantry battalion having been selected by the Right Honourable the Governor General to act as an Aide de Camp on His Lordship's personal staff, will proceed forthwith and join the Governor General's camp.

Lieutenant G. Verrier of the 9th regiment of native infantry, is appointed to act as adjutant to the Sylhet light infantry battalion during the absence of Lieutenant Carr, or until further orders.

Trumpeter Andrew Easton, who was permitted to volunteer for the artillery raising for the service of Shah Shooja-ool-Moolk, is reminded to the 1st troop 1st brigade horse artillery.

Bombardier Thomas Williams of the 31 troop 1st brigade horse artillery, having volunteered for the same service, is transferred to the town major's list, and directed to proceed forthwith and join Captain W. Anderson at Meerut.

The wives and children of the European soldiers, who have been transferred to the Shah's artillery, on the terms specified in General Orders of the 24th of August last, are to be permitted to remain at Meerut, with the women and children belonging to the 2d and 3d troops 2d brigade horse artillery, and under the same care.

Head quarters Simlah, October 16—Captain Robert Wylie, of the 6th regiment native infantry, and acting assistant adjutant general, Cawnpore division, is directed to proceed by dawk to join army head quarters at Simlah.

Captain Charles Marshall, of the 60th regiment native infantry, is appointed to officiate as assistant adjutant general to the Cawnpore division, during the absence, on duty, of Captain Wylie, or until further orders. He will proceed by dawk to join the head quarters of the Cawnpore division.

Captain R. Campbell, of the 43rd regiment of native infantry, commanding the Hurradoah light infantry battalion, has the permission of His Excellency the Commander in Chief to join his regiment, proceeding on service.

Major Edward S. Hawkins of the 37th regiment native infantry, will proceed to Hana, without delay, and relieve Captain Campbell from the command of the Hurradoah light infantry battalion.

Ensign H. Ramsay, of the 53d regiment of native infantry who was permitted in General Orders of the 1st ultimo, to join his corps, is directed to resume his duties as Aide de Camp to Major General the Honourable John Ramsay, commanding the Meerut division.

The following movement of troops is directed, for the purpose of forming the regiments of the Right Honourable the Governor General, and of His Excellency the Commander in Chief:

Two companies of the 17th regiment native infantry to move from Loodianah so as to meet the Governor General's camp enquire and cattle at Umballa, on the 29th of October, and escort them to buddee. The remainder of the 17th regiment to move from Loodianah, so as to join the camp at Rupper, on the 3d of November.

Escort for the Right Honourable the Governor General,

The head quarters, with two squadrons, of the 4th light cavalry to move from Kurnool on the 2d of November, for Loodianah, and there to wait the arrival of the Governor General's camp.

Two guns from the 4th troop 3d brigade horse artillery, under the command of a subaltern officer, to be held in readiness at Loodianah, to accompany the Governor General for firing salutes.

A company from the Nussereah battalion to be detached from Subathoo to Buddee, on the 20th instant.

The left wing of the 20th regiment native

infantry from Loodianah, to move to Pnjare, so as to arrive there on the 3d proximo.

A squadron of the 4th light cavalry to move from Kurnool on the 24th of this month, as an escort for the cattle and camp equipage of both camps, as far as Umballa, when the squadron will escort that of His Excellency the Commander in Chief as far as Utanymanra, where the squadron will remain until the head quarters' camp arrives.

His Excellency the Commander in Chief's escort

A company from the Nussereah battalion to be detached from Subathoo to Bar, for the protection of the head quarters' baggage, on the 18th instant.

Routes for the above detachments will be furnished from the office of the quarter master general of the army.

Head Quarters Simlah, October 17—A committee of horse artillery and cavalry officers will assemble at Ghazipur, on the 10th of December next, for the purpose of examining and passing into the service, such horses as may be presented by the superintendent of the central stud, and which the committee may consider fit for military purposes.

PARTICIPANT.

Colonel S. Smith, 8th regiment light cavalry.

MEMBERS

- A captain from the 3d brigade horse artillery,
- A captain from Her Majesty's 3d light dragoon,
- A captain from the 7th regiment light cavalry,
- A captain from the 8th regiment light cavalry.

The district order of the 25th ultimo, by Brigadier F. Cartwright, directing all reports of the Agra and Muttra district to be made to Colonel S. Reid, commanding the 10th regiment of light cavalry, is with the sanction of the Right Honourable the Governor General, confirmed as a temporary arrangement.

The Dinapore division order of the 3d instant, directing Pay Master J. H. Mathews, of Her Majesty's 34th regiment, to act as deputy judge advocate at a general court martial ordered to assemble at that station, is confirmed.

The Cawnpore division order of the 6th instant, directing Assistant Apothecary Joan Hornby, attached to Her Majesty's 10th foot, to proceed by water to the presidency with the detachment of invalids under the command of Captain Meredith, of Her Majesty's 13th light infantry, is confirmed.

That part of the General Order of the 11th instant, which directs Assistant Apothecary Hornby to join the force assembling at Kurnool for service, is cancelled.

Head quarters Simlah October 18th—A committee of horse artillery and cavalry officers will assemble at Huzar, on the 15th of December next for the admission of such horses into the service as may be presented by the supervisor of the stud, and considered fit for military purposes.

The officer commanding the Dindul division will appoint the president and members, reporting the names of the officers selected for the duty to the adjutant general of the army.

The Loodour station order of the 4th instant, appointing Sergeant John Ruggles, of Her Majesty's 16th foot, to act as sergeant major to the depot vice Bull, proceeding to rejoin his brigade; Lance Corporal Thomas Whitehead, of Her Majesty's 16th Infantry to be pay sergeant to the detachment of Queen's troops, vice Napton ordered to rejoin his corps; and Sergeant John Patterson, of the 1th company 3d battalion of artillery, to be pay sergeant to the detachment Honourable Company's troops, vice Manning, is confirmed, and to have effect from the 1st instant.

The presidency division order of the 28th ultimo, directing Hospital Apprentice James Fagan, attached to Her Majesty's 6th foot, to officiate as steward in the hospital of that regiment, vice Beison deceased, is confirmed as a temporary arrangement.

The undermentioned officers having been examined by a district committee assembled at Meerut and pronounced qualified in the native languages, are exempted from further examination, except by the examiners of the college of Fort William, which it is expected they will undergo whenever they may visit the presidency:

- Lieutenant T. Quin, 4th regiment light cavalry
- " A. H. Corfield, 21st regiment native infantry.
- " O. W. Duffin, 26th ditto ditto,
- Ensign O. Harris, 37th ditto ditto,
- Lieutenant G. W. Golding, 33th ditto ditto,
- Ensign R. A. Ramsay, 35th ditto ditto,
- " W. H. Jermine, 35th ditto ditto,
- Lieutenant J. Bunce, 49th ditto ditto,

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His Excellency the Commander in Chief is pleased to make the following appointment.

26th Regiment of native infantry.—Lieutenant C. W. Duffin to be interpreter and quarter master.

Head-Quarters Simla, October 19—The Meerut division order of the 8th instant, directing the following officers and subordinate medical servants to do duty with the convalescents returning from Ludlow to Meerut, is confirmed.

Lieutenant Handfield, of Her Majesty's 3d Buffs, to command, and Lieutenant Sawyer, of the same regiment, to do duty with the detachment.

Assistant Steward H. Bond, and hospital apprentice W. Norris, to do duty with the detachment.

The detachment order of the 31 instant, by Lieutenant Handfield, appointing Sergeant S. Buid, of the 3d Troop 2d Brigade of Horse Artillery, to act as sergeant major, and Lance Corporal J. Napton, of Her Majesty's 3d Buffs, to act as pivot sergeant to the detachment of convalescents proceeding from Ludlow to Meerut, is confirmed.

The Cawnpore division order of the 6th instant, directing 1st Lieutenant A. Huish, of the 2d Troop 3d Brigade, to repair to Lucknow, and receive charge of the artillery at that station from Captain Emly, about to proceed on leave of absence, is confirmed.

The undermentioned officers have leave of absence.

Invald establishment, Captain J. Goldhawk, from 1st December 1845 to 1st December 1849, to visit the presidency, on private affairs.

Head-Quarters Simla, Oct. 20—Lieutenant Colonel L. R. Stacy is removed from the 12d to the 5th regiment native infantry, and directed to proceed forthwith and join.

Sergeant Major Michael McDonald, of the 5th, and Quarter Master Sergeant Robert Young, of the 20th regiment native infantry, are under instructions from the Right Honourable the Governor General, appointed to the force raising at Ludlow, for the service of Shah Shoojaool Moolk.

The names of these non-commissioned officers are to be continued on the town major's list, and they will retain the same advantages which they now enjoy in regard to pension, or discharge, or in bounty on renewal, they are however to be struck off the strength of their present regiments, and ordered to report them selves to the officer commanding the Shah's force at Ludlow.

The undermentioned officers have leave of absence.

6th Battalion artillery.—Major T. Croston, from 15th November to 15th March 1849, in extension, to proceed towards the presidency, on medical certificate, and appear before the Cawnpore medical committee, preparatory to applying for furlough to Europe.

1st Regiment native infantry.—Ensign J. Clarke, from 15th October to 15th April 1849, to proceed to the presidency, on medical certificate, preparatory to applying for furlough to Europe.

11th Regiment native infantry.—Ensign R. G. Pennington, from 20th October to 20th April 1849, to proceed to the presidency, on medical certificate, preparatory to applying for furlough to Europe.

20th Regiment native infantry.—Ensign H. R. Dennys, from 9th October to 28th February 1849, to proceed on the river, on medical certificate.

31st Regiment native infantry.—Lieut. Colonel J. Trelawny, from 20th October to 20th December, in extension, to remain at the presidency, preparatory to submitting an application to retire from the service.

Three medals the leave granted in General Orders of the 9th of September last.

Head-Quarters Simla, October 22—1. With the approbation of the Right Honourable Governor General, the army assembling for duty in the field will be designated "the army of the Indus."

2. Previous to the advance of the troops from the Jumsa, His Excellency the Commander in Chief, having in view the various unusual duties which many of the officers will be called on to discharge for the first time, offers for their consideration, a few topics the result of his experience.

3. All know that discipline is esteemed the first quality in an army, to ensure success in any military operation; but all are not aware of how small a part of the discipline of an army in the field is comprised in what is considered "discipline" in the ordinary acceptance of the term.

4. One of its most essential points on service, is the watchfulness which every individual should bestow on the manner in which the grades below him discharge their duties; and in every officer's not only performing his own duty with correctness, but in his seeing that the duties of the class immediately below him are also correctly discharged.

5. Thus, the officers commanding divisions must be watchful over the commanders of brigades; and they over the officers commanding regiments; who, in their turn, must take care that their captains perform their duties strictly; and so through all grades down to the non-commissioned officers of squads.

6. Officers on service in the field must esteem their own personal convenience but the secondary consideration; the care of the soldiers under their charge the first. No commanding officer of a regiment or a company, on the termination of a march, must attend to his own business, until the soldiers under his command are properly disposed of in their camp, and the necessary arrangements are in progress for the supplies for the men, or forage for the horses. The casual sick also require immediate attention.

7. A troop or company on service should never be dismissed after a march, until a scrutiny has been made by the officers belonging to it, into any accident which may have happened to the arms or accoutrements of their men, or horses, during the previous movement, and orders are given for the requisite repairs. At the evening parades every thing should be again in order. The ammunition in pouch should be carefully looked to, and the act of making away with any, be invariably punished.

8. Officers commanding regiments must be very attentive to the regularity of their column of march; since the more or less of fatigue to their men, greatly depends on this point.

The falling out of the ranks by individuals, should always be checked as much as possible; and when a man does fall out, his file should invariably be carried forward by his next file, under orders from the commander of the section. A halt, and a piling of arms, for five minutes in every hour, prevents the necessity for individuals frequently quitting the ranks.

9. Good conduct towards the inhabitants of a country passed through, both on the part of officers and soldiers is another very essential part of good discipline. All plundering or ill treatment of them must be most carefully repressed; and in foraging, or other unavoidable circumstances on their property, every unnecessary injury should be obtained from.

10. All necessaries, by good treatment, should be given to the country people bringing articles for sale to the bazars, as many of the comforts of the army may depend much on this point.

11. Whenever camps are near to towns or villages safe guards must be placed in them to prevent pillage or marauding, or misconduct of any kind, by stragglers from the army, or its followers; and when such places are passed on the line of march, small guards should be detached from the head of the column to prevent stragglers entering them; which guards should join and come forward with the rear guard of the column.

12. In some of our marches, the supply of water may prove scanty; and, where it must be drawn from wells for a large body of troops, careful arrangement is always necessary; and the commanding officers of regiments should establish strict regulations to preserve order at these places.

13. The soldiers must be taught always to recollect, that many of their brother soldiers are marching behind them; and that needless injury can never be done, or waste committed, on a line of march, which does not bring trouble and inconvenience on those following the re.

14. A strict performance of all duties by guards and pickets must be carefully enforced from the commencement of the march so that proper habits may be early established: the details for these should never be larger than circumstances render imperative as the more soldiers, on service, are spared from unnecessary fatigue the better.

15. An officer in command of a brigade must never rest satisfied until he has personally seen, that the pickets of his brigade are properly posted.

16. The greatest happiness which could befall His Excellency the Commander in Chief, and the reflection which would be the most gratifying to him, during the remainder of his life, would be, if he could be enabled to carry through the duties entrusted to him without the infliction of any punishment whatever. It is only from good discipline that such a result can be possible; and he calls on every officer and non-commissioned officer with the army to aid him in maintaining that which is so very desirable.

17. At the same time, that he proclaims what he so much wishes, he makes known to the soldiers, that the necessary for good behaviour on their part is so important, for their own advantage as well as for general success, that he will repress disorders and breaches of discipline, and neglect of duty with a strong hand.

18. He has the utmost confidence in the courage of the troops placed under his command, and if, with that good quality, strict discipline be combined, His Excellency doubts not that the detachment of the Bengal Army will return to Hindoostan, having, acquired high honor for themselves and advantage for their country.

Head-Quarters Simla, October 23—The Agra and Muttra district order of the 26th ultimo, directing the sick and convalescents of the European regiment and 37th regiment of native infantry, to be sent by water to Kurrul, and the commissariat department to provide tonnage for their conveyance, is confirmed.

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The Agra garrison and station order of the 2d instant, directing the following arrangements for the detachment of sick and convalescents proceeding to Kurnaul by water, is confirmed.

Captain D. Burdell, of the European regiment, to command the detachment; Assistant Surgeon G. Paton, M. D. to the medical charge.

Assistant Apothecary J. H. Peters and Hospital Apprentice E. Ensor, of the European regiment, and Ramrutton Lall, native doctor, of the 27th regiment of native infantry, to do duty with the detachment under the orders of Assistant Surgeon Paton. Apprentice Ensor to act as assistant steward.

The Nussereabad station order of the 13th instant, appointing Sergeant William Logan, of the 1st company 2d battalion of artillery to act as bazar sergeant, vice Lane appointed quarter master sergeant to the 2d regiment of native infantry, is confirmed as a temporary arrangement.

The General Order of the 28th ultimo, removing Ensign F. C. Toube, from the 18th to the 19th regiment of native infantry, is cancelled, and he is to remain with the former corps.

Consequent on the above arrangement, the appointment of Ensign H. B. Lumsden to the 26th does not take place, and that officer is posted to the 19th regiment of native infantry, under orders to proceed to Dinapore.

The leave of absence granted in General Orders of the 21st of December last, to Apothecary J. Douglas, is extended from the 1st of November to the 1st of December, to enable him to rejoin the hospital of Her Majesty's 16th regiment of foot, to which he stands attached.

The appointment in General Orders of the 13th ultimo, of Corporal Thomas Slack of the 2d company 2d battalion of artillery, to be Quarter Master Sergeant to the 31st regiment of native infantry is cancelled.

The undermentioned officers have leave of absence.

4th regiment light cavalry.—Captain S. Nash, from 16th October to 1st April 1839, to visit the hills north of Deyrah, on medical certificate.

20th regiment native infantry.—Ensign C. R. Larkins, from 15th November to 15th November 1839, in extension, to visit Calcutta, on medical certificate.

6th regiment native infantry.—Lieutenant C. E. Steel, from 1st November to 1st April 1839, to visit Meerut and the presidency preparatory to appointment for further on medical certificate.

6th regiment native infantry.—Lieutenant and Brevet Captain F. Knysott, from 5th September to 8th November, to remain at Delhi, on medical certificate.

Ordnance commissariat department.—Conductor D. Ross, attached to the Honsu magazine, from 30th November to 30th January 1839, in extension, to remain at Agra, on medical certificate.

The Cawnpore station order of the 1st instant, directing Lieutenant and Brevet Captain S. R. Bagshawe, of the 7th regiment of native infantry, to receive charge of the subdar bazar from Lieutenant Simpson, Sub-assistant commissary general, is, with the sanction of Government, confirmed as a temporary measure.

Head Quarters Simla, October 21—The Dinapore division order of the 9th instant, directing hospital apprentice G. Boyls to do duty in the hospital of Her Majesty's 49th regiment, is confirmed.

The Agra garrison and station order of the 9th ultimo, appointing corporal John Waylett, assistant school master of the European regiment, to act as church clerk, vice Sergeant Rivett, of the pension establishment, is confirmed.

Captain J. L. Mowatt, recently appointed a deputy commissary of ordnance, is posted to the magazine at Chanar.

The following removals and postings are made in the ordnance department:

Assistant Commissary J. Speerin, doing duty in the arsenal of Fort William, is posted to the magazine at Chanar.

Deputy Assistant Commissary J. Permain to the magazine at Ajmere.

Deputy Assist. at Commissary C. McDonald to the magazine at Delhi.

Conductor W. Gibson is removed from the Saugor to the Cawnpore magazine.

The 20th regiment of native infantry will halt near to Pauneeput, till further orders, and is to be replaced in the 5th brigade of the army of the Indus, by the 20th regiment of native infantry.

The appointments of Lieutenant Colonel Worsley to be a brigadier, and of Captain Bouleau to be a brigade major, are accordingly cancelled.

Colonel Paul, of the 20th regiment native infantry, is appointed a brigadier of the 2d class, and is posted to the 5th brigade.

The 20th regiment will join the army of the Indus at Ferozepore.

The brigade of cavalry will march from Meerut under the order of Lieutenant Colonel Duffin, of the 2d light cavalry, who

(during the absence of Colonel Arnold) will command the left column proceeding via Delhi.

The undermentioned officer has leave of absence.

10th regiment light cavalry.—Veterinary Surg. H. G. Hulze, from 15th October 1839 to 15th March 1839, to visit the presidency on private affairs.

Head Quarters Simla, October 25—The wing of the 20th regiment of native infantry, directed in General Orders of the 16th instant to proceed to Munnymajra, for the purpose of forming part of the escort of His Excellency the Commander in Chief, is directed to return to Ludhiana, and the major general commanding the said division will be pleased to detach a wing of the 27th regiment native infantry for the duty. The wing will march from Kurnaul on the 20th proximo, and await the arrival of head quarters, proceeding thence to Ferozepore, where it will join the brigade to which it belongs.

The 1st regiment of native infantry will march from Kurnaul as an escort to the train, and on arrival at Ferozepore, it will with the 17th regiment, form part of the escort of the Right Honourable the Governor General, under the command of Colonel T. P. Smith.

Head Quarters Simla, October 26—With the sanction of the Right Honourable the Governor General, His Excellency the Commander in Chief is pleased to direct every company to be supplied to each mounted corps proceeding on field service, for the carriage of its veterinary instruments and stores.

The whole of the 4th troop 3d brigade horse artillery will join the escort of the Right Honourable the Governor General instead of a detachment from it, as directed in General Orders of the 16th instant.

The Rohilkund district order of the 15th instant, appointing Captain J. Hall, of the 5th regiment of native infantry, to act as major of brigade vice Hay about to join his corps proceeding on service, is confirmed as a temporary arrangement.

The Banda station order of the 2d instant, directing assistant surgeon C. J. Macdonald of the 29th regiment of native infantry to perform the medical duties of the civil station, is confirmed.

The Chittozong station order of the 2d ultimo, appointing civil assistant surgeon F. W. Hart to the medical charge of the 9th regiment of native infantry, during the absence, on leave of surgeon Carruthers, or until further orders, is confirmed.

The Meerut division order of the 18th instant directing surgeon H. Newmarch, of the 2d brigade of horse artillery, to receive charge of the superintending surgeon's office and records, on the departure of superintending surgeon phyllis, to join the force proceeding on service, is confirmed.

The Meerut division order of the 15th instant, directing Lieutenant C. C. Pickett of the 14th regiment native infantry, to assume the temporary command of the recruit depot at Meerut, and to entertain an establishment of two tent locations for the depot, and one bivouac for each company, is confirmed.

Rigadier H. Bowen, and brigade major C. Chrape, on the relief of the troops at Mhow by a detachment from Neenach, will proceed and join the stations to which they were severally nominated in General Orders of the 19th ultimo.

Colonel S. Reid, of the 10th regiment light cavalry, will reside at Agra, during the period he may continue in command of the Agra district, making over command of the station of Multia to the next senior officer there.

The leave of absence, for one year, on medical certificate, granted to Lieutenant Colonel T. Chudwick, of the 4th battalion of artillery, in general orders of the 24th October last, is to have effect from the period of his leaving Normandy; viz the 22nd December last, instead of from the date therein specified.

Captain Thomas Edmund Simpson, of the 2d regiment native infantry, is appointed to officiate as deputy judge advocate general to the Saugor division, during the absence, on field service, of Captain Weston, or until further orders.

Ensign W. Egerton, of the 2d regiment native infantry, doing duty with the Sylhet light infantry battalion, is permitted to rejoin the regiment to which he belongs, proceeding on field service.

Assistant surgeon F. C. Henderson, M. D. of the sappers and miners, will afford medical aid to the engineer department serving with the army of the Indus.

Sergeants Edmund Dean and Samuel McMurray, of the corps of sappers and miners are appointed park sergeants to the engineer park of the army of the Indus.

The undermentioned officers have leave of absence:

9th regiment native infantry.—Surgeon P. Carruthers, from 24th September to 15th November, to visit the presidency, on medical certificate, preparatory to making an application to visit Van Diemen's land.

20th regiment native infantry.—Ensign S. T. A. Good, from 1st November to 29th February 1839, to visit the presidency, on medical certificate.

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27th regiment native infantry.—Major R. Ferris, from 22d October to 22d February 1859, to visit the presidency, on medical certificate, preparatory to applying for furlough to Europe.

Mamgarh light infantry battalion.—Major H. Lawrence, from 1st December to 1st February 1859 to visit the presidency, on medical certificate, preparatory to applying for leave to the Cape.

Head Quarters Simla, October 29.—Officers commanding regiments belonging to the army of the Indus, will forward direct to the adjutant general of the army, on the day of their departure from Kurant, a numerical return, accompanied for every man and horse on the rolls of their respective corps.

Similar returns to be forwarded from officers commanding regiments in the left column, on the date of their marching from Delhi.

Lieutenant and adjutant E. Sunderland, of the 3d battalion, is removed to the mounted branch of the regiment, and appointed to act as adjutant and quarter master to the 1st brigade of horse artillery, during the absence on field service, of Brevet Captain Mackenzie, or until further orders.

With the sanction of the Right Honorable the Governor General, the following movements of Her Majesty's regiment will be carried into effect, in the manner specified, as soon after the receipt of these orders as may be practicable:

H. M.'s 9th regiment of foot. From Chinsurah to Hazareebaugh when the necessary carriage, cattle, and camp equipage, are supplied, embarking there by sea by water to Dinapore, whence they will march to Hazareebaugh.

31st regiment.—From Dinapore to Ghuzespore, as soon as furnished with the requisite carriage, embarking their sick by water.

4th regiment.—From Ghuzespore to Meerut, on the arrival of the 31st regiment, embarking their sick by water to Ghurmut near Ghazni, and thence by land to Meerut.

4th regiment.—From Hazareebaugh to Dinapore, as soon after the receipt of these orders as may be practicable.

The officers commanding the presidency, Dacca, and Benares divisions, will issue the necessary orders for supplying tonnage for the sick at the proper time.

Routes to be furnished by the quarter master general of the army.

Head quarters Simla, October 30.—His Excellency the Commander in Chief is pleased to direct the following returns and reports to be made periodically, for his information, by the under-mentioned officers serving with the army of the Indus:

By *generals of division and brigadiers commanding the artillery and cavalry*.—1. On the 10th of every month, a return of their respective commands prepared according to a form which will be supplied to them from the Adjutant General's office.

2. A weekly report of the state of the bazaars of the different corps under their orders, showing the number of day's supply each regiment has in store, and the means it possesses of bringing it forward.

From *officers commanding troops and companies of artillery regiments of cavalry and infantry, and detachments of sappers and miners*.—1. On the 1st of each month, a monthly return of the corps of detachment.

From the *deputy commissary general*.—1. A weekly return of call on the army, and of the number of day's supply for the troops and followers in the possession of the commissary detachment.

From the *superintending surgeon*.—1. On the 1st of each month, a numerical roll of medical officers, and subordinate medical staff.

2. A weekly return of the sick.

From the *commissary of ordnance*.—1. On the 1st of each month a balance return of stores, to be countersigned by the brigadier commanding the artillery.

2. A return of magazine establishments, showing casualties amongst the artificers.

From the *commanding engineer*.—1. On the 1st of December next, a return of engineer stores; and on the 1st of each month, a return of establishments, showing casualties amongst the artificers.

From the *deputy pay master*.—1. On the 1st of each month, a statement of the amount of treasure remaining in the military chest.

From the *deputy judge advocate general*.—1. On the 1st of each month, a register of inferior courts martial held in the force during the month preceding.

In addition to the foregoing documents, which, after the 1st of December next, are to be addressed to the deputy adjutant general, the monthly returns of corps, as prescribed by the regulations of the service, are to be forwarded regularly to the adjutant general of the army.

The Allypore station order of the 12th instant, directing Lieut. and W. F. Campbell, of the 6th, to make over the charge of the

station staff office to Lieutenant W. Gibb, of the 34th regiment of native infantry, is confirmed.

The 2d brigade horse artillery order of the 10th instant, appointing staff sergeant Reid to act as sergeant major and quarter master sergeant to the 2d and 3d troops of that brigade, proceeding on service, is confirmed.

The Dinapore division order of the 16th instant, directing sub-assistant, native doctor, to join and to duty in the hospital of the 51st regiment of native infantry, is confirmed as a temporary arrangement.

The Sangor station order of the 16th instant, posting Gunput sing, native doctor, to the 25th regiment of native infantry, is confirmed.

Assistant Surgeon William Griffith, of the establishment of Fort St. George, having been placed by the Right Honorable the Governor General, at the disposal of His Excellency the Commander in Chief, is directed to do duty under the orders of superintending surgeon Playfair, at the head quarters of the army of the Indus, which he will proceed forthwith to join.

Hospital apprentice J. Decluzean, at present a supernumerary in the garrison at Chunar, is appointed to do duty in the hospital of the 3d brigade of horse artillery at Cawnpore.

Gunner John Vernon, of the 1st troop 3d brigade of horse artillery is transferred to the town major's list, and promoted to the rank of sergeant, for the purpose of filling a vacancy in the establishment of the garrison engineer of Fort William.

Head quarters Simla, October 30.—The Agra garrison and station order of the 25th ultimo directing all reports to be made to Lieutenant Colonel A. Roberts, of the European regiment, is confirmed as a temporary arrangement.

The Meerut division order of the 20th instant, appointing Lieutenant and Brevet Captain Moore, of the 5th regiment of native infantry, to officiate as assistant adjutant general of the division, vice Douglas, proceeding to join the army of the Indus, is confirmed as a temporary arrangement.

The Meerut division order of the 14th instant, appointing Assistant Surgeon M. J. M. R. as medical store keeper of the army assembling for service to the medical charge of the 2d and 3d troops of the 2d brigade of horse artillery, until the arrival of Assistant Surgeon Lozin, is confirmed.

The Agra garrison and station order of the 8th instant, directing Surgeon F. E. Dunster of the 4th battalion of artillery, to afford medical aid to the sick of the European regiment left at the station and to the women and children of the corps, is confirmed.

Head quarters Simla, October 31.—A report having been received, through the major general commanding the 1st division of the army of the Indus, that certain disorderly conduct has occurred in the 4th troop of native infantry on the subject of carrying their knivess, His Excellency the Commander in Chief directs, that the subalterns of the army, section 25, may be read to the corps of the army.

2. Since so many of the sepoy are inexperienced soldiers, His Excellency desires that they may be made to understand, that the greatest inconveniences would often be occasioned to themselves, if they marched without having about their persons the tools they are ordered to carry; and the native officers of corps should have already explained this to the young soldiers.

3. As there is strong reason for believing that the sepoy Hearah Visser, Bamdeen, (is) Buctour and Sewburt Singh, of the 48th regiment, were the principals and instigators in the disgraceful insubordination which has occurred, he directs that the three first named sepoy be deprived of their arms and accoutrements on the parade of the regiment and be paid up, and discharged the service, turned out of the lines of the brigade they belong to, and forbid to appear any more in the army. They have each of them been receiving the Honorable Company's pay for fourteen or fifteen years; and this bad conduct is the return they make on the first occasion of being called on for real service.

4. The Commander in Chief deems them quite unworthy to continue in a corps of such good character as the 5th regiment.

5. His Excellency overlooks the conduct of Sewburt Singh, in consideration of his being a soldier of high service; and supposing him to have been misled by his seniors.

The 1st troop 1st brigade of horse artillery will commence its march for Poreeppore as soon after the receipt of this order as may be practicable, for the purpose of being attached to the escort of the Right Honorable the Governor General, on His Lordship's march to the Punjab.

The 3d troop 3d brigade horse artillery, to which this duty was originally assigned, is placed under the orders of Colonel Simpson, commanding the force in the service of Shah Shoojah-ool-Moolk, and will continue attached to it until relieved by the two troops of horse artillery commanded by Captain W. Anderson.

Two messahs from the 2d local horse are to be detached forthwith to Hansi, at which post they will remain till further orders.

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His Excellency the Commander in Chief is pleased to order the following removals and postings in the regiment of artillery.

Lieutenant Colonel G. F. Gowan, from the 15th battalion to the 1st brigade.

Lieutenant Colonel J. Tenant, (on leave to the Cape of Good Hope) from the 2d brigade to the 5th battalion.

Lieutenant Colonel I. Pereira, from the 3d to the 4th battalion.

Lieutenant Colonel C. Graham, from the 1st to the 2d brigade.

Lieutenant Colonel T. Chadwick, from the 4th to the 3d battalion.

Captain John Jervis, of the 5th regiment native infantry, is appointed major of brigade to the 5th brigade of infantry of the army of the Indus.

The appointment of 1st Lieutenant J. L. C. Richardson, in battalion orders of the 29th instant, to act as adjutant and quarter master to the 5th battalion of artillery, is confirmed as a temporary arrangement.

2d Lieutenant J. Elliot, of the 1st company 4th battalion of artillery, is directed to proceed to Arracan, and assume command of the artillery attached to the Arracan local battalion.

Assistant Surgeon M. Grierson of the 49th regiment native infantry, is appointed to afford medical aid to the officers of the civil and military services and their families residing at Mussoorie, and will proceed forthwith and join.

The undermentioned officer has leave of absence:

57th Regiment native infantry.—Colonel E. Cartwright, from 23d September to 1st December, to remain at Agra, on private affairs.

Head quarters Simla, November 1.—Under instructions from the Right Honorable the Governor General, His Excellency the Commander in Chief is pleased to direct volunteers to be called on, from the corps specified in the following table, in the extent therein set forth for the purpose of being appointed commissioned and non-commissioned officers in the infantry contingent now raising for the service of Sikh Shoojaool, Moolk,

	Menaders for Sindia's.	Recruiters for Punjab's.	Volunteers for Sikh Shoojaool, Moolk, & J. R. Hill's contingents.
2d regiment of native infantry.....	3	3	5
5th ditto ditto.....	3	3	5
16th ditto ditto.....	3	3	5
17th ditto ditto.....	3	2	6
20th ditto ditto.....	3	2	6
21st ditto ditto.....	3	2	6
26th ditto ditto.....	3	2	6
27th ditto ditto.....	3	2	6
31st ditto ditto.....	3	2	6
31st ditto ditto, left wing.....	1	1	2
35th ditto ditto.....	3	2	5
37th ditto ditto.....	3	2	5
37th ditto ditto.....	3	3	5
39th ditto ditto.....	3	3	5
43d ditto ditto.....	2	3	5
43d ditto ditto.....	2	3	5
48th ditto ditto.....	2	3	5
53d ditto ditto.....	2	3	5
54th ditto ditto.....	2	3	5
59th ditto ditto.....	2	3	5
64th ditto ditto.....	2	3	5
Total,	50	50	100

It is to be explained to the different regiments from which these men are proposed to be drawn, that the same scale of pay and marching batts will be received by those who may volunteer for the Shah's service, as allowed for the same grades in the British infantry of the line, and that men who may now have served 25 years, will ultimately be entitled, when placed on the invalid establishment, to the pension of the rank they at present hold.

Rolls of the volunteers are to be prepared in duplicate; one copy to be sent to Colonel E. H. Simpson commanding, the contingent at Ludhiana, and the other forwarded to the adjutant general of the army.

No man is to be allowed to volunteer whose character is in any way objectionable.

The transfers are to be settled with up to the 31st ultimo, and sent, under the command of the senior native officer from the station, to join the contingent at Ferozepore.

Head-quarters Simla, November 2.—The Gornackpore station order of the 9th ultimo, directing Surgeon B. Burt M. D., of the 4th regiment of native infantry, to assume medical charge of the civil station and jail, on the departure of Assistant Surgeon J. Steel, M. D., is confirmed.

Head-quarters Simla, November 3.—Captain J. Wilson, of the 17th regiment of native infantry, is appointed major of brigade to the troops warned for escort duty with the Right Honorable the Governor General.

Ensign Richard John Moate, to whom rank was assigned to Government General Order No. 116, of the 6th of August last, is posted to the 6th regiment of native infantry at Darackpore, to fill a vacancy.

Apothecary Henry Shanks, new promotion, will continue attached to the excretion hospital at Chunar.

Assistant Apothecary William Charde, new promotion, will continue to do duty in the hospital of the artillery at Saugor, until further orders.

Head-quarters Simla, October 25.—No. 170.—The leave of absence granted by the officer commanding the presidency division to Brevet Captain Bell, 16th and Assistant Surgeon Carrs 62d regiments, the former, for 11 months, to New South Wales, and the latter, for 2 years, to England, from date of embarkation, both on medical certificate, are confirmed.

The regimental order by the officer commanding 16th lancers, dated the 15th instant, appointing Lieutenant Pratt to act as adjutant to that corps, during the period Brevet Captain and Adjutant Havelock may be employed on the staff, is confirmed.

The detachment orders by Captain Meredith, 11th light infantry, commanding the Loyalists, &c., proceeding to the presidency, by water, appointing commissioned and non-commissioned staff, are confirmed.

Of the 13th September 1833—Sergeant W. Cummings, 13th light infantry, to act as sergeant major.

Ensign Sergeant F. Doyle, 11th light infantry, to act as provost sergeant.

19th September 1833.—Lieutenant F. Cassidy, 16th foot, to act as adjutant.

Ensign Sergeant F. Smith, 13th light infantry, to act as Qr. Mr. Sergeant.

14th October 1833.—Lieutenant Kirk, 16th Foot, to act as quarter master.

Color Sergeant Grady, 16th Foot, to act as sergeant major, vice Cummings removed.

Lieutenant Fenwick 13th light infantry, will act as quarter master, and Lieutenant Holcombe as interpreter, from the date of departure of the corps from Kurnaul, in the absence of Quarter Master Sheridan and Lieutenant Sicilia.

The undermentioned Officers have leave of absence:

3d Light Dragoons.—Lieutenant Fisher, from 19th October (post) to 15th January 1834, on private affairs.

16th Foot.—Lieutenant Ximenes, ditto ditto.

Head-quarters Simla, October 27.—The Commander in Chief in India has been pleased to make the following promotion and His Majesty's pleasure shall be known:

41st Foot.—Ensign John D'Blaguere to be Lieutenant, by purchase, vice Langdale, who retires, 26th October 1833.

Head-quarters Camp, Poojore, November 6.—The annual practice of the regiment of artillery will commence at the several stations of the army, on the 1st December next, excepting at Benares, where the practice will commence on the 15th of December, for which purpose the following movements will take place:

The 3d company 3d battalion, with field battery, will march from Dinapore to Benares, the 4th company 6th battalion from Allahabad to Cawnpore, so as to reach those stations, the former on the 10th, and the latter on the 1st of December next.

The officer commanding at Allahabad will determine what detail is necessary to be left behind, on the movement of the artillery from that station.

The other artillery divisions will conduct the practice at their own stations respectively, (excepting the troops and companies under orders for actual service) and in all practicable cases, on post details are to join the head quarters of their divisions during the practice season.

At the conclusion of the practice, all golan/huze details which have been more than one year detached, and especially such as cannot conveniently join at practice, are to be received, as far as practicable, from the head quarters of their respective battalions and companies; and all companies, and other details, which have moved, will be directed to return to their respective stations, when the practice will cease.

His Excellency the Commander in Chief is pleased to order the following removals and postings in the regiment of artillery.

1st Lieutenant A. M. Seppings, from the 1st company 4th battalion to the 1st company 5th battalion.

GENERAL REGISTER.

1st Lieutenant W. Barr, from the 2d company 2d battalion to the 4th troop 2d brigade horse artillery.

2d Lieutenant F. Turner, (with 4th Soolah's contingent) from the 4th troop 2d brigade horse artillery to the 2d company 2d battalion.

2d Lieutenant H. A. Carleton, from the 4th company 6th battalion to the 8th company 7th battalion: to do duty with the former company until the arrival of the 8th company at Allahabad.

2d Lieutenant E. Kave, from the 3d company 3d battalion to the 4th troop 3d brigade horse artillery.

2d Lieutenant G. H. Clifford, from the 2d company 4th battalion to the 4th company 6th battalion; to join at Allahabad and proceed with the company to Lucknow, on the relief.

2d Lieutenant J. Mill, from the 1st company 1st battalion to the 2d company 2d battalion.

2d Lieutenant H. Lewis, from the 4th company 1st battalion to the 2d company 3d battalion, and to proceed with the drafts for the company from Benares.

Corporal James Carey, attached to the Assam light infantry is promoted to the rank of sergeant, and transferred to the quartermaster general's department.

The commissariat will supply tonnage for the accommodation of Sergeant Carey, as far as Cowpore, whence he will proceed by land to join head quarters.

GENERAL ORDERS TO THE QUEENS TROOPS.

Head Quarters, Simla, October 1, 1858.—No 106.—The Commander in Chief India has been pleased to make the following

promotion and Appointment until Her Majesty's pleasure shall be known.

3d Foot.—Fusion Charles J. Foster to be Lieutenant, without purchase, vice Desborough appointed adjutant, 26th Sept. 1858.

Lieutenant L. Desborough to be adjutant, vice White deceased 26th September 1858.

His Excellency the Commander in Chief has been pleased to make the following Promotion, by brevet, in the East Indies only.

54th Foot.—Lieutenant George Hult to be Captain, 9th August 1858.

The unexpired portion of the leave of absence granted to Surgeon D. Murray, 15th light infantry, in the General Order of the 19th April last, No 122 is cancelled from the 29th September 1858, the day on which he rejoined the Corps.

The leave of absence granted by officer commanding the presidency division, to Quarter Master S. Palmer, 31st foot, to proceed to England, for 2 years from date of embarkation, on medical certificate, is confirmed.

The undermentioned officers have leave of absence:

3d Light Dragoons.—Captain G. A. Malcolm, in extension, from 1st November to 1st December next, to enable him to join.

Ditto.—Captain W. White, from 1st November to 30th April 1859, to Calcutta on urgent private affairs.

19th Foot.—Lieutenant J. Ramsay, to England, for 2 years from date of embarkation, on private affairs.

Ditto.—Lieutenant J. H. Daniell, ditto ditto.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE.

Nov 2d.—English brig *Patriot*, R. J. Morris, from Singapore 2d, and Penang 13th October; English Bark *Beugal Packet*, J. M. Steward, from Chum 12th September and Singapore 12th October; English Schooner *Flora McDonald*, N. Meyer, from Rangoon 22d October.

4th.—English barque *Strathista*, G. Griffin from Sydney 11th August, and Singapore 7th October; English Schooner *Orissa*, A Bond, from Balesore 2d November.

5th.—English Barque *Behava*, M. Crawford, from the Port of Calcutta 9th August, and Bombay 2d October; English Barque *Herzulean*, J. Grant, from Liverpool 29th May, and Bombay 27th September; English Barque *Courier*, J. Dixon, from Moulmein 24th October; English Brig *Andra*, R. Law, from Port Louis 2d ditto.

8th.—English Barque *Endore*, S. Addison, from Hobart Town 1st August, and Port Phillip 2d September.

10th.—English Ship *Patriot King*, J. Clarke, from Liverpool 16th July, and Arab Ship *Fizza owin*, Nacoda, from Cochin 14th October; English Ship *Madagascar*, W. H. Walker, from Pott's mouth 25th July.

11th.—English Ship *Karl of Hardwicke*, A. Henning, from Portsmouth 9th August; English Ship *Forth*, J. H. Landers, from Calcutta, and Singapore 17th October.

12th.—English ship *Alldegle*, A. R. Clarke, from China 9th and Singapore 22d October; English ship *Two*, D. Whelan, from Mocha 1st, and Bombay 30th September, and Colombo 21st October.

13th.—English Brig *Esperance*, J. Mackie, from Bordeaux 24th July; U. S. Steamer *Giugus*, J. M. Dicey, from Moulmein 24th November; English brig *Harna y*, J. Douglas, from the Cape 5th September.

14th.—English ship *London*, John Wimbler, from London (no date) and Portsmouth 25th July; English barque *James Baring*, J. Hamilton, from Greenock 5th July; English Ship *Sheelone*, J. Bowen, from Bombay 7th and Cochin 23d October; English ship *Romany*, Nacoda, from Cochin 16th, and Alibete 20th ditto.

15th.—English brig *Venetta Reddy*, B. W. Meppan, from Rangoon 5th November.

16th.—English ship *Drummore*, W. A. Mylne, from Sydney 2d September.

17th.—English Schooner *Ludworth*, R. Graham, from China 8th and Singapore 22d October.

18th.—Arab brig *Fissel Corim*, Nacoda, from Rangoon 22d Oct.

19th.—English Barque *Catherine*, A. Brown, from Algaon May 2d September, and Penang 1st November.

20th.—English ship *Edmondstone*, M. Mc Donnell, from Chum 7th, and Penang 2d October; English ship *Bayskew*, T. F. Lucas, from Liverpool 30th June.

21st.—English ship *Duke of Bedford*, W. A. Bowen, from Portsmouth 20th July; English brig *Francis Ann*, Hay, from Liverpool 29th June.

22d.—English barque *Victoria*, H. Potter, from the Mauritius 3d October; H. C. brig *Haltass*, Thos. Clarke, from Chittagong 19th November; French barque *Cecilia*, Lebesque, from Bourbon 2d October.

23d.—English ship *Mount Stuart Elphinstone* I. K. Jolly, from London 23d June, and Madras 27th October.

24th.—English ship *Vanderer*, T. B. Smith, from London 24th May, and Mauritius 23d September.

25th.—English Ship *Northumberland* Compton, from Moulmein 7th November.

26th.—English Barque *Bengal Merchant*, W. Campbell, from Sydney 24 August; Batavia 2d, Singapore 14th, and Penang 29th October; American Barque *Mary Kimball*, N. A. Tucker, from Boston 17th July.

27th.—English Schooner *Orissa*, A Bond, from Poorie 19th November.

28th.—English barque *Louisa Yvrao*, N. Louve, from London 5th April, and Mauritius 7th October; French Ship *Dumyrier* Grant, from Bordeaux 12th April, and Monte Video 27th August; French Ship *Constance*, P. Soreau, from Nantes 6th June and Bourbon 1st October.

29th.—English Schooner *Tom Thumb*, J. McGill from Moulmein 16th November.

30th.—English barque *Clavissa*, G. Andrie, from Moulmein 17th November; English Ship *Catherine*, G. S. Evans, from London 4th June and Madras 27th October; English bark *Ammanhauder*, G. S. Jones, from Moulmein 14th November; American bark *Valparaiso*, Lockwood, from New York 27th July; English bark *Red Rover*, H. Wright, from China 27th October and Singapore 11th November.

ARRIVALS OF PASSENGERS.

Per Patriot, from Singapore.—Captain and Mrs Hay, and Mr. Lantry.

Per Beugal Packet, from China.—Mr. Gordon, merchant from Singapore.—Mrs Steward; Mrs Lackersten and Child; Messrs. Lackersten and Almaria, merchants; Capt. Wallace, country service; Mr Caldwell, arranger.

Per Strathista, from Sydney.—H. T. Sheldon, Esq. merchant.

Per Courier.—Captain Robinson, assistant to the commissioner Moulmein; Mr and Mrs. Best and one infant.

The *Soorma*, in tow of the *Jumna Steam Vessel*, arrived from Allahabad on Saturday last, the 3d instant, with the following passengers.—

GENERAL REGISTER.

H. M. Parker, Esq. and Lady, Mrs. Jackson; Mrs. Reed Dr. Pagnu, and Mr. Francis.

Per Madagascor—Mrs. Boyd, Mrs. Swinhoe, Mrs. Scott, Mrs. Adam and Child, Mrs. Latty, and Mrs. Walker; Misses P. Nny Boscawen, Boyd, Anne Boyd, Howell, Swinhoe and Mary Ann Swinhoe; Major Generals P. nny and Boyd, Captain Bouham; H. M. 16th Lancers; Lieutenant G. Boscawen, I. N.; Captain Scott, 1st N. Cavalry; John Boyd, George Earl, and Senior Latty, Esqrs.; John MacIntyre, Esq., assistant surgeon; Messrs. John Peterson and Hugh Price *Chirurgi*; Master Billington B. Boyd and Julius Boyd; 2 English servants, 4 native servants, 50 privates, 2 women, and 3 children, 16th Lancers.

Per Earl of Herdwick—Mrs. Ripper; Mrs. Pringle, and child; Mrs. Rogers; Mrs. Rowcroft and child; Mrs. Smoult; Misses Ann Ripper, Eliza Ripper, A. Fraser, C. Robertson; M. A. Pringle; A. Pringle; M. Smith; S. Brodie, E. Temple, Sir H. W. Spence, Knt., Major General Ripper, Captain F. Rowcroft; A. Spicer, Esq., F. Bathie, Esq.; W. H. Smoult, Esq.; George Boyd, Esq.—Messrs. T. C. H. D. Oyley, W. Ripper; P. Johnson; A. D. Pottinger Wm. Howden and Jas. Muter.

Per London, from London—Mrs. Anderson, Mrs. Henry Wood, Mrs. Martin, Mrs. Chilcott, Mrs. Canham and Mrs. Twissden, Misses Maguire, Wood, Johnstone, Playfair, Twissden, Sheriff, Edges and Low; Lieut. Col. Anderson, H. C. S.; Capt. Sandes, H. M. 9th Regiment, Lieutenant Martin, 92d N. I. Lieutenant Chilcott, 74th N. I. Mr. Shuter, assistant surgeon; Messrs. John Wood, Nichol, Wright, Ross, Ronald, Browne Wood, Roche and Turner; Misses Canham, A. Canham, M. Canham, H. Canham, Iris Farson and Theo. Twissden, Master Twissden, 41 privates, 3 women and 7 children, H. M. 3d Light, Dragoons.

Per Fonth—Mrs. Whiteford and Mrs. Lenders, Miss Whiteford, Lieutenant Whiteford, B. Artillery, and L. Desouzzy, Esq.

Per H. C. Steamer Ganges—Mrs. Ducey, E. A. Bhundel Esq., commissioner, and Mr. Vandlockem clerk.

Per Dunmore, from Sydney—Arthur P. Onslow, Esq., H. C. S.; Mrs. Onslow and child, Reverend Mr. Atkins and T. McKay, Esq.

Per Adelaide, from Singapore—Mrs. Dishwood and child, Mrs. P. L. G., Mrs. W. Pinsepp and two children; Lieutenant F. Dishwood, artillery, Master H. J. Pattle.

Per Harmony—Mrs. Douglas.

Per Edinystone, from China—Mrs. Pereira; Francisco Perera, Esq.; William Wallace, Esq.—From Penang—Mrs. Lloyd; Captain R. Lloyd, S. N.; Free Misses Lloyd, and Mr. Lloyd.

Per John Bayshaw—Mrs. McCarty and Mrs. Clucas.

Per Duke of Bedford, from London—Mrs. Haikes, Mrs. Drake, Mrs. Stewart, Mrs. Smith and Miss DeMouet; Misses Warren Stewart, Menzies, Smith, M. Smith DeMouet, J. DeMouet, L. DeMouet, and Ors., Charles Raikes, Esq., C. S. Captain J. A. Fraser, and Lieutenants J. M. Drake and A. M. Macdonald, B. N. I.; Dr. Esdaile, B. Med. S., Mr. T. B. Cameron, cadet, Messrs H. J. Burdard, Menzies and Abbott.

Per Mount Stuart Elephantone—Mr. Thomas Hulse, merchant.

Per Catherine, from London—Mrs. Macdonald, Miss Boreman, Mrs. Stowell and 2 children; Mr. Ghidon, Mr. Haikes, writer, Messrs. Cheyne, Walsh, Werberich, and Strover, as is assistant surgeons, Captain Hanfrey, Bengal artillery, Captain

Warren; Messrs M. Donald, Hughesden, and Stowell, mer chants, Mr. Anderson, Mr. and Mrs. McMaster, attorney and singers, *From Madras*—Captain Bury, 2d Madras cavalry, and Mr. Baulbridge, merchant.

Per Carissa—Mr. P. J. Phillips, mariner.

Per Red River, from China—Captain W. O. Young.

DEPARTURES FROM SAGGOR.

Nov. 1st—*Marcronbi*, Douget, for Bourbon and *Salacia*, Maw, for the Mauritius.

4.—*John Hepburne*, O'Brien, for Moulmein and Rangoon.

6.—*Margaret*, Tapley, for Moulmein and Rangoon, *Suape*, Spain, for Moulmein and *Maze*, Belthoven, for Batavia.

8.—*Haywards*, Isaacson, for Louisa via Cape; *Samuel Hornack*, Shepherd, for Penang and Singapore *United States*, Ober, for Boston; *James H. Jones*, Johns, for Liverpool and *Isabella Cooper*, Currie, for ditto.

10.—*Imrie*, Blam, for Bourbon; *Atlas*, Gillet, for Bourbon; *Thais*, Hapthly, for Bombay; *Groatan*, Richards, for Sydney via Batavia; *Blackly*, Holmes, for Liverpool; *Emma*, Bonamour, for Bombay; *Malabar*, Dunlop, for the Mauritius; *Cuba*, Gray, for Port Louis; *Stiffia*, Elore, for Bourbon and *Trident*, Moulmet, for Bourbon.

12.—*Her Mercedes*, Skinner, for the Mauritius and *Katla Rohoman*, Nacoda, for Bombay.

13.—*Ezra*, Simpson, for Liverpool.

14.—*Mouada*, Hayes, for London; *Jenne France*, Lannes, for Bordeaux and *Adre*, Noble, for the Isle of France.

16.—*Palate*, Doncelle, for Bordeaux.

18.—*Astronomie*, Burnud, for Bourbon.

20.—*Doune Carmelita*, Foss, for Bombay via Colombo; *Collingwood*, Dawms, for Liverpool; *Sarah*, Owenstone, for Bombay and *Jawa*, Jubling, for Kyook Phyo.

22.—*Serra*, Alves, for China.

23.—*Indian Oak*, Ryne, for Bombay; *Sandany*, Nacoda, for ditto; *Water Lilly*, Lyster, for ditto; *Ada*, Currie, for New Castle and *Esmore*, Nash, for London.

24.—*Ganges*, (H. C. Steamer), Ducey for Rangoon.

28.—*Soleil*, Monico, for Marseilles via Bombay; *Adolphe*, Morcan for Marseilles; *Melanoody*, Duverger, for Bombay and *Francis*, Herrichan, for Bourbon.

30.—*Gagne*, Fairweather, for Rangoon and Moulmein.

DEPARTURES OF PASSENGERS.

Per Colomb, for Suez—Mrs. Colonel Fagan, Mrs. Cardew and four children; Mrs. Gidham; Miss Fagan, Miss Beattie; — Cardew, Esq. C. S.; — French, Esq. C. S.; P. M. Queen, Esq. Captain Gidham, H. A.; Lieutenant Pirie, H. M. S. 9th.—James, Esq. *Per Madras*—Colonel Anderson, M. N. I. *From Madras to Suez*—Sir P. Maitland and family, and Captain Joseph.

Per Seriangapatam—Mrs. Carmac and children; Mrs. Merce; Miss Cooper, Mrs. Huy, Mrs. E. Spry and child; Colonel Barton, William Blunt, Esq. C. S.; Captain Burma, Most Reverend Doctor R. St. Ledger, Vicar Apostolic of Bengal, and Master St. Ledger his brother, John Gibnor, Esq.; Lieutenant's Danell and Goodyer, W. W. Walker, Esq., Miss Conroy and two Masters Conroy, two Masters Hyde, and six servants.

DOMESTIC OCCURRENCES

BIRTHS.

July 14. The lady of Lieut. G. W. G. Bristow, 71st regt. of a son.

Oct. 6 At Boolnadshukur, the lady of T. Tomkely, Esq., of a daughter.

— At Jounpore, Mrs. E. Dobson, of a daughter,

10 At Futtelghur, Mrs. J. C. Pyle, of a son.

11 At Malabar Point, Lady Grant of a daughter.

13 At Agra, the Hon'ble Mrs. H. B. Datzel, of a son.

21 At Nusseerabad the lady of Lieut. George Parker, 74th regt. N. I., of a daughter.

23 At Agra, the wife of Mr. Conductor C. Stoodt, of a son.

27 At Mussoorie, the lady of M. J. Tierney, Esq., civil service, of a daughter.

28 At Patna, the lady of C. O. Udny, Esq., civil service, of a son.

30 At Cawnpore, the lady of Dr. J. Graham, 3d Brigade horse artillery, of a son.

30 At Mozufferpore, Tirhoot, the lady of H. S. Oldfield, Esq., civil service, of a son.

— At Berhampore, the lady of Lieut. S. Beaufort, of a son.

— At Cawnpore, the lady of Captain W. Buttanshaw, 7th regiment native infantry, of a son.

Nov. 1 at 24 Pergunnahs the lady of Roger Dias, Esq., of a son.

2 At Bancorah, the Lady of F. Gouldsbury Esq., of a daughter.

— At Patna, the lady of Patwar Skipwith, Esq. civil service, of a son.

— At Cuttack, the lady of Lieutenant Colonel Eckford, of a daughter.

— At Cawnpore, the lady of Captain Lennox, 43d Regiment Native Infantry, of a daughter.

3 At Moursheadabad, the lady of A. Kean, Esq., M. D., of a daughter.

— At Satke, the wife of Mr. T. S. Collifords, Assistant of the Salt Colahs, of a son.

GENERAL REGISTER.

- 5 At Serampore, Mrs John Mersham, of a son,
— At Calcutta, the wife of Mr Asyet Malcolm, of a daughter.
- 4 At Arrah, the lady of W Dent, Esq civil service, of a daughter.
- 5 At Lucknow, the lady of Mr C Campagnac, of a son and heir
— At Cawnpore, the wife of Mr. C. Billings, Her Majesty's 3d light dragoon, of a daughter.
- 7 At Deesa, Mrs Welsh, of a son.
- 7 At Allahabad, the lady of R Montgomery, Esq civil service, of a daughter.
- At Soorajpore, near Allahabad, the lady of George Breton, of a daughter.
- At Chitragong, the wife of Mr McCullam, Head master of Government seminary, of twin daughters.
- At Allahabad, the lady of R Montgomery, Esq civil service, of a daughter.
- 9 At Kilderpore, Mrs J R Atken, of a daughter.
- 10 At Dum Dum, the lady of Lieutenant J H Campbell, Artillery, of a daughter.
- 11 At Dinapore, the lady of J H Matthew, Esq, Paymaster Her Majesty's 31st Regiment, of twins, a boy and a girl
— At Gowhattee, the lady of Lieutenant Henry W Matthews of the 43d Native Infantry, and adjutant of the same corps, of a daughter.
- 12 At Calcutta, the lady of H L Christina, Esq of a son
— At Sylhet, the lady of Lieut Colonel Swinboe, of a son.
- 13 At Allahabad, the lady of Captain C. S. Maling, 68th Regiment Native Infantry, of a son.
- 14 At Calcutta, Mrs J Young, of a daughter
— In Fort William, the lady of the late Captain William Tritton, 41st Regiment Native Infantry, of a son.
- 15 At Calcutta, Mrs H J Jackson, of a son.
- 16 At Calcutta, the lady of James Furlong Esq of a daughter
— At Howrah, the lady of R E Blaney, Esq of a son
— At Calcutta, Mrs G H Swane, of a son
— At Calcutta, the lady of the Reverend R R Boswell of a son
— At Benares (the lady of Major General Cock, commanding benares division, of a son
— At Calcutta, the wife of Mr John McLaurin, Police Constable, of a daughter.
- 17 At Calcutta, Mrs H Smith, of a daughter
— At Hooghly, the lady of Kalamuth Dutt, Esq. of a son and heir.
- 19 At Pullyghur, the lady of Col George Coquer, of a son.
- 20 At Benares, the lady of Capt Carpenter, 45th regt M N I. of a daughter.
- 22 At Sultanpore, Benares, the lady of T Moore, Esq 8th light cavalry, of a son.
- 23 At Calcutta, Mrs John Muller, of a son.
- 24 At Calcutta, Mrs T E Thomson, of a daughter.
- 26 At Sulker, the wife of Mr G J Thuriow, Assistant Patent Ship, of a son and heir.
- 27 At Howrah, Mrs J W Linton, of a daughter.
— At Calcutta, the wife of Mr H Smith, of a daughter.
- 30 At Calcutta, Mrs T Ross, of a son.

MARRIAGES.

- Oct. 19 At Neemuch, William Henry Reeves, Esq, adjutant 4th local horse, to Emma, youngest daughter of the late Brigadier General W G Maxwell, c b.
- 16 At Allahabad, by the Reverend T H Morrison, Mr J J Pemberton, assistant revenue surveyor, to Mrs C E Perinien widow of the late Mr D Perinien.
- 19 At Dinapore, by the Reverend J Vaughan, Mr John Cummins to Mrs Eliza Anne Julien.
- 30 At Christ church, Fattah Ghur, by the Revd W Sturrock, A B, on special license Lt. John Baldoek, of the 2d regt N I. to Miss Mrs Anne Birch second daughter of S Biran, Esq.
- 31 At Jubbulpore, by license, Charles Rossier, quarter master sergeant, 46th Regiment Native Infantry, to Miss Grace Caroline Frizzle, daughter of Mr. sub-conductor James Fuzzle, ordnance department.
— At the cathedral, Mr. Christian Manuel, to Miss Louisa Maria Williams.
- Nov. 1 At Kishanpur, by the Reverend Mr Rud, Thomas Couthe Loch, Esq. civil service, to Margaret Hannah, only daughter of Adam Ogilvie, Esq, civil service.
- 6 At the Cathedral, by the Revd. Mr Fisher, William Remfrey, Esq to Miss Anne Draper.

- 7 At Fort William, Mr. F. Colombo, to Miss Matilda Volkers, daughter of Sergeant Volkers, ordnance department, Fort William.
- 8 At Comillah, by the Reverend H R Shepherd M. A, District Chaplain, T W Wilson, Esq. M D to Annetta, fourth daughter of the late W S Andrews, Esq M D of Richmond, Surrey.
— At Allahabad, Crawford Whitford Rees, Esq, Adjutant 1st regiment, Oude Auxiliary Force, Eleanor Margaret, youngest daughter of the late Samuel Austen, Esq, of Dublin.
- 9 At the Mission house, Bethampore, by the Reverend Mr. Hill, Mr John Henry May, to Mrs Charlotte Amelia Boyson.
- 10 At the cathedral, by the Reverend JH Fisher, senior presidency chaplain, H J L Thornton, Esq. to Charlotte, daughter of the late captain J Nicolson, of the 8th light cavalry.
- 13 At Agra, by the Reverend Mr. R. Chambers, John Beam, Esq to Miss Eveline Catherine Jekyll Meronin.
- 15 At Saultanpore, Benares, in the house of Captain Hogg, 4th light cavalry, George Edmonstone, Esq Junior, Bengal civil service to Amelia Helen, widow of the late Henry Millet, Esq. B C S.
- 17 At Calcutta at the Principal Roman Catholic Church, by the Revd Mr Ollive, and at the Cathedral by the Revd H Fisher, Mr John Aubery, to Miss Louisa Frances D'Oruze.
- 19 At Deesa, at St Harrookann Church, by the Reverend Mr David Ter Mackertoom, Mr George Becher Gracious Birch adopted son of the late John Brereton B. Ch. Esq of Calcutta, to Miss Matron Peter Minos, second daughter of the late Peter Minos, Esq of Deesa.
— At Calcutta, at the Cathedral, by the Reverend H S Fisher Thomas George Read, Esq civil Engineer of the Honourable Company's armed Steamer *Ganges*, to Margaret Rosalina, eldest daughter of R H Wischam, late Commandant of the Honourable Company's Iron Steam Vessel *Lord William Bentinck*.
- 20 At Calcutta, at the cathedral, by the Reverend Henry Fisher, senior chaplain, Mr Abraham Ross to Miss Jane Watkinson.
- 21 At Calcutta, at the Cathedral, by the Reverend Henry Fisher, Senior Chaplain, Sergeant Daniel O'Brien, 9th Foot, to Miss Sarah Kennedy.
- 23 At Calcutta, at the Cathedral, by the Reverend Henry Fisher, Senior Chaplain, Mr J Andrew to Miss Lavinia Wright.
- 24 At the Howrah Church, Mr James Alexander Augustus Chew, to Miss Anna Maria Julia Thompson.
- 24 At Calcutta, at the Cathedral, by the Reverend H Fisher, R H Bates, Esq of Calcutta, to Susanna Mary, second daughter of M U. Smith, Esq of the same place.
- At Calcutta, at the Mission church, by the Venerable the Archdeacon, Mr. G W. Scott, Indigo Planter, 21-Perganahs, to Miss Maria Mailand.
- At Calcutta, at the Lall Bazar chapel, by the Reverend Mr. Robinson, Mr J J. de Santos, of cuttack, to Miss A.H. Wilson.
- At Calcutta, at the cathedral, by the Senior Presidency Chaplain, Mrs. George Henry Blackman to Miss Emucha Sophia Machado.
- 26 At Calcutta, at the cathedral, by the Reverend H. S. Fisher, Sergeant John Whiteside to Miss Amelia Foster.
- 27 At Calcutta, at the cathedral, by the Senior Presidency Chaplain, Mr William Milne to Miss Charlotte Catalida Smith.
- 28 At Calcutta, by the Reverend Dr Olive, Mr. Juno D'Oruz, assistant to the magistrate of Serampore, to Miss Charlotte Victor, daughter of Mr. Thomas Victor.
- At Serampore, by the Reverend Mr. D'Melle, Mr. S. Maszyk, to Miss Harriet Bird.
- 29 At Calcutta, by the Senior Presidency Chaplain, Mr James George, to Miss Margaret Roberts.

DEATHS.

- Aug. 20 At Simla, George Thomas Pyle, son of Mr, J. C. Pyle aged 3 years.
- Sept. 23 At Simla, Jane Anne, the much loved wife of Captain Patrick Grant, assistant adjutant General of the army.
- At Cawnpore Elizabeth Mary Arns, the beloved wife of, Charles Maddox, Esq, late civil assistant Surgeon, Puttehpore aged 27 years.
- 12 At Moulmein, Surgeon S Higginson, of the 13th Regiment Native Infantry.
- 21 At Chitragong, Mrs Tereza Vaz, aged 39 years, wife of Mr B C Vaz, and daughter of Mr Joseph Fernandes, Ship builder.
— At Allahabad, John Cunbary Govard, eldest son of J G. Genard, of the European regiment, aged 4 years and 1 month.
- 23 At Agra, the lady of Major, Warren, H C European regt.
— At Delhi, the lady of Colonel Nott, 42d Regiment Native Infantry, and commanding the 2d brigade of the army of the Indus.

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27 At Sylhet, Amelia Frances, the beloved child of Mrs and Ensign W C Erskine, Adjutant 73d native infantry, aged 2 years, 4 months and 3 days
 At Sea, on board the *Thomas Greenville*, on her passage to England, Miss Charlotte Sutherland, aged 43 years, wife of James Charles Colchrock Sutherland, Esq
 29 At Cawnpore, Sarah, the beloved wife of Dr J Graham, 2d brigade horse artillery.
 28 At Jubbulpoore, Esther, the beloved infant daughter of Sub-Conductor James Frizzle, aged 1 year and 7 months.
 29 At Cawnpore, the lady of J. Graham, Esq, M. D., 3d brigade horse artillery.
 30 At Agra, Mrs Elizabeth Hookins, the beloved wife of Mr Gabriel Hookins, assistant to the Judicial Department, North Western Provinces, aged 49 years and 7 months.
 30 At Loodhiana, Lieutenant T. A. Halliday, of the 15th Regiment Native Infantry serving with Shah Shoojah ool-Book's Force.
 30 At Joynagar House, Backergunge, Nathaniel Munro, Esq aged 77 years.
 Nov. 1 At Calcutta Mrs Mary Ann Sparling, the lady of Cap P Sparling, aged 52 years, 3 months and 16 days
 2 At Calcutta, the remaining twin child, a girl, of Mr and Mrs D McFarlan.
 3 At Calcutta Geo P Woolaston, Esq Proprietor of the Commercial Press, aged 27 years.
 4 At Calcutta, Mrs Jane Thomas, aged 65 years.
 — At Jaun Bazar, Miss Mary Lloyd, relict of the late R B Lloyd, Esq, many years Commissioner of the Court of Requests, aged 62
 — At Calcutta, Robert Lamont, Esq, assistant military auditor General's Office, aged 65 years.
 — At Hyderabad Residency, Valentine, the son of Mr. Charles Prayce, aged 4 years and 3 months.
 5 At Allahabad, Matilda Maria, eldest daughter of John Dunsmore, Esq aged 1 year, 2 months and 17 days.
 — At Dacca, Frederick George, the infant son of Mr. G. Kal Jones, aged 16 months and 18 days.
 — At Delhi, Miss Jane Julia Tapsell, aged 6 years and 9 months.
 At Loodhiana, Lieutenant Black, of the 17th regiment native infantry.
 6 At Calcutta, Monsieur Peter Prosper Russell, aged 55 years
 7 At Cuttack, Lieutenant Herbert Apperley, deeply regretted by his brother officers
 8 At Calcutta, William Hall, head assistant commissary General's Office, aged 12 years.
 9 At Calcutta, J W. Lee, Esq., one of the assistants to the secretary, Sudder Board of Revenue.
 — On board the *Duke of Bedford*, Mary the wife of James Evidale, Esq. M. D., in her 18th year.

10 At Chizeepore, Helen, the beloved wife of Major C C O'Neill, Her Majesty's 34th regiment, aged 26 years.
 11 At Patna, Margaret, the infant daughter of James Corbet, Esq.
 — At Chowringhee, E. N Ryan, infant son of Mr and Mrs E B Ryan, aged 3 days.
 — At Calcutta, Miss Ann Speak, aged 70 years.
 12 At Reimool, on her way from Lucknow to the Presidency Mrs. Thos Calcutta, junior, aged 31 years.
 14 At Sealdoh, Mrs Elizabeth Peterson, wife of Mr. S Peterson, proprietor of the Rada Bazar Dispensary, aged 12 years.
 15 At Calcutta, Mrs. Mary Wakefield, relict of the late Mr John Wakefield, of H. C.'s Bengal Marine, aged 45 years, 11 months and 29 days.
 — At Calcutta, William Jackson, Esq Solicitor, aged 36 years.
 — At Chittagong, an infant twin daughter of Mr and Mrs. McCullum, aged 8 days.
 16 At Calcutta, William Snell Burgess, Esq aged 40 years.
 17 At Patna, the infant daughter of Richard Cruise, Esq., aged 1 month and 10 days.
 — At Calcutta, John Bell, Esq superintendent of customs, aged 35 years, 3 months and 25 days.
 18 At Calcutta, Miss Isabella Hughes, midwife, aged 28 years.
 19 At Benares, Mr Walter Charles of the firm of Tuttle and Charles, aged 55 years, most deeply and sincerely regretted, by all who knew him
 — At Coochoo, George Smith, Esq surgeon, 33d Regiment Native Infantry.
 20 At Calcutta, Mary Anne, the second daughter of Mr. and Mrs James Ogilvie, aged 6 years, 1 month and 13 days.
 — At Calcutta, Mrs Mary Ann Graham, wife of Mr. T. G. Graham, aged 15 years, 10 months and 11 days.
 22 At the General Hospital, James Palmer, Esq, of the Moyapoor Semphore, aged 35 years.
 — At Calcutta, Miss Amelia Catherine Emmer, aged 18 years 5 months and 22 days.
 23 At Calcutta, Master Alexander Harris McCulloch, son of Mr. Alexander McCulloch, assistant Sudder Dewanny Adawlut, aged 18 months.
 — At Krishnachur, on his way from Bogorah to Calcutta, Henry Hume, Esq late of Muddy Dally Factory, at which place he was taken ill, of fever, on the 16th of October
 — At Dum Dum, Mrs Eliza Rickaber, aged 35 years
 24 At Calcutta, Master Henry Bartlet Keymer, son of Mr James Keymer, of the H C Marine, aged 1 year, 1 month and 11 days
 — At Calcutta, William, the infant son of A. St Leger McMahon, Esq aged 1 month and 27 days.
 25 At Calcutta, Mr John Pearson, aged 36 years
 26 At the residence of W H Oakes, Esq, civil service Robert Barry Fitzgerald, Esq aged 15 years.

REVIEW OF THE CALCUTTA MARKET.

(From the Bengal Hurkaru Price Current, November 24.)

INDIGO.—Nothing whatever has been done in this important article since our last weekly report.

The first public sale of the season of the 250 chests belonging to the estate of Messrs Alexander and Co is expected to take place on Monday next, the 26th instant.

The following are from the Custom House entries, as the exports since the 1st to the 23d instant :

To Great Britain.....	091	chests, .fy. mds	3,570
• France.....	385	“	1,325
		fy. mds.	5,095

RAW SILK.—Operations in this article are limited, owing to the absence of fine qualities in the market, and our quotations of the day exhibit a shade of decline on Cosimbazar and Jungypore.

SILK FINE GOODS.—There is a contingent demand for corahs, but few of good qualities are to be met with in the bazar—purchases are consequently restrained. The assortments may be reported at last week's quotations.

COTTON.—No transactions in the bazar have been reported this week, and we have no particular change in prices to notice.

MALTPETRE.—Has not been in extensive operation this week, owing to the scarcity of dead weight tonnage. The transactions reported are for the English and American markets, and prices remain without alteration.

SUGAR.—Has engaged attention this week for the English market, and prices may be quoted at an advance of 3 annas per maund on the second quality.

LAC.—Some purchases have been made this week, both of shell Lac and Lac Dye for shipments to England at former prices.

DRY GINGER.—Has been purchased for the American market at former currency.

HIDES AND HORNS.—Picked and of large size are in good enquiry, but are scarce on the market. Prices of the former have advanced about rupee 1 a 1-1- per corgo since last week.

OIL SEEDS.—Lined is the only description that continues to engage attention for the home markets, but at steady price; Mustard seed is quoted at a shade of decline.

GRAIN.—Fine Patna rice is scarce, and operations for the home markets are restrained. Moonghy rice, wheat and gram continue to be engaged for the Mauritius and Bombay. The

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quotations of the day exhibit an improvement on Patna rice, and a fall on wheat and gram.

OPUM.—Market bare, and no transactions reported. The quantity remaining uncleared in the Company's ware house is.

	Old.	New.	Total.
Patna	3	30	35
Benares	0	5	5
			Cheats 40

BERBERIS, BARK.—Without report of sale; but the article is quoted at a shade of improvement since our last.

CARDAMUM, CASSIA, GUBBS AND CLOVES.—Without sale, and remain at last week's quotations.

COFFER.—Has slightly declined in price.

MACC AND NUTMEG.—Have been sold this week, the latter exhibiting a small improvement on our last quotation.

PEPPER.—Eastern black, and long pepper, have advanced a shade since our last.

BLACK TIN.—Has given way in price throughout the assortment.

CHINTZES.—The demand for this classification of goods has been checked by the discouraging accounts from Mirzapore, and prices have consequently given way.

COLORS COTTON.—Of all descriptions are also neglected, with exception of turkey red twilled cloth, which maintains its demand and previous price.

WHITE COTTONS.—Long Cloths, Cambrics and Jaconets are the only descriptions saleable at this season of the year. Sales of which continue to be effected to a fair extent at steady prices. Other descriptions are now neglected, and prices giving way.

MULE TWIST.—Several parcels have changed hands during the week, at about our last quotations.

COLORS YARNS.—Turkey red, German dye, continues to engage attention at last week's currency.

WOOLLENS.—With exception of a demand for a few parcels of town and medium cloths at this time of the year for the European ware. The market may be considered inactive for other descriptions, but prices keep steady.

COPPER.—The market is inactive consequent on the unfavorable accounts from the Upper Provinces and prices of sheet, braziers, tile and South American are quoted at a further reduction since last week.

IRON.—Sales of this metal have not been extensive this week, and our last quotations may be reported firm.

STEEL.—Without sale, and our last week's quotations remain firm.

LEAD.—Also without sale, and the metal has a tendency to decline.

SPELTER.—We have heard of no transaction in this metal, and the quotation of the day exhibits a shade of decline since our last.

TIN PLATES AND QUICKSILVER.—Remain without variation from our last quotations.

MONEY MARKET.

GOVERNMENT SECURITIES.

Stock	Transfer Loan of 1835-36, interest payable in England	Prem.	BUY]		[SELL.	
			Sa. Rs.	11 p. ct.	Sa. Rs.	11 p. ct.
Second 6 p. ct.	From No. 1151 a to buy pm. 13200, according to Numbers	0 0 a	3 0	—	—	—
Third or Bombay 5 per cent.	to sell, premium	2 12	2 4	—	—	—
4 per cent. Dist. Co.'s Rs.	6 0 a	7 0	—	—	—	—

BANK RATES.

Bengal Bank (Co's Rs+ 4,000) rem. Co's Rs.	3,150 a 3,000
Union Bank (ditto 1,000) (old) (new)	215 a 200 155 a 115

COURSE OF EXCHANGE.

BUY]	s. d.		[SELL.	
s. d.	s. d.	s. d.	s. d.	s. d.
2 1 1/2 a	2 2	on London, 6 months sight	2 2 1/2	2 3
102 0 a	102 8	on Madras, 30 days' sight	98 0	98 8
102 6 a	103 0	on Bombay, 20 days' sight	98 0	98 8
2 1 1/2 a	2 2	on London, 6 months' sight	2 2 1/2	2 3
102 0 a	102 8	on Madras, 30 days' sight	98 0	98 8
102 6 a	103 0	on Bombay, 30 days' sight	98 0	98 8

ADMINISTRATION TO ESTATES.

ESTATE OF

- Buttley, Richard Edmund, Captain 23d N. I.
- Bisnagon, Charles Henry, Captain 72d N. I.
- Duk, Andrew Ed. Lieut. right wing European regi.
- Griffin, Timothy, Sergeant.
- O'Connell, Thomas, Lieutenant 1st regiment N. I.
- Lynch, Henry, quartermaster sergeant 76th N. I.
- Robson, Thomas Charles
- Wollaston, George Phillip
- Butler, Mary Jane
- Lee, Joseph Warton
- Backhouse, Frederick G. Lieutenant
- Burt, Thomas
- Cutler, George
- Humphon, Samuel Charles, Ensign 57th N. I.
- Russell, David, Assistant Surgeon
- Snowpige, Francis, Captain 18th
- Vanderheyden, David
- Alston, Dumfries Crawford, Ensign 26th N. I.
- Gomes, John
- Melkie, George
- Spinster, Isabella Hughes
- Wakefield, Mary, Widow

ADMINISTRATORS

- Registrar Supreme Court.
- ditto ditto.
- ditto ditto.
- ditto ditto.
- ditto ditto.
- Frederick Broadhead, and Thomas Arthur Pitt.
- Henry Augustus Wollaston.
- Registrar Supreme Court.
- John Tackersteen.
- Registrar Supreme Court.
- ditto ditto.
- Mrs. Susan Elizabeth Cattell, Widow.
- ditto ditto.
- ditto ditto.
- ditto ditto.
- Wm. Alston Lieutenant.
- Johanna Gomes.
- John Jackson.
- Registrar Supreme Court.
- Thomas Yearsherd, Undertaker.

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GOVERNMENT NOTIFICATIONS,

&c. &c. &c.

BY THE PRESIDENT IN COUNCIL.

LEGISLATIVE DEPARTMENT, DECEMBER 1, 1838.—The following Act is passed by the Honorable the President of the Council of India in Council on the 31 December 1838, with the assent of the Right Honorable the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information

Act No XXXI of 1838.

I. It is hereby enacted, that so much of a Statute made and passed in the 9th year of the reign of His late Majesty King George the Fourth, entitled an Act for improving the administration of criminal justice in the East Indies, as relates to any person who unlawfully and maliciously shall administer or attempt to administer to any person, or shall cause to be taken by any person, any poison or other destructive thing, or shall unlawfully and maliciously attempt to drown, suffocate, or strangle any person, or shall unlawfully and maliciously shoot at any person, or shall by drawing a trigger or in any other manner attempt to discharge any kind of loaded arms at any person, or shall unlawfully and maliciously stab, cut or wound any person, with intent in any of the cases aforesaid to murder such person, and so much of the said Act as relates to any person who shall unlawfully and maliciously shoot at any person, or shall by drawing a trigger or in any other manner attempt to discharge any kind of loaded arms at any person, or shall unlawfully and maliciously stab, cut or wound any person with intent in any of the cases aforesaid to maim, disfigure, or disable such person, or to do some other grievous bodily harm to such person, or with intent to resist or prevent the lawful apprehension or detainer of the party so offended, or of any of his accessories for any offence for which he or they may respectively be liable by law to be apprehended or detained; and so much of the said Act as relates to any person who, with intent to procure the miscarriage of any woman then being quick with child, unlawfully and maliciously shall endeavor to let a poison, or shall use any instrument or other means whatsoever with the like intent, and who with intent to procure the miscarriage of any woman, not being or not proved to be then quick with child, unlawfully and maliciously shall administer to her, or cause to be taken by her, any medicine or other thing, or shall use any instrument or other means whatever with the like intent, and so much of the said Act as relates to any person who shall rob any other person of any chattie, money, or valuable security; and so much of the said Act as relates to any person who shall accuse or threaten to accuse any other person of any heinous crime, with a view of intent to extort or gain from him, and shall by intimidation, larceny by such accusation, or threat extort or gain from him any chattie, money, or valuable security; and so much of the said Act as relates to any person who shall steal from any dwelling house, any such property to any value whatever in any dwelling house, any person taken being put in fear, or shall steal in any dwelling house any chattie, money or valuable security to the value in the whole of five Company's rupees or more; and so much of the said Act as relates to any person who shall unlawfully and maliciously set fire to any ship or vessel which shall be in distress, or wrecked, stranded or cast on shore, or any goods, merchandize, or articles of any kind belonging to such ship or vessel; and so much of the said Act as relates to any person who shall unlawfully and maliciously set fire to any church or chapel, or other public place of religious worship whatsoever, or shall unlawfully and maliciously set fire to any house stable, coach house, out-house, warehouse, mill, shop, mill, barn, or granary, or to any building or erection, used in carrying on any trade or manufacture or any branch thereof, whether the same or any of them respectively shall then be in the possession of the offender or in the possession of any other person, with intent thereby to injure or defraud any person, and so much of the said Act as relates to any person who shall unlawfully and maliciously set fire to, or in and with destroy, any ship or vessel, whether the same be complete or in an unfinished state, or shall unlawfully and maliciously set fire to any goods being on board any ship or vessel, with intent to destroy such cargo or ship, and with intent thereby to prejudice any owner or part owner of such ship or vessel, or any owner or part owner of any goods on board the same, or any person that hath underwritten,

or shall underwrite any policy of insurance upon such ship or vessel, or on the freight thereof, or upon any goods on board the same, and so much of the said Act as relates to any person who shall exhibit any false light or signal with intent to bring any ship or vessel into danger, or shall unlawfully and maliciously do any thing tending to the immediate loss or destruction of any ship or vessel in distress, or destroy any part of any ship or vessel which shall be in distress, or wrecked, stranded, or cast on shore, or any tools, merchandize or articles of any kind belonging to such ship or vessel, or shall by force prevent or impede any person endeavoring to save his life from such ship or vessel (whether he shall be on board or shall have quitted the same); and so much of the said Act as relates to any person who shall unlawfully and maliciously set fire to any stack of rice, corn, or other grain or pulse, or sugar cane, whether standing or cut down, or to any part of a wood, coppice, or plantation of trees, or valuable plants, or to any grove, ten, or other like ground pasture, wherever the same may be growing, and so much of the said Act as relates to the punishment of principals in the second degree, and of accessories before and after the fact respectively to such of the felonies punishable under those Acts as are heretofore referred to, shall from the time of passing this Act cease to have effect within the territories of the East India Company, except as to offences committed before or upon the day of passing this Act, which shall be dealt with and punished as if this Act had not been passed.

II. And it is hereby enacted, that this Act shall extend to all persons and over all places where whom or which the criminal jurisdiction of any of Her Majesty's courts of justice within the territories under the Government of the East India Company extends, but not further or otherwise.

III. And it is hereby enacted, that whosoever shall administer to or cause to be taken by any person any poison or other destructive thing, or shall stab, cut, or wound any person, or shall by any means whatsoever cause to any person any bodily injury dangerous to life, with intent in any of the cases aforesaid to commit murder shall be guilty of felony, and being convicted thereof shall suffer death.

IV. And it is hereby enacted, that whosoever shall attempt to administer to any person any poison or other destructive thing, or shall shoot at any person, or shall by drawing a trigger, or in any other manner attempt to discharge any kind of loaded arms at any person, or shall attempt to drown, suffocate, or strangle any person, with intent in any of the cases aforesaid to commit the crime of murder, shall, although no bodily injury shall be effected, be guilty of felony, and being convicted thereof shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

V. And it is hereby enacted, that whosoever shall unlawfully and maliciously shoot at any person, or shall by drawing a trigger or in any other manner attempt to discharge any kind of loaded arms at any person, or shall stab, cut, or wound any person, with intent, in any of the cases aforesaid, to maim, disfigure, or disable such person, or to do some other grievous bodily harm to such person, or with intent to resist or prevent the lawful apprehension or detainer of any person, shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

VI. And it is hereby enacted, that whosoever shall unlawfully and maliciously send or deliver to or cause to be taken or received by any person any explosive substance or any other dangerous or noxious thing, or shall cast or throw upon or otherwise apply to any person any corrosive fluid or other destructive matter, with intent in any of the cases aforesaid, to burn, maim, disfigure, or disable any person or to do some other grievous bodily harm to any person, and whereby, in any of the cases aforesaid, any person shall be burnt, maimed, disfigured, or disabled, or receive some other grievous bodily harm, shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

VII. And it is hereby enacted, that whosoever with intent to procure the miscarriage of any woman shall unlawfully administer to her or cause to be taken by her any poison or other noxious thing or shall unlawfully use any instrument or other means whatsoever with the like intent, shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the court, to be transported to such place as the court shall direct

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for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

VIII. And it is hereby enacted, that on the trial of any person for any of the offences hereinbefore mentioned, or for any felony whatever where the crime charged shall include an assault against the person, it shall be lawful for the jury to acquit of the felony and to find a verdict of guilty of assault against the person indicted, if the evidence shall warrant such finding, and when such verdict shall be found, the court shall have power to imprison the person, so found guilty of an assault, for any term not exceeding four years.

IX. And it is hereby enacted, that whosoever shall burglariously break and enter into any dwelling house, and shall assault with intent to murder any person being therein, or shall stab, cut, wound beat or strike any such person, shall be guilty of felony, and being convicted thereof shall suffer death.

X. And it is hereby enacted, that whosoever shall be convicted of the crime of burglary shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

XI. Provided always, and it is hereby enacted, that so far as the same is essential to the offence of burglary, the night shall be considered, and is hereby declared to commence at nine of the clock in the evening and to conclude at six of the clock in the morning of the next succeeding day.

XII. And it is hereby enacted, that whosoever shall steal any property in any dwelling house, and shall by any menace or threat put any one being therein in bodily fear, or shall steal in any dwelling house any property to the value in the whole of fifty Company's rupees or more, or shall break and enter any dwelling house, and steal therein any property shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

XIII. And it is hereby enacted, that whosoever shall rob any person, and at the time of or immediately before or immediately after such robbery shall stab, cut or wound any person shall be guilty of felony, and being convicted thereof, shall suffer death.

XIV. And it is hereby enacted, that whoever shall, being armed with any offensive weapon or instrument, rob or assault with intent to rob any person, or shall together with one or more person or persons rob or assault with intent to rob any person, or shall rob any person, and at the time of or immediately before or after such robbery shall beat, strike or use any other personal violence to any person shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

XV. And it is hereby enacted, that whosoever shall accuse or threaten to accuse any person of the abominable crime of bigamy committed either with mankind or with beast, or of any assault with intent to commit the said abominable crime, or of any attempt or endeavour to commit the said abominable crime, or of making or offering any solicitation, persuasion, promise, or threat to any person whereby to move or induce such person to commit or permit the said abominable crime, with a view or intent, in any of the cases aforesaid, to extort or gain from such person and shall by intimidating such person by such accusation or threat, extort or gain from such person any property, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

XVI. And it is hereby enacted, that whosoever shall plunder or steal any part of any ship or vessel which shall be in distress, or wrecked, stranded, or cast on shore, or any goods, merchandise or articles of any kind belonging to such ship or vessel, and being convicted thereof, shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

XVII. And it is hereby enacted, that whosoever shall rob any person, or shall steal any property from the person of another, shall be liable at the discretion of the court, to be transported to such place as the court shall direct, for any term not exceeding fifteen years, nor less than ten years, or to be imprisoned for any term not exceeding three years.

XVIII. And it is hereby enacted, that whosoever shall assault any person with intent to rob shall be guilty of felony, and being convicted thereof, shall be liable to be imprisoned for any term not exceeding three years.

XIX. And it is hereby enacted, that whosoever shall with menace or by force demand any property of any person with intent to steal the same, shall be guilty of felony, and being convicted thereof, shall be liable to be imprisoned for any term not exceeding three years.

XX. And it is hereby enacted, that whosoever shall unlawfully and maliciously set fire to any dwelling house, any person being therein, shall be guilty of felony, and being convicted thereof shall suffer death.

XXI. And it is hereby enacted, that whosoever shall unlawfully and maliciously set fire to any church or chapel, or other public place of religious worship whatsoever, or shall unlawfully

and maliciously set fire to any house, stable, coach-house, out-house, ware-house, office, shop, mill, barn, or granary, or to any building or erection used in carrying on any trade or manufacture or any branch thereof, whether the same or any of them respectively shall then be in the possession of the offender or in the possession of any other person, with intent thereby to injure or defraud any person, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

XXII. And it is hereby enacted, that whosoever shall unlawfully and maliciously set fire to, cast away, or in any wise destroy any ship or vessel either with intent to murder any person, or whereby the life of any person shall be endangered, shall be guilty of felony, and being convicted thereof shall suffer death.

XXIII. And it is hereby enacted, that whosoever shall unlawfully exhibit any false light or signal with intent to bring any ship or vessel into danger, or shall unlawfully and maliciously do any thing tending to the immediate loss or destruction of any ship or vessel in distress shall be guilty of felony, and being convicted thereof shall suffer death.

XXVI. And it is hereby enacted, that whosoever shall unlawfully and maliciously set fire to or in any wise destroy any ship or vessel whether the same be complete or in any unfinished state, or shall unlawfully and maliciously set fire to, cast away, or in any wise destroy any ship or vessel, with intent thereby to prejudice any owner or part owner of such ship or vessel, or of any goods on board the same, or any person that hath underwritten or shall underwrite any policy of insurance upon such ship or vessel, or on the freight thereof or upon any goods on board the same, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

XXV. And it is hereby enacted, that whosoever shall by force prevent or impede any person endeavouring to save his life from any ship or vessel which shall be in distress, or wrecked, stranded, or cast on shore (whether he shall be on board or shall have quitted the same) shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

XXVI. And it is hereby enacted, that whosoever shall unlawfully and maliciously destroy any part of any ship or vessel which shall be in distress, or wrecked, stranded, or cast on shore, or any goods, merchandise or articles of any kind belonging to such ship or vessel, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the court, to be transported to such place as the court shall direct for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

XXVII. And it is hereby enacted, that whosoever shall unlawfully and maliciously set fire to any part of any vessel shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the court, to be transported to such place as the court shall think fit for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

XXVIII. And it is hereby enacted, that whosoever shall unlawfully and maliciously set fire to any stack of rice, corn or other grain, pulse, or sugar cane, saw-bay, or wood, or to any crop of rice, corn or other grain or pulse or sugar cane, whether standing or cut down, or to any part of a wood, coppice, or plantation of trees or valuable plants, or to any grass, fire, or other like ground produce whosoever the same may be growing shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the court, to be transported to such place as the court shall think fit for life, or for any term of years, or to be imprisoned for any term not exceeding four years.

XXIX. And it is hereby enacted, that if any person shall steal the whole or any part of any growing tree, sapling or shrub, or any underwood, or of any pale, post or stile, or any growing cultivated plant, root, fruit, or vegetable production, or shall unlawfully and maliciously commit any damage, injury, or spoil to or upon any real or personal property whatsoever, either of a public or private nature, except such offender being convicted before a magistrate or justice of the peace shall, for the first offence, forfeit and pay over and above the amount of the injury done, such sum of money, not exceeding fifty rupees as to the magistrate or justice of the peace shall seem meet, and if any person so convicted shall afterwards be guilty of any of the said offences, and shall be convicted thereof, in like manner, every such offender shall, for such second offence, be imprisoned with or without hard labour, for such term not exceeding six calendar months as the convicting magistrate or justice of the peace shall think fit. Provided always that nothing in this section contained concerning the stealing of any property or malicious damage injury or spoil to or upon any real property of a private nature shall extend to the settlements of Prince of Wales's Island, Singapore, or Malacca.

XXX. And it is hereby enacted, that every sum of money which shall be forfeited for the amount of any injury done (such amount in each case to be ascertained by the convicting magistrate or justice of the peace) shall be paid to the party aggrieved if known except when such party shall have been examined in proof of the offence, and that in every case of a summary conviction under this Act, when the sum which shall be forfeited for the

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amount of the injury done, or which shall be imposed as a penalty by the magistrate or justice of the peace shall not be paid, either immediately after the conviction or within such period as the magistrate or justice of the peace shall at the time of conviction appoint, it shall be lawful for the conviction magistrate or justice of the peace to commit the offender to the common goal or House of Correction, to be imprisoned only, or to be imprisoned with hard labour according to the discretion of the magistrate or justice of the peace for any term not exceeding two calendar months where the amount of the sum forfeited or of the penalty imposed, or of both, (as the case may be) together with the costs shall not exceed fifty rupees, and for any term not exceeding four calendar months when the amount with costs shall not exceed one hundred rupees, and for any term not exceeding six calendar months in any other case, the commitment to be determinable in each of the cases aforesaid upon payment of the amount and costs.

XXXI. Provided always, that where several persons shall join in the commission of the same offence and shall, upon conviction thereof, each be adjudged to forfeit a sum equivalent to the amount of the injury done, in every such case no further sum shall be paid to the party aggrieved than that which shall be forfeited by one of such offenders only.

XXXII. And it is hereby enacted, that in case any person convicted of any offence punishable upon summary conviction by virtue of this Act shall have paid the sum adjudged to be paid together with costs under such conviction, or shall have suffered the imprisonment awarded for non payment thereof, every such person shall be released from all further or other proceedings for the same offence.

XXXIII. And it is hereby enacted, that every punishment and forfeiture by this Act imposed on any person maliciously committing any offence shall equally apply and be enforced whether the offence shall have been committed from malice conceived against the owner of the property in respect of which it shall be committed or otherwise.

XXXIV. And it is hereby enacted, that it shall not be necessary in any proceeding either for theft or for malicious injury, spoil, or damage, to or upon any property dedicated to public use or ornament, to allege the same to be the property of any person.

XXXV. And it is hereby enacted, that word "property" shall throughout this Act be deemed to include every thing included under the words "chattel, money, or valuable security" in the said statute in force and passed in the ninth year of the reign of His late Majesty King George III. aforesaid and that the term dwelling house shall have the same construction as in the said statute.

XXXVI. And it is hereby enacted, that in the case of every felony punishable under this Act every principal in the second degree and every accessory before the fact shall be punishable with death or otherwise in the same manner as the principal in the first degree is by this Act punishable. And every accessory after the fact to any felony punishable under this Act (except only a receiver of stolen property) shall on conviction be liable to be imprisoned for any term not exceeding two years.

XXXVII. And it is hereby enacted, that where any person shall be convicted under this Act for any offence punishable under this Act for which imprisonment may be awarded, it shall be lawful for the court to sentence the offender to be imprisoned and kept to hard labor, and also to direct that the prisoner be kept in solitary confinement for such a period or periods of the imprisonment as to the court in its discretion shall seem meet not exceeding one month at a time, or three months in any one year.

XXXVIII. And it is hereby enacted and provided that it shall not be lawful for any court, under the authority of this Act, to order the transportation of any person being a native of the East Indies, and not born of European parent, to the Eastern Coast of New South Wales, or any of the Islands adjacent thereto.

DECEMBER 10.—The following Act is passed by the Honorable the President of the Council of India in Council on the 10th December 1838, with the assent of the Right Honorable the Governor General of India, which has been read and recorded. Ordered, that the Act be promulgated for general information:

Act No. XXXII. of 1838.

I. It is hereby enacted and declared, that all powers whatever in criminal cases, which by virtue of any law now in force may be exercised by two Justices of the Peace within and for the provinces, Districts, and countries of Bengal, Behar, and Orissa, and within and for the Presidency of Fort William in Bengal, and places thereto subordinate, may be exercised by one such Justice.

II. And it is hereby enacted, that it shall be lawful for any one such Justice to issue a warrant of distress for the recovery of arrears of Assessment accruing under the Act of Parliament 33 George III. Cap. 52, and every such warrant shall have the same force as if it were under the hands and seals of two such Justices.

III. And it is hereby enacted and declared, that all such powers heretofore exercised and warrants issued by one such Justice of the Peace, shall be deemed legal and valid as if the same had been exercised or issued by two such Justices.

J. P. GRANT,

Offy. Secy. to the Govt. of India.

POLITICAL DEPARTMENT, NOVEMBER 27 1838.—Mr. Assistant Surgeon Wood is placed under the orders of the agent to the Governor General, in the North Eastern Frontier, to perform the medical duties of the station of Jorhaut.

NOVEMBER 28.—Mr. J. P. Grant to officiate as Secretary to the Government of India in the Legislative, Judicial and Revenue Departments, vice Mr. T. H. Macleod, who has been ordered to proceed to the Western Provinces.

DECEMBER 12.—An instance having occurred in which an executive officer having been called away suddenly from his division upon the public service, was compelled to leave public property under charge of native servants in consequence of the public officers having refused to take official charge of it, it is hereby notified under the orders of the Court of Directors, that every civil officer in charge of a district must consider it his duty to take temporary charge of any Government property that, either by the decrease of a public officer or by any other accident, may be left with its custody insufficiently provided for.

If the property be situated in a cantonment or military station the commanding officer will be expected to make arrangements for its temporary charge, pending a reference to the department to which it may belong.

Captain H. W. Trevelyan assistant to the agent to the Governor General for the states of Rajpootana, reported his return on board the "The Byron" from the Cape of Good Hope on the 21st instant, the remaining portion of the leave of absence granted to that officer from the date of his embarkation on the 25th November, 1837, is accordingly cancelled from that date.

DECEMBER 19.—Proclamation.—By order of the Government of India, the deputy Governor of Bengal notified to the public and to the allies of the British Government and to all friendly powers, that the Nawab Syed Moolk Ibrahim and Dowlah Humayoon Jaha seyud Muzumil Ulee Khan Bahadour Feroou Jung, having departed this life at Moorshedabad, on the 3d October, 1838, his son the Nawab Syud Munssoor Alee Khan has succeeded to the hereditary honours and dignities of the Nizamut and Subahdars of Bengal, Behar and Orissa, and His Highness is hereby declared, under the authority of the Government of India, to be the Nizam and Subahdar of Bengal, Behar and Orissa, and to have assumed and to exercise the authority, dignities and privileges thereof, under the style and title of Moussoom-ool Moolek Moussoor Nourul Dowlah, Farroodouh Jah Syud Munssoor Alee Khan Bahadour Nourul Jung.

DECEMBER 26.—Captain R. B. Pemberton of the 44th regiment native infantry, has been appointed to officiate as agent to the Governor General at Moorshedabad.

PORT WILLIAM, SEPARATE DEPARTMENT NOVEMBER 28.—Mr. N. Campbell is appointed to the situation of Superintendent of the Customs Preventive Service, vice Mr. John Bell, deceased.

Separate Department December 5.—The Honorable the Deputy Governor of Bengal is pleased to grant to Mr. W. A. Peacock, Superintendent of the Megna salt chukry, leave of absence, on private affairs, for one month, leaving Dr. Baker in charge of his Office. The leave to commence from the date on which Mr. Peacock is relieved in cancellation of the Order of Government, dated the 31st October last.

DECEMBER 10.—The Honorable the Deputy Governor of Bengal is pleased to grant to Mr. W. Brackwa, deputy collector of customs leave of absence for one month, in further extension of the leave granted to him on the 27th August last.

BY THE DEPUTY GOVERNOR OF BENGAL.

GENERAL DEPARTMENT, NOVEMBER 28 1838.—Mr. C. Haikes, of the civil service, reported his return to this presidency from England on board the ship "Duke of Bedford" on the 21st instant. Mr. C. Haikes has been permitted to return to the presidency for the purpose of prosecuting his studies in the oriental languages at the College of Fort William.

The Honorable the President in Council is pleased to attach Mr. C. Haikes, of the civil service, to the North Western Provinces.

DECEMBER 5.—Mr. T. P. Marten, of the civil service, reported his return to this presidency from the Cape of Good Hope on the 1st instant.

Mr. Arthur Haikes reported his arrival as a writer on this establishment on the 1st instant.

The Honorable the President in Council is pleased to appoint Mr. D. W. Fraser, a Surgeon-Major at Gya.

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Mr. R. Hodges took charge of the post office, at Loo Hanah, as Post Master at that station, on the 1st instant, under an appointment made by the Right Honorable the Governor General of India.

DECEMBER 12.—The Hon'ble the Deputy Governor of Bengal is pleased to grant to Mr. T. P. Marten, of the civil service, leave of absence for one month, from the 1st instant on private affairs.

December 12.—Mr. Cornelius Cardew, of the civil service, reported his return to this presidency from England on board the Ship "St. George" on the 10th instant.

December 12.—Captain Vetch and Ensign Brodie were appointed principal assistants for the administration of Upper Assam on the 25th August last, under Captain Jenkins, the agent to the Governor General and Commissioner in Assam.

DECEMBER 19.—Mr. Walter Ewer has been permitted to resign the East India Company's civil service from the date on which the pilot may quit the ship *Earl of Hardwicke* at sea.

Mr. William Strachy, appointed by the Hon'ble Court of Directors a writer on the Bengal establishment, reported his arrival at Baitool (within the limits of the Bengal presidency) on the 5th instant.

December 19.—Notice is hereby given, that the salaries and allowances of the civil and Marine Departments, for December, instant, will be discharged by the Sub. Treasurer and Marine Paymaster respectively on or after Tuesday, 15th proximo.

DECEMBER 19.—The Hon'ble the Deputy Governor of Bengal has been pleased to direct, that a salute of 19 guns be fired from the ramparts of Fort William at 12 o'clock this day, in honor of the accession of His Highness Syud Munsoor Ali Khan to the Musnad of the provinces of Bengal, Bihar and Orissa, and that the above proclamation be read at the head of all the head troops in garrison at sunset this evening under a salute of 3 volleys of musquetry.

Published by Order of the Hon'ble the President in Council,
U. T. PRINSEP,
Secy. to the Govt. of Bengal.

The following order, issued by the Right Hon'ble the Governor General of India, is published for general information:

CAMP BEROZPORE, DECEMBER 1.—Mr. W. H. Macnaghten, Secretary to the Government of India, in charge of the several civil departments with the Government General, this day made over charge of his office to Mr. H. Torrens, the Deputy Secretary in those departments, who will remain in charge until further orders.

Mr. Macnaghten will accompany the Right Hon'ble the Governor General to Lahore, and thence proceed with all practicable expedition to assume his functions of Coveny and minister at the Court of His Highness Shooja-ool-Moolk.

(Signed) W. H. MACNAGHTEN,
Secy. to the Govt of India
with the Govt. Genl

DECEMBER 19.—Mr. J. N. Rind having reported his return to this presidency on the *Robert Smalls*, the Hon'ble the Deputy Governor of Bengal has been pleased to restore him to his former office of superintendent of the Government Lithographic Press, and has accordingly directed him to resume charge from Captain Fitzgerald.

DECEMBER 22.—Mr. John Thornton, of the civil service has been permitted to proceed to England on furlough under medical certificate.

DECEMBER 26.—Mr. B. J. Colvin, of the civil service, embarked for England on board the ship "*Plantagenet*" which ship was left by the pilot at sea on the 17th instant.

Mr. N. B. Edmondstone, of the civil service, embarked for England on board the ship "*Plantagenet*," which ship was left by the pilot at sea on the 17th instant.

Mr. E. M. Wylie is reported qualified for the public service by proficiency in two of the Native languages. The order published in the *Gazette* of the 31st October last, de. being Mr. Wylie to have enjoyed the prescribed time allowed for study, is cancelled, having been founded on an erroneous computation of time in which allowance was made for the periods covered by medical certificates.

Mr. J. C. B. Lawrell, of the civil service, reported his return to this presidency from England on board the ship *Robert Smalls*, which vessel anchored at Kedgee on the 15th instant.

DECEMBER 21.—The Hon'ble the President in Council is pleased to place the services of Mr. R. Houston at the disposal of the Right Hon'ble the Governor General for the North Western Provinces.

MINTEPARTMENT DECEMBER 5.—Mr. James Prinsep, assay master of the Calcutta Mint, embarked for the Cape of Good Hope, and eventually to Europe, on board the ship *Herefordshire*, which ship was left by the pilot at sea on the 8th ultimo.

DECEMBER 19.—Mr. John Curran is appointed to officiate as Assay Master and Secretary to the Mint Committee of Calcutta, until further orders.

ECCLIESIASTICAL DEPARTMENT NOVEMBER 22.—The Hon'ble the President in Council has been pleased to attach the Reverend A. B. Spry, an assistant chaplain to the North Western Provinces.

DECEMBER 5.—Reverend R. B. Boyce, a Chaplain on this establishment reported his return to this presidency from the Cape of Good Hope on the ship *True Briton*, on the 1st instant.

The Reverend P. A. Dawson, chaplain at Lucknow, has been permitted by the Right Reverend the Lord Bishop of Calcutta to be absent from his station for one month, from the 1st of January 1839.

The Hon'ble the President in Council has been pleased to attach the Reverend J. H. A. A. Budd, chaplain to the North Western Provinces.

DEC. 12.—The Reverend J. H. A. Radd, Chaplain at Chinsurah; has been permitted by the Right Reverend the Lord Bishop of Calcutta, to be absent from his station for a period not exceeding one month, from the 8th instant.

H. T. PRINSEP,
Secy. to the Govt. of Bengal.

JUDICIAL AND REVENUE DEPARTMENT, OCTOBER 30 1838.—Mr. P. G. E. Taylor for fifteen days, to enable him to rejoin his station at Mourshedabad, in extension of the leave granted to him on the 9th instant.

OCTOBER 31.—Mr. J. H. Crawford, special deputy collector in Madanpore and Hidgegell, for three months, on medical certificate, from the date of his departure over charge of his office to Mr. A. Grote, who has been directed to relieve him.

NOVEMBER 1.—Mr. W. Blunt, special commissioner under Regulation III. of 1828, for the division of Calcutta, until the 15th December next, in extension of the leave granted to him on the 25th September last.

NOVEMBER 3.—Mr. W. Crockett, officiating special commission under Regulation III. of 1828, for the division of Mourshedabad, for a fortnight, to proceed to the Sand Heads, on medical certificate.

NOVEMBER 20.—Mr. W. A. Law, joint magistrate and deputy collector at Bograh, for one month, on medical certificate, from the date of his making over charge to Mr. J. Wickett, who will be relieved by Mr. W. Bell, appointed to act for Mr. Law.

Hishoo Raudhoo Ganga to be a deputy collector under Regulation IX. of 1833 in zillah 24 Perganahs.
Mr. W. C. Stupford to be ditto ditto under ditto, in zillah Jessore.

Bahoo Rai Mokun Lal, Sheikh Wahizool Hak Khan Behadour and Sheikh Moushib Hossain Khan Behadour to be ditto ditto under ditto in zillah Bahar and Patna.

Syed Ismail Ali, principal sudder ameen of Runpore, for six weeks on medical certificate in extension of the leave granted to him under date the 21st August last.

Moulvie Mahomed Khooshud sudder ameen and additional principal sudder ameen of Mymensingh, to officiate as principal sudder ameen of that district, during the absence of Kuzee Jeld Oodeen on leave.

Moulvie Muneboodegan Mahomed, sudder ameen of Daera, to officiate as sudder ameen and additional principal sudder ameen in Mymensingh, under Moulvie Mahomed Khooshud.

Moulvie Hedayet Ali Khan, sudder ameen of Shahabad, to officiate, until further orders, as additional principal sudder ameen of that district, during the absence of Moulvie Shoojoodeen Ali Khan.

Moulvie Mahomed Sadik, additional moonshiff at Shahabad, to officiate as sudder ameen at Shahabad, during the absence of Moulvie Hedayet Ali Khan.

NOVEMBER 23.—Mr. R. Torrens to officiate, until further orders, as civil and sessions judge of Bijnour.

NOVEMBER 27.—Deputy Bar Dookyo to be sudder ameen of Komooop in Assam, in succession to Juggoram Phookin deceased.
Babee Gourabunder Dookyo and Moulvie Mahomed Nookee, to be deputy collectors under Regulation IX. of 1833, in zillah Chitragong.

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Mr. R. N. Farquharson, special deputy collector of Patna for one month, on private affairs, from the date of making over charge of his office to Mr. C. H. Lushington.

Mr. E. W. Pitt, deputy collector under Regulation IX of 1833 in Midnapore and Hoogly, for six weeks on medical certificate from the 6th instant.

DECEMBER 1.—Moulvie Ali Ahmed Bahadour, and Bahadour Shoo Chaudhary to be deputy collectors under Regulation IX of 1833, in Zillah Mymensing.

DECEMBER 4.—Said Zain Oudon Hussain to be deputy collector under Regulation IX of 1833, in Zillah Bhagalpore and Moorshed.

Bahadour Hattokally Ghose, and Bahadour Hurrachunder Bose, to be deputy collectors under do in Zillah Purnea.

Mr. H. Davison, and Moulvie Fuzzeer Oudeen Ahmed, to be ditto under ditto, in Zillah Tichet.

Mr. C. Steer, magistrate of Nuddea for twelve days, from the 19th instant, on private affairs. Mr. T. C. Loch will officiate as Magistrate during the absence of Mr. Steer.

Mr. A. C. Birtwell, special deputy collector of Sylhet, to the 24th instant, in extension of the leave granted to him on the 23rd September last.

The unexpired portion of the leave of absence granted to Mr. H. Staunton, officiating Judge of Sylhet, on the 24th October last, has been cancelled at his own request, from the 21st instant.

J. H. YOUNG, *Offy. Secy. to the Govt. of Bengal.*

DECEMBER 4.—Mr. H. C. Metcalfe, joint magistrate and deputy collector of Sylhet, for one month, from the 10th instant, in extension of the leave granted to him on the 10th ultimo, on medical certificate.

DECEMBER 11.—Mr. A. Dick, civil and sessions judge of Midnapore, for one month, on private affairs. Mr. R. P. Harrison will conduct the current duties of the office during the absence of Mr. Dick.

Mr. H. V. Hasboun, civil and sessions judge of Cuttack, for one month, from the 24th instant, on private affairs. Mr. W. Edwards will conduct the current duties during the absence of Mr. Hasboun.

FRED. JAS. HALLIDAY
Secy. to the Govt. of Bengal.

DECEMBER 17.—The Hon'ble the President of the Council of India in Council, has been pleased to appoint James Young, Esq., one of the Gentlemen nominated by Her Majesty's Judges of the Supreme Court, to the Sheriff of Calcutta during the ensuing year.

J. P. GRANT,
Offy. Secy. to the Govt. of India.

DECEMBER 3.—The leave of absence granted to Mr. W. A. Law, joint magistrate and deputy collector of Bengal, on the 20th ultimo, has been cancelled at his own request. The appointment of Mr. W. Bell to act for Mr. Law is also cancelled.

DECEMBER 11.—Moulvie Looft Hussain to officiate until further orders, as sudder ameen at Dacca, in the room of Moulvie Mo neeroodeen Mahomed, ordered to officiate as principal sudder ameen at Mymensing.

Mr. J. Brown to be deputy collector under Regulation IX of 1833 in Zillah Raun.

Mr. A. C. Parson to be ditto under ditto in Rajshahy in succession to Bahadour Rongchand Bose deceased.

Mr. W. J. G. Rock to be ditto ditto under ditto of ditto in Zillah Mymensing.

Bahadour theychurn Mullick late a deputy collector under Regulation IX of 1833 in Chittagong, transferred to Zillahs Nuddea and Moorshedabad for six weeks, from the 6th ult., in extension.

DECEMBER 11.—The Hon'ble R. Forbes, officiating judge of Chittagong, for one month, from the 10th proximo, preparatory to his proceeding to Europe on furlough. Mr. C. Mackay the sudder ameen, will officiate the current duties of the judge's office, until further orders.

DECEMBER 18.—Mr. C. Cardow to officiate, until further orders, as civil and sessions judge of Tipperah, in the room of Mr. J. Shaw on leave of absence.

Mr. J. M. Hay to officiate, until further orders, as collector of Mymensing.

Mr. Assistant Surgeon James Anderson, attached to the civil station of Beerbhoom, for one month, from the 3rd proximo, to visit the presidency, on private affairs.

Mr. G. U. Yate, officiating special deputy collector of Mymensing and Dacca, from the second October to the 19th ultimo. The leave granted to him under date the 18th September last, is hereby cancelled.

DECEMBER 21.—Mr. W. Travers to be deputy collector of Cuttack, vice Mr. F. J. Morris.

Mr. G. A. C. Plowden to be special deputy collector of Bhawalpore and Moorshed. Mr. Plowden will continue to act as magistrate and collector of Sylhet, until further orders.

Mr. J. S. Tolous to be special deputy collector in the 24 Pergunnahs, Nuddea, and Moorshedabad, vice Mr. G. A. C. Plowden.

Mr. H. Atherton to be joint magistrate and deputy collector in East Burdwan, vice Mr. J. S. Tolous. Mr. Atherton will continue to officiate as magistrate and collector of Beerbhoom, until further orders.

DECEMBER 19.—Mr. John Curran is appointed to officiate as Assay Master and Secretary to the Assay Committee of Calcutta, until further orders.

DECEMBER 1.—The remaining portion of the leave of absence granted to Mr. J. W. Macleod, Second Commissioner of the Court of Requests, under date the 12th December, 1837, has been cancelled from the 3d instant, the date on which he reported having resumed charge of his office.

DECEMBER 11.—Mr. H. C. Metcalfe to officiate, until further orders as magistrate and collector of Burdwan.

DECEMBER 10.—Mr. H. Nesbet, civil and sessions judge of Saigh, has been permitted to remain at the presidency until the close of present month.

Mr. F. Knott officiating deputy collector under Regulation IX of 1833, in Burdwan, for one month, from the 24th instant, in extension of the leave of absence obtained by him from the Commis-sioner of the 15th division for a similar period commencing from the 24th ultimo.

Mr. D. J. Money, joint magistrate and deputy collector of Burdwan, for six months, on medical certificate, in extension of the leave granted to him on the 19th September, 1837.

Moulvie Mahomed Ferook to be sudder ameen in the Central division of Cuttack, vice Moulvie Mahomed Sijid deceased.

Bahadour Uddin Poursad Ghose to be sudder ameen in the southern division of Cuttack (Poonce).

DECEMBER 20.—Mr. W. Hunt, special commissioner under Regulation III of 1828, for the Division of Calcutta, to the 75th anniversary, or until the sailing of the Ship *Edwig Hudson*, in extension of the leave granted to him under date the 1st ultimo.

DECEMBER 23.—Mr. W. Money, a judge of the Courts of Sudder Dewany and Nizamut Adawlat for one month, from lat proximo under Rule 1 of the resolutions passed in the General Department under date the 18th December, 1832.

Mr. E. A. Somerville, magistrate of Hooghly, for ten days from the 25th instant, on private affairs. Mr. J. Ward will officiate during the absence of Mr. Somerville.

Mr. G. N. Cheek, Assistant surgeon attached to the civil station of Burdwan, for seven days, from the 23d instant, to visit the presidency, on private affairs.

DECEMBER 27.—Mr. F. Shipwith to officiate as collector of Mymensing.

Mr. W. Onslow to officiate as magistrate of Behar, until further orders.

Mr. J. Reid to officiate as magistrate of Behar, until further orders.

Mr. I. B. O'Leary to be magistrate and collector of Jessore.

Mr. R. Cambie to be joint magistrate and deputy collector of Pubna. Mr. Cambie will continue, until further orders, to officiate as civil and sessions judge of Patna.

Mr. C. O. Ulry, on being relieved by Mr. H. Nisbet, will proceed to Shahabad, and officiate as civil and sessions judge of that district, during the absence of Mr. Bent, or until further orders.

Mr. W. N. Garrett to be additional judge of Chittagong.

Mr. R. Foreman to be additional judge of Shahabad. Mr. Foreman will continue to officiate as civil and sessions judge of Mymensing, until further orders.

Mr. M. Gilmore to officiate as magistrate and collector of Shahabad.

Mr. R. P. Harrison to officiate as magistrate of Midnapore in addition to his other duties, until further orders.

Mr. W. Bell to officiate as magistrate and collector of Tipperah, until further orders.

FRED. JAS. HALLIDAY,
Secy. to the Govt. of Bengal.

BY THE GOVERNOR-GENERAL OF INDIA.

POLITICAL DEPARTMENT, CAMP AT SOODIANA, NOVEMBER 16 1839.—Captain W. F. Beaton, of the 54th regiment native infantry, is directed to proceed to Banda, and place himself under the orders of the agent to the Governor General in Bundelkhand, with a view to his being employed in command of a force about to be raised in Jalaoua.

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CAMP AT DHURM KOTE, NOVEMBER, 22.—Captain D. Ross, assistant to the resident at Gwalior, is directed to proceed to Banda, and place himself under the orders of the agent to the Governor General in Bundelkhand, with a view to his assuming the superintendence of the Jhansi territory.

CAMP AT THULLE, NOVEMBER, 20.—The Governor General has been pleased to place the services of the undermentioned officers at the disposal of the resident at Hyderabad, for the purpose of being employed in His Highness the Nizam's service.

Lieuts. W. M. Wahab, 4th Regt. M. N. I. and A. Lyssagt, 18th Bde.

CAMP AT FERROZPORE, DECEMBER 2.—The Right Honorable the Governor General of India has been pleased to make the following appointments:

Lieutenant R. S. Dobbs, superintendent of the Nuggur to be superintendent of the Chittledroog division of the Mysore territories.

Captain R. Budd, superintendent of the Chittledroog to be superintendent of the Bangalore division.

Lieutenant W. A. Halsted, 2d assistant to the commissioner for the Government of the territories of His Highness the Rajah of Mysore, to be superintendent of a division, in succession to Captain McArthur resigned, and to be posted to the Nuggur division, vice Lieutenant Dobbs.

Captain J. Briggs, 3d assistant, to be 2d assistant to the commissioner, in succession to Lieutenant Halsted.

The Hon'ble H. B. Devereux, 4th assistant, to be 3d assistant to the commissioner, in succession to Captain Briggs.

Lieutenant H. Montgomery, 1st officiating assistant, to be 4th assistant to the commissioner, in succession to the Hon'ble Mr. Devereux.

Captain A. Macleod, of the 5th Madras light cavalry, and officiating assistant, to be military assistant to the commissioner, in succession to Major Hunter resigned.

The Right Hon'ble the Governor General of India has been pleased to make the following arrangements:

Lieutenant Colonel J. Sutherland to officiate, until further orders, as agent to Governor General for the states of Rajpootana.

Lieutenant Colonel A. Speers to officiate, until further orders as resident at Gwalior.

Major T. Robinson to officiate, until further orders, as Political Agent at Meywar.

Mr. M. P. Edgeworth to assume temporarily the charge of the civil duties at Feruzpore, under the orders of the Political agent at Umballa.

CAMP AT PUTWA WALLA, DECEMBER 6.—Lieutenant Colonel J. Canfield, G. B. is appointed to officiate as resident at Lucknow during the absence of Lieutenant Colonel J. Low, G. B., or until further orders. Lieutenant Colonel Canfield will retain charge of his appointment at Moorshedabad until relieved.

NORTH WESTERN PROVINCES, CAMP. KHUW KHUW, DECEMBER, 7.—Mr. H. H. Thomas to officiate as agent to the Governor General at Benares during the period of Mr. Manwaring's absence, or till further orders.

CAMP AT PUTWA WALLA, DECEMBER 6.—Surgeon W. Stevenson, attached to the Lucknow presidency, has obtained an extension of leave from the 1st to the 25th instant, to enable him to rejoin his station.

The Right Hon'ble the Governor General of India was pleased, on the 5th instant, to make the following arrangements:

Lieutenant R. R. W. Ellis, acting interpreter and quarter master of the 26th regiment native infantry, to act as officiating assistant to the resident at Gwalior.

Lieutenant D. Wilkie, acting interpreter and quarter master of the 54th regiment native infantry, to act as assistant to the resident at Lucknow, during the absence of Lieutenant J. D. Shakespeare.

DECEMBER, 4.—For the notification of the leave of absence granted to Lieutenant Colonel Aliva, under date the 18th October last, *Read*, leave of absence, on medical certificate, granted to Lieutenant Colonel N. Aliva, Agent to the Governor General for the states of Rajpootana, from the 1st December next, to visit Bombay, preparatory to his applying for leave, to the Government at Fort St. George, to proceed to the Cape of Good Hope, or any of the Australian Colonies.

H. TORRENS,

Secy. to the Govt. of India, with the Govt. Cegl.

CAMP AT BUKKURAH, DECEMBER 8.—The Right Hon'ble the Governor General of India has been pleased to grant to Mr. Assistant Surgeon J. McCosh, of the 1st cavalry Oude auxiliary force, three months leave of absence to Calcutta, preparatory to applying for permission to proceed to Europe, for the benefit of his health.

Mr. Assistant Surgeon J. V. Lucas is appointed to the 1st cavalry Oude auxiliary force, in the room of Dr. McCosh.

N. W. P. CAMP BHOOGROO, DECEMBER, 22.—Lieutenant J. S. Banks, 23d regiment native infantry, to be an assistant to the agent to the Governor General in the Saugur and Nerbudda Territories.

SECRET DEPARTMENT, CAMP AT THULLE, NOVEMBER 26 1838.—Lieutenant J. Shaw, 2d regiment native infantry, and adjutant of the 1st regiment native infantry Oude auxiliary force, was on the 24th instant, appointed to be Assistant to Captain John, Pay Master and commissariat officer Shah Budge's force.

By Order of the Right Hon'ble the Governor General of India,

W. H. MACNAUGHTEN,

Secy. to the Govt. of India, with the Govt. Genl.

CAMP AT THULLE, NOVEMBER, 26.—The Governor General has been pleased to place the services of the undermentioned Officers at the disposal of the Resident at Hyderabad, for the purpose of being employed in His Highness the Nizam's service.

Lieuts. W. M. Wahab, 4th Regt. M. N. I. and A. Lyssagt, 18th Bde.

GENERAL DEPARTMENT, CAMP, THULLE, NOVEMBER, 23.—*Revenue*—Mr. J. Muir, Special Deputy Collector, in Saharanpore, has been allowed to return to his station, and to resume the duties of his appointment. The order of the 13th instant, permitting Mr. Muir to proceed to Calcutta, instead of Bombay, under the leave of absence granted him on the 16th August last, is cancelled.

CAMP, FERROZPORE, DECEMBER 1.—*Judicial and Revenue.*—Mr. F. B. Gubbins, officiating Joint Magistrate and Deputy Collector of Hissar, is appointed to officiate as Joint Magistrate and Deputy Collector of Panesput, during the absence on leave, for four months, granted to Mr. H. S. Ravanshaw, under orders of the 12th October last.

By Order of the Right Hon'ble the Governor General of India,

E. CURRIE.

Offy. Secy. to the Govt. Genl. N. W. Provinces,

BY THE GOVERNOR-GENERAL FOR THE N. W. P.

GENERAL DEPARTMENT, SIMLA, OCTOBER 18 1838.—*Judicial and Revenue.*—The Deputation, by the Commissioner of the Saugur division, of Captain W. Murray, junior assistant to the commissioner, for the relief of Lieut. Douglas, from the charge of the office of first junior assistant at Dumoh, is approved.

SIMLA, OCTOBER 31.—*Judicial.*—Molree Ruzzee-nodreen, Moonsiff and Mahomedan law officer of Agra, to be sudder ameen of Delhi, in the room of Khulcel-unia Khan deceased.

Meer Hussein Bux, the 2d principal sudder ameen of Gorruckpore, to officiate as additional principal sudder ameen of Ghuzzeppore, till further orders.

Revenue.—Mr. L. C. MacCulloch to be deputy collector in 25th Shajehanpore, under the provisions of Regulation IX. of 1833.

The following officers have obtained leave of absence:

Judicial.—Mr. G. W. Bacon, judge of Saharanpore, on his private affairs, for four months, from the 1st proximo, on such day as he may make over charge of his office.

Mr. C. Lindsay, is appointed to officiate as civil and sessions judge of Saharanpore, on being relieved of the present office by Mr. Glyn. Mr. Bacon is authorized to make over charge of the current duties of the judge's office at Saharanpore to the principal sudder ameen, if he is desirous to leave the station before Mr. Lindsay's arrival.

Judicial and Revenue.—Mr. H. Rose, joint magistrate and deputy collector of Furruckabad, on medical certificate, from the 26th Oct to the 31th Nov. next, in extension of the leave for seven months obtained by him under orders of the 10th April inst.

Lieutenant G. P. Thomas, junior assistant to the commissioner at Saugur on his private affairs, from the 1st November 1838 to 15th April 1839. Captain W. H. M. Roland, junior assistant to the commissioner at Hoshangabad, has been directed to proceed to Saugur and to act as junior assistant there, during the period of Lieut Thomas absence.

Revenue.—Mr. N. H. E. Prowett, deputy collector for the investigation of claims to hold land exempt from payment of Revenue in the district of Bijpore, on medical certificate, to remain in the Hills to the 20th November next, in extension of the leave for one month from 24d August last, obtained by him from the officiating commissioner.

General.—Mr. J. Jackson, civil assistant surgeon of Ghuzzeppore, for one month, on his private affairs, from the 1st December next, on such day as he may quit Ghuzzeppore, if there be at that time a medical officer at the station to whom he can make over charge of his duties, or if the superintending surgeon can make an arrangement for the duties being performed during his absence.

GENERAL REGISTER.

CAMP BUDGE, NOVEMBER 9.—Appointments Ecclesiastical.—The Reverend H. Ewing to officiate as district chaplain at Agra during the absence of the Reverend Mr. Chambers. Mr. Ewing will proceed and join his station, on the expiration of his leave of absence.

Judicial and Revenue.—Mr. M. F. Muir to officiate as joint magistrate and deputy collector of Saharanpore.

Mr. W. S. Donnithorne to officiate as joint magistrate and deputy collector of Allypore.

Mr. C. T. Le Bas to officiate as joint magistrate and deputy collector of Muttra.

Revenue.—Lieutenant H. V. Stedden, assistant revenue surveyor, to the charge of the revenue survey in zillah Allahabad in the room of Captain H. M. Lawrence, proceeding on active service.

Judicial and Revenue.—Sir C. M. Ochterlony, baronet, assistant under the commissioner of the Benares division, reported his arrival in the division on the 15th October last, and has been directed by the officiating commissioner to place himself under the orders of the magistrate and collector of Ghazepore.

Judicial.—Khudvee Housain, sudder ameen of Cawnpore, has obtained leave of absence for one month and ten days; commencing from the 21st October last.

CAMP NALAGUR, NOVEMBER 10.—Judicial and Revenue.—The leave of absence granted by the officiating commissioner of the Agra division to Mr. W. H. Tyler, magistrate and collector of Muttra, for one month on his private affairs; and his having directed Mr. C. T. Le Bas to conduct the duties of those offices, during Mr. Tyler's absence, are approved.

CAMP ROOPUR, NOVEMBER 12.—Judicial and Revenue.—Mr. C. W. Fagan to officiate as magistrate and collector of Myspore.

Mr. R. B. Thornhill to be an assistant under the commissioner of the Agra division. The order of 16th October last, appointing Mr. Thornhill to be an assistant under the commissioner of the Allahabad division, is cancelled.

Revenue.—Mr. H. Unwin to be deputy collector for the investigation of claims to hold land exempt from payment of revenue, in the district of Cawnpore. This appointment will have effect from the date on which Mr. Unwin may be relieved from his present office by Mr. C. W. Kitchin.

Lieutenant C. E. Grant, interpreter and quarter master of the 62d Regt. N. I., to be an assistant revenue surveyor in the Allahabad district.

General.—Mr. M. Nightingale to be civil assistant surgeon at Boolaadhahur.

CAMP HUBAD, NOVEMBER 13.—Revenue.—Mr. P. B. Held is appointed to be deputy collector in zillah Agra, under the provisions of Regulation IX of 1833.

Judicial and Revenue.—The arrangement made by the officiating Commissioner of the Agra division, authorizing Mr. E. F. Tyler to make over the charge of the magistracy of Myppore to Mr. J. Kitchin, and of the collectorship to Mr. G. F. Edmonstone is approved as a temporary measure.

Revenue.—Mr. J. Muir, deputy collector for the investigation of claims to hold land exempt from payment of revenue in Saharanpore, is permitted to proceed to Calcutta, instead of Bombay, under the leave of absence granted him on the 16th August last.

Mr. J. Thornton, settlement officer in Allypore, has obtained leave of absence for three months, from the 4th instant, on medical certificate, to enable him to proceed to Calcutta, to make arrangements for proceeding under Europe on furlough. The leave granted to Mr. Thornton, under orders of 25th August last to proceed to Bombay, is cancelled.

Judicial.—Mr. G. Mainwaring, judge of Benares, has obtained leave of absence for three months, from 1st December next, on medical certificate, to enable him to proceed to the presidency.

CAMP MUTTRAWARA, NOVEMBER 14.—Judicial.—The Deputation by order of the Sudder Dewansy Adawlat, of Syads Vilay at Alce, sudder ameen of Farruckabad, to officiate as principal sudder ameen at Bareilly, is confirmed as a temporary arrangement.

The transfer, by order of the Sudder Dewansy Adawlat, of Mr. J. Camper, one of the principal sudder ameen of Gorruckpoor, to officiate an additional principal sudder ameen of Benares, is confirmed.

General.—Lieutenant and Adjutant T. E. Colebrooke of the Barrack light infantry battalion, is appointed to officiate as Post Master at Haasi, during the absence, on leave, of Local Lieutenant J. Skinner.

NOVEMBER, 6.—General.—Captain J. Hall, officiating major of brigade, has under Orders of 5th October last, received charge of the post office at Bareilly, on the 4th instant and will officiate in that capacity as long as he may hold the appointment of officiating brigade major.

CAMP ONCHERPOOR, NOVEMBER, 10.—Ecclesiastical.—The Reverend H. P. Brooke, officiating junior district chaplain of Cawnpore has obtained leave of absence, on his private affairs, for one month, from the 11th October last.

Judicial.—The leave of absence granted by the judge of Bundelcund, to Moulvie Goolah Muboomani, principal sudder ameen of Bundelcund, for twenty days, beyond the leave granted him for the dusserah vacation, under Orders of 5th September last, is approved.

The leave of absence granted by the judge of Azimgurh, to Moulvie Mahomed Aker Mukkee Yawur Khan, principal sudder ameen of Azimgurh, for one month, from 23d October last, is confirmed.

Mr. R. J. Taylor, additional judge of Muzapere, has obtained leave of absence, on his private affairs, for one month, from 1st January next.

Judicial and Revenue.—The order of the commissioner of the Saugor division, authorizing Lieutenant G. P. Thomas, junior assistant to the commissioner at Saugor, to proceed towards Bombay on the 1st instant, in anticipation of the leave of absence applied for by him being granted by Government, is approved.

CAMP DUMRI, NOVEMBER 20.—Revenue.—Mr. J. L. M. Lawrence to conduct the settlement duties of zillah Etawah.

Judicial and Revenue.—Mr. M. R. Oubbis to officiate as magistrate and collector of Goorgan till further orders.

CAMP TELWUNDER, NOVEMBER 23.—Revenue.—The arrangements made by the Sudder Board of Revenue, by which Mirza Aka Nawab, deputy collector of Ghazepore, is to be employed to complete the preliminary arrangements in Talooka Budiapore, Pergunnah Barre, zillah Joynpore, previously to the re-Settlement of the estate by Mr. Chester, and the transfer, ad interim, of Mehadee Aker Khan, deputy collector of Mirzapore to Ghazepore, is sanctioned.

CAMP MAIR SING WALLA, NOVEMBER 24.—Judicial.—Mr. J. Cass, civil assistant surgeon of Farruckabad, has obtained leave of absence, on medical certificate, for six months, from 1st proximo, or such day as he may quit the station, to visit the presidency.

The unexpired portion of the leave of absence for one month, from 23d October last, granted by the judge of Azimgurh, to Moulvie Mahomed Aker Mukkee Yawur, principal sudder ameen of Azimgurh, is cancelled from the 2d November, the date on which he resumed charge of his office.

Judicial and Revenue.—Mr. G. C. Barnes, assistant to the magistrate and collector of Shahjhanpore, is invested with the powers provided for by Sec. 11, Reg. III. of 1831, and Sec. XXI. Reg. VIII. of 1831.

CAMP FERROZPOOR, DECEMBER 4.—Revenue.—Ensign J. D. Fergusson, of the 86th regiment native infantry, is appointed to be an assistant revenue surveyor in the Cawnpore district.

CAMP KOEN KUAN, DECEMBER 7.—Judicial.—Mr. H. H. Thomas, to officiate as civil and session judge of Benares; during the period of Mr. Mainwaring's absence on leave or till further orders.

DECEMBER 5 Judicial and Revenue.—Mr. P. C. French, joint magistrate and deputy collector of Mirzapore, has obtained from the Hon'ble the Deputy Governor of Bengal, an extension of leave from the 1st to the 15th November last, or until such date as the "Pilot" shall leave the "Colombo," on which vessel Mr. French has taken his passage.

Mr. R. T. Taylor, to officiate as civil and sessions judge of Mirzapore, till further orders.

Judicial and Revenue.—Mr. W. S. Donnithorne, to officiate as joint magistrate and deputy collector of Benzoofurruggur. The order of the 9th ultimo, appointing Mr. Donnithorne to officiate as joint magistrate and deputy collector of Allypore, is cancelled. Mr. G. Edmonstone, junior, to be an assistant under the Commissioner of the Meerut division.

F. CURRIE,

Off. Secy. to the Govr. Genl. N. W. P.

MILITARY.

BY THE GOVERNOR-GENERAL.

Camp, Ghosapore, November 19.—Captain W. P. Benson, of the 54th regiment native infantry, has been placed, in the Political Department under the orders of the agent to the Governor General, in Bundelcund, with a view to his being employed to command a force about to be raised in Jalaun.

Camp Thales, November 26.—Sergeant Benjamin Hollock, sergeant at Dera-Dum, is appointed to the charge of the Right Hon'ble the Governor General's stables at Cox's bungalow, vice Sergeant Gloss deceased.

GENERAL REGISTER.

The services of Khud, a native doctor, attached to His Lordship's body guard, are placed at the disposal of His Excellency the Commander-in-Chief.

Camp, Poerozepore November 27.—The following appointment was made, in the Secret Department, under date the 23d instant:

Lieutenant J. Shaw of the 2d regiment of native infantry, and adjutant of the 1st regiment of infantry of the Oude auxiliary force, to be an Assistant to Captain Johnson, pay master and commissariat officer to Shah Shouqah's Force.

Camp, Poerozepore, November 30—The Right Honourable the Governor General is pleased to make the following appointments:

Major General H. Oskender, Her Majesty's service, to the command of a division on the general staff of the army, from the 1st instant, during the absence on field service of Major General Sir W. Cotton, R. B. and C. B. until further orders. Brigadier William Hugh to the general staff of the army, with the rank of major general, from the 7th instant, in succession to Major General Sir Robert Stevenson, K. C. B., whose tour expired on that date.

Camp, Poerozepore, December 1.—The Governor General has been pleased to place the services of Ensign A. Dallas, of the 18th regiment native infantry, and Lieutenant T. H. G. Beaumont, of the 2d regiment native infantry, at the disposal of Major Parsons, deputy commissary general, for a special and temporary duty, till further orders.

The Right Honourable the Governor General is pleased to make the following appointments:

Captain B. Conington, of the 49th regiment of native infantry, and a deputy assistant in the 2d, to be a deputy assistant quartermaster general of the 1st class, vice Kewney deceased.

Ensign A. M. Becker, of the 6th regiment of native infantry, and assistant in the office of the quartermaster general, to be a deputy assistant quartermaster general of the 2d class, vice Conington.

Camp, Poerozepore, December 4.—The Right Honourable the Governor General is pleased to appoint Colonel James Kennedy, C. B. of the 5th regiment light cavalry, to be a brigadier on the establishment, and to command the Rajpootana field force.

Camp, Fatwa Walli, December 6.—Ensign J. D. Ferguson, of the 10th regiment native infantry, was appointed, by the Right Honourable the Governor General, in the General Department North Western Provinces, under date the 4th instant, to be an assistant revenue surveyor in the Cawnpore District.

Camp, Khem Kura, December 7.—Lieutenant J. S. Banks, interpreter and quartermaster of the 34d regiment native infantry, is appointed a Sub Assistant Commissary General.

Lieutenant J. G. W. Curtis, interpreter and quartermaster of the 47th regiment native infantry, is placed at the disposal of Major Parsons, deputy commissary general, for commissariat duties.

Camp, Maloowah, December 10.—The appointment of Lieutenant J. S. Banks, interpreter and quartermaster of the 34d regiment native infantry to be a sub-assistant commissary general, published in General Orders of the 7th instant, does not take place.

Camp Umritsir, December 12.—His Excellency the Commander in Chief in India, signified his intention of leaving Poerozepore, en route to Bombay, on the 15th instant, and major general the Honorable John Ramsay, being the senior general officer upon the staff at this presidency, the Right Honourable the Governor General directs, that all reports and returns of the troops under the presidency of Fort William, be transmitted, from and after the 15th of the present month, to Major General Ramsay, at Meerut, until further orders.

The Right Honourable the Governor General is pleased to appoint Subadar major Mahabood Ghumb, of the 11th regiment Madras native infantry, to the 2d class of the "order of British India," from the 15th September, 1838, in the room of Subadar major Gopal Krishna deceased.

December 13.—The following appointments were made, by the Governor General, in the political department, under the dates specified below:

December 5.—Lieutenant R. R. W. Ellis, of 23d regiment native infantry, to act as collecting assistant to the resident at Aowal.

Lieutenant D. Wilkie, of the 4th regiment native infantry, to act as assistant to the resident at Lucknow; during the absence of Lieutenant J. D. Shakespear.

December 9.—Mr. Assistant Surgeon J. V. Beese, to the medical charge of the 1st regiment of cavalry Oude auxiliary force, vice Dr. McCosh, who has obtained three months leave of absence to Calcutta, preparatory to applying for permission to proceed to Europe for the benefit of his health.

Lieutenant J. S. Banks, interpreter and quartermaster 33d regiment native infantry, was appointed, in the general depart-

ment North Western Provinces, on the 11th instant to be an assistant under the commissioner of the Saugor division.

Wm. CASEMENT, M. G.

Secy. to the Govt. of India Vidy. Dept.

with the R. Hon'ble the Govr. Genl.

BY THE PRESIDENT IN COUNCIL.

Fort William November 26, 1838—No. 176 of 1838—Assistant Commissary John Sperrin, of the ordnance commissariat department, is permitted to retire from the service of the East India Company, on the pension of his rank, from the 31st December next.

The leave of absence for one month, granted in the Revenue and Judicial Department, to Apothecary F. Peterson, attached to the province of Atracan, on account of private affairs, is to take effect from the 24th September last.

December 3.—No. 177 of 1838.—Lieutenant Archibald Macdonald, of the 4th regiment native infantry, has returned to his duty on this establishment, without prejudice to his rank, by permission of the Hon'ble the Court of Directors.—Date of arrival at Fort William, 24d November, 1838.

Captain Glass Kennaway, of the 5th regiment light cavalry, having been declared incapable of performing the active duties his profession, is at his own request, transferred to the invalid establishment.

Lieutenant William Henry Graham, of the corps of engineers, executive engineer, 17th division of public works, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

Assistant Overseer Sergeant Peter O'Connor is promoted to the rank of overseer, in the room of Overseer Sergeant Thomas Chilton, deceased.

The unmentioned Non Commissioned officers admitted to the benefits of the Pension sanctioned by minutes of Council of the 11th January 1797, and General Orders, dated an Embassy 1824, subject to the confirmation of the Hon'ble the Court of Directors, with permission to receive their stipends at the stations specified opposite to their names:

Sergeant Peter Hamilton, attached to the Chinur Magazine, Chinur.

Sergeant Charles Hardingham, 3d company 3d battalion, artillery, Allahabad.

Fort William, Dec. 10.—No. 178 of 1838—The Hon the President in Council is pleased to make the following Promotions:

5th Regt light cavalry—Lieutenant Arthur Whentley to be captain of a troop, and Cornet Thomas Lovell Harrington to be lieutenant, from the 3d December, 1838, in succession to Captain Glass Kennaway transferred to the invalid establishment.

Superannuated Cornet Robert Christie is brought on the effective strength of the cavalry.

The unmentioned officers have returned to their duty on this establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors.

Major General Christopher Sullivan Fagan, C. B. G. C. B. of the 7th Regiment native infantry, and Lieutenant Colonel Henry Lewis White, of the 97th regiment native infantry, date of arrival at Fort William, 31 Dec. 1838.

Captain Henry Hammett, of the regiment of artillery, ditto ditto ditto ditto.

The following gentlemen are admitted to the service in conformity with their appointment by the Hon'ble the Court of Directors, as cadets of infantry and assistant surgeons in this establishment. Their dates are promoted to the rank of ensign, bearing the dates of their commissions and promoted to the rank of ensign, leaving the dates of their commissions for future adjustment:

Infantry.—Mr. John Hewetson Reynolds, date of arrival at Fort William, 3d Dec 1838.

Mr. Peter Archibald Robertson, ditto ditto 4th ditto.

Medical Department.—Messrs. George MacArthur Cheyne, Thomas Allan Withered, and Thomas Rogers Strover, ditto ditto 1st Dec. 1838.

Messrs. William Shillito, George Charles Wallah, M. D., and Mark Anthony Biscoe Gerard, ditto ditto 3d December 1838.

The unmentioned officers are permitted to proceed to Europe on furlough on medical certificate:

Surgeon Hozekah Clark, of the Medical Department, via Bombay, to the Bencoolen to commence from the date of his departure from this presidency.

Assistant Surgeon John Boyton, of the Medical Department, attached to the civil station of Jessore.

Captain Henry Carter, of the 73d Regiment native infantry, superintendent of family money and pay master of native pensioners of Barrackpore, has leave of absence for fifteen days, on medical certificate.

Captain William Beckett, of the 9th regiment native infantry, stationed at Chittagong, is appointed, on the responsibility of Captain Carter, to pay the pensioners of that station, directed to assemble from the 7th instant.

GENERAL REGISTER.

No. 179 of 1838.—The following paragraphs of a Military Letter No. 77, from the Hon'ble the Court of Directors, to the Governor of Bengal, dtd. the 19th September 1838, are published for general information.

Para 2 We have granted additional leave to the following Officers, viz.

Major Sir E. A. Campbell, Lieutenants A. C. Scott, E. C. Marsden, N. Palmer, J. K. Pugh and R. L. R. Charteris, and Assistant Surgeon E. Mitchell, for six months.

3 We have permitted Lieutenant Thomas Hyeon to resign the service, from the 28th July 1838.

4 The undermentioned officers have retired from the service viz.

Captain C. H. Whitehead, from the 10th July 1838.
 Surgeon Thomas E. Baker, from the 3d August 1838.

No. 180 of 1838.—The following lists of rank of officers of infantry and of assistant surgeons, appointed for the Bengal presidency, are published for general information.

No. 5 of 1838.

List of rank of Captains for the Bengal Infantry.

To rank from the date of the sailing from Gravesend of the ships by which they proceeded, and in the following order, viz.

Peter Archibald Robertson, *Richmond*, sailed 7th July.
 Thomas Mount Cameron, *D. Ke of Bedford*, sailed 15th July.
 John Hewitson Reynolds, *Scots*, sailed 19th July.

To rank from the date of the transmission by the overland mail of the paragraph announcing his appointment, viz.

William Hicks, (Abroad) via Malta, 1st Sept 1838.

Memo.—Mr. H. S. Money having resigned his temporary appointment, is to be struck out of the List of rank No. 4 of 1838.

(Signed) PHILLIP MELVILL,
Secy. Mily. Dept.

East India House, 12th Sept. 1838.

(A True Copy.)

(Signed) JAMES C. MELVILL,
Secretary.

East India House, London, 14th Sept. 1838.

No. 5 of 1838.

List of Rank of Assistant Surgeons for Bengal.

To rank from the date of the sailing from Gravesend of the ships by which they proceeded, and in the following order, viz.

William Shillito, *Richmond*, sailed 7th July.
 Richard Vahys Shute, *London*, sailed 19th July.
 Mark Anthony Biscoe Gerard, *Scots*, sailed 19th July.
 John Macmillan, *Madagascar*, sailed 20th July.

To rank from the date of the sailing from Liverpool of the ship by which they proceeded, viz.

William Jameson, *Cambria*, sailed 30th August.

(Signed) PHILLIP MELVILL,
Secy Mily. Dept.

East India House, 12th Sept. 1838.

(A true Copy.)

(Signed) JAMES C. MELVILL,
Secretary.

East India House, London, 13th Sept 1838

J. STUART, Esq. Col.

Offs Secy. to the Govt. of India Mily Dept.

Fort William, Dec. 10, No. 182 of 1838.—The following copy of a minute left on the Hon'ble the Court of Directors, No. 74, dated the 9th September 1838, is published for the information of the army.

Military Department, No. 73 of 1838.

OUR GOVERNOR OF THE PRESIDENCY OF FORT WILLIAM IN BENGAL.

Para 1 By the late Brevet seventh officers * 2 Madras East, have been promoted to the rank of Major General whose regimental rank is that of Lieutenant Colonel.

2. We have adverted upon this occasion to the proceeding which was taken by the local authorities consequent upon the brevet of August 1819 when Lieutenant Colonels of Officers promoted to be Major Generals and rendered thereby ineligible for regimental duties, were filled up in accordance with the practice of the Royal army.

3. Having again considered this subject, we have resolved to adhere to the practice of Her Majesty's Army in like cases by which the number of field officers for regimental duties is maintained at the established strength. We accordingly desire that the Major Generals holding the regimental rank of Lieutenant Colonel be returned as supernumeraries in their respective corps, and that effective Lieutenant Colonels be promoted in their room.

We are, &c.

London 5th September, 1838.

Fort William, December 17—No. 184 of 1838.—The Hon'ble the President in Council is pleased to make the following promotions and alteration of rank.

3d regimental light cavalry.—Major Charles Carmichael Smyth to be Lieutenant Colonel, Captain and Brevet Major John

Wackenzie to be major, Lieutenant and Brevet Captain Robert Percival Ponsfather to be captain of a troop, and Cornet James Gordon to be lieutenant, from the 17th of November 1838, in succession to Lieutenant Colonel Arthur Ward deceased.

Supernumerary Cornet Archibald Stewart Galloway is brought on the effective strength of the cavalry.

30th Regiment N. I.—Major James Blair to be Lieutenant Colonel; Captain and Brevet Major Malcolm Nicolson to be Major; Lieutenant Alexander Jack to be captain of a company; and Ensign John Morrison to be lieutenant, from the 2d of December 1838, in succession to Lieutenant Colonel Thomas Woitley deceased.

45th Regiment N. I.—Ensign George Duncan Mercer to be lieutenant, from the 30th October 1838, vice Lieutenant Thomas Andrew Halliday deceased.

46th Regiment N. I.—Lieutenant James Grassell to be captain of a company; and Ensign Samuel Pond to be lieutenant, from the 10th July 1838, in succession to Captain Charles Howard Whitefield retired.

47th Regiment N. I.—Lieutenant Charles Corfield to be captain of a company; and Ensign John Dick Leulier to be lieutenant from the 15th December 1838, in succession to Captain J. S. Winfield retired on the pension of a major.

68th Regiment N. I.—Ensign James Gordon Caulfield to be lieutenant, from the 19th of October 1838, vice Lieutenant Frederick George Backhouse deceased.

Medical Department.—Assistant Surgeon Henry Bousfield to be surgeon, vice Surgeon T. E. Baker retired, with rank from the 4th September 1838, vice R. B. Founington deceased.

Assistant Surgeon George Craigie, M. D., to be surgeon, from the 19th November 1838, vice Surgeon George Smith deceased.

Alteration of rank, Surgeon James Taylor, to rank from the 3d August 1838 vice Surgeon T. E. Baker retired.

Lieutenant A. West, of the 6th regiment Madras native infantry, is appointed to the charge of the Khoordah Pak Company, during the absence of Captain J. Drummond, or until further orders, vice Lieutenant, Apperly deceased.

The undermentioned officers have returned to their duty, on this establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors:

Lieutenant Colonel John Home, of the 17th regiment native infantry; Major Henry Lechmere Warrall, of the 1st regiment light cavalry; Captain John Beresford Daniel Gahan, of the 36th regiment native infantry; Captain John Assy Fairhead, of the 28th regiment native infantry; Lieutenant John Graham, of the 55th regiment native infantry; and Lieutenant John Hascombe Lock of the 6th regiment native infantry, date of arrival at Fort William 10th December 1838.

Surgeon Edmund Tomkyns Harpur, of the medical department ditto ditto 3d ditto.

Captain James Stainbank Winfield, of the 47th regiment native infantry, and commanding Reformd Bhopal contingent, is permitted to retire from the service of the East India Company, from the 15th instant, on the pension of a major, in conformity with the Regulation of the 29th December, 1837.

Surgeon Thomas Inglis, M. D., of the medical department, is permitted to retire from the service of the East India Company on the pension of his rank from the 1st January, 1839.

The undermentioned officers are permitted to proceed to Europe on furlough, on medical certificate:

Major George Home Johnston, of the invalid establishment, Captain Robert Alken, of the invalid establishment.

The unexpired portion of the leave of absence granted to Lieutenant and Brevet Captain W. E. Hay, of the European regiment and brigade major at Agra, in General Order No. 24, of the 30th January, 1837, is cancelled from the 5th November last.

Assistant Surgeon Elliot Voyle Davis, attached to the civil station of Baccoorah, is, at his own request, placed at the disposal of His Excellency the Commander in Chief.

Sub-Conductor Moses Shreels, attached to the gun carriage agency at Futtyghar, is promoted to the rank of conductor, but without any claim to transfer to the ordnance commissariat.

Sergeant Edward Battie, of the 11th company 11th Battalion artillery, is appointed an assistant overseer to the department of public works, and placed at the disposal of the superintending Engineer, North Western Provinces.

No. 185 of 1838.—The Hon'ble the President in Council is pleased to make the following appointments:

Assistant Surgeon Henry Chapman, to the medical charge of the Calcutta native militia, vice Craigie, who vacates the appointment on promotion.

Assistant Surgeon, James Gregory Vos, M. D., to be assistant marine surgeon, vice Craigie.

Assistant Surgeon John McClelland to be deputy apothecary to the Hon'ble Company, vice Doctor Vos.

Assistant Surgeon Henry Harpur Spry, M. D., to be medical charge of the lower orphan school, until further orders, vice McClelland.

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BY THE COMMANDER-IN-CHIEF.

Fort William December 15.—No. 163 of 1838.—The pay bills and other allowances for December 1838, of the troops at the presidency and at the other stations of the army, will be issued on or after Thurs day, the 10th proximo.

For William December 24—No. 187 of 1838.—The Hon'ble President in Council is pleased to make the following promotions:

31st Regiment N. I.—Major John Thomson to be Lieutenant colonel, Captain and Brevet Major John Samuel Henry Weston to be major, Lieutenant Patrick Meik to be captain of a company and Ensign William Scott Douglass to be lieutenant, from the 20th December 1834, in succession to Lieutenant Colonel Jonathan Trclawny retired from the service.

17th Regiment N. I.—Ensign Thomas Gordon St. George to be lieutenant, from the 1st of November 1838, vice Lieutenant Charles Black deceased.

52d Regiment N. I.—Ensign Edward Hall to be Lieutenant from the 20th of November, 1838 vice Lieutenant Charles Darby, discharged by sentence of a general court martial.

The undermentioned officers of the Engineers and artillery are promoted to the rank of captain, by brevet, from the dates expressed opposite to their names:

Engineers.—1st Lieutenants Godfrey Thomas Greene and Henry Goodwin 11th December 1838.

Artillery—1st Lieutenants Frederick Gaitskell, John Dowdeswell Shukospar George Temple Graham, Francis Kyan Duan can, Elliot D'Arcy Todd, James Henry Daniell and Arthur Pitt Begbie, 11th December 1838.

Assistant Surgeon John Edger is appointed to the Medical duties of the civil station of Rungpore, vice Wood removed to Jorhabath.

The undermentioned Officers have returned to their duty on this Establishment, without prejudice to their rank, by permission of the Hon'ble the Court of Directors.

Lieutenant Colonel Thomas Oliver, of the 12th Regiment N. I. Date of arrival at Fort William, 20th Dec. 1838, Major William Kwart, of the 5th Regiment N. I. ditto 15th do Captain James Cromden, of the 11th Regiment N. I. do 17th do 1st Lieutenant and Brevet Captain William Solan Millau, of the regiment of artillery, do 20th do, Lieutenant Samuel Smith, of the 9th regiment light cavalry, do 19th do, lieutenant the Hon'ble Robert Vernon Powys, of the 12th Regiment N. I. do 19th do, Surgeon James Mathaniel Rind, of the invalid establishment, do 17th do Assistant surgeon Samuel Moody Griffith, of the medical department do 14th do, and Assistant Surgeon Alexander Chalmers, of the medical department, ditto 18th ditto.

The undermentioned officers are permitted to proceed to Europe on furlough on medical certificate:

Major Robert Feraie, of the 27th regiment native Infantry.

Ensign William Hayes Lewis Bird, of the 12th regiment native Infantry.

Surgeon Benjamin Burt, of the medical department.

The following officers are permitted to retire from the service of the East India Company on the pension of their rank, from the dates specified opposite to their names:

Lieutenant Colonel Jonathan Trclawny, of the 7th regiment native infantry, from the 20th December 1838.

Captain Giles Emly, of the regiment of artillery, from the 31st December 1838.

Lieutenant and Brevet Captain John Dowdeswell Shakespear, of the regiment of artillery, and extra assistant to the resident at Lucknow, is permitted to proceed to the Cape of Good Hope, on medical certificate, and to be absent from Bengal on that account for two years.

No 168 of 1838.—The Hon'ble the President in Council is pleased to make the following appointments:

Captain John Thomson, of the corps of Engineers, to be executive Engineer of the 5th of Honours division of public works, vice Walls proceeded to Europe on furlough.

Lieutenant Alexander Henry Edmonstone Boltoun of Engineers to be agent for suspension bridges and superintendent of the circular and Eastern Canals, vice Thomson.

Captain Seymour Thomas Burt, of the corps of Engineers, to officiate as executive engineer of the 11th or Meerut division of public works, vice Captain Swystenham. Captain Burt to proceed to Meerut on being relieved.

Lieutenant Boltoun is directed to relieve Captain Thomson as soon as he can quit his present duties, without inconvenience to the public service.

J. STUART, Lt. Col.,

Off. Secy. to the Govt. of India Mily. Dept.

Head Quarters, Camp Wunmyingmra, November 7, 1838—At a general court martial assembled at Nusseerabad, on Saturday the 22d day of September 1838, Lieutenant Charles Darby, of the 52d regiment native infantry, was arraigned on the following charges:—

Charges—*First.* For having been drunk, when regimental officer of the day, on the 23d July 1838.

Second. For not having visited the guards on that day

Third. For scandalous conduct, unbecoming the character of an officer and a gentleman, in the following instances:

First. In having, on the same day, and in the presence of Ensign Edward Hall and of the two officers of the 9th regiment light cavalry, spoken grossly abusive and indecent words regarding his immediate commanding officer, Major George Kingston, and other officers, of his regiment.

Second. In having on the same day applied grossly abusive and indecent expressions to Ensign Edward Hall, accompanied with threats and attempts to horsewhip the said Ensign Hall

Third. In having on the 24th July 1838, addressed an insulting note to Surgeon Alexander McKenzie Clark

Finding—*The Court* is of opinion, from the evidence before it, that the prisoner, Lieutenant Charles Darby, of the 52d regiment native infantry, is,

"Of the first charge, not guilty, and does acquit him thereof.

"Of the second charge, guilty.

"On the third charge:

"Of the first instance, guilty.

"Of the second instance, guilty.

"Of the third instance, guilty.

The Court having found the prisoner guilty as above, is further of opinion, that such conduct is scandalous and unbecoming the character of an officer and a gentleman

Sentence—*The court* sentences the prisoner, Lieutenant Charles Darby, of the 52d regiment native infantry, to be discharged from the service

Approved,

(Signed) H FANE, General,

Commander in Chief, East Indies.

6th November, 1838.

Recommendation.—*The court* having thus performed the painful duty of awarding punishment commensurate to the crime the prisoner has been found guilty of, respectfully begs leave to recommend the prisoner to the merciful consideration of His Excellency the Commander in Chief, with a view to his case being brought to the favorable consideration of Government

The court grounds this recommendation on the mitigating circumstances which occurred prior to, and at the time he committed himself.

Remark by His Excellency the Commander in Chief.—*The Commander in Chief* regrets, that the repeated misconduct of Lieutenant Darby precludes the possibility of his attending to the recommendation of the members of the court.

The sentence to have effect from the date of its promulgation at Nusseerabad.

The Madras district order of the 12th ultimo directing Assistant Surgeon T. C. Hunter, of the 10th light cavalry, to proceed to Agra, and do duty with the 14th regiment of infantry, is confirmed.

The Meerut division order of the 29th ultimo, directing Surgeon H. N. Wainwright of the 2d brigade of horse artillery, to assume the medical charge of the 26th regiment of native infantry, and of the men, women, and children left at Meerut, by corps proceeding from that station to join the army of the Indus, is confirmed.

The presidency division order of the 14th ultimo, directing Assistant Surgeon J. O'Dwyer recently placed at His Excellency's disposal, to proceed to Berhampore and assume the medical charge of the 69th regiment of native infantry, on its arrival at that station, or on being relieved from his present civil duties at Midnapore, is confirmed.

The Rohilkand district order of the 22d ultimo, directing Assistant Surgeon S. Winbolt of the 8th, to proceed to Shahjehanpore, and relieve Surgeon Forsyth, who has been appointed to Shah Shooja's contingent, from the medical charge of the 43th regiment of native infantry, and appointing Assistant Surgeon R. Foley, M. B. of the 2d local horse to afford medical aid to the 8th native infantry, during the absence of Assistant Surgeon Winbolt is confirmed.

The Nusseerabad station order of the 4th ultimo, directing Meer Alum Ali, native Doctor, of the 22d regiment of native infantry, to proceed to Jeypore, and remain in medical attendance on the escort of the Governor-General's agent, is confirmed as a temporary arrangement.

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Ensign O. E. Ford, who was posted to the 72d regiment of native infantry in General Orders of the 1st September last, will proceed to Allahabad, and await the arrival of his regiment at that station.

Gunner Richard Manning, of the 1st troop 2d brigade of horse artillery, attached to the convalescent depot at Landour, is appointed to act as church clerk at Mussoorie and Landour, until further orders.

The undermentioned officers have leave of absence.

5th regiment native infantry—Lieutenant Interpreter and Quarter Master R. N. Miles, from 10th September to 23rd October, in extension to enable him to rejoin.

45th regiment native infantry—Captain K. Campbell, from 29th October to 14th November, in extension, to enable him to rejoin.

Sirmooe battalion—Lieutenant Colonel F. Young, from 2d November to 10th November, to visit Kurnaul, on private affairs.

Invalid establishment Captain R. Aitken, from 25th October to 15th March 1859, to visit the Presidency, on medical certificate, and apply for furlough.

1st brigade horse artillery—Riding Master P. Ashton, from 1st November to 1st November 1859, to visit the Presidency, on medical certificate.

Head quarters Camp, Mussoorie, November 8.—The Presidency division order of the 4th ultimo, directing the following officers to proceed with a detachment of dragoons, to complete the troops and companies of artillery in the upper provinces, is confirmed.

Captain P. A. Torkler, of the 4th company 3d battalion, to command the detachment.

1st Lieutenant A. M. Seppings, of the 1st company 5th battalion.

2d Lieutenant G. H. Clifford, of the 4th company 6th battalion.

2d Lieutenant J. Mill, of the 2d company 3d battalion.

2d Lieutenant H. Lewis, of the 2d company 3d battalion.

The Presidency division order of the 16th ultimo, directing Hospital Apprentices James Cles and Thomas Snow, of the artillery at Bam Bam, to accompany the artillery drifits to the Upper Provinces, the former in the capacity of Assistant Apothecary and the latter in that of Assistant Steward, is confirmed.

The artillery regimental order of the 19th ultimo, directing Sergeant Simon Henderson, of the 1st company 1st battalion, to do duty with the drifits proceeding to the Upper Provinces, and to act as sergeant major, and Gunner Thomas Cassidy, of the 4th company 3d battalion, to act as provost sergeant to the detachment, is confirmed.

The Bunnar's division order of the 18th ultimo, directing Lieutenant Interpreter and Quarter Master W. W. Davidson, of the 1st regiment of native infantry, to receive charge of the office, and to conduct the commissariat duties of his division, is, with the sanction of Government, confirmed as a temporary arrangement.

The regimental order dated 12d ultimo, appointing Lieutenant R. H. Seale to act as Adjutant to the left wing of the 29th native infantry during its separation from the head quarters of the regiment, is confirmed.

The regimental order dated the 29th ultimo appointing Lieutenant H. Lang to act as Adjutant to the left wing of the 2d native infantry, during its separation from the head quarters of the regiment, is confirmed.

The detachment order of the 18th ultimo, by Lieutenant Colonel W. H. Hewitt, directing Lieutenant and Adjutant A. H. Dyke of the 25th regiment of native infantry, to receive charge of the guns accompanying his detachment, is confirmed.

The part of the General Orders of the 6th ultimo, which transfers Brigade Major P. Lalouche, from the Rajpootannah field force to the district of Rohilkund, and Brigade Major H. Hay, from the latter to the former command, is cancelled, and these officers are re-posted to their former stations.

Captain J. Hall, of the 8th regiment native infantry is appointed to act as Lieut. of brigade in Rohilkund, during the absence on field service, of Brigade Major Hay.

Ensign G. A. P. Harvey, of the 3d regiment of native infantry having been pronounced by the examiners of the college of Fort William qualified for the duties of an Interpreter, is exempted from further examination in the native languages.

At a general court martial, assembled at Cawnpore on Friday, the 12th day of October 1858. Hospital Steward David Nixon, attached to Her Majesty's 16th regiment of foot, was arraigned on the following charge:

Charge.—“For having been accessory to, and participated in the embezzlement of upwards of fifty rupees, by over-charges to Government of more than two hundred and seventy obickons, as having been consumed by patients in the hospital of Her Majesty's 16th regiment of foot in July 1858.

Finding.—“The court having considered the evidence before it, is of opinion, that the prisoner Hospital Steward David

Nixon, attached to Her Majesty's 16th regiment of foot, is guilty, of the charge, with the exception of the words “and participated in,” which court does not find to be proved, also with an exception as to the amount of the embezzlement alleged. The number of charges over charged to Government, is found to be two hundred and fifty-seven, (257) which, according to the rate allowed in the commissariat accounts, amounts to rupees fifty one six annas and four pie (Rs 51-6-4).

Sentence.—“Having found the prisoner guilty to the extent above-mentioned, the court sentences him, Hospital Steward David Nixon attached to Her Majesty's 16th regiment of foot, to suffer imprisonment for a period of six months.

Approved.

(Signed) H. FANE, General, Commander in Chief, East Indies.

30th October, 1858.

The prisoner to be transferred to the Commandant of the forces of Allahabad, there to undergo the sentence awarded.

By order of His Excellency the Commander in Chief

J. R. LUMLEY, Major General, Adjutant Genl. of the Army.

Head Quarters, Camp, Khur, November 9.—The brigade order by Lieutenant Colonel C. Graham, under date the 27th ultimo, appointing 1st Lieutenant R. Waller to act as adjutant and quarter master to the 1st brigade of horse artillery, from the 1st of November, is confirmed as a temporary arrangement.

The following appointments, made by Brigadier C. Graham, commanding the artillery assembled for service, under date the 1st instant are confirmed.

Surgeon J. McGeeston, of the left wing 2d battalion, to afford medical aid to the establishments attached to the park.

Staff Sergeants Andrews, of the 3d company, and Lisani, of the 4th company 2d battalion, to be Bullock Sergeants to the transport train cattle, and Gunners Rooke, of the 3d company, and Harrison, of the 4th company of the same battalion, to be laboratorymen to the park.

Captain John Paton, Assistant Quarter Master General is appointed to the 1st division of infantry of the army of the Indus, and directed to join with all practicable expedition.

Hospital apprentice Thomas Coleman, at present attached to Her Majesty's 1d light dragoons, is to be discharged the service, from the date of the publication of this order at Cawnpore.

Quarter Master Sergeant Peter H. Sheehan, of the 4th regiment of light cavalry, is appointed Sergeant major to the corps, vice Aldige promoted to riding master.

Sergeant James Leskie, a laboratory man in the Saugor magazine, is appointed magazine sergeant in that establishment, vice Frizzle, promoted to sub conductor.

Corporal John Jones, and Bombardier Thomas Cassidy, of the 1st company 2d battalion of artillery, are promoted, the former to the rank of sergeant, and the latter to that of corporal, transferred to the town major's list, and appointed gun sergeant and gun corporal respectively to the Joudpore legion.

Head Quarters, Camp, Nussipoor, November 10.—The regimental order of the 8th ultimo, by Major G. C. Smyth, directing Lieutenant T. P. Leit, appointed 2d in command to the 3d, to continue to act as adjutant to the 4th regiment of local horse until further orders, is confirmed.

The Kurnaul station order of the 30th ultimo, directing Lieutenant W. H. Lohrer, adjutant to the recruit depot, to act as station staff, and to receive charge of the records of the deputy assistant adjutant general's office, from the 1st of November, is confirmed.

The Necmool division order of the 2d instant, directing assistant surgeon G. E. Christopher to afford medical aid to the officers of the civil and military services and their families residing at Mussoorie, is confirmed as a temporary arrangement.

The Dinapore division order of the 25th ultimo, directing assistant Surgeon J. Mucanah to do duty in the hospital of her Majesty's 3rd Regiment, is confirmed.

The Necmool station order of the 29th ultimo, directing Ala Bux Khan and Beg-golem Buxer, native doctors, to do duty, the former with the Joudpore legion, and the latter with the 29th regiment of native infantry, is confirmed.

Major General Sir W. Cotton's division order of the 5th instant appointing Assistant Surgeon A. Gibbon, of the European regiment, to the medical charge, of the sick European and native of the army of the Indus, proposed to be left at Kurnaul, and directing arrangements to be made for their accommodation, and a proportion of the hospital establishments to be left with the sick, is confirmed.

The Kurnaul station order of the 1st instant, directing Assistant Surgeon A. Bryce, M. D. of the horse artillery, to afford

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medical aid to the recruit depot, and to the three companies of the 54th native infantry, on duty at that station, are confirmed.

The Muttra station order of the 24th ultimo, directing Assistant Surgeon W. L. M. Gregor, M. D. of the horse artillery, to afford medical aid to the recruit depot, and to three companies of the 54th native infantry, on duty at that station, are confirmed.

The Muttra station order of the 24th ultimo, directing Assistant Surgeon W. L. M. Gregor, M. D. of the horse artillery, to afford medical aid to the 16th regiment of light cavalry, during the absence, on duty, of Surgeon Davidson, is confirmed.

The following non-commissioned officers are transferred to the Town Major's list, and appointed to the force raising for the service of Shah Shoojaool Moolk, on the terms annexed to the appointment of Sergeant Major McDonald and Quarter Master Sergeant Young, in General Orders of the 20th ultimo:

Sergeant Patrick Wade, of the 2d company 2d battalion of artillery.

Sergeant William Mathews } European regiment.
 " Thomas Smith, }

The undermentioned officers have leave of absence:

61st Regiment Native Infantry.—Major W. Gregory, from 21st September to 15th November, in extension, to remain at the Presidency, on medical certificate.

63d Regiment native Infantry.—Surgeon D. Butter, M. D., from the 1st November to 6th December in extension, to proceed to Cawnpore, on medical certificate.

71st Regiment Native Infantry.—Lieutenants T. S. Jervis and C. M. Bristow, from 27th October, to 27th December, to proceed to Nussrahad, for the purpose of appearing before the committee assembled for the examination of officers in the native languages.

Head Quarters, Camp, Bassee November 11.—The Meerut station order of the 3rd ultimo, appointing Captain J. L. Taylor of the 2nd regiment of native infantry, to act as Major of Brigade on the departure, with his regiment of Captain Whole, of the 2d light cavalry, is confirmed as a temporary arrangement, and pending the arrival of Brigade Major Cheap.

Major General Sir W. Cotton's division order of the 5th instant, appointing Captain W. Sage, of the 48th regiment native infantry, to officiate as Deputy Assistant Quarter Master General to the 1st division of infantry of the army of the Indus, is confirmed as a temporary arrangement.

The Neemuch station order of the 25th ultimo, appointing Quarter Master Sergeant George Shaw, of the 30th regiment of native infantry, to act as Bazar sergeant, is confirmed as a temporary arrangement.

Captain T. Sanders' detachment order of the 1st instant, directing the following appointments to be made with the two companies of the 2d battalion of artillery, proceeding to join the army of the Indus, is confirmed.

Sergeant John Wheaton, of the 3d company 2d battalion, to act as sergeant major and quarter master sergeant to the detachment.

Gunners Edward Finnissey, of the 3d, and Brinsley Kelly, of the 4th company 3d battalion, to act as camp color men to their respective companies.

His Excellency the Commander in Chief is pleased, with the sanction of the Right Honourable the Governor General, to appoint Lieutenant G. A. Brownlow, of the 3d regiment light cavalry, to be an Aide de Camp on the personal staff of Major General A. Durnin, commanding the 2d division of infantry of the army of the Indus, during the period the Major General may be employed on field service.

The undermentioned officers have leave of absence:

44th Regiment Native Infantry.—Surgeon J. H. Paleygrave, from 30th October to 1st December, to remain at Mysourie, on medical certificate, and enable him to reform.

Commissariat Department.—Sub conductor J. B. Dwyer, from 15th November, to 15th July 1859, to visit the Presidency, on medical certificate.

Head Quarters, Camp, Bootgurh, November 12.—Officers commanding regiments serving with the army of the Indus will communicate to the officer commanding the depot to which their recruits are attached, from time to time, the number wanting to complete their corps to the establishment fixed in General Orders by the Right Honourable the Governor General, dated the 16th August last, and the officers commanding the depots are required to entertain suitable recruits, to fill the vacancies.

Rolls of recruits entertained are to be forwarded monthly to the regiments for which they have been enlisted, and duplicates of the same transmitted to the adjutant general of the army, to each of which roll is the certificate of a medical officer of the status of the man for military duty is to be duly appended.

The officers commanding the depots are required to supply such recruits, as have not been already furnished from their own regiments, with the prescribed articles of half mounting, to be paid

for by the men, according to the rule laid down in Government General Orders No. 98, of the 23d March 1825.

The Meerut division order of the 15th ultimo directing Hifazul Ali Khan, native doctor, to do duty with the 16th regiment native infantry, is confirmed as a temporary measure.

The presidency division order of the 24d ultimo, directing Hospital Apprentice W. J. Thompson, attached to the general hospital, to proceed to Meerut, and do duty under the orders of the Superintendent Surgeon of that division, is confirmed.

Major General Sir W. Cotton's division order of the 1st instant appointing Surgeon D. Murray, of Her Majesty's 13th light infantry, to the medical charge of the staff of the 1st division of infantry of the army of the Indus, is confirmed.

Hospital Apprentice Thomas McEvoy, at present at Landour, is appointed to act as Assistant Apothecary in the hospital of Her Majesty's 3d regiment of foot, and is directed to be sent to join the regiment at Ferozepore.

Head Quarters, Camp, Evroo, November 18.—His Excellency the Commander in Chief is pleased to order the following removals and postings of field officers.

Colonel J. Dum, new promotion, to the 29th regiment of native infantry.

Lieutenant Colonel and Brevet Colonel W. Dunlop, (quarter master general of the army) from the 6th to the 53d Regiment of native infantry.

Lieutenant Colonel J. Trolawny, new promotion to the 7th regiment native infantry.

Lieutenant Colonel T. J. Anquetil, (on a staff employ) from the 65th to the 12d Regiment of native infantry.

Lieutenant Colonel A. Harvey, new promotion, to the 65th Regiment of native infantry.

Lieutenant R. Waller, of the 1st troop 1st brigade of horse artillery, and at present acting as adjutant to the brigade, will proceed with his troop, under orders to escort duty with the Right Honourable the Governor General, making over charge of the records of the adjutant's office to the station staff at Kurinal.

Captain H. Delafosse, at present the senior officer serving with the 1st brigade of horse artillery, will nominate an officer to conduct the duties of adjutant to the brigade until the arrival at Kurinal of Lieutenant and Adjutant Sunderland.

Head-quarters, Camp, Essoo November 14.—An instance having been brought to the notice of His Excellency the Commander in Chief where an officer commanding a corps marching up the Doomb, by a well known and male road, has submitted a bill for guides, when His Excellency is of opinion they could not have been necessary, deems the present a proper opportunity for calling the attention of commanding officers to this subject, and requesting they will exercise their discretion and incur guides only when the nature of the country renders such assistance necessary, and not, as in the instance alluded to, incur a needless expense to the Government when travelling over a road that is so well known.

Other instances have been brought to the notice of the Commander in Chief, where a number of guides have been hired, which no circumstance could render necessary.

Some misapprehension appearing to exist, as the circumstances under which officers of horse artillery and cavalry are permitted to select chargers, from the remounts furnished from time to time to their corps, as well as to the period when such remounts cease to be available for selection. His Excellency the Commander in Chief is pleased to direct, that the 2d and 6th paragraphs of Government General Orders No. 724, of the 26th June 1857, indicating the parties allowed a choice, be literally construed, and that no officer be permitted to select a charger "except on first joining a corps," or "on rejoining from furlough, or from staff employ," and that no officer be allowed to replace his selected charger, from the remounts, unless such charger "shall have died, been killed in action, captured, stolen, shot at the recommendation of a station or detachment committee, or reported by such a committee unfit for further service."

His Excellency is likewise pleased to determine, that the horses sent as remounts from the several studs, shall continue to be considered as such until allotted to troops, and appropriated: but which appropriation must not be unnecessarily delayed.

Quarterly rolls of horses selected by officers, prepared according to the form laid down in Government General Orders of the 3d February 1821, a copy of which is subjoined, are to be forwarded from corps to the adjutant general of the army, on the 1st of January, 1st of April, 1st of July, and 1st of October of each year, in which all horses selected during the quarter are to be duly returned, with the date of their joining entered in the column left for remarks.

These rolls to be furnished commencing with the 1st of October 1857, and continued regularly to the present time.

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Return of horses selected from the remount of the season, by officers of the regiment of light cavalry, as chargers, during the preceding quarter

Name & rank of selecting officer.	Date of selection	Class of horse.	Price	Remarks.

Ed. A. B.

C. D.

Adjutant—regt. L. C.

Comg—regt. L. C.

Head quarters, Camp, Molod November 15—The presidency division order of the 26th ultimo, appointing Assistant Surgeon A. Stewart, M. D. who has placed at the disposal of His Excellency the Commander in Chief, in Government General Orders No. 63, of the 22d ultimo to the medical charge of the artillery drafts proceeding by water to the Upper Provinces, is confirmed.

The Meerut station order of the 24th ultimo, directing Assistant Surgeon J. Murray, M. D. of the 4th troop 1st brigade horse artillery, to proceed in medical charge of the 30th regiment native infantry to Mhow, and appointing Surgeon W. Dauby, of the 1st regiment light cavalry, to afford medical aid to the Meerut division of artillery, during Dr. Murray's absence, is confirmed.

Lieutenant R. Hildane, of the 45th regiment of native infantry, is directed to join and do duty with the Hurianah light infantry battalion, vice Lieutenant F. B. Bosanquet, of the 16th native infantry, who has been permitted to join his corps forming a part of the army of the Indus.

Quarter master Sergeant John Hannon, of the 1st, is appointed Sergeant Major to the 54th regiment of native infantry, vice McDonald transferred to the levy raising for Shah Shooja-ool Mook.

The undermentioned officer has leave of absence:

Garrison Staff, Lieut. General B. Marley, commandant of Allahabad, from 1st January 1839, in extension, to remain at the presidency, on medical certificate.

Head quarters, Camp, Lutlata, November 17—The detachment order by Lieutenant Colonel T. Palmer, commanding the right column of the army of the Indus, under date the 9th instant, directing Assistant Surgeon W. Nightingale, of the left wing of the 2d battalion of artillery, to afford medical aid to the 21st regiment of native infantry is confirmed.

Captain Meredith's detachment order of the 27th ultimo, appointing Surgeon Robert Mallett, of the horse artillery, to act as hospital sergeant to the invalids proceeding to the presidency, is confirmed.

The Mhow station order of the 2d instant, appointing Hospital Apprentice David Fleming, attached to the 2d troop 1st brigade horse artillery, to act as assistant apothecary to the 1st company 3d battalion of artillery, vice Carr proceeding on sick leave, is confirmed.

Amer Khan having been reported qualified for the duties of a native doctor, is admitted into the service and directed to do duty in the hospital of the 30th regiment of native infantry.

The undermentioned officers have leave of absence:

General staff—Lieutenant R. P. Alcock, deputy assistant quarter master general, from 1st November to 1st May 1839, to visit the presidency, on medical certificate, preparatory to applying for leave to proceed to sea.

27th regiment native infantry—Lieutenant D. Linsden, from 31st October to 6th November 1839, in extension, to remain at Mussorie, on medical certificate.

Head quarters, Camp, Bussean, November 18—The undermentioned officers have leave of absence:

2d Regiment native infantry—Major C. H. W. Lane, from 26th November to 5th April 1839, in extension, to visit the presidency, on medical certificate, and apply for furlough.

53d Regiment native infantry—Captain W. Barnett, from 4th November to 1st May 1839, in extension, to visit the presidency, on medical certificate, and apply for furlough.

Head quarters, Camp, Bhaga Parana, November 20—His Excellency the Commander in Chief, with the sanction of the Right Honourable the Governor General, is pleased to direct, that when troops are serving at stations situated within the limits of a different presidency from their own, they are, while so employed, to be considered as subject to the orders of the local authorities; the dates of commissions deciding the relative positions of officers of the different armies. Officers commanding corps situated as above referred to, will however conform to the regulations of their own presiding, in transmitting, for information, periodical reports and returns to the head quarters of the army to which they more especially belong; duplicates of which are to be forwarded to the several authorities under which they may be actually placed for the time.

The Nussereabad station orders of the 6th instant, appointing Lieutenant G. F. Whitelocke, Interpreter and quarter master of the 13th regiment of native infantry, to perform the staff duties of the detachment proceeding towards Jeypore, under the command of Lieutenant Colonel G. B. Bell; and Surgeon T. C. Brown, M. D. of the 7th regiment of native infantry, to afford medical aid to the squadron of the 9th regiment of light cavalry left in cantonments, as also to the hospital and recruits of the 13th native infantry, are confirmed.

The Sirhind division order of the 26th ultimo, directing all reports of the division to be made, from the 1st November, to Colonel T. P. Smith, of the 17th regiment of native infantry, is confirmed.

The Meerut division order of the 29th ultimo, directing Surgeon H. Newmarch of the 3d brigade of horse artillery, to perform the medical duties of the civil station of Meerut, is confirmed as a temporary measure.

The Cawnpore division order of the 21st ultimo, directing Assistant Surgeon H. C. Eddy, M. D. to proceed by dawk to Etawah, and afford medical aid to the troops and civil establishments at that station during the illness of Surgeon Patignave, is confirmed.

The detachment order by Captain T. Sanders, commanding the left wing of the 2d battalion of artillery, under date the 7th instant, appointing acting Bombardier Am. a Long, of the 4th company, to act as camp color man, vice Kelly, is confirmed.

Surgeon T. E. Dempster, of the 4th battalion of artillery, is directed to proceed to Almorah, and do duty with the 6th regiment of native infantry at that station until further orders.

The undermentioned officers have leave of absence:

4th Regiment native infantry—Surgeon B. Barr, M. D. from 1st October to 1st February 1839, to proceed to the presidency, on medical certificate, preparatory to applying for furlough.

Invalid establishment—Surgeon R. Graham, from 1st December to 1st May 1839, to visit Meerut, Hurdwar, and the valley of Dehrab, on private affairs.

Head quarters, Camp, Moodkece, November 21—The following appointments, made in Agra garrison and station orders of the 6th ultimo, are confirmed:

2d Lieutenant C. Douglas, of the 1th company 4th battalion of artillery, to the charge of the detachment of invalids and time-expired men proceeding by water to Ghaziar and the presidency.

Hospital Apprentice John Goodall, of the 4th battalion of artillery, to accompany the detachment in the capacity of assistant apothecary and assistant steward.

Sergeant Smith and Gunner Ingleton, of the 4th battalion of artillery, to do duty with the detachment, the latter as acting corporal.

Head quarters, Camp, Sultan Khan Walla, November 22—The Cawnpore station order of the 26th ultimo, directing Assistant Surgeon J. Ranford, of the 6th battalion of artillery, to proceed by dawk to Etawah, and afford medical aid to the troops and civil establishments at that station, during the illness of Surgeon Patignave, in the room of Assistant Surgeon Eddy, M. D., is, with the concurrence of the Right Honourable the Governor General, confirmed.

The Gornkapore station order of the 21st ultimo, directing Assistant Surgeon T. Smith, M. D. to receive medical charge of the artillery, and civil station and jail, from Surgeon B. Barr, M. D. proceeding on leave of absence, is, with the concurrence of the Right Honourable the Governor General, confirmed.

The Shahjehanpore station order of the 25th ultimo, directing Assistant Surgeon S. Winhall, doing duty with the 15th regiment native infantry, to assume medical charge of the civil station, is, with the concurrence of the Right Honourable the Governor General, confirmed.

The Almorah station order of the 1st instant, appointing Assistant Surgeon A. Walker, (2d) of the Kemaon local battalion, to afford medical aid to the right wing 61st regiment native infantry, is confirmed.

The undermentioned officers have leave of absence:

Division staff Captain F. Angelo, deputy judge advocate general, Sirhind division, from 6th November to 17th December, to enable him to rejoin. The unexpired portion of the leave, granted in General Order of the 10th February last, is cancelled.

42d regiment native infantry—Captain J. Lozon, from 10th November to 1st December, in extension, to enable him to rejoin.

45th regiment native infantry—Captain T. R. Marqueen, from 4th November to 10th December, in extension, to enable him to rejoin.

Head quarters, Camp, Ferozpoore, November 24—Major General A. Duncan's division order of the 1st instant, directing Major J. Hinggan, of the 53d regiment native infantry, to assume the command of the 5th brigade of the army of the Indus, until the arrival of Brigadier Paul, is confirmed.

The artillery brigade order of the 7th instant, appointing Gunner Barnaby Kelly, of the 8th company 2d battery, 1st Artillery, to do duty in the park under the command of Brigadier C. Graham, in the room of Gunner Keyes, is confirmed.

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The undermentioned officers have leave of absence.
2d brigade horse artillery—Major J. Farrington, from 1st December to 31st January 1889, in extension, to enable him to join the Neema division of artillery.

10th regiment light cavalry—Major A. Pope, from 6th November to 6th November 1889, to remain in the hills north of Deyrah, on medical certificate.

N B—This cancels the unexpired portion of leave granted in general orders of the 31st July last.

Head quarters, Camp, Ferozapore, November 25—His Excellency the Commander in Chief pleased to confirm the Kurnaul station orders of the 1st and 2nd instant, directing the following arrangements.

1st November—Appointing Assistant Surgeon A. Bryce, M. D. of the 1st brigade of horse artillery, to afford medical aid to the staff of the station.

2d November—Directing Another by J. Douglas, attached to Her Majesty's 16th foot, to do duty in the hospital of Her Majesty's 13th light infantry.

7th November—Directing Surgeon W. Duff, of the 38th regiment native infantry, to afford medical aid to the detachment of the 5th light cavalry, the recruit depot, and the staff of the station.

Lieutenant T. Quinn, of the 4th regiment light cavalry, is appointed to command the escort of His Excellency the Commander in Chief, from the 7th instant.

His Excellency the Commander in Chief is pleased to make the following appointment.

35th regiment native infantry—Lieutenant C. I. Harrison to be adjutant, vice Poole promoted.

Head quarters, Camp, Ferozapore, November 26—Major General Sir W. Cotton, division order of the 1st instant, appointing Captain Havlock, of Her Majesty's 13th light infantry, to act as post master to the 1st division of the army of the Indus, with the sanction of the Right Honourable the Governor General, confirmed.

Major General Sir W. Cotton's division order of the 5th instant, directing the following post master of the 1st division of the army of the Indus to entertain an establishment of 1 English writer, 1 Persian writer, 1 scribe, and 7 peons, is, with the sanction of the Right Honourable the Governor General, confirmed.

Major General A. Dungen's division order of the 1st instant, appointing Captain H. Duncan, Aide d'Camp, to the charge of the post office of the 2d division of the army of the Indus, until it joins the head quarters of the force, and directing him to entertain a writer and two scribes, is, with the sanction of the Right Honourable the Governor General, confirmed.

The division order by Major General Sir W. Cotton, C. B. and K. C. H. dated the 7th instant, appointing Michael Towney and John Selvester to do duty, as Hospital Apprentices, in the depot hospital of the army of the Indus, is confirmed as a temporary arrangement.

The following Ensigns, to whom rank was assigned in Government General Orders No. 116, of the 6th of August last, are posted to the corps specified opposite to their names, to fill vacancies, and directed to join.

Ensign John Robert McMullin, 50th regiment of native infantry, at Mirzaore.

Ensign Robert Charles Stevenson, 72d regiment of native infantry, under orders of march from Mhow to Allahabad.

Steward John Hennessy, and Assistant Steward James Sheetz, who were promoted in Government General Orders of the 5th instant, are directed to continue doing duty, the former under the Superintending Surgeon of the army of the Indus, and the latter, as Acting Assistant Apothecary, under the Surgeon to the Right Honourable the Governor General, until further orders.

The undermentioned officer has leave of absence.

38th regiment native infantry—Captain T. H. Scott, from 2d July 1889 to 6th November 1889, in extension, to remain in the hills north of Deyrah, on medical certificate.

Head quarters, Camp, Ferozapore, November 27—The Military Board having brought to the notice of the Commander in Chief, that incidents and survey reports, have lately been submitted to them in which arms are simply stated to have become "unserviceable" by "accident," His Excellency is pleased to direct, that when arms, or any other public stores, belonging to corps are injured or lost, and require to be replaced, the circumstances under which such injury or accident occurred are to be stated in the reports.

Captain W. E. Hay, of the European regiment, major of brigade at Agra, is permitted to proceed and join his corps under orders for service.

Lieutenant O. Campbell, of the invalid establishment, is permitted, with the sanction of Government, to reside and draw his pay and allowances at Cawpore.

Head quarters, Camp Ferozapore, November 28—His Excellency the Commander in Chief, with the sanction of the Right Honourable the Governor General, is pleased to authorize the entertainment of a beer establishment, of the extent prescribed for a corps of the line, and one domestic per company, for

the Hurrinah light infantry battalion, from the date of publication of this order at Haasi.

His Excellency the Commander in Chief is pleased, under the authority of the Right Honourable the Governor General, to sanction the following establishment for the engineer park attached to the army of the Indus, on the monthly pay indicated viz.

	Rs.	As.	P.	Rs.	As.	P.	
1 Tindal,	at	11	8	0	11	8	0
30 Chivvies,		6	12	0	202	8	0
1 Water Carpenter,		10	8	0	10	8	0
12 Working ditto,		7	0	0	84	0	0
3 Mate Smiths,		9	0	0	27	0	0
3 Filemen,		7	0	0	21	0	0
3 Fir-men,		7	0	0	21	0	0
3 Hammermen,		5	0	0	15	0	0
4 Bhongy, bearers,		5	0	0	20	0	0
2 Blunties,		6	0	0	12	0	0
2 Komadozes,		7	0	0	14	0	0
2 Mochecs,		6	0	0	12	0	0

Total Co's Rupees 450 8 0

The presidency division order of the 5th instant, directing Assistant Steward W. H. Crawford of the 5th Battalion of artillery to remain and do duty under the officiating superintending surgeon at the presidency, is confirmed.

The Benares division order of the 10th instant, providing for the medical duties of Her Majesty's 41st regiment, on its approaching march from Ghazepore to Meerut, and directing the following subordinate medical servants to accompany the sick, who are proceeding by water, is confirmed.

Hospital Steward J. Watson.
 Assistant Apothecaries W. S. [redacted] and W. G. Garrison
 Hospital Apprentice H. Cole.

Hospital Apprentice J. Bowser, to accompany the head quarters of the regiment by land, and to act as assistant steward.

The undermentioned officers have leave of absence.

35th Regiment native infantry—Major W. H. Marshall from 7th November to 1st April 1889, to visit the presidency, on medical certificate, preparatory to applying for leave to the Cape of Good Hope.

20th Regiment native infantry—Ensign H. R. Dennis, from 9th October to 29th February 1889, to proceed to the presidency on medical certificate, preparatory to applying for furlough to Europe.

This cancels the leave granted in General Orders of the 20th ultimo.

Head quarters, Camp, Ferozapore, November 29—The Lucknow station order of the 24th ultimo, directing Assistant Surgeon J. V. Leese, of the 10th regiment of native infantry, to perform the medical duties of the residency and the thug p'd, in addition to the duties of his own corps, during the absence of Surgeon Stevenson, or until further orders is with the sanction of the Right Honourable the Governor General, confirmed.

The Neema station order of the 13th instant, directing Surgeon J. Greig of the 60th, to afford medical aid to the 19th regiment of native infantry, in the room of Assistant Surgeon Gersono appointed to the medical duties at Mussore, is confirmed.

The detachment order of the 6th instant, by Lieutenant I. Quinn commanding the escort of His Excellency the Commander in Chief, directing Asst. Surg. W. Brydon, of the 1th regt of light cavalry, to afford medical aid to the left wing of the 27th regiment of native infantry, is confirmed.

The Mhow station order of the 10th instant, directing Assistant Surgeon G. Dudgeon, of the 6th regiment of light cavalry, to receive medical charge of the 39th regiment of native infantry, from Assistant Surgeon Murray, of the horse artillery, is confirmed.

The Nysaeerabad station order of the 14th instant, directing Surgeon C. Brown, M. D., of the 74th, to afford medical aid to the 22d regiment of native infantry, vice Surgeon H. Clark absent on sick certificate; and Surgeon A. M. Clark, of the 2nd regiment of native infantry, to be medical charge of the artillery, is confirmed.

His Excellency the Commander in Chief is pleased, with the sanction of the Right Honourable the Governor General, to make the following appointment.

Major General J. Thackwell, K. H., Her Majesty's 3d light dragoons, to command the cavalry of the army of the Indus.

Major C. R. Cureton, Her Majesty's 16th lancers, to be assistant adjutant general of cavalry with the army of the Indus.

The undermentioned officers are, with the sanction of the Right Honourable the Governor General, directed to join and do duty, until further orders, with the corps specified opposite to their respective names:

Cornet W. F. Tytler, of the 9th, with the 3d regiment of light cavalry.

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Ensign W. Mayne, of the 40th, with the 37th regiment of native infantry.

Ensign C. T. Chamberlain, of the 28th, with the 16th regiment of native infantry.

Persony Deas, a Compounder in the artillery hospital at Cawnpore, is admitted into the service as a native doctor and directed to do duty under the orders of Superintending Surgeon King.

The Bareilly district order of the 27th ultimo appointing Lieutenant and Brevet Captain C. H. Naylor, instructor and quarter master of the 8th regiment of native infantry, to the temporary charge of the 8th or Bareilly division of public works during the absence of Lieutenant Dandwin, on sick certificate, is, with the sanction of the Right Honourable the Governor General, confirmed.

The presidency division of the 14th instant, directing the undementioned Cornet and Ensigns, lately admitted into the service, to do duty with the corps specified opposite their respective names, is confirmed.

Cornet A. W. M. Wyllie, 7th regiment light cavalry, at Cawnpore.

Ensigns D. S. Douglass and E. M. Wyllie, 41st regiment native infantry, at Benares.

Ensign G. Strangways, 51st regiment native infantry, at Dinapore.

Ensign B. E. Bacon, 58th regiment native infantry, at Barrackpore.

Ensign T. F. Wilson, who was directed in General Orders of the 15th ultimo to do duty with the 6th regiment native infantry, will do duty with the 50th regiment native infantry, at Beaham pore until the arrival at that station of the former corps.

His Excellency the Commander in Chief is pleased, with the sanction of the Right Honourable the Governor General, to appoint Lieutenant R. Wyllie of the 8th regiment of native infantry, and major of brigade at Cawnpore an officiating assistant adjutant general of the army, from the 15th instant, during the absence, on field service, of Major C. Craigie, deputy adjutant general of the army, or until their orders.

Ensign W. H. Oakes of the 15th regiment of native infantry, is appointed to act as interpreter and quarter master to the 8th regiment of native infantry during the absence, on duty, of Brevet Captain C. L. Naylor, or until further orders.

The following individuals, who were appointed hospital apprentices in General Orders of the 16th of August last having failed to report themselves to the same attending surgeons within whose circles of superintendance they are residing, are struck off the list of subordinate medical servants.

William Richard Eastwood, John Ford, J. H. Mills, Thomas Pison, William Sweeting, William Tucker, Richard Thomas Hume, Richard Harris and Henry Jacob Tonson.

Khoda Bux, native doctor, of the Governor General's body guard, who was placed at the disposal of His Excellency the Commander in Chief in General Orders by the Right Honourable the Governor General, under date the 26th instant, is appointed to the 72d regiment of native infantry, which he will join on its arrival at Allahabad.

Head quarters Camp Ferozpoor, November 30—His Excellency the Commander in Chief is pleased to make the following removals and postings in the regiment of artillery.

Major T. Lumsden, from the 3d to the 5th battalion.

Major C. H. Bell, from the 5th to the 3d battalion, the head quarters of which he will proceed to join at Jhanset, in Bundelcund, forthwith.

The following individuals are appointed hospital apprentices, to fill existing vacancies in the subordinate medical department and directed to report themselves within two months, from this date to the nearest superintending surgeons.

Joseph Vvall, John Coulton, William Robert Laws, John Henry Mills, Samuel Thompson, Abraham Hill, William Claxton, Robert Sheels, Charles Cursey, John Brown, and William Bonner.

After these youths shall have served six months in any European hospital, special reports of their talents and acquirements are to be made to head quarters by the superintending surgeon of the division in which they may be employed; and should it appear that any of them are not likely to become efficient subordinate medical attendants, such individuals as may be so considered, will either be discharged from the service, or disposed of as His Excellency the Commander in Chief may hereafter determine.

This is to be distinctly explained to the apprentices on their joining an hospital.

Head quarters, Camp, Ferozpoor, December 1—The battalion order by Captain W. Simonds commanding the Assam Seabury corps, under date the 22d of October last, placing the services of Ensign G. Scott, doing duty with that corps, at the disposal of the Governor General's agent on the north eastern frontier, for civil employ is, with the sanction of the Right Honourable the Governor General, confirmed as a temporary arrangement.

The undermentioned officers having been examined by district committees, and pronounced qualified in the native languages are exempted from further examination, except by the examiners of the college of Fort William which it is expected they will undergo whenever they may visit the presidency.

Lieutenant W. G. Fremont, 8th regiment light cavalry.

Ensign R. W. Bird, 4th regiment native infantry.

Ensign J. S. Hawks, 7th regiment native infantry.

Ensign W. J. H. Charteris, 45th regiment native infantry.

Ensign H. Nicoll, 56th regiment native infantry.

Ensign F. F. C. Hayes, 62d regiment native infantry.

The undermentioned officers have leave of absence.

2d battalion Artillery—Lieutenant Colonel T. Chadwick, from 25th December to the 25th December 1839, in extension, to 12th instant at Simla, on medical certificate.

Medical Department—Assistant Surgeon A. Henderson, in medical charge of the troops in Singbroom from 1st December to 1st March 1840 to visit the presidency, on private affairs, preparatory to submitting an application for permission to resign the service.

The Dinapore division order of the 11th ultimo, directing Captain D. Thompson, assistant adjutant general, to make over charge of the division and station of staff office at Dinapore, and the office of deputy judge advocate general, to Captain G. S. Blundell of the 51st regiment of native infantry, is confirmed.

The Sylhet station order of the 1st of October last, directing Assistant Surgeon R. C. Ouse, of the 73d, to receive medical charge of the 7th regiment of native infantry from Surgeon Atkinson, who has been ordered to the head quarters of the Meant division, is confirmed.

Captain D. Bireilly's detachment order of the 8th of October last, appointing Sergeant Dennis McCarthy, of the European regiment, to act as sergeant major to a detachment of that corps, proceeding from Azra to Kurawal, is confirmed.

Apothecary J. Wynn, of the pension establishment, is permitted with the sanction of Government, to reside at Sabathoo, and draw his stipend from the Meerut pay office.

The Benares division order of the 15th ultimo, appointing Assistant Surgeon J. Barber, assistant surgeon, Chunar, to the medical charge of the 8th regiment of light cavalry, during the indisposition of Surgeon Jackson, of that corps, is confirmed.

Juwahir Chowhy, native doctor, who was directed in general orders of the 29th October last, to do duty at Allahabad, is posted to the 26th regiment of native infantry at Meerut, and directed to join.

Tacoodass having been pronounced qualified, is admitted to the service, as a native doctor, and posted to the Mithurwarro local battalion, which he will proceed forthwith to join at Rewara 22d regiment native infantry.—Captain F. E. Sampson, from 15th December to 15th February 1840 to visit Seelcher, on medical certificate preparatory to applying for furlough, via Bombay.

Head-quarters Camp, Ferozpoor, 3d December—His Excellency the Commander in Chief is pleased to make the following removals and postings.

Lieutenant Colonel A. White, new promotion, on staff employ to the 61st regiment of native infantry.

Lieutenant Colonel A. Spens, (on staff employ) from the 37th to the 31st regiment of native infantry.

Lieutenant Colonel J. Herring, c. s. new promotion, to the 57th regiment of native infantry.

Cornet John Munco, who was brought on the effective strength in Government General Orders No 140, of the 12th ultimo, is posted to the 10th regiment of light cavalry at Muttra.

Ensign H. B. Lumsden is removed from the 19th to the 50th regiment of native infantry, at his own request.

Ensign W. Mayne is removed from the 49th to the 37th regiment of native infantry, at his own request.

The undermentioned Ensigns, to whom rank was assigned in Government General Orders No 114, of the 6th of August last, are posted to corps as follows, to fill existing vacancies, and directed to join.

Ensign Henry Garden Burmester to the 18th regiment of native infantry, proceeding on service with the army of the Indus.

Ensign George Douglas Boner to the 49th regiment of native infantry at Neemuch.

Ensign Frederick Peter Layard to the 19th regiment of native infantry, under orders of march from Cuttack to Dinapore.

Ensign Edward John Richards to the 6th regiment of native infantry, under orders of march from Cuttack to Dinapore.

Ensign Edward Came Scott to the 74th regiment of native infantry at Nusseerabad.

Assistant Apothecary G. E. Pool, who was proposed to apothecary in Government General Orders of the 12th ultimo, will continue attached to the headquarters of the army.

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Hospital apprentice J. Healy, who was promoted to assistant apothecary by the above order, will continue to act as apothecary under the surgeon to the Right Honorable the Governor General until further orders.

Head quarters, Camp, Ferozapore, December 4.—The follow- ing notification having been received by His Excellency the Com- mander in Chief, he publishes it for the information of the army.

NOTIFICATION —BY THE GOVERNOR GENERAL OF INDIA.

Secret Department, Camp at Ferozapore, November 30.—The retreat of the Persian army from before Herat having been officially announced to the Government, as notified to the public on the 8th instant, the circumstances no longer exist, which induced the Right Honorable the Governor General to solicit a continuance of the services of His Excellency the Commander in Chief, with a view to his conducting military operations to the west of the Indus, and as it is probable, that Her Majesty will graciously acquiesce in the wish of the Commander in Chief, to be relieved from his command in February next, the Right Honorable the Governor General is pleased to dispense with His Excellency's services in the field, and will direct other arrangements for the command of the army of the Indus.

The Governor General has, on this occasion, to record his grateful sense of the readiness with which His Excellency has been (as he is yet) prepared to postpone every personal consideration to the service of his country.

By order, &c.

(Signed) W. H. MACNAGHTEN,

Secy. to Govt. of India, with the Govr. Genl.

Under these altered circumstances the command of detachment of the Bengal army is to be assumed by Major General Sir W. Cotton, K. C. B. and K. C. H., who will transmit or receive instructions for his proceedings. The temporary command of the 1st division of infantry will devolve on the senior brigadier of the division, and the command of his brigade, on the senior officer commanding a regiment of the division.

Head quarters, Camp, Ferozapore, December 5.—The desti- nation of Her Majesty's 4th regiment has, with the sanction of the Government, been altered from Meerut to Kurnaul.

The sick of the regiment will proceed, as already directed, to Chumacktevar ghaut by water, and from thence by land to Kurnaul.

Major General A. Duncan will resume the command of the 5th division, the head quarters of which are to be established at Ferozapore, until further orders.

The right wing of the 27th regiment of native infantry will join the left wing of the corps at army head quarters, on the 6th in- stant.

Major G. Brooke, of the regiment of artillery, will remain at the head quarters of the 5th division at Ferozapore, and as- sume command of the artillery at present attached to the 2d divi- sion of the army of the Indus.

Assistant Surgeon, J. S. Logan, M. D., is removed from the 3d to the 2d troop 2d brigade of horse artillery.

Surgeon J. McGowan, of the left wing 2d battalion of artil- lery, will proceed on medical charge of the park attached to the portion of the army of the Indus ordered on service.

Veterinary Surgeon W. P. Barrett is removed from the 1st bri- gade, and posted to the 3d troop 2d brigade of horse artillery.

Sub-Conductor W. Cowan of the ordnance department, will re- main at Ferozapore, in charge of the depot.

Head quarters, Camp Ferozapore, December 6.—Major Ge- neral H. Oglander, of Her Majesty's service, who was nominated to the general staff of the army, during the absence of Major Ge- neral Sir W. Cotton, K. C. B. and K. C. H., in General Orders by the Right Honorable the Governor General, under date the 30th ultimo, is appointed to the command of the Cawnpore division.

Major General W. Burch, who was nominated to the general staff of the army, by the Right Honorable the Governor General, in General Orders, of the 30th ultimo, is appointed to the command of the Presidency division.

Lieutenant Colonel J. Anderson, on furlough, is removed from the 39th to the 34th regiment of native infantry at Agra.

Lieutenant Colonel J. Stuart (Deputy Secretary to the Govern- ment of India, in the military department,) is removed from the 34th to the 39th regiment of native infantry.

Head quarters, Camp Ferozapore, December 6.—The divi- sion staff of the 17th ultimo, by Major General A. Duncan, com- manding the 2d division of the army of the Indus, directing Assis- tant surgeon A. Magrath, of the 37th regiment of native infantry,

to afford medical aid to the 3d company of sappers and miners, during the period it may be attached to the 4th brigade, or until further orders, is confirmed.

The Dinapore division order of the 3d October last, appointing Captain J. Finnis, of the 51st regiment native infantry, to the charge of the 3d division of public works, in the room of Captain Sage, proceeding with his regiment on service, is, with the sanction of Government, confirmed.

The Delhi garrison order of the 18th ultimo, placing Lieute- nant interpreter and Quarter Master J. A. Kirby, of the 54th regiment native infantry, at the disposal of the agent to the Go- vernor General, is, with the sanction of the Right Honorable the Governor General, confirmed as a temporary arrangement.

Ensign W. H. Jeremie, of the 38th, is appointed to act as inter- preter and quarter master to the 54th regiment of native infantry, during the absence, on duty, of Lieutenant Kirby.

The leave of absence granted to Assistant Surgeon A. Hender- son of the 50th regiment of native infantry, in general orders of the 1st instant, is cancelled, at his request.

Sergeant Patrick Wade, who was appointed to Shah Shooja's force in General Orders of the 19th ultimo, is, at his own request, retransferred to the 2d company 2d battalion of artillery, on the strength of which he will be borne as a supernumerary, until the occurrence of a vacancy in the rank he holds.

The undermentioned officers have leave of absence:

43d regiment native infantry.—Major J. Bourdieu, from 1st De- cember, to 1st June 1839, to visit the presidency, on medical cer- tificate, preparatory to applying for leave at sea.

42d regiment native infantry.—Captain A. McKean, from 3d December to 2d June 1839, to visit the presidency, on medical certificate, preparatory to applying for furlough to Europe.

69th regiment native infantry.—Captain R. Garrett, from 20th November to 13th March 1839, in extension, to enable him to re-join his regiment at Terhounpore.

Head Quarters, Camp, Ferozapore, December 7.—The Meerut division order of the 22d ultimo, directing Surgeon G. Turnbull, of the 24th, to afford medical aid to the 26th regiment of native infantry, the recruit depot, and the sick of the native corps pro- ceeding on service, is confirmed.

The detachment order of the 29th ultimo, by Colonel T. P. Smith commanding the Right Honorable the Governor General's escort directing Assistant Surgeon W. Brydon, of the 14th regiment light Cavalry, to afford medical aid to the 21st regiment of native infantry, is confirmed.

The Dinapore division order of the 11th ultimo, appointing Assistant Steward R. Gunning of Her Majesty's 31st foot, to act as apothecary, vice White (deceased); and directing Steward J. Hinde and Hospital Apprentice C. Hurley to accompany the sick of the regiment by water to Ghazepore, are confirmed.

The Mhow station order of the 16th ultimo, permitting Hospi- tal Apprentice W. G. Bayley to resign the appointment of acting assistant apothecary with the artillery division hospital, and directing him to proceed with the 1st company 3d battalion artil- lery to Benares, is confirmed.

The Mhow station order of the 17th ultimo, appointing Cap- tain E. Wattle, of the 71st regiment of native infantry, to officiate as major of brigade, and to receive charge of the military chest from Captain Cheaps, is confirmed.

The Mhow station order of the 21st ultimo, appointing Cap- tain E. Wattle, of the 71st regiment of native infantry, to officiate as deputy judge advocate, at a general court martial ordered to as- semble at that post, is confirmed.

The Mhow station order of the 21st ultimo, appointing Hospital Apprentice John Keen to act as assistant apothecary to the 2d troop 1st brigade horse artillery, is confirmed.

The Cawnpore division order of the 21st ultimo, appointing Assistant Apothecary G. Higginson of Her Majesty's 16th foot, to act as steward to the regiment, during the imprisonment, under sentence of a general court martial, of Steward D. Nixon, is con- firmed.

The undermentioned officers have leave of absence:

30th regiment native infantry.—Captain E. I. Milner, from 31st December to 31st January 1839, in extension, to enable him to re-join his regiment at Mhow.

39th regiment native infantry.—Lieutenant S. R. Wallace, from 4th November to 6th March 1839, in extension, to proceed to the presidency, on medical certificate, preparatory to applying for furlough.

The following Kurnaul station orders of the 17th and 18th ultimo, are confirmed:

November 17.—Appointing Lieutenant W. T. Pocklington, of the 36th, to act as adjutant to a treasure escort under the com- mand of Captain K. F. McKeane, of the 64th regiment native infantry.

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Head quarters Camp, Ferozepore, December 11.—Lieutenant Colonel J. Tulloch's detachment order of the 17th ultimo, appointing Lieutenant and acting Adjutant T. R. Jell, of the 60th regiment of native infantry, to act as detachment staff to the troops noted in the margin, is confirmed.

Lieutenant Colonel Tulloch's order of the above date, directing Surgeon B. Bell, of the 60th regiment of native infantry, to attend medical aid to the head quarters and 1st company 3d battalion of artillery, is also confirmed.

The Saugor division order of the 18th ultimo, directing Colonel William Gibson, removed to the Cawnpore magazine by General Orders of the 14th October last, to continue to do duty at Saugor, until further orders, is confirmed.

The detachment order of the 25th October last, by Lieutenant Colonel G. Williamson, appointing Lieutenant and Brevet Captain J. Bamfield, officiating Interpreter and Quarter Master to the 9th regiment of native infantry, to act as detachment staff to the 5th and 19th Regiments of native infantry and detail of artillery, during the period those troops continue together, is confirmed.

The battalion order of the 7th ultimo, appointing Lieutenant J. W. B. O. H. doing duty with the 5th light infantry, to act as Adjutant to the battalion, vice Lieutenant Carr appointed an acting Aide de Camp to the Right Honourable the Governor General, is confirmed as a temporary arrangement.

The Neamuch station order of the 25th ultimo, directing Khy roolah, native doctor, attached to the left wing of the 3d local horse, to return to Saugor, is confirmed.

Lieutenant Colonel R. E. Chambers is removed from the 9th to the 5th regiment of light cavalry.

Lieutenant Colonel E. J. Honeywood (on furlough) is removed from the 5th to the 9th regiment of light cavalry.

His Excellency the Commander in Chief is pleased to make the following appointment:

Captain P. C. Anderson, of the 61th regiment of native infantry, to officiate as Major of Brigade at Delhi, during the absence of the late Major Ramsay, or until further orders.

The undermentioned officers have leave of absence:

8th Regiment Light Cavalry.—Captain G. A. Burhol, from 30th October to 16th November, in extension, on medical certificate, and to enable him to rejoin.

8th Regiment Light Cavalry.—Surgeon W. Jackson, from 5th December to 5th April 1839, to visit the Presidency on medical certificate.

11th Regiment Native Infantry.—Lieutenant W. C. Carter, from 20th January 1839 to 20th March 1839, in extension, to enable him to rejoin his regiment at Agra.

1st local horse.—Lieutenant and Adjutant J. Skinner, from 30th November to 6th December, in extension, to enable him to rejoin his regiment at Ferozepore.

Head quarters, Camp Ferozepore, December 12.—The division order of the 9th instant, by Major General A. Duncan, commanding the 2d division of the army of the India, appointing Brevet Major W. E. B. Leadbeater, of the 53d regiment of native infantry, to act as Major of Brigade to the 5th brigade of infantry in the room of Capt. Jervis, of the 5th regiment of native infantry appointed to officiate as Deputy Assistant Adjutant General to the Sirkul division; and nominating Captain C. W. Hoig, of the 5th regiment of native infantry, to be his Aide de Camp, is confirmed.

The regimental order of the 8th instant, appointing Lieutenant R. N. MacLean to act as Adjutant to the 2d native infantry, vice Lieutenant Kay, nominated to officiate as an assistant in the department of the Adjutant General of the army, and to accompany the Deputy Adjutant General on service, is confirmed.

The Delhi garrison order of the 30th ultimo, directing Captain F. C. Anderson, of the 54th regiment of native infantry, to officiate as major of brigade, on the departure of Brevet Major W. Ramsay, on leave of absence, is confirmed.

The Cawnpore division order of the 29th ultimo, directing 1st Lieutenant J. L. C. Richardson, of the 2d company 9th battalion and 2d Lieutenant J. Abercrombie, of the 3d troop 3d brigade of horse artillery, to join and do duty with the 1st company 3d battalion of artillery, proceeding on field service, is confirmed.

The Saugor division order of the 29th ultimo, appointing Brevet Major G. H. and Croft, of the 2d company 3d battalion of artillery, to act as laboratory men with the train proceeding on service to Jhanda, is confirmed.

His Excellency the Commander in Chief is pleased to make the following appointment:

4th Regiment of Native Infantry.—Ensign S. Pond to be Adjutant vice Burt promoted.

The undermentioned officers have leave of absence:

30th Regiment Native Infantry.—Ensign G. E. Nicolson, from 31st December to 31st January 1839 in extension, to enable him to rejoin his regiment at Mhow.

Subordinate medical department.—Apothecary John Beale, attached to the medical depot at Cawnpore, from 1st January 1839 to 1st July 1839, to visit the Presidency, on private affairs.

J. R. LUMLEY, Major General
Adjutant General of the Army.

TO THE ARMY OF THE INDIA.

Head quarters Camp, Ferozepore, November 27 1838.

1. Circumstances in the countries west of the Indus have so greatly changed since the assembly of this army for service, that the Right Honourable the Governor General has deemed that it is not requisite to send forward the whole force, but that a part only will be equal to effecting the future objects in view.

2. His Lordship has therefore been pleased to instruct His Excellency the Commander in Chief as follows:—

The whole of the cavalry, one troop of horse artillery, one battery of 9 ps and the artillery of the park, the sappers and miners, and three brigades of infantry, shall go forward, and the remainder of the troops will await further orders at Ferozepore.

3. The lot to go forward has fallen on the troops enumerated as follows:

The 2d troop 3d brigade of horse artillery.

The 1st battery of 9 ps.

The 1st 2d, and 4th brigades of infantry.

The division of infantry to be commanded by Major General Sir W. Cotton, being the senior Major General.

4. The troops to go forward, and those to remain in Hindoostan, may make their arrangements accordingly. The head of the column will move on as soon as possible after the army shall have been reviewed by the Right Honourable the Governor General, & the Maha Rajah Rungset Singh.

5. Whatever alterations may be requisite in the details of the staff, will be communicated in a future order.

6. His Excellency the Commander in Chief deems this a fitting opportunity for expressing the great gratification which he has received from witnessing the ability evinced by all ranks of the army to serve their country on the present occasion, and from their excellent conduct on their march from the Punjab to the Sutlej. He assures them that had their services been still required in advance and had he had the pleasure of leading them forward, he would have in many troops which might have been opposed to them, with a full confidence of success, founded on their courage and excellent discipline, and on the confidence he has had the honor to command. By order of His Excellency the Commander in Chief.

Head quarters, Camp Ferozepore, December 3 1838.

1. The Right Honourable the Governor General has desired His Excellency the Commander in Chief to communicate to the (young) His Lordship's highest approbation of their appearance in the field this morning and to make known the admiration which they excited in the minds of the Maha Rajah Rungset Singh and his court.

2. For himself, the Commander in Chief has to express his highest applause. The appearance of the several corps was admirable, and their excellent discipline was evinced by the manner in which they performed all that was desired from them.

3. His Excellency requests that the officers commanding divisions, brigades, and corps, will accept his best thanks for the manner in which they carried into effect his orders, and that the regimental officers of all ranks, and the non commissioned officers and soldiers, will assure themselves that their merits are highly appreciated by His Excellency.

P. CRAIGIE, Major,
Deputy, Adj. Genl. of the Army.
[Englishman, December 13]

GENERAL ORDERS TO THE QUEEN'S TROOPS.

Head quarters, Simla, October 13, 1838.—No 167.—At a General Court Martial holden in Cantonment, near Poona, on Monday the 3d day of September 1838 Ensign William Wilde Patterson, Her Majesty's 6th regiment of foot, was arraigned on the following charges:

“*First charge.*—For irregular and unofficer like conduct to the prejudice of good order and military discipline, in the following instances:—

“1st Instance. In having, at Colaba, near Bombay, on or about the 22d November 1837, disobeyed my order to furnish a correct copy of his report, as orderly officer, of the 21st of the same month.

“2d Instance. In having, at the same place, on the 23d November 1837, absented himself without leave from the orderly Room where he had been directed to attend daily, although he had been admonished for a similar offence a few days before.

“3d Instance. In having, on the day specified in the preceding instance, absented himself without leave from a meeting of the officers of the regiment held by my order.

“*Second charge.*—For breach of military discipline, in having broken his arrest on or about the 16th December 1837 by being

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the Fort of Bombay, beyond the limits of his arrest, and being then dressed in a manner unbecoming an officer.

(Signed) J ALLEN, Major
Commanding H. M. 6th Regt."

Camp near Poona, 10th March 1838

Additional charge.—For scandalous and disgraceful conduct, unworthy the character of an officer and a gentleman, in the following instances, viz

" 1st Instance. In having, at Colaba, near Bombay, on or about the 1st January 1837, obtained from Blugwan Sunkar, an inhabitant of Bombay, several work boxes, one looking glass and one picture amounting in value to the sum of two hundred and fifteen rupees or thereabouts, (Rs. 215) on the terms of immediate payment and in having, after obtaining possession of the said articles refused to return, or pay for the same, and in having then and there threatened to beat the said Blugwan Sunkar.

" 2d Instance. In having, soon after the transaction set forth in the foregoing instance, disposed of one of the said boxes to Keshuph Munde, a tailor, residing at Colaba, for the sum of six rupees, (Rs. 6) of which he received payment the same day.

" 3d Instance. In having also disposed of another of the said boxes to the late Order Kesavjee, (commonly called cheap jack), an inhabitant of Bombay, for the sum of fifty rupees, (Rs. 50) in part liquidation of a debt due by him (Kesavj Paterson, son, to the said Order Kesavjee."

Upon which charges the Court came to the following decision ; *Finding.*—The Court having mutually weighed and considered the evidence before it, and what the prisoner Ensign William Wilde Paterson, Her Majesty's 6th Regiment of foot, has urged in his defence, is of opinion, that he is

- " Guilty of the first instance of the first charge.
- " Guilty of the second instance of the same.
- " Guilty of the third instance.
- " Guilty of the second charge.
- " Guilty of the additional charge in the first instance
- " Guilty of the second instance of the same, but eight rupees of the sum therein specified, were received the following day.
- Guilty of the third instance of the additional charge.

Sentence.—The Court having found the prisoner guilty as above specified, in breach of the article 40th war, in two cases made and proved, it does adjudge him, Ensign William Wilde Paterson, to be cashiered."

Approved.
(Signed) H FANE, General,
Commander in Chief East Indies

10th October 1839.

To have effect from the date of its receipt at the Head Quarters of the Bombay Army.

Head quarters, Simla, October 18—No 169.—The leave of absence granted by the officer commanding the presidency division, to Ensign D. PETER, 9th foot, to proceed to England, for 2 years from date of embarkation, is confirmed.

The leave of absence granted by His Excellency Lieutenant General Sir P. Maitland, K. C. B., to Surgeon Lewis M. D., 4th foot, to proceed to England for 1 year from date of embarkation, on medical certificate, is confirmed.

The order issued by the officer commanding Cawnpore division, dated the 1st instant, appointing Captain Parkey, 49th, and Lieutenant Kirk, 16th regiments, to duty with the invalids, &c. according to the presidency, by water, under the command of Captain Mercer, 13th light infantry, is confirmed.

The leave of absence granted to Lieutenant G. J. Carter, 16th foot, in the General Order of the 1st February 1834, No 196, to proceed to the presidency, on private affairs, is antedated from the 1st March.

The undermentioned officers have leave of absence :

- 16th Foot.—Lieutenant W. A. Kirk, to England, for 2 years from date of embarkation, on private affairs.
- Ditto—Lieutenant F. Cassidi, ditto, ditto.
- 17th ditto—Lieutenant Harvey, ditto, for 1 year ditto, ditto.

Head Quarters, Simla, October 25—No. 170.—The leave of absence granted by the officer commanding the presidency division, to Brevet Captain Bell, 16, and Assistant Surgeons Corra 63d regiments, the former, for 18 months, to New south Wales, and the latter, for 2 years, to England, from date of embarkation, both on medical certificate, are confirmed.

The Regimental Order by the officer commanding 16th Infantry, dated the 15th instant, appointing Lieutenant Pratt, to act as adjutant to that corps, during the period Brevet Captain and Adjutant Havelock may be employed on the staff, is confirmed.

The detachment orders by Captain Meredith, 13th light infantry, commanding the invalids, &c. proceeding to the presidency, by water, appointing commissioned and Non-commissioned staff, are confirmed.

Of the 11th September 1838.—Sergeant W. Cummings, 13th light infantry, to act as sergeant major.

Lieutenant Sergeant F. Dwyer, 13th light infantry, to act as provost sergeant.

19th September 1838.—Lieutenant F. Cassidi, 16th foot, to act as adjutant.

Lieutenant Sergeant F. Smith, 13th light infantry, to act as Qr. M. Sergeant.

14th October 1838.—Lieutenant Kirk, 16th Foot, to act as quarter master.

Color Sergeant Grady, 14th foot, to act as sergeant major, vice Cummings removed.

Lieutenant Fenwick, 13th light infantry, will act as quarter master, and Lieutenant Hokomb as interpreter, from the date of departure of the corps from Kurnal, in the absence of Quarter Master Sheriman and Lieutenant Stehollin.

The undermentioned officers have leave of absence.

- 3d Light Dragoons—Lieutenant Fisher, from 15th October (instant) to 18th January 1839, on private affairs.
- 16th Foot—Lieutenant Amens, ditto ditto.

Head quarters Simla, October 27—The commander in Chief in India has been pleased to make the following promotion until Her Majesty's pleasure shall be known.

1st Foot.—Ensign John D'Almeida to be Lieutenant by purchase, vice Langdale, who retires, 26th October 1838.

Head quarters, Simla, November 1—No. 172.—The undermentioned Officers has leave of absence.

13th Light Infantry—Lieutenant J. W. Forbes, for 3 months from the 10th November, (instant) to Calcutta, on Medical certificate, for the purpose of appearing before a medical Board.

Head quarters, Camp, Munnegayra, November 8—His Excellency The Commander in Chief has been pleased to direct the publication of the following circular memorandum, received from the Agent in General, Horse Guards, for the information of Her Majesty's Forces serving in India :

(CIRCULAR) MEMORANDUM.

The General Commanding in Chief desires that, in all cases in which Imprisonment is awarded by a Court martial, the Sentence may be considered to take effect from the date of the Commitment of the Prisoner to the Jail, or Cell, in which he is to undergo his imprisonment. In cases in which, from unavoidable circumstances, a more than usual time shall elapse, between the trial of the Prisoner and the appeal and confirmation of the Proceedings and Sentence of the Court, the Officer Commanding the Regiment, or Depot, to which the Prisoner belongs may recommend the remission of a portion of the Imprisonment equal to the time which may have elapsed as above specified.

The General Commanding in Chief takes the present occasion to direct the attention of Courts Martial to the terms of that part of the Mutiny Act, which authorizes the forfeiture of all advantages as to additional Pay, and to Pension on Discharge. In cases in which a Court Martial awards the forfeiture of Pension upon Discharge, the forfeiture of the additional Pay should invariably form a part of the award, and be specified in the sentence.

(Signed) JOHN MACDONALD,

Adjutant General.

Horse Guards, 31st July 1838.

The leaves of absence granted by His Excellency Lieutenant General Sir P. Maitland, K. C. B., to the undermentioned Officers to proceed to England, on Medical certificate, each, for 2 years from date of embarkation, are confirmed.

- 39th Foot—Lieutenant B. G. Lyster,
- 41st ditto—Assistant Surgeon Hogg, M. D.

The Presidency Division Order of the 16th ultimo, granting leave of absence to Ensign H. C. Clarke, 3d Foot, to proceed to England, on Medical certificate, is confirmed, for 6 months from date of embarkation. This Officer will report his arrival to the Adjutant General, Horse Guards.

The leave of absence granted to Lieutenant H. S. Chamberlain, 3d Foot to proceed to England, on private affairs, in the General Order dated 5th July last, No. 141, is cancelled at his own request.

The undermentioned Officers have leave of absence :

- 31st Foot—Lieutenant The Honorable G. A. F. C. Graves, Aide de Camp to the Honorable The Governor of Madras, from 1st September to 31st November 1837

4th ditto—Brevet Captain F. G. Mathias from 10th November (instant), to 10th November 1839, to Landour, on Medical certificate.

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57th *ditto*—Lieutenant Benson, to England, from date of embarkation, who will report his arrival to the Adjutant General, Horse Guards.

Headquarters Camp Maloud—No 177—The Commander in Chief in India has been pleased to make the following promotions until Her Majesty's pleasure shall be known :

15th *Light Dragoons*—Lieutenant William Penn to be captain, without purchase, vice Atkins deceased, 5th October 1838. Captain James Allen Cameron to be lieutenant, vice Penn, promoted, 5th October 1838.

The Commander in Chief in India has been pleased to sanction the appointment of Lieutenant A. H. Evans of the 26th regiment, from the service by the aid of his ensigncy, subject to the confirmation of Her Majesty.

The following appointments by His Excellency Lieutenant General Sir P. Maitland, K. C. B., of Assistant Surgeon Almain, 5th Foot, to the medical charge of the depot at Poonamallee, and of Assistant Surgeon Mijjar from the depot to the Medical charge of the 4th foot, vice Surgeon Lewis of that corps, who has proceeded to England, are confirmed.

The order issued by the officer commanding the Dnawore division, and dated the 28th ultimo, directing Lieutenant J. C. Stock, 5th, and Lieutenants Ross and Daniell, 19th foot, to do duty with the detachment of my aids de camp, en route to the Presidency, by water, under the command of Captain Meredith, 13th light infantry is confirmed.

The regimental order by the officer commanding 31st foot, under date the 8th instant, appointing Ensign Flower to act as quarter master to that corps, vice Quarter Master Williams, reported sick, is confirmed.

His Excellency the Commander in Chief is pleased to sanction the appointment of Captain Henry Cook, 14th foot, to be second in the Camp to Major General Sir William Pitt Colburn, K. C. B., in the event of his absence.

The undermentioned officers have leave of absence.

15th *Light Infantry*—Ensign P. L. Bennett, from 15th instant to 14th May, 1839, to proceed to the hills north of Dacca, on medical certificate.

11th *Foot*—Captain Howe, for 2½ months to Oudha, and from thence to England, for the next 2½ months for the service. Captain Howe will report his arrival to the Adjutant General, Horse Guards.

Headquarters, Camp, Maloud, November 21—No 179—His Majesty has been pleased to make the following promotions and appointments in the regiments serving in India :

4th *Foot*—Lieutenant William G. K. P., from the 24th foot, to be lieutenant, vice Vivian, who exchanges, 17th August 1838.

9th *Foot*—Lieutenant Studholme Henry Metcalf to be Captain, by purchase vice Hunter, who retires, 24th August 1838.

Ensign Daniel Pore to be Lieutenant, by purchase, vice Metcalf, 26th August 1838.

Ensign W. J. G., gent. to be ensign, by purchase, vice Pirie, 28th August 1838.

13th *Foot*—William Frederick Straubenzer, gent. to be Ensign, by purchase, vice Bartley appointed to the 9th regiment of foot, 17th August 1838.

17th *Foot*—Captain Lawrence Pife, from the 42d regiment of foot, to be Captain, vice Lord Glen Johnson who exchanges, 10th August 1838.

26th *Foot*—Lieut. Col. Henry B. Phipps, from the Royal Military College, to be captain, without purchase, vice James deceased, 17th August 1838.

4th *Foot*—Anthony Sadler, gent. to be Ensign, by purchase, vice Bond appointed to the 17th regiment of foot, 17th August 1838.

49th *Foot*—Ensign Arthur Robert Shakespeare to be lieutenant, by purchase, vice Averel Daniell, who retires, 5th August 1838.

Ensign Walter Taylor Bartley, from the 13th regiment of foot to be ensign, vice Shakespeare, 17th August 1838.

57th *Foot*—Ensign Frederick Thom on takes from the 26th Regiment of Foot, to be ensign, vice Jackson who exchanges, 17th August 1838.

68th *Foot*—Lieutenant Colin Buchanan to be captain, without purchase, vice Moore deceased, 15th August 1838.

Lieutenant and Quartermaster Thomas Fryer, from the 56th regiment, to be lieutenant vice Buchanan, 26th August 1838.

At a general court—The names of the 26th regiment appointed to an ensigncy in the 4th foot, on the 27th August 1838, are Frederick Van Straubenzer, and not William Frederick Straubenzer.

Her Majesty has been pleased to make the following promotions, and appointments in the regiments serving in India :

4th *Light Dragoons*—Alfred Robert Cole, gent. to be cornet, by purchase, vice Symonds, who retires, 27th July 1838.

Assistant Surgeon Nelson D. Smith, from the 41st foot, to be assistant quarter master, vice Grant deceased, 3d August 1838.

2d *Foot*—Ensign Godfrey Piroy, to be Lieutenant, by purchase, vice Munde, who retires, 27th July 1838.

Ensign Edward Honeywood, from the 5th regiment of foot to be lieutenant, by purchase, vice Lewis appointed to the 4th foot, 28th July 1838.

John Pitt to be Ensign, gent. to be Ensign, by purchase, vice Pirie promoted, 3d August 1838.

Surgeon William Bear Young, from the 11th regiment of foot, to be surgeon, vice Barrett, who exchanges, 14th July 1838.

4th *Foot*—Ensign Lieutenant Colonel R. M. Maitland, from the 5th regiment of foot, to be ensign, vice Maitland who exchanges, 27th July 1838.

13th *Foot*—Lieutenant Charles Maitland Packer, from the half pay of the 2d light dragoons of the 1st and 2d Grenadier Regiments, to be lieutenant, vice Colborne appointed to the 25th foot, 14th July 1838.

Ensign Frederick Gordon Christie to be lieutenant, without purchase, vice M. K. Spear deceased, 20th July 1838.

Lieutenant Arthur Halmes, from the half pay of the 27th regiment of foot, to be lieutenant, vice Inge appointed to the 10th light dragoons, 2d August 1838.

Ensign Thomas Osby to be lieutenant, by purchase, vice Holmes who retires, 3d August 1838.

Ensign John Byron Robinson, from the 75th foot, to be lieutenant, by purchase, vice Poock who retires, 4th August 1838.

William Tyler Bartley, gent. to be Ensign, vice Christie, 26th July 1838.

William Williams, gent. to be ensign, by purchase, vice Osby 3d August 1838.

17th *Foot*—Lieutenant Le Genere Charles Bourcier to be lieutenant, by purchase, vice Clavin promoted to the 3d Foot, 10th July 1838.

Lieutenant Thomas Ormsby Rottledge to be lieutenant, by purchase, vice Bourcier, 10th July 1838.

Ensign Henry Wilson Rice, from the 13th foot, to be lieutenant, without purchase, vice Osby, cashiered by the sentence of a General Court Martial, 27th July 1838.

William G. Pore, gent. to be ensign, by purchase, vice Robinson, 20th July 1838.

31st *Foot*—Ensign Thomas Henry Skellett, from the 16th regiment of foot, to be ensign, vice Lytle, who exchanges, 20th July 1838.

41st *Foot*—Staff Assistant Surgeon Henry Francis Mordaunt, to be assistant sergeant Duffell appointed to the 16th regiment of foot, 3d August 1838.

11th *Foot*—Surgeon John H. Grant, from the 24th regiment of foot, to be ensign, vice Young, who exchanges, 10th July 1838.

10th *Foot*—Lieutenant Frederick William Lewis, from the 26th regiment of foot, to be lieutenant, vice Turner who exchanges, 3d August 1838.

Staff—Major R. M. Maitland of the 5th regiment of foot, to be appointed to the 1st and 2d Grenadier Regiments, with the rank of lieutenant colonel in the army, 15th July 1838.

The following extracts from the *London Gazette* are published for general information.

Whitehall, 6th August 1838.—The Queen has been pleased to direct that it should be the privilege of the Officers of the 1st and 2d Grenadier Regiments of Great Britain and Ireland, to have the privilege of the house of Knighthood in a Court of Chivalry, in the City of London, on the 7th August 1838, at a Court of Chivalry, in the City of London, on the 7th August 1838.

War Office, 7th August 1838.—Lieutenant Alexander James of the 21st regiment of foot, to be lieutenant, by purchase, upon particular service in Affghanistan, to be lieutenant colonel in Affghanistan and Persia, while so employed, 7th August 1838.

Lieutenant Robert Leech of the Bombay engineers, employed on a particular service in Affghanistan, to have the rank of major in Affghanistan and Persia, while so employed, 7th August 1838.

The Commander in Chief in India has been pleased to make the following promotions until Her Majesty's pleasure shall be known :

69th *Foot*—Lieutenant Frederick B. Field to be captain, without purchase, vice Grey deceased, 20th August 1838.

Ensign William McNeil to be lieutenant, without purchase, vice Coifield promoted, 30th August 1838.

Headquarters, Camp, Maloud, November 21—No. 180—His Excellency the Commander in Chief in India has been pleased to direct the publication of the following extract of a circular letter from the Adjutant General, Horse Guards, for the information and guidance of Her Majesty's regiments serving in India.

" Courts Martial having, in frequent instances, sentenced prisoners to solitary confinement by the calendar month, I have it in command to apprise you, that, such sentences are illegal, and

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therefore, to desire, that, in all cases, in which so many lunatics are incarcerated, it may be awarded by the *Lascar* monthly, or 25 days, the longest period to which this imprisonment can legally be extended, without interval."

Orders of Colonel and Brevet Colonel Walker, Her Majesty's 2nd Light Dragoon, having received his arrival at Madras on the 2^d of October last, to join the corps to which he is appointed, after Majesty, and the 21st day, destined for service under the Presidency of Fort St. George, not having yet arrived from New South Wales, the appointed colon will join the detachments at Poonamaddy, and there await the arrival of his regiment.

The appointment of Lieutenant G. T. Brooke, 55th Foot, to act as pay master to that corps, on the responsibility of Pay Master Donaldson, his absence on medical certificate, is confirmed from the 1st October 1838.

The regimental order by the officer commanding the 31st Foot of the 8th instant, appointing Brevet Captain Willis to receive charge of the quarter master's department from Lieutenant Lush, and the duties of which he will conduct, during the absence of Quarter Master Palmer, or until further orders, is confirmed.

The leave of absence granted to Captain W. White, of the 3d Light Dragoon, in the General Order of the 10th October last, to proceed to Calcutta, on urgent private affairs, is cancelled at his request.

The undermentioned officers have leave of absence

4th Light Dragoons—Lieutenant R. F. Poore, to England, for 2 years from date of embarkation, on urgent private affairs.

11th Foot—Lieutenant and Brevet Captain H. Wootton, for 3 months from 1st November (this day) to 19th February 1839, to proceed to Meerut, on private affairs.

Head Quarters, Camp, Ferozepore, November 20—No. 181—The leave of absence granted by His Excellency Lieutenant General Sir John Keane, K. C. B., to Lieutenant J. B. Rose, 5th Foot, to proceed to Fort Ludlow for 2 years from date of embarkation, on *Medical Certificate*, is confirmed.

The Order by the Officer Commanding the Dinapore Division, dated the 13th instant, permitting Ensign D. Egle, 31st, to be removed to the 10th Foot to proceed to Calcutta, is confirmed.

The Order by the Officer Commanding the Benares Division, dated the 10th instant, appointing Lieutenant Souter, 10th Foot, to be Commandant of the Detachment of Sick Regimental Stores, &c. of the Corps, under Orders to proceed by water, to Meerut, is confirmed.

Lieutenant Chamberlain, 31 Foot, has leave for 3 months from the date of his departure from his Corps to proceed to the Presidency, and thence to England, for 2 years from date of embarkation on private affairs.

Captain P. McKie, 3d Foot, from 12th December next to 6th November 1839, to command at Massachusetts, on *Quarter Certificate*.

Head Quarters, Camp, Ferozepore, December 6—No. 182—The Commander in Chief in India directs the publication of the following Extract from the London Gazette of the 10th July 1838.

"*Thursday Street, July 13, 1838*—Forasmuch as the Sovereigns of the British Empire have been wont, on their Coronation to confer the Honour of the Order of the Bath upon divers of their subjects, The Queen has been graciously pleased upon the occasion of Her Majesty's Coronation to declare and appoint, as Her Majesty doth hereby declare and appoint that.

That General Sir Wilson, by Cotton, C. B., be a Knight Commander of the Most Honourable Military Order of the Bath.

And that Her Majesty has further been pleased to nominate and appoint the following Officers to be Companions of the said Most Honourable Military Order.

Colonel Henry Selwyn, 6th Foot; James Allan, 57th Foot; Captain H. A. C. Comhill, 1st Foot; Quarter Master General in India, Thomas Wilson, 2d Foot; Henry Dalmer, 20th Foot; William Henry Sewell, 1st Foot; Deputy Quarter Master General in India, and Joseph Leackwell, 31 Dragoons.

The Commander in Chief in India has been pleased to make the following appointments until Her Majesty's pleasure shall be known.

16th Light Dragoons—Lieutenant C. J. Foster, from the 3d Foot, to be Lieutenant, vice O'Grady, who exchanges 1st December.

11th Foot, Lieutenant W. S. O'Grady, from the 16th Light Dragoon, to be Lieutenant, vice Foster, who exchanges 1st December 1838; Lieutenant Wood, 11th Light Infantry, is appointed Aide-de-Camp to Brigadier Sale, C. B. from the 1st November 1838.

Cornet Roche, 3d Light Dragoons, to be Aide-de-Camp to Major General Thackwell, &c. &c.

The leave of absence granted by His Excellency Lieutenant General Sir P. Maitland, K. C. B., to Lieutenant H. T. Gibson, 57th Foot, to proceed to England, for 2 years from date of embarkation, on *medical certificate*, is confirmed.

The following Orders issued by the Officer Commanding the Dinapore Division, are confirmed.

10th November 1838—Appointing the undermentioned Officers to the Detachment of Sick, &c. of the 11th Foot, proceeding by water to Chuzepore; viz

Brevet Major E. W. Bray, 3d Foot, to Command.

Lieutenant E. Laggard, ditto, and Ensign F. T. Bourke, ditto, to be duty.

Assistant Surgeon James, ditto in Medical Charge.

16th November 1838—Directing Lieutenant Turner, 4th Foot, removed to the 6th to proceed to the Presidency, preparatory to his embarkation for England.

The Regimental Order issued by the officer Commanding the 10th Foot, directing Lieutenant and Acting Adjutant Robinson of that Corps, to proceed to Fort William, by water, on Coast Martial Duty is confirmed.

The Order by Captain Meredith, 13th Foot, Commanding Detachment of Invalids, proceeding to the Presidency, dated 7th ultimo, appointing Colour Sergeant Kebley, 3d Foot, to act as Quarter Master Sergeant, and a Colour Sergeant Smith, 13th Foot, found incompetent to perform the Duty, is confirmed, from the 1st November last.

The Order by Captain Bray, 31st Foot, Commanding Detachment of Sick, &c. of that Corps, proceeding by water, to Chuzepore, dated 14th ultimo, appointing Quartermaster Henry and Philip Lloyd the former to be Surgeon, and Major, and the latter a Quarter Master Sergeant, during its progress to that Station, is confirmed.

The undermentioned Officers have leave of absence

3d Foot—Captain Christie, for 3 months to the Presidency, from the date of his departure from his regiment, and thence to England, for 2 years from the date of embarkation.

Ditto—Lieutenant Sawyer, ditto ditto.

4th ditto—Lieutenant Colonel E. Morris, from 15th November 1838 to 15th January 1839, to proceed to the Presidency, and to the Sand Hills, (if necessary) on medical certificate.

5th ditto—Lieutenant H. Edwards, to England, for 2 years from date of embarkation, on urgent private affairs.

Head Quarters, Camp, Ferozepore, December 9—No. 184—The Commander in Chief in India directs that the General Order of the 11th July 1836, and orders, that of the 2d February 1832 be brought into operation.

Leave of absence is granted to Surgeon Murray, H. M. 13th Light Infantry, from the 8th December 1838 to the 7th June 1839, to proceed to Kurnal and Landour, on *Medical Certificate*.

Assistant Surgeon Robertson will assume the medical charge of the regiment during the absence of Surgeon Murray.

Head Quarters, Camp, Ferozepore, December 10—The Commander in Chief in India has been pleased to make the following Promotions and Appointment until Her Majesty's pleasure shall be known.

9th Foot—Ensign J. S. Cunningham to be Lieutenant without purchase, vice French deceased, 21st November 1838.

62d Foot—Lieutenant T. D. Price to be Captain, without purchase, vice Ekin deceased, 14th October 1838.

Ensign William M. Nair to be Lieutenant without purchase, vice Bell, has not taken office. Price promoted, 16th October 1838. Ensign George Sims to be sub-lieut., with the rank of Lieutenant, vice Co. held promoted, 10th October 1838.

Head Quarters, Camp, Ferozepore, December 13—Her Majesty has been pleased to make the following Promotions and appointments in the Regiments serving in India.

4th Light Dragoons—Cornet William Drysdale to be Lieutenant, by purchase, vice Gordon, who retires, 14th September 1838.

Henry Frederick Hudson, gent. to be cornet, by purchase, vice Drysdale, 14th September 1838.

2d Foot—Lieutenant Thomas Powell, from the half pay of the 14th Foot, to be Lieutenant, repaying the difference, vice Abbott appointed Pay Master to the 37th Foot, 26th Sept 1838.

Ensign Henry Wilton Stisted to be Lieutenant, by purchase, vice Pow-vice Maudslayi. Frederick Cornor, gent. to be Ensign, by purchase, vice Stisted, 20th September 1838.

55th Foot, Ensign Edwin Green Daniel, to be Lieutenant by purchase, vice Cuffe, who retires, 7th September 1838.

John Friend, gent. to be Ensign, by purchase, vice Danfell, 7th September 1838.

62d Foot—Ensign John Francis Bear to be Lieutenant by purchase, vice Frost, who retires, 14th September 1838.

GENERAL REGISTER.

Robert Gubbins, sent to be Ensign, by purchase, vice Egart, 14th September 1835.

The Commander in Chief in India has been pleased to make the following Promotions until Her Majesty's pleasure shall be known.

4th Light Dragoons—Colonel W. W. Humbly to be Lieutenant by purchase, vice Scott promoted, 14th December 1835.

9th Foot—Assistant Surgeon George Knox, from the 3d Light Dragoons, to be Surgeon, vice McCleery deceased, 29th September 1835.

His Excellency The Commander in Chief is pleased to approve of the appointment of Lieutenant Handfield, H. of 31 Foot, to be Aide-de-Camp to Brigadier Dennis, from the 1st ultimo.

His Excellency is farther pleased to sanction the appointment of Captain J. A. Duncan, H. of 31st Foot, to be Aide-de-Camp to Major General Duncan.

His Excellency the Commander in Chief is pleased to approve of Captain Marshall H. M. 31st Regiment acting as Pay Master of that Corps, during the absence and on the responsibility of Pay Master Matthews, until the Duty of Judge Advocate, on which he is at present employed, shall be concluded.

The leave of absence granted to Captain McManus, 16th Foot, in the General Orders No. 1051, dated 9th December 1836, to proceed to Landour, on private affairs, is to take effect from the 5th of April, instead of the date therein stated.

Leave of absence is extended to Brevet Captain Woolton 14th Foot, from the 5th to the 21st April 1837, the period he was unavoidably detained in re-joining his corps.

The appointment of Lieutenant William Munro, 29th Foot, to act as a Lieutenant to that corps from the 1st ultimo, during the absence of Lieutenant and Adjutant Nixon proceeded to the Neilgherry Hills, on sick leave, is confirmed.

The leaves of absence granted by His Excellency Lieutenant General Sir P. Maitland, K. G. B., to the following Officers, are confirmed:

5th Foot—Lieutenant S. L. Horton, from 1st November to 1st February 1839, to proceed to Bombay.

5th ditto—Ensign E. Honeywood, from 15th November to 14th February 1839, to proceed to join H. M. 2d Foot, at Bombay.

The undermentioned Officers have leave of absence.

3d Foot.—Captain J. C. Rouse, from 15th December to 11th June 1839, in proceed to the Presidency, on private affairs.
Ditto—Lieut. H. D. Lacy ditto ditto.

4th ditto—Brevet Captain Woolton, from the 26th ultimo, (Nov.) to proceed from Gloucestershire to Meerut, on Medical Certificate, instead of, on private affairs, as notified in the General Order of the 2d ultimo, No. 150.

Captain Christie, H. M. 3d Foot, (or Buffs) is appointed to take charge of a Party of Sick Men of the 16th Lancers, and 13th Light Infantry, proceeding from Ferozepore to Kurnaul.

By order of the Commander in Chief.

R. TORRENS, Major Genl

Adj. Genl to Her Majesty's Forces in India.

SHIPPING REGISTER.

ARRIVALS AT KEDGEREE.

Dec. 1st—English Schooner *Louisa*, E. W. Hazlewood, from Rangoon 10th November.

2d—English ship *S. etia*, John Campbell, from Portsmouth 26th July.

English ship *Richmond*, N. M. Leed, from Portsmouth 17th July and the Cape 25th September, English ship *True Britain*, C. B. Nich, from London via Portsmouth 18th July, Cape (private) and Mauritius 15th November.

3d—English barque *Isabella*, W. Dickenson, from Hull 19th July; English barque *Blondeau*, R. Backs, from Liverpool 30th July; Arab barque *Mahmoudy*, Nacoda, from Mocha 24th August and Penang 27th October.

4th—English ship *Alleton*, J. Chatterton from Liverpool 25th July; English barque *Britannia*, S. Leath, from Mauritius 24th September, and Madras 27th October.

5th—American ship *Lehigh*, J. Fairford, from Philadelphia 19th August.

6th—English ship *Ruby*, Wilson, from the Mauritius 20th October.

7th—English brig *Jeany*, J. Auld, from Penang 7th Nov.

8th—English schooner *Mary*, D. Davis, from Rangoon 6th November, and Akyah 1st December.

9th—English ship *St. George*, E. Williams, from Bristol 10th and Madras 2d August; English bark *Beaufort Park*, J. W. Stewart, from Kyook Payon 14th December; French ship *Dixie*, H. Ireland, from Bordeaux 27th August and Calcutta 27th November; French bark *Diana*, A. Guitreau, from Nantes—May, Bourbon (no date) and Mauritius—November; English ship *Eleanor Russell*, C. H. North from England 23d June and Mauritius 24th October; English ship *Felicy Selam*, J. L. Gillet, from China 26th October and Singapore 14th November.

10th—English ship *John Gray*, J. Boyd, from New Castle 11th July; French ship *Synapse*, Fanquerry, from the Mauritius 19th October; English ship *Robert Small*, W. Fulcher, from Portsmouth 3th August; American ship *Eben Preble*, J. B. Crocker, from Penang 7th August.

11th—English bark *Ariel*, W. Warden, from China 14th and Singapore 25th November; H. C. schooner *Orissa*, A. Bond, from Balthazore 13th December.

12th—English ship *John Adam*, E. D. O. Eales, from Bussorah 11th August, Bushire 12th September, Muscat 1st and Bombay 2d October, and Cochin 2d November.

17th—English ship *Lord Haugheyford*, C. Farquharson, from London 26th July, and Fortsmith 24th August.

18th—English barque *Eiza*, R. Patterson, from the Mauritius 13th October.

21st—English ship *Java*, R. Jobling, from Kyook, Pnyep 7th December.

23d—English ship *China*, J. Biddle, from London 1st June, Cape 19th Sept mber, and Madras 28th November; French ship *B. Aguerre*, G. Thine from Bordeaux 5th August, and Cape 29th October; English brig *Richard Bell*, Thomas Adam from New Castle 13th July; French barque *Cordouan*, P. Salze, from Bordeaux 1st September.

24th—English barque *Resolution*, R. Dixon, from the Mauritius 17th October, and Calcutta 1st December; English barque *Jacart*, J. Roche, from Port Louis 7th November.

25th—English brig *Ant. Esjane*, S. T. Stevens, from Port-Croix Coast 25th October, and Gangoa 24th December.

26th—English barque *George Family*, P. M. Stavers, from China 22d November, and Singapore 3d December.

27th—English schooner *Maryret*, D. Tapley, from Rangoon 14th December; English barque *Water Witch*, H. Reynolds, from China 14th, and Singapore 13th December.

29th—English ship *Sophia*, McNair, from Portsmouth 8th August, and Cape 29th October; English barque *Wall Hatch*, J. D. Hilsdorf, from Penang 9th December; English brig *Jean*, H. Guy, from China 30th November, and Singapore 24th December; English brig *Algerine*, J. Young, from Singapore 10th ditto; English brig *Sage*, W. C. Spurr, from Moulmein (no date) and Amherst 14th ditto; English schooner *John Hepburn*, D. O'Brien, from Moulmein 23d November and Rangoon 14th December; American barque *Federick Warren*, W. W. Johns n, from Boston 15th August; French barque *Nestrie*, from Havre 2d July, and Mauritius 5th November; Dutch brig *Estas*, P. Rought, from Java 21th November and Singapore 10th Dec.

Dec. 30th—English ship *Victoria*, J. F. Saunders, from Bristol 11th August; English bark *John Knox*, J. Thompson, from Liverpool 18th August; English ship *Lord Auckland*, J. White, from the Mauritius 2th November; English bark *Isabella Robertson*, J. Hudson, from China 2d November; English ship *Falmouth*, G. Pethers, from Liverpool 26th August; English ship *Exmouth*, D. Warren, from London 15th and Portmouth 28th August.

31st—French ship *Gaige*, B. Amel, from Bordeaux 2d September; English brig *Antelope*, Nacoda, from Penang 10th December.

ARRIVALS OF PASSENGERS.

Per Richmond, from London—Mrs McLeod; Mrs. Kayvett; Mrs. Brett; Mrs. Shelleto; Misses C. Egan, A. Egan, Caroline Egan, Wells and Brax's; Major General Fagan, C. B. Dr. Harpur, surgeon; Dr. Shelleto, assistant surgeon; Master Robertson, cadet; Captain Hamilton, Spanish Legion; Master McFarland, and Master Chisholm. *From the Cape*—Mrs. Martin, Misses Herklot, and S. Herklot, Master Martin, civil service; J. W. McLeod, Esq. commission 6th regiment, Master James Herklot, and Miss Martin.

GENERAL REGISTER.

Per Scyllia from London.—Mrs. White, Mrs. Harrington, Mrs. J. Fraser; Mrs. A. Fraser; Misses Hill, White and Butler; Colonel White, Bengal army; Major Davis, H. M.'s 9th regiment; J. Fraser and A. Fraser, Esqrs.; Ensign Penny, H. M.'s 11th regiment; Estlin Green, H. M.'s 4th light drags; Estlin Blackitt, H. M.'s 9th regiment; M. Gerrard, Esq. nasstant surgeon Bengal army; J. Reynolds, Esq. cadet; F. F. Eastwood, Esq. Messrs. Elcock and Gaver, steerage passengers; 10 men, 4 women and 2 children, H. M.'s 9th regiment and 16 men, H. M.'s 14th regiment; 1 European female servants, 2 native female servants, and 1 native male servant.

Per Tene Briton, from England.—Mes Beach, and Baron de Lotzbeck. *From the Cape of Good Hope.*—Mrs. Nisbet, Mrs. Buss; Mrs. Macquena, Mrs. Trevelyan, E. L. Warner, R. Williams, and H. Nisbet, Esqrs. B. G. S.; Reverend Mr. Boyce, Dr. Macquen, B. M. S.; Captain Trevelyan, B. M. S.; Children—Miss M. E. Nisbet and Master W. Nisbet. *From Madras.*—Mrs. Freshfield; Lieutenant Mylne, M. N. I.; Merchants—Mr. Macrae.

Per Ship St. George.—Mrs. C. Carlew and Child, Mrs. Col. John Home, Mrs. H. Anstuther, Mrs. J. B. D. Giblin, Mrs. J. A. Fairhead, Mrs. R. S. Thomson, Mrs. John Graham, and Mrs. J. L. L. Misses H. Bunbury, C. Bunbury, A. Cornold, Ann Cornold, Lindsay, Thomson, Anna Thomson, Beadley, M. Thomson, H. Knox, and C. Knox, C. Carlew, Esq. civil service, Lieutenant Colonel J. Home, H. L. Warlaw major 1st cavalry, J. R. D. Giblin, Captain 20th native infantry and J. A. Fairhead, Captain 48th native infantry; J. Graham, Lieutenant 5th native infantry; J. B. L. L. L. L. Lieutenant 5th native infantry; Messrs. Hinton, Bunbury, Cleland, W. D., Charles Lazarus, and E. Lazarus.

Per Battery Seaman, from Singapore.—Mrs. Baddley, and Mrs. Stapleton, Miss Baddley, W. C. Baddley, Esq. major general, H. C. Stumforth, Bengal civil service;—Gregory and Johnnies, Esqrs., merchants; Mr. Evans, Bishop's college.

Per Rest Small, from England.—The Honble Mrs. Powys and 2 children, W. S. Lawell, Mrs. Jackson, Mrs. Chalmers, Miss Perry, Miss Temple, Griffith, Whish, and Barlow; the Hon. the Captain Powys, B. M. S.; James G. B. Lawell, Esq. B. M. S. civil service; Majors Steer and Eaart, and Captain Croubide, B. native infantry; Lieutenant Smith, Bengal cavalry; Dr. Chalmers, Griffith and Rind, Bengal medical establishment; Josephus and L. Olinca, Esqrs. merchants.

Per Lord Haugford.—Mrs. Clarkson, Mrs. Hicks, Mrs. Pillans, and Mrs. Fingulerson, Misses Puckle, C. Dick, E. Dick, Wemyss, Kennedy, McCarty, Nepean, Brown, Bell, Fingulerson, and L. Fingulerson, Colonel Oiver, B. native infantry; Captains Campbell and Pilans, brevet horse artillery; Messrs. Fingulerson and Ross, merchants; Mr. Hicks, brevet native infantry; Mr. Smarts, Pilot Service; Mr. Treagar.

Per Jora.—Mrs. Hough, Mrs. Lamedu; Mrs. Jobing and infant, Mrs. Hicks, Captain Hicks, commanding 67th regiment B. V. native infantry; Lieutenants Pire and Hoka, and Ensign W. Williams, adjutant, ditto ditto, and Doctor Brower, surgeon ditto, and 2 native officers, non commissioned, ditto, drummers, privates and 1 camp followers, 5 camp followers, 67th regiment recruited from Kyeuk Phyo.

Per Curd.—Mrs. Colonel Pattle, Mrs. Chalmers, Mrs. Gust Mrs. Bush, and Mrs. King; Misses Pattle and Bockgurs; Lieutenant Colonel Pattle, B. civil, Captain Vanhuythesson 10th, and Captain Chalmers, 43d B. native infantry; Assistant Surgeon Gurse, B. service; Mr. Campbell; Dr. Storey; Mr. De Bouché; Messrs. Eaton and Cosgrave and Mrs. Ryan, steerage passengers; 5 artillery men and 1 Malay groom, in charge of horses.

Per Janet.—Mrs. D. Stewart and child; and Mrs. Roche.

Per Resolution from Penang.—Mr. and Mrs. Court and child Miss Gale, and the Reverend Mr. Almond.

Per Napier, from Lydon.—Mrs. Lewis and 2 children; Mrs. De Montmancy, Colonel V. Ogle, H. M. 9th regiment, and Ensign F. Gerrard, H. M. 10th regiment, in charge of troops; Captain J. H. Lowe, and Lieutenant R. H. De Montmorence, B. native infantry; Dr. H. D. Donibson, R. E. in medical charge of troops; 125 soldiers, 7 women, and 6 children; H. M. 9th regiment. *From the Cape of Good Hope.*—Mrs. Moore and Infant, Captain F. C. Miller, B. native infantry; W. P. Gough, Esq. B. civil service.

Per West from China.—Mrs. Reynolds and child; Miss Gumbrell, W. W. Hutton, Esq. merchant.

Per S. S. from Madras.—W. Stuart and R. Furne, Esq.

Per Felar.—Mrs. Rouse and Family; W. Holland, Esq.

Per 100, from Singapore.—Mr. G. Linton.

Per Eemah from Lydon.—Mrs. J. Phillips and 2 children; Mrs. Mack, Mrs. Storey, Misses Powry, Stocker and Blagie and Misses Diers, Captain W. Dodkin, Lieutenant Macdonald, Ensign Roberts, H. M. 44th Regiment; Reverend Mr. Mick; Messrs. S. Clark, B. Maxwell, and A. Watane, merchants; Messrs. C. H. Dicken, H. M. Welling, R. H. D. Salih, W. Pinner, and J. P. Waterman, Cadets, 83 privates, and 3 women H. M. 44th Regiment.

Per John Knox, from Liverpool.—Mr. John Ahon, Engineer; and Mr. Joseph R. Robinson.

Per K. D. H. Robertson, from China.—B. Lemos, Esq.—*From Singapore.*—Mrs. Bannard, Captain Maun, Madras native infantry; and Jas. Recussou, Esq. and child.

DEPARTURES FROM SAUGOR.

December 1st.—*Patriot*, Morris, for Penang and *Wanderer*, Smith, for Liverpool.

4.—*Cadish Beatrock*, Messier, for Bombay.

5.—*Hes. ahead*, G. total, for Liverpool.

8.—*David Scott*, Spruce, for China; *William, McGrath*, for Vizagapatnam and *Mustaphan and Brigand*, Wemyss, for Mustaphan and Madras.

9.—*Elizabeth*, Phobus, for Moulmein and Rangoon and *Saxilloa*, Macalister, for Bombay via Madras.

12.—*Hudson*, Nacoda, for Bombay.

13.—*Fina Macdonald*, Horne, for Rangoon and Moulmein.

14.—*Lao Weldon*, for the Mauritius; *Plantageart*, Dumet, for London via Cape and *Louisa*, Hazlewood, for Chikago.

15.—*Amelia*, Law, for London.

17.—*England*, Kay, for London and *Hooghly*, Jeausolin, for Haver.

19.—*Falena*, Anstuther, for Liverpool; *Shaw Inshaw*, Nacoda, for Amha and Judda; *Colombo*, Muckell, for Suva via Madras and *Carruth*, Nacoda, for Judda and Mocha.

23.—*Sringapatam*, Inny, for London via Cape; *Reliance*, Craton, for China via Singapore; *Fate*, Souner, for Batavia; *Hashmoy*, Merjau, for Amha and Judda and *Asia*, Gilkes, for London.

24.—*Highton*, Cottier, for Boston and *Pondicherry*, Bawson, for Bombay.

25.—*Allatara*, Clarke, for Bombay.

29.—*Esperance*, Mackie, for London; *Forth*, Sanders, for Mauritius and *Anherst* (H.C.) gone to Sea.

31.—*Patriot King*, Clarke, for Liverpool; *Petite Suzanne*, Logus, for Havre de Grace; *James Edwing*, Hamilton, for Grenock; *Lafe*, Souner, for Batavia; *Harmony*, Douglas, for the Cape of Good Hope; *True Briton*, Beach, for London via Madras and *Catherine*, Brown, for the Cape of Good Hope.

DOMESTIC OCCURRENCES.

BIRTHS.

Nov 3 At Cawnpore, Mrs. Henry Groter, Her Majesty's 8d dragoons, of a son.

4 At Macao, the lady of T. H. Layton, Esq. of a daughter.

5 At Lowpooor, Allahabad, the lady of O. Breton, Esq. patrolling officer, of a daughter.

9 At Kurnaul, the lady of Lieutenant Hippisley Marsh, 3d regiment light cavalry, of a son.

10 At Meerut, the lady of Brevet Major Weston, deputy judge advocate general, of a daughter.

12 At Coel, the lady of A. Ross, Esq. 4th light cavalry, of a daughter.

14 At Cawpore, Mrs. John Kirk, of a son.

17 At Kurnaul, the lady of C. Stewart, Esq. horse artillery, of a son.

— At Calcutta, Mrs. L. Young, of a son.

20 At Lucknow, the lady of Captain H. W. Farrington, 2d regiment native infantry, of a son.

24 At Meerut, the lady of Lieutenant George Bridge, of the 3d foot, of a daughter.

26 At Calcutta, the lady of P. D. Trenevan, Esq. of a son.

29 At Chandernagore, Mrs. G. Willis, of a daughter.

Dec. 1 At Calcutta, the wife of Mr. H. G. Leicester, of Comill, of a son.

— At Mooruffere, Tirhoot, the lady of Dr. Mackinnon, of a daughter.

GENERAL REGISTER.

2 At Ontonagon, the lady of G. A. Harris, Esq. civil ser- vice, of a son.

3 At Calcutta, the lady of C. Mackinnon, Esq. of a daughter.

— At Chatter by Chet, the lady of Henry Inghis, Esq. of a daughter.

4 At the Patent Slip, Sulkea, the wife of Mr. T. Reeves of a daughter.

— At Moradabad the lady of Captain E. J. Watson, 59th regiment native infantry, of a son.

— At Bishampore, the wife of Mr. J. Edroon, senior assistant apothecary 13d regiment native infantry, of a son.

5 On Wednesday, the lady of Charles Hay Cameron, Esq. of a daughter.

— At Entally, Mrs. A. Gonsalves, of a daughter.

— At Calcutta, Mrs. William Skinner, of a daughter.

6 At Calcutta, Mrs. Thomas Brown, of twins, a boy and a girl.

— At Alibabul, the lady of George Warren Stokes, Esq. 69th N. native infantry, of a daughter.

7 At Calcutta, on Friday, the wife of the Reverend A. Garstin, of a son.

— At Calcutta, the lady of Captain James Taylor, of a son.

10 At Calcutta, Mrs. G. H. Hultmann, of a son.

12 The wife of Biboo Hurrydass Mookerjee, of a son.

13 At Kilderpore, the widow of the late Mr. George Cattell, of a daughter.

— Mrs. Hely, the wife of M. F. Hely, of the preventive service, of a daughter.

14 At Calcutta, the lady of N. Hudson, Esq. of a daughter.

15 At Lucknow, the lady of William Dyer Esq. surgeon, 65th regiment native infantry, of a daughter.

16 At Calcutta, Mrs. George Hill, of a son.

— Mrs. Jos. Richardson, of a son.

17 At Calcutta, Mrs. Charles Gardiner, of a daughter.

— At Calcutta, Mrs L. Young, of a son.

— At Calcutta, Mrs. Charles Gardner, of a daughter.

— At Benares, the lady of George Lindsay, Esq. civil ser- vice, of a son.

20 At Howrah, Mrs. M. Chardon, of a son. (still-born)

— At Calcutta, Mrs. James Bolst, of a son.

— At Calcutta, Mrs. James Bolst, of a son.

21 At Calcutta, Mrs. Augustin Perera, of a son

23 At Calcutta, Mrs. P. S. D'Rozario, of a daughter.

24 At Calcutta, the lady of Major General Messom Boyd, of a son

— At Calcutta, the lady of W. S. Smith, Esq. of a daughter

— At Serampore the wife of Mr J. L. Lavalette, of a son

25 At Chowringhee, the lady of Claude Quetcoq, Esq. of a son

— The lady of Ernest Amman, Esq. of a daughter.

— At Calcutta, the lady of John Pittar, Junior, Esq., of a daughter.

26 At Calcutta, Mrs. D. W. Madge, of a daughter.

27 At Calcutta, Mrs. G. A. Popham, of a daughter.

28 At Calcutta, Mrs. Henry Ford, of a daughter.

29 At Calcutta, the wife of Mr. Jas. Hughes, veterinary surgeon, of a daughter.

MARRIAGES.

Sept 1 At Moulmein, Captain W. Mathias, R. M. 62d regiment to Miss Beatty, daughter of the late Captain Beatty, of the above regiment.

19 At Landour, at the residence of Captain Bore, R. M. 16th lancers, by the Reverend, R. Ewing, J. Gordon, Esq., 59th regiment to Henrietta, fourth daughter of the late Captain H. Pigou, of H. M. 3d dragoon guards.

Nov. 19 At Pondicherry, Mr. Joseph Lafancheur, secretary to Government, to Miss Anne Malviga Tardieu.

20. At Dum Dum, Mrs. Shave, deputy collector, in Cuttack, to Miss Mary Ann Dermond.

Dec 1 At Calcutta, at the Cathedral, by the Reverend H. Fisher, P. Pennington, Esq. of Midnapore, to Miss Elizabeth White, daughter of Captain John White, late of Chattraguz.

6 At the Cathedral, by the Venerable Archdeacon Dooltry, Henry Vincent Bayley, Esq. to Louisa Colbrook, daughter of James Pattie Esq.

— At Seebpore, by the Reverend James Charles, John Innes Sim, Esq. merchant, to Charlotte Pirene, daughter of E. Thompson, Esq.

— At Calcutta, at the Cathedral, by the Reverend H. Fisher, Lieutenant W. C. Carter, 34th regiment native infantry, to Miss E. C. Boreman

— At Calcutta, by the Reverend Corlish, of the Dhurum-tollah Church, Mr. P. Runtel, professor of music, to Miss Constance Marou.

8 At Calcutta, by the Venerable Archdeacon Dooltry, Mr. William Preston, to Miss Ann Wulig.

— At Calcutta, at the cathedral, by the Senior Presidency Chaplain, Mr. John Henry Chalke, H. C. Marine, to Miss Mary Ann Lane.

— At Darce, at the Greek church, by the Reverend Father Gabriel, Johannes septiers, Esq. to Miss Antiana Albanes the grand daughter of the late Pannoty Alexander, Esq. of the same place.

11 At Calcutta, by the Reverend, H. S. Fisher, Alexander Hemming, Esq., Lieutenant, R. N. and commander of E. I. S. *Earl of Harbottle*, to Melissa, only surviving daughter of the late E. W. Smith, Esq.

15 At Calcutta, at the Old church, by the Venerable the Archdeacon, Mr W. H. Gabbit, of the Firm of Gist and Co. to Miss Mary Ryan

19 At the Old church, by the Venerable Archdeacon Dooltry, William Abbott Green, assistant surgeon, M. E. I. C. S. of Howrah, to Mary Lydia, second daughter of the late Major William Stakut, Esq. of Gussery.

— At Calcutta at the Principal Roman Catholic church, by the Reverend Fr. Carlos sacra de Fancha, Monsieur H. A. D'Arbuthnot, planter, to Mary, only daughter of Mr. Bartholomew Aison

20 At Calcutta, at the Union chapel, by the Reverend W. Norton, Francis Mauritius Herondell, Esq. S. O. A. to Miss Cecelia Harriett Johnson eldest daughter of the late G. S. Johnson, Esq. indigo planter of Jessore.

22 At Calcutta, at the Old Mission church, by the Venerable Archdeacon Dooltry, Thomas F. Eddie, Esq. indigo planter, of Hazrepore, Jessore to Lydia, the youngest daughter of Mr. William Wallis, Calcutta.

— At Calcutta, at the Free school church, by the Reverend A. Garstin, Mr. J. W. Rollo, to Miss Isabella Bailin.

26 At St James' church, by the Reverend Mr. Rowland, Mr. A. Aldwell, to Miss S. Skouner.

28 At Calcutta, at the cathedral, Mr. Francis Botelho, to Miss Caroline Brocager.

DEATHS.

Oct 5 At Natman, Maria, the lady of W. Watwick, Esq. aged 27 years

9 In the cantonment at Maulmain, Captain J. Ems, of R. M. 62d regiment.

23 At Macra, B. R. Leach, Esq. a native of Salem, (Essex County,) Massachusetts, United States

Nov. 16 Killed by a tiger, at the Gazittee Ghaut, Neel- cherries, when in the execution of his duty, Mr. Samuel Martin, assistant revenue surveyor, aged 27 years.

11 At Singapore, Francis Torrens Ferguson, Esq. of the Firm of Jenkins, Low and Co. of Calcutta, aged 47 years.

17 At Agra, Azra-Emma, aged 15th months and 13 days, the infant daughter of Dr. B. W. Macleod, 3d light cavalry.

18 At Col. Caroline Jane, the infant daughter of Dr and Mrs. Ross, 4th light cavalry.

20 At Chinsurali, Lieutenant W. French, Her Majesty's 9th regiment.

23 At Delhi, Phoebe Fan, infant daughter of Lieutenant Waterfield, 38th regiment native infantry, aged 6 months.

22 At Dehra in the Dhoon, J. W. Knight, Esq. officiating civil surgeon to the station of Saharunpore.

GENERAL REGISTER.

21 At Agra, Sarah, the infant daughter of Mr. E. Ensor, medical department, H. Co.'s European regiment, aged 1 one year, seven months and 13 days.

Dec 1 At Calcutta, Miss Caroline Susan Poole, daughter of Mr. C. Poole, aged 17 years.

2 At Calcutta, F. S. Darda, Esq. provisioner, aged 33 years, 10 months and 16 days.

— At Calcutta, Mrs. Margret Caines, the wife of Mr. John Caines, British pilot, aged 43 years and 1 month.

2 At Meerut, Colonel Worsely, commanding the 28th regiment native infantry.

3 At Calcutta, Mrs. Mary Montgomery, relict of the late Mr. James Montgomery, of Howrah, aged 10 years.

4 At Calcutta, Mr. James Fleming, eldest son of Mr. Robert Fleming, assistant in the secret department, aged 15 years, 9 months and 27 days.

7 At Calcutta, Mrs. R. M. Wakefield, the beloved wife of Mr. R. J. Wakefield.

Row Balaiah Sein Bahadur, deputy collector of Nuddea, formerly nominated to the office of Sudder us Suboor, in Clutterbuck's suit, died. He was one of the first educated Natives of Bengal, the only Arabic scholar among the Hindus and published several works on Arabic and Persian; he knew several languages and was an excellent translator. His loss was regretted by all who knew him.

9 At Calcutta, Mrs. Eliza Llewellyn, wife of Master William Llewellyn, aged 29 years and 2 months.

9 At Banda, John Henry Moscrop, Esq.

11 At Serampore, Mr. William J. Bages, late of the Serampore seminary, aged 23 years.

— At Calcutta, Louisa Matilda, wife of Master James Black, merchant, branch post H. C. Marine.

11 On board the *Leiz*, the beloved child of Captain and Mrs. Hicks, 67th regiment native infantry, aged two years.

16 At Cawnpore, Elizabeth, the beloved wife of Major G. Hooley, commanding 7th regiment native infantry, aged 32 years and 6 months.

— At Cooch-Bazur, John Richard Rieel, infant son of G. W. Leake, an apothecary, H. Co. civil service, aged 15 months and 5 days.

18 David, the infant son of Joseph and Mary Richardson.

— At Calcutta, Mrs. Matilda Reasly Hand, the wife of Mr. Robert Hand, H. C. marine, aged 30 years.

— At the General Hospital, Master George Reade Sutton, son of the late John Smith, of the County Wexford, Ireland, Esq. aged 29 years.

— At Moulga, Quarter Master Sergeant J. Sechin, of the 69th B. native infantry, on the arrival from Saugor to Benarapore.

20 At Calcutta, Mrs. Elizabeth Ann Gomes, the wife of Mr. Peter Gomes, of the General Department, aged 33 years, 5 months and 3 days.

21 At Calcutta, Mrs. Angelica Empson, the widow of the late Mr. Joseph Empson, confectioener, aged 40 years, 6 months and 21 days.

— At Calcutta, Mrs. Maria D'Souza, age 105 years.

22 At Calcutta, Mrs. Mary Roberts, aged 19 years.

24 At Calcutta, Anthony Rowland, Esq. aged 73 years and 1 month.

25 At Calcutta, Mr. John Wilson, of the ship *Strathane*, aged 22 years.

— At Serampore, the infant son of Mr. J. L. Lavolette.

27 At Calcutta, John Boyd, Esq. son of Major-General Maclean Boyd, aged 19 years and 9 days.

— At Calcutta, Mrs. Mary Richardson, the wife of Mr. Joseph Richardson, branch post, aged 38 years and 11 days.

REVIEW OF THE CALCUTTA MARKET.

Since our last Trade generally has been more active, and details will be found as under.

EUROPE ARTICLES

Wool Colonies.—In goods of this description a very considerable business has been done, with a slight advance.

Prints and Colours.—Generally a brisk sales of all descriptions as usual, and such as are "made up" done at 10 per cent.

Wines.—Remains very steady to the extent of nearly 200 cases of various numbers have been effected since our last, but without improvement in price.

Colours Yarns and Cottons.—Continue steady.

Turkey Ribs.—Without amendment.

Onions.—The four qualities 12lb. bundles are engaged for at Co's Rs. 12 a 120 per D, but no actual transactions reported.

Woolens.—The market is rather heavy, in all descriptions of this staple and prices waver, no fixed rates can be put upon any sort.

Corn.—Transactions have been very limited if any thing, prices may be said to have reached 8 as in all kinds.

Salt.—In stocks on the quotation is 7 1/2 to 7 3/4 per fy. md. and near 40 muskies were sold at this rate.

Silk.—Without change, and prices inclined to fall.

Iron.—The market for the assortment has lately been increased by recent importations but they continue steady, sales can only be effected on a limited scale.

Lead, Quicksilver, and Tin Plates.—Without change and amendment.

Bees.—Large and unexpected supplies have brought down the price, and holders are manifesting their anxiety to dispose, even at a reduction of 15 Rs. the hhd.

Bottles.—The market is well supplied, and prices remain without change.

COUNTRY PRODUCE,

Islands.—Large transactions by private and public sales are reported with important staple at an advance on last report, and since the arrival of the September. Overland, a further advance has been experienced, the following is memo. of sales.

A & Co.	118 Chests average, Co's Rs. 299 0 per Fy Md.
S.S. and S.	
R & M	2 ditto, ditto 175 0 ditto
M	9 ditto, ditto 153 0 ditto
PD	75 ditto, ditto 230 0 ditto
R	
DB	36 ditto, ditto 230 0 ditto
P	
PD	1000 mds, ditto 230 0 ditto
C	
GRE	250 ditto, ditto 225 0 ditto
D and R	88 chests, ditto 225 0 ditto
BB	95 ditto, ditto 227 0 ditto
T & Co.	
PD	180 ditto, ditto 230 0 ditto
Deliveries	
R & Co.	
Fr	79 ditto, ditto 215 0 ditto
E	
CN	1700 Mds, ditto 200 0 ditto

GENERAL REGISTER.

Sereole	266	ditto	ditto	220	0	ditto
NN Native	28	Chests	ditto	227	8	di to
FH & CO	114	ditto	ditto	217	8	ditto

Considerable shipments are making on Planters and Agents accounts and against which advances are being received for the Ware House. We have not as yet sufficient data to calculate with certainty upon the extent of the crop, but generally believed to be under 85,000 maunds.

Great Britain	Fy. mds.	10,317	31	6 1/2
France	"	4,555	27	9
American	"	173	1	6
Gulph	"	40	0	0

Fy mds. 15,586 21 5 1/2

SALTPEPER—Considerable business has been done in this article, both the European and American markets, and descriptions have advanced from 2 1/2 annas per maund.

STEAM—Since the arrival of the mail and the favorable report of the Bengal sugars, caused much competition, and enhanced the value about 5 annas per maund on previous quotations.

COTTON—The transactions in this article, are confined to shipments to China about 9,000 bales. The coming crop is favorable spoken of.

OPERM—No old stock remains, the quantity of the new is 29,206 chests and to be disposed of as follows—

On the 7th January, 1838	Behar	Chests	1,500
	Benares		2,600
			7,000
On the 11th February, 1838			2,500
On the 22d April, 1838			4,600
On the 27th May, 1838			2,500
On the 1st July, 1838, say about			3,700

Total Chests 20,206

RAW SILK—The demand for the English Market is so great that none is even on hand, purchases are made from musters and before arrival at full prices.

SILK PITCH GOODS.—Corahs of good quality are scarce and prices on the rise. Chopphis and Bandunnes in good demand Medium in request for the American Market.

LAC DYE.—Improving in demand and price.

SHELL LAC—Considerable transactions reported in this article and price, are beginning to recover from their depression. Large shipments have been made and the stock is small. India continue in active demand and mantain full prices. The exports have been considerable.

HORNS—Are steady for all kinds.

RICE—Shipments are being made of the new which is arriving in large quantities daily, prices remaining at 3 0 and 2 0 per bazar maund.

HEMP AND JUTE—In these the ordinary business is being done for the finer qualities.

KITCH—This article has only since the overland caused much agitation, and large shipments both to England and France are being made.

GINSEK.—With enquiry at 3 1/2 3 4 per maund.

BORAX AND TINCAL—No enquiry.

LINSEED.—The price of this article is without alteration 1 8 and 1-10 per bazar maund.

IN CASTOR OIL and other Oils and Oil Seed, there is nothing of consequence doing.

FREIGHTS.

TO LONDON AND LIVERPOOL.

Broken Stowage	£ 2 10	£ 3 0	per ton of 20 cwt.
Sugar	£ 5 0	£ 0 0	ditto ditto.
Saltpetre	£ 1 10	£ 0 0	ditto ditto.
Rice	£ 5 5	£ 0 0	ditto ditto.
Oil seeds	£ 0 0	£ 5 10	ditto ditto.
Rum	£ 6 0	£ 0 0	per 4 bushels.
Hides	£ 4 10	£ 0 0	per ton on a cub ft.
Jute and Safflower	£ 4 10	£ 0 0	ditto ditto.
Shell Lac & Lac Dye	£ 4 10	£ 0 0	ditto ditto.
Indigo	£ 5 10	£ 0 0	ditto ditto.
Silk Piece Goods	£ 0 0	£ 0 0	ditto ditto.
Raw Silk	£ 6 6	£ 0 0	per ton cwt.

MARITIME.

Grain	Co's Rs.	2	per bag.
Measurement Goods	"	30	p ton of 50 cub, ft

BOMBAY.

Grain	Co's Rs.	2	per bag
Sugar	"	2 1/2	"
Raw Silk	"	4 0	per maund
Measurement Goods	"	40	per ton of 50 cubic feet

CHINA.

Opium	per Ordinary vessels	S. D.	8	a 10	per chest
Cotton	ditto to Whampoa	"	5	per bale.	

[Ho Karu, Dec. 18.

MONEY MARKET.

Burkaru Office, Calcutta, 17th Decemb^r, 1838.

Since our last, we have had the complete files of the Overland for September and part of October, these arrivals had the effect of enlivening the Money Market. The amount of remittances received is Twenty Lacs chiefly for Indigo operations and in French funds, and who have operated largely in that staple.

Shipments for the English market have not been slack; ad values through the ware House amount to a lac and thirty thousand rupees besides those going and going through private individuals; the exchange on the former continues at 2 1/2, but that of the latter (American under credits) have not been better than 2 1/2 per Company's rupee; even this rate within the last two or three days (induced by the near departure of the Mail) cannot be procured, holders not being willing to allow higher than 2 1/2 and at this exchange there is much speculation going forward. From the large transactions that have been done we would say that the Mail will have with a heavy supply of remittances.

BILL MARKET.—The expense of the transactions of the United States Bank as published in the English and copied in our journals, caused some stir with regard to Bills in the market. The endeavour to throw discredit on the institution and shake the public confidence, were, we are happy to find, not responded to, some were at first shy, but it was soon got over, and large

sums changed hands at 2 1/2 2 2 1/2 but are now not procurable above 2-2 1/2 a 2-2 1/2 per Company's rupee.

Exchange generally had fluctuated during the interval between the last and present Overland, quotations stand thus.—

Australian Bank Bills	2	1	a	"	p. co's r.
ditto ditto	"	"	"	"	"
Bills on H. M.'s Treasury, at 30 days' sight	3	0 1/2	a	"	"
Ditto on the Count of Directors, at 12 months' date	1	11 1/2	a	2	0 1/2
Insurance bills, at 6 and 12 months' date	2	0	a	2	2
Private Bills (with documents), at 6 months' sight and 10 months' date	2	2	a	2	2 1/2
Ditto, (with documents,) to France, at 10 months' date	0	0	a	2	2 1/2
Ditto for family remittances, 20 days' sight 3 months' sight 6 months' sight and 10 months' date	2	0	a	2	2 1/2
American Bills under credits	5	0	a	2	2 1/2
United States Bank Bills	2	2 1/2	a	2	2 1/2

GENERAL REGISTER.

The business done through the Company's Ware House has been more active, and there remains about fifty lakhs uninvested of

GOVERNMENT SECURITIES.—The change in our political relations with our northern neighbours, has given a considerable impetus to these Securities. The description that has been most successful is the 4 per cent. and in which there has been much speculation. In other sorts, though changing hands constantly, yet continue without variation in value.

STOCKS.	BUY.	SELL.
Stock	Transfer 7 p. ct. of 1835 3/4 interest	From 15 0 11 0 p. ct.
Paper	payable in Eng. land	18 1/2
Second	Accumulated Nos.	0 1/4 3 1/2
5 per cent.	1151 of 15,209	
Third	or Bombay 5 per cent.	2 1/2 2 1/2
	4 per cent. Dist. Co's Rs 4	0 1/4 4 1/2

BANK OF BENGAL.—Under Co's Rs. 1,10,00,000. The alteration in the Charter of this Bank is not expected to have any influence upon its operations. The working as closed on 31st Nov. showed a profit of Rs. 8,10,000 and a dividend declared upon the old stock, and the value was advanced to Rs. 200 in our per share, at which rate some have converted their shares, within the last 2 or 3 days at reduced rates of discount on private bills from 8 to 7 per cent.

THE BANK RATE OF DISCOUNT.

Discount on Government and Salary Bills,	4 per cent.
Discount on Approved Private bills, 3 months,	7
Discount on Loans on Company's Paper,	6
Discount on India and Opium,	6
Discount on other Goods,	7

UNION BANK.—Capital Co's Rs. 80,00,000. Shares in this institution continue the same, viz. 215,000. Reports in India this Bank is also rising in its endeavor to meet the views and interests of proprietors. The meeting of the 15th instant, to discuss the expediency of the extension of its business to include the acquisition of Shares in London, met with cordial assent, and the following were the resolutions proposed:

1. Resolved, that it is expedient to adopt a plan, for facilitating the purchase and sale in London of Union Bank Shares, thereby enabling the Proprietors resident in England to convert without delay their shares into money, and attracting British capital to the Calcutta money market.

2. That the shares in the Union Bank be henceforth divided into two classes to be denominated Indian shares and English shares, and that Indian shares be transferable to new Proprietors in Calcutta only, and English shares be transferable in London only, but that the Proprietors may at any time exchange an India for a corresponding English share, for a corresponding Indian share.

3. That a mercantile or Bankers' house in London be appointed Agents for the purpose of effecting the transfer of Union Bank shares in England, who shall be entitled to charge a fee to be paid by the purchaser for each transfer, the amount of the fee to be fixed by the Directors.

4. That a counterpart of the deed of copartnership be deposited with the London Agents, and that after the necessary arrangements shall have been completed by the London Agents, he shall sign the counterpart of the deed, and that no transfer of a share be complete, not the old Proprietor released until the deed be signed by the purchaser.

5. That at the time of executing the counterpart of the deed in London, the new Proprietor shall also sign in duplicate, a Power of Attorney, directed to the eight junior Directors of the Union Bank, empowering him, jointly, or severally, to execute for him in the counterpart of the copartnership deed in Calcutta, and that duplicates of the same powers be forwarded every three months by the London Agents to the Secretary in Calcutta, and that one of the Directors named in the power, do accordingly execute the counterpart deed.

6. That a new form of certificate be prepared to be entitled Indian and English certificates, and that no share held under an Indian certificate be transferred to a new Proprietor in London, nor any share held under a London certificate be transferred to a new Proprietor in Calcutta, and that on all the Indian certificates the following notice be conspicuously printed in red ink: "N.B. This share can only be transferred at the Union Bank in Calcutta, and on the English certificates the following notice be printed.

"This share can only be transferred at Messrs. A. B. and Co. Street, London, the Agents of the Bank.

7. That Indian certificates, shall be exchangeable for English certificates in Calcutta only, and not in London, and that English certificates be exchangeable for Indian certificates in London only and not in Calcutta.

8. That when a Proprietor shall be desirous of converting his Indian share into an English share, he shall deliver his certificate, to

the Secretary of the Bank by whom it shall be cancelled, and an English certificate shall be prepared containing the name, number, and value of the share, and the name of the certificate, and the date of issue, and that it be countersigned by the said Directors, and that a similar notice be observed by the Agents in London, on converting an English share into an Indian share.

9. That the dividend in India shall be payable in Calcutta only, and that the dividends on English shares be payable at the London Agents only, and that the interest on the shares held by our Bills of three days sight, at first per cent. from the date of issue of payment, which Bills may be negotiated for 30 days.

10. That the London Agents be authorized to issue the Certificates which may be drawn on the transfer of shares in England, or on converting Indian shares.

11. That the London Agents transmit every two months a list of the transfer of shares, which may have been made during that period.

12. That printed copies of the copartnership deed be sent to the London Agents, and that every half year a complete list of the names of the Proprietors, and of the amount of the shares held by each, be transmitted to the London Agents, and likewise copies of all resolutions passed at general meetings of the Proprietors, and that the same be always open to the inspection of any Proprietors in England.

13. That the Secretary's Report, and the Accounts published every half year in the Calcutta papers be likewise published in the Press and *Monthly Gazette*, and that a book containing copies of all the Reports, since the commencement of the Bank, be likewise forwarded to the London Agents for the inspection of Proprietors in England, and that all future Reports be entered in the same book.

14. That Mr. Thomas Harrod be requested and empowered to make arrangements with the London and Westminster Bank to act as our Agent, or in case of that not being practicable then with Messrs. Glyn's or some other established Bank.

Mr. Holroyd goes home per *St. George*.

BANK RATE OF DISCOUNT.

On Govt. and Salary Bills,	1 per cent.
On Approved Private Bills, not exceeding 1 Month,	4
On ditto ditto,	2 ditto
On ditto ditto,	3 ditto
On Loans on deposit of Company's Paper ditto,	6
On ditto on deposits of Metals, Indigo and Opium ditto,	6
On ditto on deposits of other Goods, ditto,	7

AGRA BANK.—Capital Co's Rs. 20,00,000. Shares in this Bank are held at 20 Rupees per a share. It has recently appointed a general Agent in town, Mr. Fanning Bracken, a gentleman well known among the commercial community, and it is calculated the measure will bring the institution into better notice.

BILLS ON ENGLAND.

The Agra Bank draws on London at the following rates.

At six months' sight,	per Co's Rs. 2 0
At three months' sight,	ditto 1 1/2
At sight, for sums not exceeding 2500,	1 1/2

	Per Ct.
Bills on Bombay, at 30 d. y. sight,	Discount 2 0 0
Bills on Calcutta, at 51 days' sight,	Discount 2 4 0
Ditto ditto at 60 days' sight, for sums exceeding Rs. 1000,	Discount 2 8 0
Ditto ditto at sight (for sums not exceeding Rs. 1000),	Discount 2 4 0

BONDLED WARE HOUSE Shares of Co's Rs. 250, remain at 5 per cent discount and no purchasers.

DOCKING COMPANY Shares of Co's Rs. 1,000 at par.

SEAM TUG ASSOCIATION Shares of Co's Rs. 1,000, at par and entitled to a reserved dividend of 65 rupees.

MONEY continues plentiful and has been greatly increased by recent importations. Bullion has sold freely, but within our quotations.

PRICE OF BULLION, &c.

Spanish Dollars,	Co's Rs. 220 8 0 a 221 0 0 per 100
Dutchons,	32 0 0 a 33 0 0 each
Joes or Pesas,	19 12 0 a 20 0 0
Dutch Ducats,	4 8 0 a 5 0 0
Sovereigns,	10 6 6 a 10 7 0

GENERAL REGISTER.

Old Gold Mohurs.....	18 15 0	a	19 0 0
New	17 10 6	a	17 12 0
Madras Gold Mohurs..	0 0 0	a	15 5 0
Gold Bars.....	12 0 0	a	15 8 0 per sa wt
Silver	104 0 0	a	104 8 6 p 100 sa. wt.
Gold Dust.....	12 0 0	a	15 0 0 per sa. wt.

One arrived, 16th November, from China, represents the Money Market to stand thus

RATES OF EXCHANGE AND PRICE OF BULLION.		s. d. s. d.	
Private Bills on London and Liverpool at 6 months' sight	4 7	a	0 0 per dr.
Government Bills at 10 or 30 days' sight	4 4	a	0 0 "
United States Bank Bills at 6 months' sight	4 6	a	4 7 "
Bills under advance made on goods by the East India Company's Agents	4 7	a	0 0 "
East India Company's Bills on Calcutta at 30 days' sight	210	a	0 p 100 dr.
..... at 60 days' sight and private	210	a	0 "
Private Bills on Bombay	212	a	214 "
Gold 98 or 100 touch leaves .. Sp. Drs.	21	a	75 p. tael wt
Silver in Lintin, &c. large ingots.....	97	a	99 touch 7p ct pm
..... small.....	96	a	98 6 1/2 "
Spanish Dollars Pilar Ferdinand.....			1 per cent.
Old Carlos IV.....	12		"
South American Republic			par a 1 "

* Ver scarce.

CALCUTTA PRICES OF FOREIGN EXCHANGE

China and Singapore at 10 days' sight, 2 6 a 267 p 100 Sp. d. s.
 France at 3 months' sight..... 2 51 a 26 p 100 Sp. d. s.
 Ditto at 6 months' sight..... 2 60 a 270 do do
 Bills on Bombay and Madras may be had at either sight or 30 days' sight according to amount at par and 2 and 3 per cent. premium

PREMIUM OF ISSUANCE.

To	Europe, not North of Great Britain	2 1/2	a	3	pr. ct.
» Europe, North of Great Britain.....	3 1/2				
» America and New South Wales.....	3				
» China (on Opium and Spices) Manilla and Java, ..	2 1/2				
» China, on Ship and Goods.....	3				
» Penang.....	1 1/2				
» Madras and Singapore.....	2				
» Bencoolen & Ports on the West Coast.....	2 1/2				
» Rangoon, Amherst Town and Moulmein.....	2				
» Mauritius Madras and Coast of Coromandel.....	2				
» Madagascar and Bourbon	1				
» Bussorah or Persian Gulf.....	3 1/2				
» Red Sea.....	1				
» Bantam, Muscat, Bombay, Colombo, Trincomalee ..	2 1/2				
» St Helena or Cape.....	2 1/2				

Vessels at the Company's Mooring, one quarter per cent. per month; at their own moorings, one-third per cent. Policies are graded on time at the following rates.

Three months certain	3 1/2	pr. ct.
Six	4 1/2	"
Nine	5 1/2	"
Twelve	8	"

An Extra Premium of 1 per cent. for every time more than one that the Vessel leaves the River Hooghly under the same policy.

11th Nov. 18.

ADMINISTRATION TO ESTATES.

ESTATE OF

ADMINISTRATORS.

Bell, Joseph.....	Registrar Supreme Court
Bell, John, superintendent of customs.....	ditto ditto.
Bulleau, John Peter lieutenant colonel	John Fleming Malet, Esq.
Curran, George Richard, captain H. M. regt.....	Henricke Curran, widow
Croix, Celestine St., spinster.....	Registrar Supreme Court
Jackson, William, solicitor.....	Doctor John Jackson, civil surgeon
Fohlmann, Anthony, colonel.....	Registrar Supreme Court.
Smith, George, surgeon.....	Charles Augustus Carter and Malcolm Lae
Brown, Clements, major general.....	11 Geo. T. Graham, & Capt J Carter, Act, of Acty
Mathoornauth Bose.....	Sreemutty Brijraj Kishorey Dossce, widow
Russo Bostomy, widow	Ansing Doss, merchant
Babonaw, John.....	Mrs. Ann Babonaw widow
Green, Eliza Lodge Westbourne.....	John Coote
Hume, Henry.....	Registrar, Supreme Court
Brien, J. O.....	ditto ditto
Meikle, Geo., Madras medical establishment.....	John Jackson.
Rowland, Anthony.....	Thomas Basin.



